



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 27 NOVEMBER 2012

(Held at the Waroona Shire – Council Chambers)

TABLE OF CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENTS.....	4
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED	4
3.	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	4
4.1	PUBLIC QUESTION TIME	4
4.2	PUBLIC STATEMENTS	5
5.	APPLICATIONS FOR LEAVE OF ABSENCE.....	5
6.	DISCLOSURES OF MEMBERS’ & OFFICERS’ INTERESTS.....	5
7.	PETITIONS/DEPUTATIONS/PRESENTATIONS	5
8.	CONFIRMATION OF MINUTES	6
8.1	ORDINARY COUNCIL MEETING – 23 OCTOBER 2012	6
9.0	REPORTS OF OFFICERS AND COMMITTEES	7
9.1	DIRECTOR TECHNICAL SERVICES.....	7
	9.1.1 BICYCLE NETWORK PLAN.....	7
	9.1.2 HILL STREET ANTI HOON DEVICES	9
	9.1.3 TENDER – RFT 2012/5 – SUPPLY & DELIVERY OF GRAVEL BASECOURSE MATERIAL.....	11
9.2	DIRECTOR COMMUNITY & STRATEGY.....	14
	9.2.1 DISABILITY ACCESS AND INCLUSION PLAN.....	14
	9.2.2 RECREATION CENTRE EXTENSIONS	17
	9.2.3 TENDER 2012/04 – OVAL LIGHTING UPGRADE	19
9.3	DIRECTOR PLANNING SERVICES.....	22
	9.3.1 VARIOUS ROAD RESERVES SHIRE OF WAROONA – APPLICATION TO DRILL FOR GROUNDWATER MONITORING BORES.	22
	9.3.2 PROPOSED LOCAL PLANNING POLICY NO. 27 – WAROONA EAST HILLS DEVELOPMENT	26
	9.3.3 PROPOSED AMENDMENT 32 TO TOWN PLANNING SCHEME NO. 7 – OMNIBUS TEXT AMENDMENT	32
	9.3.4 LOTS 1 AND 259, SOUTH WESTERN HIGHWAY, WAGERUP- APPLICATION FOR PLANNING CONSENT FOR INSTALLATION OF TELECOMMUNICATIONS INFRASTRUCTURE (SATELLITE EARTH STATION).....	39
9.4	DEPUTY CEO/DIRECTOR CORPORATE SERVICES	49
	9.4.1 ACCOUNTS FOR PAYMENT	49
	9.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2012 TO 31 OCTOBER 2012	50
	9.4.3 CHANGE OF RATING METHOD.....	51
	9.4.4 ADOPTION OF 2011/12 ANNUAL REPORT	54
9.5	CHIEF EXECUTIVE OFFICER.....	55
	9.5.1 SHIRE OF WAROONA WORK FORCE PLAN (WFP).....	55
	9.5.2 WALGA PEEL ZONE - SHIRE OF SERPENTINE JARRADALE REQUEST TO JOIN	58
	9.5.3 FORWARD CAPITAL WORKS PLAN REVIEW & 2012/13 COUNTRY LOCAL GOVERNMENT FUND ALLOCATION	60
	9.5.4 BUSINESS GRANTS SCHEME: TOWNSCAPE DEVELOPMENT GRANTS PROGRAM 2012.....	63

10.	CONFIDENTIAL REPORTS	66
11.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN, OR FOR CONSIDERATION AT NEXT MEETING	66
12.	NEW BUSINESS OF AN URGENT NATURE/REPORTS & INFORMATION	66
	12.1 ELECTED MEMBERS.....	66
	12.2 OFFICERS	66
13.	CLOSURE OF MEETING	66

1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Shire President declared the meeting open at 4.05 pm and welcomed Councillors and Staff present.

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

Cr Noel Dew	Shire President
Cr John Salerian	Councillor
Cr Craig Wright	Councillor
Cr Trish Witney	Councillor
Cr Christine Germain	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Deputy Chief Executive Officer
Mr Louis Fouché	Director Planning Services
Mr Steve Cleaver	Director Community & Strategy
Mr Patrick Steinbacher	Consultant Technical Services
Mr Jason Robertson	Manager Environment, Health & Building Services
Mr Chris Dunlop (until 5.04pm)	Town Planner
Mrs Annette Mason	Administration Officer

APOLOGIES

Cr Lina Look	Councillor
--------------	------------

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

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr Larry Scott	Deputy Shire President
----------------	------------------------

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4.1 PUBLIC QUESTION TIME

Mr Ken Landwehr – President Waroona Agricultural Society

Q1 Why have invoices from Curtis Electrical been totally rejected by the Shire for the past 2 years. Waroona Agricultural Society has paid the cost in full of \$4000. Shire estimate \$2000 for maintenance work.

The CEO advised that electrical work undertaken for the preparation of the annual show that relates to general maintenance work eg. power points not working, will be paid for by the Shire. Work that is solely for the preparation of the Show, as the invoices in question detail, is the responsibility of the Waroona Agricultural Society. All Shire works undertaken prior to Show day need authorisation from a Council officer.

Q2 Will the Recreation Centre Advisory Committee conduct extensive consultation with all stakeholders – Waroona Agricultural Society, Waroona Lions Club, Waroona Football Club, monthly weekend markets, Vintage Machinery Show.



(Question relates to the toilet block at the Waroona Showgrounds that was not working on Show Day.)

The CEO advised that the issue of the non-working toilet block was discussed by the Council at the October Council meeting and has since been referred to the Recreation Advisory Committee for further investigation. The CEO also advised that the cause of the toilets not working was that the water supply tap had been tampered with and turned down which prevented the cisterns from filling quick enough.

4.2 PUBLIC STATEMENTS

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL RESOLUTION

OCM12/11/126

MOVED: Cr Witney

SECONDED: Cr Wright

That Leave of Absence be granted to Cr John Mason for the November 2012 Ordinary Council meeting.

CARRIED 5/0

COUNCIL RESOLUTION

OCM12/11/127

MOVED: Cr Wright

SECONDED: Cr Witney

That applications for leave of absence be approved for Cr Craig Wright from 10th to 28th December inclusive and Cr Christine Germain for the December Ordinary Council Meeting.

CARRIED 5/0

6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

Cr Wright declared an interest affecting impartiality in Item 9.2.3 as he is a member of the Waroona Football Club.

Cr Salerian declared an interest affecting impartiality in Item 9.2.3 as he is a member of the Waroona Agricultural Society.

Cr Wright declared a financial interest in 9.5.4 as a close associate of an employee of the applicant, John Ferraro.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.



8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 23 OCTOBER 2012

COUNCIL RESOLUTION

OCM 12/11/128

MOVED: Cr Wright

SECONDED: Cr Germain

That the Minutes of the Ordinary Council Meeting held 23 October 2012 be confirmed as being a true and correct record of proceedings.

CARRIED 5/0

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DIRECTOR TECHNICAL SERVICES

9.1.1 BICYCLE NETWORK PLAN	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Consultant Director Technical Services / Nil
Responsible Officer / Officer's Interest	Ian Curley Chief Executive Officer / Nil
Proponent:	Shire of Waroona
Landowner:	
Date of Report: 15 November 2012	File No.: 42/1
Previous Reference:	Nil
Statutory/Policy Implications:	Nil
Strategic Implications:	See below
Financial Implications:	See below
Asset Mgt. & LCC Implications:	See below
Workforce Implications:	Nil
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input checked="" type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

To present to Council for endorsement the latest Bicycle Network Plan.

BACKGROUND

The State Government, via the Department of Transport and its Regional Bicycle Network (RBN), provides funding assistance for bicycling related infrastructure and the development of Bicycle Network Plans (BNP). Council was fortunate in receiving funds from the RBN to develop a new BNP.

Applications for bicycling related infrastructure are much more likely to succeed if they are supported by the findings of a BNP, therefore the preparation of a BNP is the first step in being successful for future grants.

FINANCIAL IMPLICATIONS

Council received \$5,000 from the RBN for inclusion in the current 2012/13 budget. As RBN funds need to be matched dollar for dollar by Council's own funds, there was a total of \$10,000 included in the current budget for the preparation of the BNP. The BNP was completed well within budget.

STATUTORY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

The BNP will align with the Asset Management Plan for footpaths and form part of Council's overall strategic planning.

COMMUNITY CONSULTATION

Community consultation took place as detailed in the BNP.

OFFICER'S COMMENTS

A current BNP is essential to allow informed and strategic planning of future bicycle related infrastructure and this is why the Department of Transport is more supportive of initiatives which are backed up by the findings of a BNP rather than stand-alone projects. Through the preparation of the plan, deficiencies in the current bicycle networks can be identified and prioritised, and opportunities to apply for funding assistance are maximised.

COUNCIL RESOLUTION

OCM12/11/129

MOVED: Cr Witney

SECONDED: Cr Germain

That Council endorse the draft Bicycle Network Plan as attached at Appendix 9.1.1.

CARRIED 5/0

9.1.2 HILL STREET ANTI HOON DEVICES	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Consultant Director Technical Services / Nil
Responsible Officer / Officer's Interest	Ian Curley Chief Executive Officer / Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 15 November 2012	File No.: 131/4
Previous Reference:	OCM09/206
Statutory/Policy Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	See below
Asset Mgt. & LCC Implications:	Nil
Workforce Implications:	Nil
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input checked="" type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

The review of the performance and community acceptance of the traffic calming devices installed in 2009 on Hill Street, Waroona.

BACKGROUND

Following concerns regarding excessive vehicle speeds on Hill Street, Council sought funds from Main Roads WA under their 'Anti Hoon' program for the installation of 'speed cushions' on Hill Street in an effort to reduce the instances of excessive speeds.

In order to progress the funding application, Main Roads WA required Council to endorse the installation of the devices by resolving the following (OCM09/206):

"That Council gives an undertaking that the installed speed cushions will remain in place for a period of not less than three (3) years. A diagram showing the locations is at APPENDIX 9.1.2b. Should there be complaints, the Council will address these and will be responsible for the costs associated with modifying the profile of the relocation of the speed cushion, at their cost."

The three year period is now complete, and as such Officers wish to confirm Council's intentions as to the future of the devices.

FINANCIAL IMPLICATIONS

Should Council resolve to leave the devices as is, there will be no cost involved. Removal of the devices will incur costs that can be accommodated by the current budget.

STATUTORY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

No direct consultation was undertaken other than the initial funding application period for which community consultation was required. Community support was very strong at that time. Since then, very little comment has been received by officers therefore it is safe to conclude that the devices still hold overall community support.

OFFICER'S COMMENTS

The devices in Hill Street work well in that they are a strong visual deterrent to speeding while having a relatively small impact on the vehicles passing over them. Removing them would likely see a return to the pre-installation speeding issues that prompted their installation in the first instance therefore officers can see no valid reason to do so and therefore will recommend that they remain in place as is.

COUNCIL RESOLUTION**OCM12/11/130****MOVED: Cr Wright****SECONDED: Cr Salerian**

That Council support the retention of the 'anti hoon' speed cushion devices in Hill Street, Waroona.

CARRIED 5/0

9.1.3 TENDER – RFT 2012/5 – SUPPLY & DELIVERY OF GRAVEL BASECOURSE MATERIAL	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Consultant Director Technical Services / Nil
Responsible Officer / Officer's Interest	Ian Curley Chief Executive Officer / Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 15 November 2012	File No.: 131/4
Previous Reference:	Nil
Statutory/Policy Implications:	Tenders called in accordance with LG Act & Council Purchasing Policy
Strategic Implications:	Nil
Financial Implications:	See below
Asset Mgt. & LCC Implications:	Has an effect on renewal of road asset costs
Workforce Implications:	Nil
Voting Requirements	Absolute Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input checked="" type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

The purpose of this item is to present to Council for its consideration the tenders received for the tender 2012/5 – Supply and Delivery of Gravel Basecourse Material.

BACKGROUND

Council's 2012/13 budget includes an allocation for the purchase of gravel for use in the construction program. As the total cost of the gravel will exceed \$100,000, a tender process was necessary.

A specification was drawn up and the tender was advertised in the West Australian on the 13th October 2012. The closing date of the tender was 29th October 2012.

The Scope of Works contained in the specification called for the submission of prices the supply and delivery of gravel to the various road works sites subject to the 2012/13 construction season and to the Shire Depot. Additionally, tenderers were asked to supply an 'at gate' price plus a kilometre rate for any deliveries to locations other than works sites or the depot.

Tenderers were also instructed to describe the method in which they intended to determine volumes delivered, however the specification reserved the shire's right to reject any method and implement another.

The specification also stated that the following criteria would be used in the evaluation of the submissions:

- Tendered Price 70%
- Relevant Experience 15%



- Tenderer's Resources 15%

The specification sets out how the tenderers were to address the second and third criteria.

FINANCIAL IMPLICATIONS

The purchase of the gravel is allowed for in the 2012/13 budget. Funding sources include Roads to Recovery, Regional Road Group and Council's own funds. Costs received are slightly higher than anticipated which will have a detrimental effect on the amount of work that will be able to be achieved for the budgeted amounts.

STATUTORY IMPLICATIONS

The tender process has been conducted as per the relevant sections of the Local Government Act 1995 and Council policy 3.3 'Purchase of Budget Items'.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S COMMENTS

Only one submission was received, from Charles Hull Contracting. Their prices were as follows:

- To all works sites subject to current construction season: \$30.00/m³
- 'At gate' cost plus kilometre rate: \$20.00/tonne + \$2.00/km
(all ex GST)

The per cubic metre rate is slightly higher than anticipated and higher than that received in the 2011/12 tender process which was also won by Charles Hull Contracting. The increase is in the order of \$2.75 per metre over last year's prices.

It is concerning that gravel prices appear to be on an upward trend. The cost of gravel in the Waroona area, in the author's experience, seems to be considerably higher than that paid by other shires to gravel supply contractors. As gravel is a substantial cost component involved with road works, a high gravel cost severely limits the extents to which roads can be renewed. In light of this, officers feel that Council, in the course of the next twelve months, should be actively examining alternative gravel sources and/or construction methods so that costs can be brought down and value for money maximised.

COUNCIL RESOLUTION

OCM12/11/131

MOVED: Cr Salerian

SECONDED: Cr Wright

That Council award Tender RFT 2012/5 to Charles Hull Contracting for the supply and delivery of gravel basecourse based on the following prices:

- **To all works sites subject to 2012/13 construction season:
\$30.00/m³**
- **'At gate' cost plus kilometre rate: \$20.00/tonne + \$2.00/km**
- **All prices ex GST**

CARRIED BY ABSOLUTE MAJORITY 5/0

9.2 DIRECTOR COMMUNITY & STRATEGY

9.2.1 DISABILITY ACCESS AND INCLUSION PLAN	
Reporting Officer / Officer's Interest:	Jason Robertson – Manager Environmental Health and Building / Nil
Responsible Officer / Officer's Interest	Steve Cleaver – Director Community and Strategy / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 16 November 2012	File No.: 175/1
Previous Reference:	N/A
Statutory/Policy Implications:	Western Australian Disability Services Act 1993
Strategic Implications:	Shire of Waroona Strategic Community Plan 2012 Strategy 1: Manage the Shire of Waroona's future growth Strategy 3: Maintain a strong sense of community Strategy 5: Encourage a dynamic local economy Strategy 6: Achieve Active Civic leadership
Financial Implications:	Nil
Asset Mgt. & LCC Implications:	The Shires Asset Management planning framework ensures all legislative requirements pertaining to universal access are carefully monitored and compliance achieved.
Workforce Implications:	The Plan will require the use of skillsets from various staff in implementation and monitoring of the Disability Access and Inclusion Plan
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input checked="" type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input checked="" type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input checked="" type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input checked="" type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

It is a legislative requirement of the Western Australian Disability Services Act 1993 that all local government authorities are to develop and implement a Disability Access and Inclusion Plan (DAIP) which is subsequently reviewed and amended at a minimum of every five years.

A copy of the Disability Access and Inclusion Plan (DAIP) is provided on CD. (Hard copies available on request).

BACKGROUND

Earlier this year, as per the legislative requirements, Council undertook a review of its existing Disability Access and Inclusion Plan (DAIP), consulted with key stakeholders and drafted a new DAIP 2012 -2017 to further guide improvements to matters of universal access and inclusion.



FINANCIAL IMPLICATIONS

There are no additional financial implications for the 2012/2013 financial year other than what has already been committed to in the current budget.

STATUTORY IMPLICATIONS

Western Australian Disability Services Act 1993

STRATEGIC IMPLICATIONS

Shire of Waroona Strategic Community Plan 2012

Strategy 1: Manage the Shire of Waroona's future growth –

Through its continuous improvement of equal access planning, Council is constantly reviewing disability access throughout the Shire of Waroona.

Strategy 3: Maintain a strong sense of community –

To facilitate connection between the localities within the Shire of Waroona: Council continues to review and regularly update its communication processes. The Disability Access and Inclusion Plan review has seen a high level of community engagement.

Strategy 5: Encourage a dynamic local economy -

Continue the current town centre upgrade to help invigorate local retail;

- Improve parking, access and buildings, where possible;
- Encourage community and business initiatives to refresh and connect the town centre.

The Disability Access and Inclusion Plan incorporates 6 desired outcomes to improve access and inclusion for people with disabilities within the Shire, including access to buildings and other facilities.

Strategy 6: Achieve Active Civic leadership –

Engage in effective communication and collaboration with community members;
Regularly review plans with community consultation on significant decisions affecting the shire.

Through the review of the Disability Access and Inclusion Plan, Council has demonstrated its commitment to civic leadership with ensuring information is available in clear, concise language on how residents can participate in decision making processes and public consultations.

COMMUNITY CONSULTATION

The review process included engagement with key stakeholders and industry to ensure the revised Disability Access and Inclusion Plan was practical, met legislative requirements and addressed the needs of the Waroona Community.



OFFICER'S COMMENTS

Shire Officers undertook a comprehensive review of the Disability Access and Inclusion Plan, including local public advertising in July 2012. At the close of advertising no submissions were received.

The review ensured that Council has made significant improvements to provide more accessible services, buildings, information and greater inclusiveness.

The review identified the need to maintain an integrated approach across all of the outcome areas within the Disability Access and Inclusion Plan.

The Draft Disability Access and Inclusion Plan now outlines a range of strategies and projects that will inform the five year implementation plan to improve access and inclusion to 2017.

COUNCIL RESOLUTION**OCM12/11/132****MOVED: Cr Wright****SECONDED: Cr Germain****That Council adopt the Shire of Waroona Disability Access and Inclusion Plan 2012 – 2017 as attached at Appendix 9.2.1.****CARRIED 5/0**

9.2.2 RECREATION CENTRE EXTENSIONS	
Reporting Officer / Officer's Interest:	Steve Cleaver, Director Community and Strategy/ Nil
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community and Strategy/ Nil
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 20 December 2012	File No: 126/3
Previous Reference:	
Statutory/Policy Implications:	nil
Strategic Implications:	SCP 1 & 3
Financial Implications:	\$375000 funded by \$250000 Country Local Government Fund and \$125000 Community Sport and Recreation Facility Funding (CSRFF) grant
Asset Management. & life cycle cost Implications:	Will enhance asset. Will require an additional 1% or \$3750 allocation to the reserve.
Workforce Implications:	nil
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input checked="" type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

To endorse draft plans for the extension of the Shire's Recreation and Aquatic Centre.

BACKGROUND

At the May Recreation Advisory meeting it was recommended to Council that a design brief be endorsed to extend the gymnasium to the east and budget for architectural work in financial year 2012/2013.

Following adoption of the 2012/13 budget competitive quotes were sought and HMA Architects from Bunbury were awarded the work to construct suitable plans for the grant bodies. The Chief Executive Officer, Cr Germain, Ron Thomas and the Director Community and Strategy attended onsite with Mr Clem Mitchell from HMA Architects in September 2012. At this meeting Mr Mitchell was requested construct suitable plans in line with the brief.

Following receipt of the plans an application to the CSRFF was subsequently lodged prior to the close of applications in October 2012.

COMMUNITY CONSULTATION

Director of Planning stated.

"I note in TPS No.7 that the land on which the Rec Centre is located is reserved for Recreation under the Town Planning Scheme. In this case Clause 6.1.2 applies:



"6.1.2 Except as otherwise provided in the Scheme, the following development does not require the planning approval of the Council:- AMD 9 GG 29/4/03

(a) use of land in a Reserve where such land is held by the Council or vested in a Public Authority:-

(i) for the purpose for which the land is reserved by the Scheme; and/or

(ii) in the case of land vested in a Public Authority for any purpose for which such land may be lawfully be used by that Authority;"

As the proposed use of the extension to the Rec Centre will be consistent with its reservation under the Scheme, a DA is therefore not required. (But as discussed, presumably Building approval is required).

OFFICER'S COMMENTS

Copies of the plans are attached for the committee's reference (Appendix 6.1.1).

The committee should note that the extensions improve the access to the front entry of the recreation centre, increase the floor area, allow for 24 hour access via swipe cards or similar and also provide for the gym to be closed off having its own toilet.

It is understood that successful applicants to the CSRFF will be advised before the 2013 March State election. Should all funds be available then a budget amendment will be requested to allow the project to proceed.

RECREATION ADVISORY COMMITTEE RECOMMENDATION

Moved: Trish Morris

Seconded: Trish Witney

That the Committee recommends to Council that the draft plans for the proposed Recreation Centre Gymnasium Extension be adopted and the project proceed to full working drawings.

COUNCIL RESOLUTION

OCM12/11/133

MOVED: Cr Witney

SECONDED: Cr Wright

That the Committee recommends to Council that the draft plans for the proposed Recreation Centre Gymnasium Extension be adopted and the project proceed to full working drawings.

CARRIED 5/0



Cr Wright declared an interest affecting impartiality in Item 9.2.3 as a member of the Waroona football Club.

Cr Salerian declared an interest affecting impartiality in item 9.2.3 as a member of the Waroona Agriculture Society.

9.2.3 TENDER 2012/04 – OVAL LIGHTING UPGRADE	
Reporting Officer / Officer's Interest:	Steve Cleaver, Director Community and Strategy
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community and Strategy
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 20 November 2012	File No.: 126/1
Previous Reference:	OCM11/09/108
Statutory/Policy Implications:	Local Government (Functions and General) Regulations 1997 and Policy 3.3 & 3.4
Strategic Implications:	Nil
Financial Implications:	In document
Asset Mgt. & LCC Implications:	The project will replace existing non Australian Standard lighting towers
Workforce Implications:	nil
Voting Requirements	Absolute Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input checked="" type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input checked="" type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

To Recreation Advisory Committee recommend to Council that additional \$22582 funds be transferred from the sporting reserve to fund the project and that a contract be entered into with Curtis Electrical for construction of Oval lights.

BACKGROUND

At the August 2012 Ordinary Council meeting Council resolved to reject all tenders for the oval lighting upgrade and that the Director Community and Strategy negotiate with the lowest tenderer to for a contract. This was done with Curtis Electrical reducing the scope and lowering the price to \$217957.

At the same time Western Power supply quotation was received at a cost of \$151651. Prior to this the Shire's Electrical Engineers Cardno ITC estimated that the cost would be around \$10000. The quote by Western Power meant that the project could not proceed.

The Shire subsequently lobbied the Local and Federal Members Mr Murray Cowper MLA and Don Randall MHR. Western Power has advised on 21 November that the quote has been reduced to \$35351.

FINANCIAL IMPLICATIONS**Expenditure**

Expenditure to date	\$20674
Western Power	\$35351
Curtis Electrical	\$217957
Cardno	\$5000
Total	\$278982

Income

Federal Governments Safer Suburbs funding	\$163000
Community Sport and Recreation Facility fund	\$57400
Waroona Junior Football Club	\$5000
Waroona Senior Football Club	\$13000
Agricultural Society	\$3000
Shire of Waroona	\$37582
Total	\$278982

STATUTORY IMPLICATIONS

Local Government Act 1995

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Waroona Football Club
Waroona Agricultural Society

OFFICER'S COMMENTS

The reduction in the Western Power quotation will place the Shire in a position to proceed. Council should note that The Western Power quote and the Curtis Electrical quote do time out. Likewise the Safer Suburbs and CSRFF require completion generally within 12 months.

As the lighting towers is a Shire asset on a Shire reserve and the contribution is \$37582 or (13%) of the project it is recommended that Council progresses this project. As Council has already resolved to allocate \$15000 an additional \$22582 is required in order for the project to proceed. It is recommended that the offers be accepted.

RECREATION ADVISORY COMMITTEE RECOMMENDATION

That the Recreation Advisory Council recommends to Council –

1. That the offer to construct the oval lights from Curtis Electrical for \$217957 excluding GST be accepted.
2. That the quote from Western Power for a transformer and power supply for \$35351 be accepted

3. That the 2012/2013 budget be amended to transfer \$22582 from the sporting reserve to a/c 3723 (Grants Oval Lighting) subject to the written confirmation of the user groups.
4. That agreement of the Agricultural Society, Waroona Football Club and Junior Football Club be confirmed in writing prior to proceeding.

COUNCIL RESOLUTION**OCM12/11/134****MOVED: Cr Witney****SECONDED: Cr Wright**

1. That the offer to construct the oval lights from Curtis Electrical for \$217957 excluding GST be accepted.
2. That the quote from Western Power for a transformer and power supply for \$35351 be accepted.
3. That the 2012/2013 budget be amended to transfer \$22582 from the sporting reserve to a/c 3723 (Grants Oval Lighting) subject to the written confirmation of the user groups.
4. That agreement of the Agricultural Society, Waroona Football Club and Junior Football Club be confirmed in writing prior to proceeding.

CARRIED BY ABSOLUTE MAJORITY 5/0

9.3 DIRECTOR PLANNING SERVICES

9.3.1 VARIOUS ROAD RESERVES SHIRE OF WAROONA – APPLICATION TO DRILL FOR GROUNDWATER MONITORING BORES.	
Reporting Officer / Officer's Interest:	Greg Delahunty - Town planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Director Planning Services / Nil
Proponent:	Department of Water
Landowner:	Crown Land (Shire of Waroona Road reserves)
Date of Report:	8 November 2012 File No.: 50/4
Previous Reference:	None
Statutory/Policy Implications:	Public Works Act (1902) Planning and Development Act (2005) Town Planning Scheme No. 7 (1996) Department of Environment: Groundwater Investigation Program in Western Australia (2005 to 2020)
Strategic Implications:	Shire of Waroona Community Strategic Plan 2012 Strategy 4 : Conserve Sensitive Environmental Assets
Financial Implications:	Nil
Asset Mgt. & LCC Implications:	Nil
Workforce Implications:	Nil
Voting Requirements	Simple majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input checked="" type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

The Department of Water (DoW) are requesting permission from Council to drill a nest of two (2) bores at one or more of the sites detailed below.

Proposed Site	Road name	Approx Coordinates (GDA 94, Zone 50)	
		Easting	Northing
MPL8A	Richards Road	389418	6362719
MPL8D	Coronation Road	386194	6364616
MPL8e	Coronation Road (near Appleby Road Intersection)	391516	6365458

See location maps at **APPENDIX 9.3.1A**. See site photos at **APPENDIX 9.3.1B**.

Each bore is designed to target and subsequently monitor a different aquifer. The estimated depths of the bores are as follows:

- Upper Leederville aquifer bore: 100-200 metres
- Lower Leederville aquifer bore: 100-300 metres



Two bores—an upper Leederville and a Lower Leederville aquifer bore – will be drilled close together on a single site. The drill site will be approximately 35m x 20m in area and may also require an access track. The bores will be capped with steel standpipes, each being approximately 0.5m high, with a lockable cap. If the steel standpipes pose a risk to traffic, covers that are flush with the ground can be installed. Gravel or crushed limestone working areas and access tracks may need to be installed to improve site access and ensure a safe working environment for the drilling contractors.

The bores will be used for groundwater monitoring purposes only. DoW will be responsible for all costs relating to the installation of the bores, access tracks and drill pads. DoW have also committed to meet the costs of site rehabilitation, once drilling has been completed.

DoW anticipates drilling will occur between March and April 2013. DoW will provide field supervision during the program and will work closely with the drilling contractor to ensure worker and public safety during the drilling.

BACKGROUND

DoW is expanding its network of deep groundwater monitoring bores between Pinjarra and Waroona. The project is funded under the State Groundwater investigation Program. Results from the program will be used to develop a better understanding of the geology and groundwater resources of the Peel- Harvey region with particular focus on the Leederville and Cattamarra aquifers.

Groundwater in the region is abstracted from the Superficial, Leederville, and Yarragadee aquifers as well as the Cattamarra Coal Measures. The Department of Water measures groundwater levels in these aquifers using a network of monitoring bores.

This information forms the basis of groundwater management. At a time when there is greater demand than ever on groundwater resources, management decisions by the Department need to be based on the best possible information, therefore a better understanding of the geology and hydrogeology of the region is required.

STATUTORY IMPLICATIONS

Planning and Development Act (2005)

Section 6 of the Planning and Development Act provides that nothing in the Act interferes with the right of the Crown or the Governor or the government of the state or local government to undertake, construct or provide any public work.

A “public authority” means any of the following —

- (a) A Minister of the Crown in right of the State;
- (b) A department of the Public Service, State trading concern, State instrumentality or State public utility;
- (c) Any other person or body, whether corporate or not, who or which, under the authority of a written law, administers or carries on for the benefit of the State, a social service or public utility;

Public Works Act (1902)

Section 2 of the Public Works Act defines public works as:

- (a) Every work which the Crown, or the Governor, or the Government of Western Australia, or any Minister of the Crown, or any local authority is authorised to undertake under this or any other Act;

Town Planning Scheme No. 7 (1996) (TPS)

Clause 6.1.1 of the TPS states that any development on land zoned or reserved under Town Planning Scheme No. 7 shall require approval unless specifically exempt under clause 6.1.2 of the Scheme.

Clause 6.1.2 of the Scheme states except otherwise provided in the Scheme the following development does not require the planning consent of Council:

- (k) Any works by a Public Authority acting pursuant to the provisions of an Act, on, in, over or under a street or a road.

STRATEGIC/POLICY IMPLICATIONS

Department of Environment: Groundwater Investigation Program in Western Australia 2005 to 2020.

A groundwater investigation program has been defined over a 15 year period between 2005 and 2020. The program has attempted to address both short-term and immediate concerns through to more strategic planning to promote regional development. The focus of the program is to identify areas of increased groundwater usage and/or, where existing groundwater information is insufficient, to allow reassessment of groundwater resources that may be under pressure from natural and / or induced causes.

COMMUNITY CONSULTATION

Community Consultation was not required nor sought for this matter.

Internal Referral

Upon referral to the Shires Technical Directorate the Shire's Director Technical Services offered the following advice:

- If clearing permits are necessary they are the responsibility of DoW.
- All damage / disturbances to be reinstated to the satisfaction of Council.
- Council accepts no liability for current or future damages.
- Appropriate Traffic Management to be in place for the duration of the works. A copy of the Traffic Management Plan to be submitted to Council.
- 0.5m high standpipes preferred.

OFFICER'S ASSESSMENT

Given that the work being undertaken can be classified as public works by a public authority it is exempt from a planning consent.

Groundwater investigation and monitoring underpins the sustainable management of groundwater resources across the State. The acquisition and interpretation of information for planning and management relies on investigation programs and monitoring for a scientific understanding of the sustainability of groundwater systems.

For these reasons it is recommended that Council respond to the Department of Water stating that it has no objection to the proposed drilling subject to the conditions as outlined by the Shire's Director Technical Services.

COUNCIL RESOLUTION

OCM12/11/135

MOVED: Cr Germain

SECONDED: Cr Witney

That Council, with respect to the application for permission to undergo groundwater monitor drilling within Coronation Road and Richardson Road road reserves, advise the Department of Water that it has no objection to the proposal subject to the following conditions:

- 1. All damage / disturbances to the road reserve to be reinstated to the satisfaction of the Director Technical Services.**
- 2. Appropriate Traffic Management to be in place for the duration of the works to the satisfaction of the Director Technical Services.**
- 3. 0.5m high standpipes to be installed unless otherwise agreed to by the Director Technical Services.**

Advice to the Department of Water:

- a. Any clearing permits required are the responsibility of DoW.**
- b. Council accepts no liability for current or future damages.**
- c. In relation to condition 2, a traffic management plan is to be submitted to the Shire's Director of Technical Services.**

CARRIED 5/0

9.3.2 PROPOSED LOCAL PLANNING POLICY NO. 27 – WAROONA EAST HILLS DEVELOPMENT	
Reporting Officer / Officer's Interest:	Chris Dunlop, Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouche', Director Planning Services / Nil
Proponent:	Shire Of Waroona
Landowner:	Various
Date of Report: 13 November 2012	File No.: LPP27
Previous Reference:	Nil
Statutory/Policy Implications:	Planning and Development Act 2005 Peel Region Scheme 2003 Shire of Waroona Town Planning Scheme No.7 1996. State Planning Strategy 1997 State Planning Policy 2.5 – Agricultural and Rural Land Use Planning State Planning Policy 2.9 – Water Resources State Planning Policy 3.0 – Urban Settlement and Growth State Planning Policy 3.4 – Natural Disasters and Hazards Development Control Policy 3.4 – Subdivision of Rural Land Shire of Waroona Local Planning Strategy 2009 Local Planning Policy 1 – Community Consultation
Strategic Implications:	Shire of Waroona Community Strategic Plan 2012
Financial Implications:	Officer time and cost of advertising (approximately \$700).
Asset Mgt. & LCC Implications:	Nil
Workforce Implications:	Nil
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input checked="" type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input checked="" type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

Council is requested to consider the preparation of a new draft Local Planning Policy that will guide the development of the Darling Scarp area to the east of the Waroona Townsite.

The objective of this policy is to provide direction and guidance for the development of the policy area as rural residential and lifestyle lots, while protecting the landscape and scenic value derived from the scarp.

See Draft Policy and Reference Document at **Appendix 9.3.2 A&B**



BACKGROUND

Local Planning Policy 27 – Waroona East Hills Development (LPP27) has been prepared in response to the objectives of the Shire of Waroona Local Planning Strategy 2009 (LPS) and the increased development pressure on the existing large rural lots on the Darling Scarp.

Development within the policy area needs to occur in a proper and orderly fashion and best practice fire safety and access outcome need to be delivered.

In order to preserve the existing amenity derived from the Darling Scarp and ensure that development occurs in a coordinated and sustainable fashion, design and implementation provisions have been created to guide development.

At its meeting of 16 December 2010 (OCM10/12/192) the following motion was carried:

That Council resolves, with respect to the proposed Hills Landscape Protection Policy, to endorse the development of a Draft Policy to be considered at a future Council meeting.

FINANCIAL IMPLICATIONS

The proposed draft policy is expected to attract newspaper advertising costs of approximately \$350.00. The staff cost in relation to the preparation of the policy has been budgeted. The adoption of the policy will require advertisement in a local newspaper as well (estimated at \$350.00).

STATUTORY IMPLICATIONS

Peel Region Scheme 2003 (PRS)

The area proposed to be subject to LPP27 is zoned Rural under the PRS. The objective of the Rural zone of the PRS is to:

“provide for the sustainable use of land for agriculture, assist in the conservation of 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.”

The area subject to LPP27 is not identified by any policies created under the PRS as an area of strategic significance for agricultural or basic raw materials.

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

Part 2.4 of the TPS states that Council may create and adopt a local planning policy in order to control development and achieve desired outcomes in relation to one or more aspects of the Scheme.

The area subject to the proposed policy has various zones under the TPS including Urban Development, Rural 4 – Hills Face, Rural 5 – Darling Range and Rural 6 – Rural Residential.

STRATEGIC IMPLICATIONS

Shire of Waroona Community Strategic Plan 2012

Council's planning will need to reflect the complexities of the urban growth of the Shire, the needs of rural settlements and the highly sensitive variety of environmental settings within which this is taking place.

STRATEGIC PLANNING IMPLICATIONS

State Planning Strategy 1997

The State Planning Strategy provides the principles underpinning the State Planning Framework and guides the long term planning of the state.

The following relevant strategies are identified by the State Planning Strategy for the Peel Region:

- Manage the Peel-Harvey Catchment to reduce nutrient levels.
- Protect environmental resource areas.
- Protect sensitive environmental areas and cultural heritage.

State Planning Policy 2.5 – Agricultural and Rural Land Use Planning (SPP 2.5)

SPP 2.5 aims to protect productive agricultural land while allowing for the well planned expansion of urban areas. The area subject to the draft local planning policy is identified by SPP 2.5 as existing agricultural land, however due to the topography of the land it is considered unsuitable for intensive agriculture.

Where agricultural land is to be developed for more intensive uses, SPP 2.5 requires that supporting existing communities and access to services and facilities be considered.

State Planning Policy 2.9 – Water Resources (SPP 2.9)

SPP 2.9 aims to protect water resources identified as having social, economic, cultural and environmental value. The area subject to the draft local planning policy forms a large portion of the catchment of the Drakesbrook Weir. The weir is considered to be a valuable local water resource and provides an element of amenity to the local community. LPP 27 aims to protect the water quality and amenity of the weir in accordance with SPP 2.9.

State Planning Policy 3.0 – Urban Settlement and Growth (SPP 3.0)

SPP 3.0 provides the basis for the consideration of the expansion of urban areas into surrounding rural land. SPP 3.0 identifies rural residential development as an important supporting structure to urban developments, but requires that expansion of these areas occurs in a carefully planned fashion in suitable locations.

State Planning Policy 3.4 – Natural Disasters and Hazards (SPP 3.4)

SPP 3.4 requires that due consideration is given to the potential impacts of natural disasters during the planning process. Given the topography and vegetation of the policy area and its proximity to the state forest, bushfires are an important consideration in the formulation of the policy.

Development Control Policy 3.4 – Subdivision of Rural Land (DCP 3.4)

DCP 3.4 supports the objective of SPP 2.5 and SPP 3.0 and provides greater detail to be considered in the planning of subdivision of rural land. DCP 3.4 also requires that the subdivision of rural land for non-agricultural purposes be carefully planned and implemented through the appropriate channels, including the Local Planning Scheme, prior to subdivision.

Local Planning Strategy 2009 (LPS)

The subject area is identified under the LPS as a combination of Special Residential, Rural Residential and Hills Landscape Protection. Lots sizes prescribed in the policy area by the LPS vary from 2000m² for the Special Residential classification to a minimum of 10 Ha for the Hills Landscape Protection classification. LPP 27 aims to facilitate the development of the policy area in accordance with the LPS while maintaining the natural amenity derived from the area and providing for well-connected sustainable development.

COMMUNITY CONSULTATION

In terms of Clause 2.4.1 of the TPS, a draft Planning Policy is to be advertised for two consecutive weeks in a local newspaper, allowing a minimum of 21 days for submissions. Council must consider submissions received on the draft policy in its decision whether or not to adopt the policy.

INTERNAL REFERRALS

The draft policy will be referred to internal departments, prior to being referred to Council for final adoption. Preliminary advice and input has been received from Building Services and Engineering Services.

OFFICER'S COMMENTS

LPP 27 has been drafted in order to facilitate the objectives and development potential set out in the LPS. The draft policy provides guidance to potential developers in relation to the appropriate process and considerations which must form part of any new development in the policy area.

By drawing on the various relevant state planning policies, development control policies and other statutory implements of the Western Australian Planning Commission, the policy provides a more concise point of reference for potential developers and gives an indication of the expectations of the Shire of Waroona for any new development in the area.

LPP 27 also provides guidance to future owners of new lots created in the policy area with regard to the development of dwelling, outbuildings and other structures on lots. By ensuring that all relevant impacts of development are considered at both the

macro and micro planning stages, the policy provides consistency and coherency for developers and ensures the protection of natural amenity at all stages of the development process.

Connectivity and Road Planning

The scarp area to the east of the Waroona townsite is currently accessible via Weir Road and Nanga Brook Road. Within the policy area there is currently no gazetted, constructed road connection between these two roads, meaning that lots in the area are restricted to a single point of egress in the case of an emergency.

Figure 2 of LPP 27 is an indicative road connections plan. The plan, in conjunction with the policy text, requires that road planning for subdivision in the policy area allows for greater connectivity to be achieved. By ensuring the overall connectivity of the area and accessible links between Weir Road, Nanga Brook Road and Elliott Street emergency egress is greatly improved.

Water Quality and Nutrient Retention

The policy area forms a large portion of the catchment of the Drakesbrook Weir. In order to protect the water quality of the weir and its downstream flows, including contributions to the catchment of the Peel-Harvey Estuary, requirements are proposed in relation to property management and effluent disposal.

Given that the topography and density of likely development are cost prohibitive to reticulated sewer for the vast majority of the policy area, nutrient levels are proposed to be controlled through the use of Alternative Treatment Units in lieu of traditional septic systems. Owner will also be encouraged to establish additional vegetation to assist with nutrient retention.

Visual Amenity

The visual amenity derived from the scarp is a regionally significant attribute and should be protected throughout any development. LPP27 proposes restrictions on development to be considered at both the subdivision and individual lot development stage.

By preventing development above the visual skyline as demonstrated in Figure 3 of LPP 27 and the use of visually intrusive cladding materials, the impact on the scarp as viewed from the coastal plain can be greatly reduced.

Conclusion

LPP 27 provides a policy instrument for the protection of the amenity of the scarp area to the east of the Waroona townsite. Through the formulation and adoption of this policy Council can ensure that development within the policy area occurs in a well-planned, sustainable manner without compromising the level of amenity available to the general public. It is therefore recommended that the policy be adopted for advertising purposes.

COUNCIL RESOLUTION

OCM12/11/136

MOVED: Cr Witney

SECONDED: Cr Wright

1. That pursuant to Clause 2.4 of the Shire of Waroona Town Planning Scheme No.7, Council resolves to:
 - a) Prepare a Draft Waroona East Hills Development Policy as set out in Appendix 9.3.2A.
 - b) Advertise the Draft Policy in accordance with the requirements of Clause 2.4.1 of Town Planning Scheme No.7.
 - c) Consider all submissions received as a result of advertising.

CARRIED 5/0

9.3.3 PROPOSED AMENDMENT 32 TO TOWN PLANNING SCHEME NO. 7 – OMNIBUS TEXT AMENDMENT	
Reporting Officer / Officer's Interest:	Chris Dunlop – Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouche' – Director Planning Services / Nil
Proponent:	Shire of Waroona
Landowner:	Various
Date of Report: 7 November 2012	File No.: TPSA32
Previous Reference:	N/A
Statutory/Policy Implications:	Planning and Development Act 2005 Town Planning Regulations 1967 Shire of Waroona Local Planning Strategy 2009 Shire of Waroona Town Planning Scheme No. 7 Local Planning Policy 1 – Community Consultation
Strategic Implications:	Shire of Waroona Community Strategic Plan 2012
Financial Implications:	Consultant fees (approximately \$10,000) and advertising costs (approximately \$1,500).
Asset Mgt. & LCC Implications:	Nil
Workforce Implications:	Nil
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input checked="" type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

It is proposed to amend the Town Planning Scheme No. 7 (TPS) to update the TPS in accordance with current legislative requirements and to improve the implementation of the Shire's planning objectives. Scheme Amendment No. 32, which only proposes change to the Scheme text, will act as an interim scheme review pending a future Local Planning Scheme No. 8.

No changes to the scheme maps are proposed through this omnibus amendment. Details of the proposed text changes are available at **APPENDIX 9.3.3A**. A copy of the full proposed scheme text as amended is at **APPENDIX 9.3.3**.

The proposed omnibus scheme amendment seeks to address matters in the scheme text to:

- be increasingly consistent with the Model Scheme Text provisions;
- comply with and make reference to current relevant planning legislation, local laws, policy and agency names;
- incorporate and facilitate the objectives of the Shire of Waroona Local Planning Strategy 2009 including subdivision guidelines for rural zones;
- review and update definitions and the Zoning Table to ensure consistency;



- include empowerment and adoption process for structure plans;
- incorporate appropriate references and assessment functions of the Residential Design Codes;
- correct typographic and grammatical errors to ensure provisions achieve their intended objective;
- set out the aims of the Scheme;
- provide increased guidance for development and land use on sites which are reserved by the Scheme;
- update provisions for non-conforming uses;
- assist in addressing current and emerging planning issues including building design, relocated dwellings, minimum servicing standards, managing bush fire risk and parking of commercial vehicles;
- extend the range of matters that are to be considered by the local government in assessing applications;
- modify, delete and add a number of interpretations;
- provide greater assistance in any Rights of Review to the State Administrative Tribunal; and
- generally make the Scheme more contemporary, effective and overall efficient.

BACKGROUND

The current TPS was gazetted on 17 December 1996. The TPS has been amended various times with most amendments to the scheme maps. A number of sections of the TPS text have not been modified since 1997.

The TPS should be regularly reviewed to ensure it is up-to-date and an efficient means of pursuing community objectives regarding development and land use. The Western Australian Planning Commission (WAPC) requires that a scheme review be undertaken at least every 5 years.

FINANCIAL IMPLICATIONS

Consulting fees for a Planning consultant budgeted at \$10 000. Advertising of the amendment is expected to cost Council approximately \$1,500.

STATUTORY IMPLICATIONS

Planning and Development Act 2005 (Act)

Section 75 (a) of the Act empowers Local Government to prepare an amendment to any Scheme within its municipality.

Section 81 of the Act requires that all scheme amendments are required to be referred to the Environmental Protection Authority prior to public consultation.

Section 84 of the Act requires that any scheme amendment be advertised for public comment.

Town Planning Regulations 1967 (Regulations)

Section 13-1 (a) of the Regulations requires that the local government resolves to adopt a proposed scheme or amendment where the appropriate documents have been prepared.

Section 15 of the Regulations requires that the local government advertise any proposed scheme or amendment for public comment.

Section 25-1 (fb) requires that an amendment to a scheme be advertised in a local newspaper and a period of 42 days be allowed for submissions to be received.

Appendix B of the Regulations is the Model Scheme Text (MST). The MST sets out the preferred format of Local Planning Schemes and provides clauses, definitions and development requirements that are considered appropriate as industry standard.

Shire of Waroona Local Planning Strategy 2009 (LPS)

The LPS provides guidance for the future use and development of land within the Shire. In order to achieve a legible and consistent planning framework the provisions of the TPS should be in accordance with the objectives of the LPS.

The LPS was adopted in 2009. The TPS has not been reviewed since the adoption of the LPS and as such there are a number of inconsistencies between the documents.

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

The TPS is the statutory basis for Council to control development within the shire. In order to ensure best practice outcomes are achieved for the Shire and its residents the TPS needs to be regularly reviewed and updated.

STRATEGIC IMPLICATIONS

Shire of Waroona Community Strategic Plan 2012

Strategy 1 of the Community Strategic Plan is to manage future growth. In order to achieve the effective management of the Shire's future growth a cohesive planning framework is required.

COMMUNITY CONSULTATION

Community consultation is required under section 84 of the Act and shall be undertaken in accordance with the Regulations should the amendment be adopted for advertising purposes by Council. An advertisement will be placed in a locally circulated newspaper with a period of 42 days allowed for submissions to be received.

Officers will review all submissions received and refer a further report to Council for consideration of the submissions.

OFFICER'S COMMENTS

In order to ensure that Council is able to effectively perform its responsibilities under the Planning and Development Act, the TPS needs to be regularly reviewed and updated. The proposed amendment is not intended to impact on the development potential of lots and does not propose any changes to the zoning of lots within the shire.

Increased consistency with Model Scheme Text provisions

Amendment 32 proposes changes to the format of the TPS in order to make the TPS more consistent with the MST, which is appendix B to the Regulations. A greater level of consistency with the MST will reduce the anomalies with the TPS and bring it into line with the standard of document expected within the planning industry.

Comply with and make reference to current legislation, local laws, policy and agency names

Since the gazettal of the TPS a number of changes have occurred to legislation and policies. Numerous local planning policies and local laws have been created by Council which require reinforcement through updated scheme provisions. State legislative changes have also occurred with new requirements now applicable to planning matters. Agency titles have also been changed, creating referencing issues within the TPS. Amendment 32 proposes to update the TPS to ensure that all new legislative, policy and other requirements are addressed and agency names are up to date.

Incorporate and facilitate the objectives of the Shire of Waroona Local Planning Strategy 2009

The LPS was endorsed by the WAPC in 2009, as such the TPS has not yet been updated in accordance with the objectives and provisions of the LPS. In order to ensure a consistent and legible planning framework the TPS is required to be amended in order to be complementary to the LPS. The TPS will also provide a statutory head of power for the provisions of the LPS to be implemented, particularly in relation to lots size requirements and land use provisions.

Review and update definitions and the Zoning Table to ensure consistency

There are currently a number of discrepancies and anomalies in the zoning table and Schedule 1 of the TPS which have resulted from numerous ad-hoc amendments. Amendment 32 proposes to update the zoning table and definitions to provide a more coherent and comprehensive land use framework.



Include empowerment and adoption process for structure plans

Amendment 32 proposes to update structure plan provisions in accordance with the MST. The new provisions will provide greater guidance to applicants in preparing structure plans and greater efficiency in their processing by Council.

In addition to structure plan provisions, developer contributions provisions are proposed to be included as set out in the MST. These provisions will empower Council to require contributions from developers for things such as infrastructure and community facilities. These practices have become commonplace since the adoption of the TPS and are required to ensure that maximum community benefit is achieved through development.

Incorporate appropriate references and assessment functions of the Residential Design Codes

The Residential Design Codes (R Codes) are written and endorsed by the WAPC and are required to be implemented by local government. The WAPC regularly review and update the R Codes, as such a number of changes have been made that have not been accommodated by the TPS. Amendment 32 proposes to bring the TPS into line with the current version of the R Codes and therefore create a greater level of consistency across Council's planning framework.

Correct typographic and grammatical errors to ensure provisions achieve their intended objective

A number of typographic and grammatical errors have been identified within the TPS which reduce the effectiveness of its provisions. These are proposed to be corrected via Amendment 32.

Set out the aims of the TPS

The general objectives of the TPS are proposed to be updated so as to be more comprehensive and provide greater clarity as to the basis for its provisions.

Provide increased guidance for development and land use on sites which are reserved by the TPS

The current TPS provisions relating to reserved land are very limited. Amendment 32 proposes to update and expand these provisions to provide greater guidance as to the use and development of reserved land.

Update provisions for non-conforming uses

The non-conforming use provisions of the TPS are proposed to be updated in accordance with the MST provisions. This will give more comprehensive control of non-conforming uses and cover matters not currently addressed in the TPS.

Assist in addressing current and emerging planning issues including building design, relocated dwellings, minimum servicing standards, managing bush fire risk and parking of commercial vehicles

A number of recurring issues are proposed to be addressed through Amendment 32 including the above. These matters have caused a number of issues for Council since the gazettal of the TPS. In order to address these issues and provide a statutory basis for the implementation of Councils objectives new provisions are proposed. These new provisions will provide greater clarity and power in dealing with these and other recurring issues within the Shire.

Extend the range of matters that are to be considered by the local government in assessing applications

The matters to be considered when assessing and determining applications for planning consent are proposed to be expanded. This will provide a statutory basis for the consideration of a wider range of issues in the decision making process, ensuring that the best possible outcomes are achieved through the planning process. Matters proposed to be considered include, among others, relevant legislation, policy and advice from agencies, amenity, social issues, transport, utilities, impact on the natural environment and the aims and objectives of the TPS.

Modify, delete and add a number of interpretations

A number of interpretations currently conflict with one another and provide areas of uncertainty when classifying a proposed use. In addition, the current interpretations do not cover a number of uses and have inaccurate references to legislation, policy and agencies. Amendment 32 proposes to add, delete and update interpretations where required to provide a clear and comprehensive list. A list of the interpretations proposed to be added, deleted and updated is included in **APPENDIX 9.3.3A**

Provide greater assistance in any Rights of Review to the State Administrative Tribunal

Amendment 32 proposes new scheme provisions which give further guidance and information in relation to the process and requirements of an appeal to the State Administrative Tribunal. Given that an appeal to the State Administrative Tribunal is the formal process for the appeal against and review of determinations made under the TPS, it is appropriate for information relating to it to be included within the TPS.

Conclusion

Amendment 32 proposes to update the TPS in order to provide a coherent and comprehensive statutory mechanism for the implementation of Councils planning objectives. The updated TPS text will provide clarity for Council and the public in relation to the requirements of the TPS and assist in dealing with future development within the shire. Given that Amendment 32 proposes an improvement in the effectiveness and comprehensiveness of the TPS it is recommended that Council adopt the proposed amendment for advertising purposes.

COUNCIL RESOLUTION**OCM12/11/137****MOVED: Cr Witney****SECONDED: Cr Wright**

That, in relation to the proposed Amendment 32 to Town Planning Scheme No. 7 1996 and pursuant to Part 5 of the Planning and Development Act 2005, Council Resolves to:

- 1. Initiate the Amendment to Town Planning Scheme No. 7 in accordance with *Appendix 9.3.3*.**
- 2. Refer the above Amendment to Town Planning Scheme No.7 to the Environmental Protection Authority (EPA) pursuant to section 81 of the *Planning and Development Act 2005*. Should the EPA advise that the amendment does not require assessment, advertise the amendment in accordance with the Town Planning Regulations 1967.**
- 3. Authorise the Shire President and the Chief Executive Officer to execute the Amendment documents.**
- 4. Forward a copy of the amendment to the Western Australian Planning Commission for information.**

CARRIED 5/0

9.3.4 LOTS 1 AND 259, SOUTH WESTERN HIGHWAY, WAGERUP-APPLICATION FOR PLANNING CONSENT FOR INSTALLATION OF TELECOMMUNICATIONS INFRASTRUCTURE (SATELLITE EARTH STATION)	
Reporting Officer / Officer's Interest:	Greg Delahunty – Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Director Planning Services / Nil
Proponent:	Woods Bagot on Behalf of NBN CO
Landowner:	Iluka Resources LTD
Date of Report:	14 November 2012 File No.: TP1517
Previous Reference:	Nil
Statutory/Policy Implications:	Planning and Development Act 2005 Planning and Development (Development Assessment Panels) Order 2011 Planning and Development (Development Assessment Panels) Regulations 2011 Telecommunications Act 1997 Peel Region Scheme 2003 State Planning Policy 2.5 - Agricultural and Rural Land Use Planning Shire of Waroona Town Planning Scheme No. 7 Planning Bulletin 106/2011 - New legislative provisions for development assessment panels Local Planning Strategy 2009 Local Planning Policy 19 – Telecommunications Infrastructure State Planning Policy 5.2 – Telecommunications Infrastructure
Strategic Implications:	Shire of Waroona Strategic Community Plan 2012
Financial Implications:	Nil
Asset Mgt. & LCC Implications:	Nil
Workforce Implications:	Nil
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input checked="" type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input checked="" type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input checked="" type="checkbox"/> 2 PROTECT RURAL LAND USE	<input checked="" type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

Council, as a responsible authority, have received an application for Planning Consent for a telecommunications facility (satellite earth station) at lots 1 and 259 South Western Highway, Wagerup. See site location map at **APPENDIX 9.3.4A**. The propose development is to be contained within a 6.8449ha site over lots 1 and 259.

This application, with an estimated cost of \$12 million, automatically triggers a Development Assessment Panel (DAP) application. The proposed use is not listed under the Shire of Waroona Town Planning Scheme No.7 - for this reason Council is required to consider the proposal for adoption to advertise.



This application seeks approval for the construction of a satellite earth station (SES) facility on the subject site. The proposed SES is a telecommunications facility that will form part of the wider National Broadband Network ("NBN") that is currently being rolled out Australia-wide.

Specifically, the SES will form part of NBNCo's Long Term Satellite Service (LTSS). The earth stations will connect to two (2) satellites, which are planned to launch in 2015.

An outline of the proposal is provided below:

- Construction of a sealed access road and crossover from the South-Western Highway, to provide vehicular access to the proposed facility;
- Construction of internal sealed and unsealed roads around the perimeter of the facility, as outlined in the civil plans accompanying this application;
- Installation of two (2) antenna array in the eastern part of the site with a maximum height of 15.77 metres;
- Construction of a main building at the centre of the facility, which will consist of a vestibule, technical rooms, a store room, office room, staff lunch room and amenities (toilets and shower). The main building will have a sloping roof to a maximum height of 6.445 metres. The building shall be constructed from Lysaght Longline Metal Cladding and flat metal sheeting in three varieties of grey from dark to light
- To the north-east and south-east of the main building will be sealed pedestrian pathways;
- To the south west of the main building will be an at-grade sealed car parking area with ten (10) car parking spaces. One (1) of these spaces will be accessible and four (4) will be sited under a covered carport constructed from dark grey Lysaght Longline Metal Cladding. To the south-west of the carport will be an enclosed garage constructed from dark grey Lysaght Longline Metal Cladding as well as galvanised metal;
- To the south-west of the main building are two (2) rainwater tanks of a capacity of 25,000 litres each, three (3) generators (two (2) of which are temporary) and a fuel tank (10,000 litre capacity) and pump enclosure, which will fuel the generators, mainly, for the purpose of isolating mains during storms or other events that could result in poor utility supply;
- To the north-east of the main building is an "open" / un-roofed air conditioner zone which will serve the main building;
- A three (3) metre high security fence is proposed around the perimeter of the facility. This fence will consist of chain mesh electrified cable wires with four (4) strands of barbed wire above. This fencing is required to ensure that the facility, which is critical telecommunications infrastructure, is secure;
- An on-site sewerage system is to be installed and constructed for the proposed development. This will consist of a septic tank and standard absorption trench, to be designed and installed in accordance with Council's requirements;
- Additional screen planting along the Highway and to the south west of the proposed facility. (*City Plan Services 2012*).

(See accompanying plans at **APPENDIX 9.3.4B**).

BACKGROUND

"The National Broadband Network (NBN) is Australia's first national wholesale-only, open access communications network that is being built to bring high speed broadband and telephone services within the reach of all Australian premises. The NBN will utilise three technologies; fibre, fixed wireless and satellite, expected to make possible improved ways for you to connect with one another. Within the next decade, the plan is for every home, school and workplace in the country to have access to the NBN." (*City Plan services 2012*).

Lot 1, 63.8663ha, and Lot 259, 21.5ha, are currently owned by Iluka Resources Ltd. The majority of the lots, approximately 43ha, have been utilised for resource mining.

The subject site, 6.8449ha, contains many trees, with a strip of mature trees located along the western boundary, adjacent to the South Western Highway and to the north of the block. These trees provide a visual buffer for traffic approaching from the north. The existing trees along the western boundary act as a landscaped visual buffer to the Highway.

There is currently access to the site via an unsealed driveway off the South Western Highway. This access is provided to Lot 1, where there is an existing dwelling house on-site.

The Peel Joint DAP is the determining body for this application, Council is required to consider the proposal in terms of the objectives of the zone it is proposed to be located in, prior to advertising. The Shire acts as a responsible authority and must submit a Responsible Authority Report (RAR) to the DAP for consideration. Further to this, as the proposal also requires approval under the Peel Region Scheme, the WAPC are required to submit a RAR to the DAP. The DAP will then determine both applications.

STATUTORY IMPLICATIONS

The Telecommunications Act 1997

The Telecommunications (Low-impact Facilities) Determination of 1997 made under the Telecommunications Act 1997 requires local government planning consent for a development not defined as low-impact. The Telecommunications (Low-impact Facilities) Determination 1997 authorises the installation of radio-communications dishes within Industrial and Rural land use zones which are not considered to be of environmental significance, and where the proposed radio-communications dish has a diameter of not more than 1.8 metres and is colour-matched to its background.

The proposed satellite antennae will exceed 1.8 metres in diameter. Therefore, the Act and Determination do not provide any mechanism by which the proposed development can be exempt from the relevant state or territory laws.

Planning and Development Act 2005 - Planning and Development (Development Assessment Panels) Order 2011

, A joint development assessment panel, called the Peel JDAP, is established under section 171C of the Planning and Development Act 2005 for the following districts —
(a) Boddington;



- (b) Mandurah;
- (c) Murray;
- (d) Waroona.

Planning and Development Act 2005 - Planning and Development (Development Assessment Panels) Regulations 2011

Clause 5 (c) states that a Mandatory DAP applications is any development application that, in a development in a district outside of the district of the City of Perth, is for the approval of development that has an estimated cost of \$7 million or more.

Clause 8, referring to Applications to be determined by DAPs, states that:

- (1) Despite any other provision of the Act or a planning instrument, any DAP application for approval of development within a district for which a DAP is established —
 - (a) Must be determined by the DAP as if the DAP were the responsible authority under the relevant planning instrument in relation to the development; and
 - (b) Cannot be determined by the local government for the district or the Commission.

Clause 12 (2) states a responsible authority to which a DAP application is made must give the presiding member of the DAP that will determine the application a report on the application in a form approved by the CEO.

Peel Region Scheme (PRS) 2003

The subject lot is zoned rural under the PRS. Clause 5 (b) of the PRS states that it is the purpose of the PRS to provide for the zoning of land for living, working and rural land uses.

Clause 12 (e) deals with the Rural zoning under the PRS;

“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.”

Clause 18 of the PRS provides a requirement to obtain planning approval if the development is on reserved land or the development is of a kind or class specified in a resolution made by the Western Australian Planning Commission under Clause 21 of the PRS.

Clause 21 resolution relates to development in the Rural zone (under the PRS and states in Schedule 1 to the PRS text as follows:-

‘Schedule 1: Development on zoned land requiring planning approval

- (3) ‘Development of the following kinds on zoned land abutting a regional road reservation-



- (b) Development with direct access or existing vehicular access to a regional road reservation.

Town Planning Scheme No. 7 (TPS) 1996

Clause 6.1.1 of the TPS states that any development on land zoned or reserved under Town Planning Scheme No. 7 shall require approval unless specifically exempt under clause 6.1.2 of the Scheme.

Given that NBN Co. is not a Public Authority as defined under the Planning and Development Act 2005, the proposed Infrastructure cannot be considered to be a Public Utility as defined under the Town Planning Scheme No. 7. As the use is not specifically mentioned in the Zoning Table, the use needs to be determined in terms of Clause 4.2.5.

4.2.1 The Zoning Table (Table 1) indicates, subject to the provisions of the Scheme, the several uses permitted in the Scheme area in the various zones, such uses being determined by cross reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.

4.2.5 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the Council may -

- (a) Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- (b) Determine that the use may be consistent with the objectives of the particular zone and thereafter follow the “SA” procedures of clause 8.2 in considering an application for planning approval; or
- (c) Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

The subject lot is zoned Rural 1 – General Farming. Rural zones are dealt with under clause 4.14 of the TPS. Clause 4.14.1 states that 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 objective will therefore be to permit land uses consistent with achieving this objective.

8.2.1 Where an application is made for Planning Consent to commence or carry out development which involves “SA” use, the Council shall not grant consent to that application unless notice of the application is first given in accordance with the provisions of this clause.

8.2.3 Where the Council is required or decides to give notice of an application for Planning Consent, the Council shall cause one or more of the following to be carried out:

- (a) notice of the proposed development to be served on the owners and occupiers of the land within an area determined by the Council as likely to be affected by the granting of Planning Consent stating that submissions may be made to the Council within twenty-one days from the publication thereof;



- (b) Notice of the proposed development to be published in a newspaper circulating in the Scheme Area stating that submissions may be made to the Council within twenty-one days from the publication thereof;
- (c) A sign displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause.

8.2.4 If notices have been given, after expiration of twenty-one days from the publication of the notice, the erection of the notice or the posting of the notice to the owners and occupiers, whichever is the latter, the Council shall consider and determine the application.

2.4.3 A Town Planning Scheme Policy shall not bind the Council in respect of any application for Planning Consent, but the Council shall take into account the provisions of the Policy and objectives which the Policy was designed to achieve before making its decision.

STRATEGIC PLANNING IMPLICATIONS

State Planning Policy 2.5 - Agricultural and Rural Land Use Planning

This Policy applies to all rural land in Western Australia. The policy focuses on the identification and appropriate zoning of highly productive agricultural land throughout the state.

Two (2) key objectives of the policy are:-

- 1 Protect agricultural land resources wherever possible by:
 - (a) Discouraging land uses unrelated to agriculture from locating on agricultural land
- 3 Minimise the potential for land use conflict by:
 - (a) Providing adequate separation distance between potential conflicting land uses
 - (b) Introducing management requirements that protect existing agricultural land uses
 - (c) Identify areas that are suitable and capable for intensive agricultural pursuits as agricultural priority areas.

State Planning Policy 5.2 – Telecommunications Infrastructure

State Planning Policy 5.2 sets out guiding principles for the selecting of locations for telecommunications infrastructure and provides guidance on matters to be considered by Local Governments when assessing application for new infrastructure.

SPP5.2 states that telecommunications facilities should be designed and sited to minimise any potential adverse visual impact on the character and amenity of the local environment, in particular, impacts on prominent landscape features, general views in the locality and individual significant views.

Planning Bulletin 106/2011 - New legislative provisions for development assessment panels

The purpose of this planning bulletin is to provide an overview of new provisions that take effect under part 11A of the Planning and Development Act 2005 and the DAP regulations.

DAPs are panels comprising a mix of technical experts and local government representatives with the power to determine applications for development approvals in place of the relevant decision-making authority.

The introduction of DAPs is one of the fundamental principles of the national Development Assessment Forum's ('DAF') leading practice model for development assessment.

DAPs aim to help to improve the planning system by providing more transparency, consistency and reliability in decision-making on complex development applications. The determination of complex applications will also be improved by the involvement of experts with technical knowledge on the panel.

Local Planning Strategy (LPS) 2009

The subject land is located within the Industrial Precinct under the LPS and identified as General Agriculture. The objective of the general agriculture classification of the LPS in the Industrial precinct is to provide for the continued use of the area for a range of agricultural uses.

Shire of Waroona Town Planning Policy Planning Policy 1.0 Community Consultation

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

In the case of Telecommunications infrastructure the minimum extent of consultation is required:

- Written notice to owners and occupiers of affected neighbour properties.
- Sign on Site.
- Notice placed in local newspaper.

Shire of Waroona Town Planning Policy 19 – Telecommunications Infrastructure

Local Planning Policy 19 is largely derived from State Planning Policy 5.2 – *Telecommunications Infrastructure*. Guidance is provided in relation to appropriate sites and general matters to be considered in the assessment of application for new infrastructure.

COMMUNITY CONSULTATION

Where an undefined use is deemed to be consistent with the objectives of the zone no public consultation is required.



Where it is deemed that an undefined use may be consistent with the objectives of the zone, public consultation is required to be undertaken in accordance with Clause 8.2 of Town Planning Scheme No. 7.

Internal Referral

Internal Departmental comments will be provided in a subsequent Responsible Authorities Report to the DAP.

OFFICER'S COMMENTS

Development applications that cost over seven million dollars automatically trigger a DAP application. The DAP, consisting of a mixture of Shire of Waroona Councillors and technical experts, will replace Council as the consent authority. In normal circumstances the application would not be determined by Council. In this instance however, as a telecommunications facility is not listed as a land use under the Town Planning Schemes land use zoning table, Council needs to follow the “use not listed provisions” in the Town Planning Scheme prior to officers being able to advertise the application. Determination of the application itself will thereafter be made by the DAP.

TPS

Applications for a use not listed are dealt with under Clause 4.2.5 of the Scheme. In summary Clause 4.2.5 states that in order to determine a use not listed under the Scheme, Council must consider the objectives of the particular zone in which the use is proposed.

Clause 4.14.1 of the Town Planning Scheme lists the objectives and Policies for all rural zones and the proposed land use can be assessed against the objectives of the zone.

In essence 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.

Rural Character

The flora and fauna report prepared in support of the application confirms that the habitat within the site is largely degraded through clearance of the native vegetation and agricultural activities over many years.

‘The habitat within the Study Site is largely degraded through clearance of the native vegetation and agricultural activities over many years. Based on the available data, and the site assessment, it is highly unlikely that the proposed development would cause a significant loss of a fauna ecosystem or significantly impact an ecosystem of high conservation value.’ (Biologic 2012).

As noted the study site covers 6.8449ha of the overall 85.3663 ha. It is possible that the remainder of the lots can be utilised for agricultural production in the future resulting in the sustainable use of land for agriculture. However, on the basis of the environmental report submitted and the current usage of the land for mining, the land is not considered to be of high agricultural capability in relation to SPP 2.5.



Visual Impact

Further to this the impact on the rural character can also be assessed in terms of the potential impact on the amenity due to the visual intrusion that may be caused by the proposed development. In order to ameliorate these concerns the development is proposed to be set back approximately 100m from the South Western Highway with the satellite dish to be set back a further 20m. Further to this the development will be set back >300m from boundaries to the North and South.

The visual impact of the antennae and ancillary structures will be partly buffered by distance as well as the existing dense landscaped perimeter along the South West Highway, the majority of which is being retained and enhanced as part of the proposal. In addition to the proposed setbacks and separation distances to surrounding land uses, the applicant has proposed additional design mitigation measures include a neutral colour scheme for all structures within the facility. *(This will be assessed in the subsequent Responsible Authority report to the DAP).*

Contribution to the Districts Economy

The proposal will directly contribute to the district's economy. The proposed SES facility will operate 24 hours a day, 7 days a week. The facility has been designed to accommodate for staffing and generally, two (2) staff members will work from the site when needed, with additional staffing required during upgrade and maintenance activities. The site will not be staffed at all times.

It can also be determined that the proposed facility will indirectly contribute to the Shire. While the technological benefit of the proposed facility will not directly aid the locality, the proposal will aid in achieving affordable and convenient access to the nationwide broadband network. The proposal is part of a national rollout that will benefit the locality in other ways i.e. the provision of other NBN telecommunications facilities within the Shire. The provision of this facility within the Shire will aid in ensuring the continuity of supply of telecommunication services to people and businesses in rural and remote areas nation-wide.

LPP 19.0

Local Planning policy 19.0 emphasises the importance of any new telecommunications infrastructure being located in rural areas among others. Clause 2.4.3 of the Scheme states that Council shall take into account the provisions of the Policy and objectives which the Policy was designed to achieve before making its decision.

Conclusion

In accordance with Clause 4.2.5 (b) and taking into consideration the objectives of the Scheme for the 'Rural 1 General Farming' zone, it can be determined that the use may be consistent with the objectives of the Rural 1 zone and thereafter follow the "SA" procedures of clause 8.2 in considering an application for planning approval.

The proposal is not considered to be incompatible with the objectives of the Rural 1 Zone in that the rural setting will not be unacceptably compromised and this critical telecommunications infrastructure with significant public benefit will contribute to the locality. The retention of the existing vegetative buffer to the South Western Highway

along with additional screen planting will mitigate the visual impact of the proposed facility. The subject site therefore may be considered to be appropriate for the proposed land use.

The next steps involved in this process will be to publicly advertise the proposal in accordance with Clause 8.2 of Town Planning Scheme No. 7, assess the submissions and the merits of the application and provide a Responsible Authority report to the DAP.

COUNCIL RESOLUTION

OCM12/11/138

MOVED: Cr Germain

SECONDED: Cr Wright

1. That in relation to the proposed Telecommunications Infrastructure (installation of the Satellite Earth Station) at Lots 1 and 259 South Western Highway, Wagerup and pursuant to clause 4.2.5 (b) of Town Planning Scheme No. 7, Council resolves to :
 - a) Determine in accordance with Clause 4.2.5 of the Shire of Waroona Town Planning Scheme No. 7 1996, that the use may be consistent with the objectives of the 'Rural 1 – General Farming' zone.
 - b) Advertise the proposal in accordance with the Shire of Waroona Local Planning Policy 1.0 and follow the 'SA' procedures in accordance with Clause 8.2 of the Shire of Waroona Town Planning Scheme no. 7. 1996.

CARRIED 5/0

9.4 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.4.1 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: 15/11/2012	File No.: 1/3
Previous Reference:	N/A
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
Asset Mgt. & LCC Implications:	N/A
Workforce Implications:	N/A
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

APPENDIX 9.4.1

<u>COUNCIL RESOLUTION</u>		
OCM12/11/139		
MOVED: Cr Witney		
SECONDED: Cr Wright		
That Vouchers numbered:		
<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 7053 – 7078	\$29,735.17
Trust (Cheque/EFTs)	EFT 15183 & 15316	\$2,315.90
Electronic Transfers Municipal Fund	EFT 15182 – 15319	\$245,808.84
Direct Wages	01/10/2012 – 31/10/2012 inclusive	\$158,175.80
GRAND TOTAL:		<u>\$436,035.71</u>
and attached at Appendix 9.4.1 be endorsed.		
CARRIED 5/0		



9.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2012 TO 31 OCTOBER 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: 20/11/2012	File No.: 1/1
Previous Reference:	N/A
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
Asset Mgt. & LCC Implications:	N/A
Workforce Implications:	N/A
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

APPENDIX 9.4.2**COUNCIL RESOLUTION****OCM12/11/140****MOVED: Cr Witney****SECONDED: Cr Wright**

That the Monthly Statements of Financial Activity for the period 1 July 2012 to 31 October 2012 Appendix 9.4.2 be received and noted.

CARRIED 5/0

Chris Dunlop left the meeting, the time being 5.04pm.



9.4.3 CHANGE OF RATING METHOD	
Reporting Officer / Officer's Interest:	Kirsty Ferraro – Senior Rates Officer / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 08.11.2012	File No.: 111/1 & 1/7
Previous Reference:	N/A
Statutory/Policy Implications:	Local Government Act 1995
Strategic Implications:	Nil
Financial Implications:	See heading below
Asset Mgt. & LCC Implications:	Nil
Workforce Implications:	Accommodated within current workforce
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input checked="" type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

The Council is required to seek Ministerial approval for a change in method of valuation from Unimproved Value (UV) to Gross Rental Value (GRV) for properties located on South West Highway in the Industrial areas immediately to the north of the Waroona townsite (location map **ATTACHED AT 9.4.3**).

BACKGROUND

The most recent basis of rating occurred in 2006/07 and 2009/10 for changes to rural and residential areas located within Forrington/Woodley Heights and Southern Estuary Road. Since the last review of basis of rating there have been several industrial developments immediately north of the current GRV boundary. The proposed change in rating method will eliminate inconsistencies with the current method of rating where existing industrial properties rates are calculated with a GRV value whilst new industrial properties are rated UV.

STATUTORY/POLICY IMPLICATIONS

The Council in accordance with section 6.28 of the Local Government Act 1995 is required to rate land areas in accordance with the principal of “predominate use”.

Generally this section defines that the basis for a rate on any land is to be:

- a. Where the land is used predominately for rural purposes, the UV of the land;
- b. Where the land is used predominately for non-rural purposes, the GRV of the land.

Local Governments have a role in ensuring that the rating principals of the Act are correctly applied to rateable land within their districts.



COMMUNITY CONSULTATION

A comprehensive consultation period will occur. Generally this will take the form of a detailed explanatory memorandum being sent or delivered to all land owners.

This would be in addition to normal newsletter and website advertising.

FINANCIAL IMPLICATIONS

In total 5 properties will be affected by the proposal of which presently 5 have industrial development.

There are no significant financial implications for Council with this proposal which seeks to ensure compliance with the Act rather than generate additional revenue, although a small amount of additional income would be generated.

The amount of increase is not possible to predict due to:

- Valuations are yet to be supplied;
- The level of rating to be set by the Council during the adoption of the 2013/14 budget; and
- The type of development located on the property, ie a larger industrial workshop/office which is likely to attract a higher GRV and therefore higher rates.

STRATEGIC IMPLICATIONS

Uniform and accurate rating of the Shire based on principal of “predominant land use” supports the Council’s obligations pursuant to Community Strategic Plan Objective No. 6 “Achieve Active Civic Leadership”.

OFFICERS COMMENTS

In submitting the proposal for Ministerial approval the Council is required to make the determination that the predominant land use of the subject land is “industrial” and then satisfy the Minister accordingly.

In addition it is required to;

- Supply clear and accurate description of each property;
- An effective date from which the change will occur;
- Details of any other properties within the Shire that may also be considered for a rating change. This is to ensure consistency of rating within the district; and
- Make application for the Valuer General for supply of revised valuations.

This determination is made on the basis that:

1. It is apparent that the land is used predominantly for industrial purposes.
2. The issue of Planning and Building approvals give a clear indication of what improvements are occurring or are likely to occur on the land.

COUNCIL RESOLUTION

OCM12/11/141

MOVED: Cr Germain

SECONDED: Cr Wright

1. In accordance with Section 6.28 of the Local Government Act 1995 the Council will, accordingly to land use, rate areas of the Shire included in the recent South Western Highway Industrial development (zoned Industrial) as Gross Rental Value (GRV) areas commencing from the 2013/14 rating year.
2. The Council's intention in relation to Part 1 above is conveyed to the Minister for Local Government.

CARRIED 5/0

9.4.4 ADOPTION OF 2011/12 ANNUAL REPORT	
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:	Shire of Waroona
Landowner:	N/A
Date of Report: 19.11.2012	File No.: 8/1
Previous Reference:	N/A
Statutory/Policy Implications:	Local Government Act 1995 – Section 5.35 & 5.55
Strategic Implications:	See heading below
Financial Implications:	Nil
Asset Mgt. & LCC Implications:	Nil
Workforce Implications:	Nil
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input checked="" type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

The 2011/12 Annual Report (provided under separate cover) is to be presented to the Annual Meeting of Electors on Tuesday 18th December 2012.

STRATEGIC IMPLICATIONS

Preparation of the Annual Report and subsequent conduct of the Annual Electors meeting supports the Council's obligations pursuant to Community Strategic Plan objective No.6 "Achieve Active Civic Leadership".

COMMUNITY CONSULTATION

The plan is required to be available for public consultation from Friday 30 November.

OFFICERS COMMENTS

In accordance with Section 5.54 and 5.55 the report is to be accepted by the Council and will then be available to the general public from Friday 30 November 2012. Hard copies and an electronic version will be made available.

COUNCIL RESOLUTION

OCM12/11/142

MOVED: Cr Germain

SECONDED: Cr Witney

That the 2011/2012 Annual Report for the Shire of Waroona be adopted.

CARRIED 5/0



9.5 CHIEF EXECUTIVE OFFICER

9.5.1 SHIRE OF WAROONA WORK FORCE PLAN (WFP)	
Reporting Officer / Officer's Interest:	Karen Oborn, Manager Corporate Planning / Nil
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer / Nil
Proponent:	n/a
Landowner:	n/a
Date of Report: 19 th November 2012	File No.: 38/1
Previous Reference:	Nil
Statutory/Policy Implications:	New strategic plan for human resource management
Strategic Implications:	The WFP is a DLG requirement and forms part of the IP&RF
Financial Implications:	Human Resource Costs have been included in the Shires Annual Budget documentation
Asset Mgt. & LCC Implications:	Nil
Workforce Implications:	The WFP outline the workforce required to deliver the Shires services over the next four years
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input checked="" type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

For Council to endorse a 'Workforce Plan (WFP)' (***separate document enclosed with your agenda***) for the Shire of Waroona, which will form part of the Integrated Planning & Reporting Framework in accordance with the Department of Local Government (DLG) standards for the IP&RF.

BACKGROUND

The Department of Local Government in WA has regulated that all Local Government authorities will develop and implement an Integrated Planning & Reporting Framework (IP&RF) compliant with the standards set out in the 'Integrated Planning and Reporting Advisory Standards'. The standards require Council to have an endorsed 'Work force Plan' which outlines the current and future human resource needs of the Shire of Waroona. This plan has been developed in response to the Strategic Community Plan 2012 -2022, where the community has identified it would like moderate growth, a dynamic economy, protection of their lifestyle, localities and the environment, through the development of six objectives outlined in the Strategic Community Plan.

FINANCIAL IMPLICATIONS

The current organisational structure is budgeted for in our financial plans. It is envisaged that changes to the structure will be reflective of the growth of the Shire. Decreased or increased staffing levels are predicted to be correlated to increases in income and demand for shire services, or alternatively a decrease in levels of resources and service levels required by the community.



STATUTORY IMPLICATIONS

The Department of Local Government in WA has regulated that all Local Government authorities develop and implement an Integrated Planning & Reporting Framework.

STRATEGIC IMPLICATIONS

The plan will form part of the Councils Integrated Planning & Reporting Framework as an *'informing strategy'*.



COMMUNITY CONSULTATION

No direct community consultation was carried out when compiling this plan, it is reflective of the community's sentiment that the Shire achieve the six objectives outlined in the Strategic Community Plan (SCP), and requirement to provide resources to deliver the objectives in the SCP as legislated by the Department of Local Government.

OFFICER'S COMMENTS

The Department of Local Government in WA has regulated that all Local Government authorities develop and implement an Integrated Planning & Reporting Framework (IP&RF) compliant with the standards outlined in the Departments publication, *'Integrated Planning and Reporting Advisory Standards'*, these standards require Council to have an endorsed 'Workforce Plan'.

"Basic Standard is met when: The local government has a (i) Council has a current Workforce Plan. (ii) The Workforce Plan identifies the current workforce profile and organisational structure; (iii) The Workforce Plan identifies gaps between the current profile and the organisational requirements; (iv) and the Workforce Plan identifies organisational activities to foster and develop workforce (v) The Workforce Plan is budgeted for in the Corporate Business Plan and Long Term Financial Plan.." (IP&RAS, 2011, p8)

In addition, appendix A in the WFP, being the *'National Data Set'*, has been included based on verbal advice from the DLG, that all Local Governments will be required to supply this information in the near future. In addition, outlined in the DLG's toolkit published to assist local governments develop a WFP, this data set was included as a recommended inclusion.

COUNCIL RESOLUTION

OCM12/11/143

MOVED: Cr Witney

SECONDED: Cr Germain

The Shire of Waroona Workforce Plan for the period 2013/14 – 2016/17 as circulated be endorsed by Council, in order to ensure the Shire of Waroona complies with the standards required by the Department of Local Government in WA with regard to the IP&RF.

CARRIED 5/0

9.5.2 WALGA PEEL ZONE - SHIRE OF SERPENTINE JARRADALE REQUEST TO JOIN	
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer / Nil
Proponent:	Shire of Serpentine Jarrahdale
Date of Report: 15 November 2012	File No.: 81/1
Previous Reference:	Nil
Statutory/Policy Implications:	Nil
Financial Implications:	Nil
Asset Mgt. & LCC Implications:	Nil
Workforce Implications:	Nil
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input checked="" type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

To consider an application from the Shire of Serpentine Jarrahdale to officially join the Western Australian Local Government Association (WALGA) Peel Zone.

BACKGROUND

The Peel area is predominately known as an area containing 5 local government areas – Shires of Murray, Waroona, Boddington and Serpentine Jarrahdale and the City of Mandurah. Several government agency boundaries eg Peel Development Commission, Dept of Regional Development (Royalties for Regions funding) recognize the 5 LGA areas as forming the Peel region.

An exception to this is the WALGA boundaries which only includes 4 LGAs – Mandurah, Murray Boddington and Waroona and includes Serpentine Jarrahdale in the South East Metropolitan Zone.

COMMUNITY CONSULTATION

N/A

OFFICER'S COMMENTS

The Shire of Serpentine Jarrahdale has attended the WALGA Peel Zone meetings and been included in Peel Zone activities as a guest member for many years. Whilst they have been encouraged to fully participate at Zone level, they have been unable to vote with the Zone.

The Shire of Serpentine Jarrahdale have been valuable contributors to the Peel Zone and I believe their formal inclusion in the Peel Zone will be of overall benefit to the region. I am not aware of any potential funding deficit for the region that will be experienced by their inclusion into the Zone.



COUNCIL RESOLUTION

OCM12/11/144

MOVED: Cr Germain

SECONDED: Cr Wright

That Council supports the application from the Shire of Serpentine Jarrahdale to the Western Australian Local Government Association to transfer their membership of the South Eastern Metropolitan Zone to the Peel Zone.

CARRIED 5/0

9.5.3 FORWARD CAPITAL WORKS PLAN REVIEW & 2012/13 COUNTRY LOCAL GOVERNMENT FUND ALLOCATION	
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer / Nil
Proponent:	Shire of Waroona
Landowner:	n/a
Date of Report: 15 November 2012	File No.: 38/1
Previous Reference:	N/A
Statutory/Policy Implications:	N/A
Financial Implications:	\$466,475 grant income/expenditure
Asset Mgt. & LCC Implications:	Details in report
Workforce Implications:	Various – project specific
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input checked="" type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

- a) To review the 2011/12-2015/16 Forward Capital Works Plan- inclusion of new projects, removal of projects unlikely to proceed and other amendments to current plan.
- b) To consider allocation of the 2012/13 Royalties for Regions Country Local Government allocation for Waroona of \$466,475 towards improved drainage in the Thatcher Street catchment area. Project to include new storm drainage network, road surface treatments, footpath and other such treatments necessary to complete the project.

BACKGROUND

The Forward Capital Works Plan is a long term operational plan that enables us to predict what funding and resources we will need over the next ten years to deliver the capital works required to meet the community's infrastructure needs. The FCWP aligns with our Asset Management Strategies and is used to inform our Long Term Financial Plan and Corporate Business Plan.

The State Government Department of Regional Development and Lands Royalties for Regions Country Local Government Fund provides for an annual direct grant allocation to local governments for the general purpose of creation of infrastructure creation and preservation. The 2012/13 allocation available to Waroona is \$466,475. Eligible projects must be included in the Forward Capital Works Plan.

COMMUNITY CONSULTATION

N/A



OFFICER'S COMMENTS

Councillors and Staff have been invited to review the 2011/12-2015/16 FCWP to consider new projects not previously included of projects to be removed from the plan.

New projects endorsed by Council for inclusion in the Forward Capital Works Plan will be further analysed and inserted in the current plan in relation to their importance and funding capability and will then be re-submitted to Council for final approval.

COUNCIL RESOLUTION**OCM12/11/145****MOVED: Cr Germain****SECONDED. Cr Wright**

A) To amend the 2011/12 – 2015/16 Forward Capital Works Plan as follows –

Add new projects

- 1. Construction of housing for Doctor \$600,000
\$150,000 purchase of land; \$450,000 construction of executive housing.**
- 2. Waroona Community Health Resource Centre Extension \$1.5m
Extend existing centre to cater for additional medical and community services and future relocation of current library.**
- 3. Repainting of Waroona Community Health Resource Centre \$50,000
Internal and external repainting.**
- 4. Waroona CBD extension of Footpath improvement program \$170,000
Continue current CBD footpath treatments to Millar St \$25,000, Coronation Rd \$25,000, SW Hwy (from Coronation Rd) \$80,000 and SW Hwy east side (from newsagency) \$40,000.**
- 5. Shire Administration Centre emergency power generator \$50,000
Provide hard-wired emergency power generator capable of operating all computer and office services during period of power outages to maintain an operative emergency centre.**
- 6. Construct Bicycle Path from Sundercombe Loop to Green Street
(awaiting funding confirmation for 2013/14) \$78,000.**
- 7. Replacement of concrete pool surrounds at Waroona Recreation and Aquatic Centre \$80,000**

Amendments to current projects

3.3.1 Thatcher St drainage (stage 1) 2012/13 \$100,000; 3.4.1 Thatcher St drainage (stage 2) 2013/14 \$100,000; 3.5.1 Thatcher St drainage (stage 3) 2014/15 \$100,000; 3.6.1 Thatcher St drainage (stage 4) 2015/16 \$100,000 to be amended to :

Thatcher Street catchment area drainage network improvement, road and footpath reconstruction \$466,475 to commence construction in 2012/13.

Projects currently included recommended to be deleted**1.3.2 Construction of Opportunity Shop 2013/14 \$80,000**

Project recommended to be deleted as another not-for-profit organisation is now operating an opportunity shop in the Waroona CBD.

2.2.5 Golf Club Carpark 2015/16 \$35,000

Project has previously be submitted to Council for funding and rejected.

B) To make application to the Department of Regional Development and Lands for the 2012/13 Royalties for Regions Country Local Government fund allocation of \$466,475 to be allocated to the Thatcher Street catchment area drainage project.

CARRIED 5/0

Cr Wright declared a financial interest in 9.5.4 as a close associate of an employee of the applicant, John Ferraro and left the Chambers the time being 5.20pm.

LATE REPORT TO COUNCIL FROM THE SMALL GRANT COMMITTEE:

9.5.4 BUSINESS GRANTS SCHEME: TOWNSCAPE DEVELOPMENT GRANTS PROGRAM 2012	
Reporting Officer / Officer's Interest	Ian Curley, Chief Executive Officer / Naomi Purcell Community Development Officer
Responsible Officer / Officer's Interest	Ian Curley Chief Executive Officer
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 19 November 2012	File No.: 98/1
Previous Reference:	
Statutory/Policy Implications:	Nil
Financial Implications:	The allocation in the 2012/2013 budget is a total of \$16,000 inclusive of the Business Incentive Grants
Voting Requirements	Simple Majority
LINKED TO STRATEGIC OBJECTIVE NUMBER (SCP):	
<input type="checkbox"/> 1 MANAGE FUTURE GROWTH	<input type="checkbox"/> 4 CONSERVE SENSITIVE ENVIRONMENTAL ASSETS
<input type="checkbox"/> 2 PROTECT RURAL LAND USE	<input type="checkbox"/> 5 ENCOURAGE A DYNAMIC LOCAL ECONOMY
<input type="checkbox"/> 3 MAINTAIN A STRONG SENSE OF COMMUNITY	<input type="checkbox"/> 6 ACHIEVE ACTIVE CIVIC LEADERSHIP

PROPOSAL

The Small Grants Committee is asked to consider recommending to Council approval of Townscape Development Grant applications for 2012/2013.

The program has attracted a positive response from the business community with a total of three (3) applications received.

The budget of \$16,000 includes provision for the Business Incentive Grants of which \$2,000.00 has already been committed. This leaves \$14,000.00 remaining for the Townscape fund.

Townscape Development Grants Applications

John Ferraro - Country Café
\$3000.00

Keith Plater and Dianne Pazzano - Dizzy's Diner \$2836.00

Julie Dewar - Aunty Jacks Video Shop
\$3,000.00

Total funds applied for: \$8,836.00

BACKGROUND

The Shire of Waroona has established a Business Grants Scheme to provide small amounts of discretionary funds to commercial business owners in the Waroona



town site. The scheme has two streams being the annual Townscape Development grants and the Business Incentive grants. The Townscape Development Grants are designed to assist with upgrades to external areas of Business premises to enhance the aesthetics of the area and compliment the recent works in the town centre.

Council resolved to provide an amount of Sixteen Thousand dollars (\$16,000) in the 2012/13 budget for the Business Grants Program.

COMMUNITY CONSULTATION

The grants were advertised through a media release, on council's website and sent directly to businesses. Hard copies of the application forms were available from the Shire Office. Consultation and assistance where required for applicants was made available through the Shire of Waroona Community Development Officer.

OFFICER'S COMMENTS

1. Country Café

This application is deemed ineligible based on the following information provided in the Guidelines and Application form –

“What will not be considered – Work already commenced or previously completed”.

The application is for work that was completed earlier in 2012, prior to the grants being advertised. No new work is proposed as part of this application.

2. Dizzy's Diner

The work proposed in this application is eligible under the grant guidelines. The work was not commenced at the time of the application or when applications closed, however it has commenced at the time of writing this report. It is the CEO's interpretation that as long as the work has not commenced at the time of submitting the application or before applications close, the application is still eligible as Council may take some time to evaluate applications and applicants may be restricted by the availability of trades to complete work in a timely period.

3. Aunty Jack's Video Shop

The applicant has requested a \$3,000 grant but the overall cost of work to be done is only \$4,650 which does not meet the 2/3rd amount the applicant is required to contribute. Under this criteria the grant amount would only be \$1,550. The applicant advises that some of the quotes provided are only estimates and the work may amount to more at the time the work is being done. The overall scope of work included in the application meets the criteria of the grant guidelines

The Small Grants Committee met on 27 November 2012 and resolved the following:

SMALL GRANTS COMMITTEE RECOMMENDATION

MOVED Cr Germain
SECONDED Cr Salerian

- a) That the Small Grants Committee recommend to Council to approve the following 2012/13 Townscape Development Grants.
- | | | |
|----|---|-----------|
| 1. | Keith Plater and Dianne Pazzano – Dizzy’s Diner | \$2836.00 |
| 2. | Julie Dewar – Aunty Jack’s Video Shop | \$1550.00 |
- b) That the Small Grants Committee recommend to Council not to approve the application from John Ferraro – Country Café for \$3,000 as the grant guidelines do not provide for grants for retrospective works.

CARRIED 2/0

COUNCIL RESOLUTION

OCM12/11/146

MOVED: Cr Witney
SECONDED: Cr Germain

- a) That Council approves the following 2012/13 Townscape Development Grants.
- | | | |
|----|---|-----------|
| 1. | Keith Plater and Dianne Pazzano – Dizzy’s Diner | \$2836.00 |
| 2. | Julie Dewar – Aunty Jack’s Video Shop | \$1550.00 |
- b) That Council not approve the application from John Ferraro – Country Café for \$3,000 as the grant guidelines do not provide for grants for retrospective works.

CARRIED 4/0

Cr Wright returned to the Chambers the time being 5.24pm.

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

Nil

12.1 ELECTED MEMBERS

Nil

12.2 OFFICERS

Nil

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 5.36pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 18 DECEMBER 2012 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE

