



MINUTES

SPECIAL COUNCIL MEETING

WEDNESDAY 4 JUNE 2008

(Held at the Waroona Health & Community Resource Centre)

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1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Chairperson declared the meeting open the time being 2.02pm.

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

Cr N Dew	Shire President/Chairperson
Cr M Walmsley	Deputy Shire President
Cr T Witney	Councillor
Cr J Salerian	Councillor
Cr L Snell	Councillor
Cr C Wright	Councillor
Cr L Scott	Councillor
Mr I Curley	Chief Executive Officer
Mr M Turner	Director Strategic Development
Mr S Cleaver	Director Community Services
Mrs A Mason	Administration Officer/Minute Taker

APOLOGIES/LEAVE OF ABSENCE

Cr C Germain	Councillor
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3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.1 PUBLIC QUESTION TIME

Nil

4.2 PUBLIC STATEMENTS

Nil

5. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

Cr Snell declared an interest affecting impartiality in Item 8.1.1.

Cr Salerian declared an interest affecting impartiality in Item 8.1.1.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8. **REPORTS OF OFFICERS AND COMMITTEES**

Nil

8.1 **DIRECTOR STRATEGIC DEVELOPMENT**

Cr Snell declared an interest herself affecting impartiality in Item 8.1.1 in relation to Submission No.7 being from her, Submission Nos. 13 and 37 being from close associates and being a member of the community group that lodged submission No.15.

Cr Salerian declared an interest affecting impartiality in Item 8.1.1 in relation to Submission No.11 being his submission.

8.1.1 LOCAL PLANNING STRATEGY – FINAL ADOPTION	
Reporting Officer / Officer's Interest:	Matthew Turner - Director Strategic Development / Nil
Responsible Officer / Officer's Interest	Matthew Turner - Director Strategic Development / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 20 May 2008	File No: 129/1
Previous Reference:	Nil
Statutory/Policy Implications:	Nil
Strategic Implications:	Once adopted, the LPS will be the principle strategy guiding development and the preparation of a future Town Planning Scheme.
Financial Implications:	Nil
Voting Requirements	Simple Majority

Proposal

Following the advertising of the Shire's draft Local Planning Strategy (LPS) it is presented to Council for final adoption with modifications.

All of the submissions received have been summarised and an officer recommendation provided (including modification if necessary) in the Schedule of Submissions contained at Appendix A.

The modifications recommended are contained in the Schedule of Modifications contained at Appendix B.

The draft Local Planning Strategy (dated January 2008) has been previously circulated to all Councillors.

Background

In June 2001 Council resolved to undertake a review of its existing District Planning Strategy. The review was to take the form of the preparation of a 'Local Planning Strategy' and occur in parallel with the preparation of a new Town Planning Scheme.

Following the decision to review the then existing Strategy, a Shire of Waroona District Planning Strategy Discussion Paper (August 2001) was endorsed by Council in September 2001.

The Shire of Waroona District Planning Strategy Discussion Paper 2 (including Preliminary Strategy) was endorsed by Council in October 2003, and was the focus of consultation.

In June 2005 the Council adopted a draft Local Planning Strategy and it was subsequently forwarded to the Western Australian Planning Commission (WAPC) for its consent to advertise the Strategy.

In July 2007 the WAPC gave their consent for the draft Local Planning Strategy to be advertised, subject to a number of modifications. These modifications and the form of advertising were considered by Council at its meeting in August 2007.

Community Consultation

The advertising of the Strategy commenced with a letter being sent to all landowners in the Shire in the last week of January 2008 advising of the draft Strategy and inviting comment. The following other notification also occurred:

- An article in the Sea-to-Scarp on 12 February.
- Full copies of the LPS and maps were available for viewing at the Shire office, the Shire library, the Preston Beach Community Centre and the Lake Clifton Community Centre and on the Shire's website for the duration of the advertising period.
- Summary documents for each of the Precincts were also available at each of the above-mentioned locations.
- Letters were sent to the following agencies as required by the Commission:
 - Department of Industry and Resources;
 - Department of Indigenous Affairs;
 - Department of Health;
 - Department of Environment and Conservation;
 - Environmental Protection Authority;
 - Water Corporation;
 - Main Roads of Western Australia;
 - Western Power Corporation;

- Water Corporation;
- Department of Agriculture;
- Tourism Western Australia;
- Harvey Water;
- Fire and Emergency Services; and
- Alcoa

The advertising period closed on 28 March 2008, 50 days from the commencement. Submissions were received via post, facsimile and email.

A total of fifty-eight (58) submissions were received, including two submissions (17 & 17a) from the one landowner group. A summary of the submissions and a response is provided (including modifications if necessary) in the Schedule of Submissions contained in **Appendix A**. In accordance with Council's practice, the names and identifying details of individual landowners are not included in the Schedule. They will be included in the version sent to the Western Australian Planning Commission, along with a copy of all the submissions, as per their requirements.

Six (6) of the submissions were received after the closure of the advertising period and are indicated as such in the Schedule of Submissions. It is open to Council to resolve not to consider late submissions however they have been included and summarised in the Schedule.

Officer's Comments

Based on the submissions received and further officer review of the document, a total of fifty-eight (58) modifications are recommended, as outlined in the Schedule of Modifications at **Appendix B**. Modifications 1 to 52 relate to the submissions received. Modifications 53 to 58 are recommended after review by the officer.

With these modifications, it is recommended that the Shire's Local Planning Strategy be endorsed for final approval and forwarded to the Western Australian Planning Commission with a recommendation that they grant it final approval.

APPENDICES A & B

COUNCIL DECISION**SCM08/108****MOVED: Cr Witney****SECONDED: Cr Walmsley**

That Council resolves with respect to the Shire's draft Local Planning Strategy dated January 2008 to:

- A. Adopt the Schedule of Submissions at Appendix A as the response to the submissions received on the draft Strategy.**
- B. Endorse the Strategy for final approval, subject to the modifications contained in the Schedule of Modifications at Appendix B and forward it to the Western Australian Planning Commission with a recommendation that they grant it final approval.**
- C. Advise all those who made a submission of Council's decision accordingly.**

AMENDMENT**MOVED: Cr Salerian****SECONDED: Cr Snell**

That Council resolves with respect to the Shire's draft Local Planning Strategy dated January 2008 to:

- A. Adopt the Schedule of Submissions at Appendix A as the response to the submissions received on the draft Strategy with the alteration of the recommended modification in relation to Submission No.9 from being 'No modification' to the addition of a new modification to change the minimum lot sizes in the 'General Agriculture' area from 80ha to 40ha and in the 'Priority Agriculture' area from 40ha to 20ha.**
- B. Endorse the Strategy for final approval, subject to the modifications contained in the Schedule of Modifications at Appendix B and the addition of a new modification to change the minimum lot sizes in the 'General Agriculture' area from 80ha to 40ha and in the 'Priority Agriculture' area from 40ha to 20ha and forward it to the Western Australian Planning Commission with a recommendation that they grant it final approval.**
- C. Advise all those who made a submission of Council's decision accordingly.**

LOST 3-4

The President then put the original motion:

That Council resolves with respect to the Shire's draft Local Planning Strategy dated January 2008 to:

- A. Adopt the Schedule of Submissions at Appendix A as the response to the submissions received on the draft Strategy.**
- B. Endorse the Strategy for final approval, subject to the modifications contained in the Schedule of Modifications at Appendix B and forward it to the Western Australian Planning Commission with a recommendation that they grant it final approval.**
- C. Advise all those who made a submission of Council's decision accordingly.**

CARRIED 6-1

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

Nil

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

Nil

11.1 ELECTED MEMBERS

Nil

11.2 OFFICERS

Nil

12. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 3.00pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 24 JUNE 2008 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE



