



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 22 MARCH 2016
(Held at the Shire of Waroona Council Chambers)

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1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Shire President declared the meeting open at 4.01 pm and welcomed Councillors and Staff present.

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

Cr Noel Dew	Shire President
Cr Larry Scott	Deputy Shire President
Cr Christine Germain	Councillor
Cr John Salerian (arrived at 4.05pm)	Councillor
Cr Laurie Snell	Councillor
Cr John Mason	Councillor
Cr Trish Witney	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Deputy CEO / Director Corporate Services
Mr Louis Fouché	Director Development Services
Mr Murry Bracknell	Manager Works & Services
Mr Leonard Long	Manager Development Services
Mr Chris Dunlop	Senior Town Planner
Mrs Sue Cicolari	Executive Support Officer

APOLOGIES

There were three members of the public at the commencement of the meeting.

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr Craig Wright Councillor

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.1 PUBLIC QUESTION TIME

Nil

4.2 PUBLIC STATEMENTS

Nil

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

OCM16/03/022

MOVED: CR WITNEY

SECONDED: CR MASON

That Leave of Absence be granted for Cr Noel Dew for the period 4 April to 25 April 2016.

CARRIED 6/0



6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS
Nil

7. PETITIONS/DEPUTATIONS/PRESENTATIONS
Nil

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 23 February 2016

COUNCIL RESOLUTION

OCM16/03/023

MOVED: CR GERMAIN

SECONDED: CR SNELL

That the Minutes of the Ordinary Council Meeting held 23 February 2016 be confirmed as being a true and correct record of proceedings.

CARRIED 6/0

8.2 SPECIAL COUNCIL MEETING – 9 March 2016

COUNCIL RESOLUTION

OCM16/03/024

MOVED: CR SNELL

SECONDED: CR MASON

That the Minutes of the Special Council Meeting held 9 March 2016 be confirmed as being a true and correct record of proceedings.

CARRIED 6/0

Cr Salerian entered the meeting, the time being 4.05 pm.

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DIRECTOR TECHNICAL SERVICES

9.1.1 RETAINING WALL, PRESTON BEACH			
Reporting Officer / Officer's Interest:	Patrick Steinbacher,	Director	Technical Services; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher,	Director	Technical Services; No Interest
Proponent:	Shire of Waroona		
Landowner:	n/a		
Date of Report: 11/03/2016	File No.: 132/6 & A673		
Previous Reference:	Nil		
Policy Implications:	See heading below		
Statutory Implications:	See heading below		
Strategic Implications:	See heading below		
Financial Implications:	See heading below		
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): 6.07 Implement and maintain suitable Risk Management Systems, Assessments, & Responses;			

PROPOSAL SUMMARY

The purpose of this item is to present to Council the issues regarding the recent construction of a retaining wall structure within the road reserve at the corner of Siesta Street and Lake View Road, Preston Beach.

BACKGROUND/INITIAL COMMENTS

The Shire has recently been made aware that a retaining wall structure has been constructed within the road reserve in front of Lot 53 (#7) Lake View Road which is located at the corner of Siesta Street and Lake View Road in Preston Beach.

The structure has been built with no approvals in place from Technical Services, Planning or the Building departments and therefore officers consider it to be an illegal structure.

The structure consists of two retaining walls that appear to mirror the property boundary and are set forward approximately 3.5 – 4.0 metres into the road verge respectively. Exact distances are difficult to determine without a formal survey. The lower wall is approximately 900 millimetres high and the upper wall approximately 550mm in height. The walls are constructed of reconstituted limestone blocks and appear to be well constructed.

Photographs of the structure and an aerial photo of the subject property are included in **APPENDIX 9.1.1A**

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

This issue comes under the SCP area 6.07 Implement and maintain suitable Risk Management Systems, Assessments, & Responses

FINANCIAL ISSUES/IMPLICATIONS

Nil

POLICY ISSUES/IMPLICATIONS

The structure contravenes Council Policy 5.10 Street Verge Development Guidelines in that it has been constructed without reference to the approval process in that Policy and it does not comply with the provisions therein.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS

There may be legal implications for the Shire associated with this issue as the Shire may be liable for the activities of third parties within reserves under its control. If damage or injury did occur as a result of the presence of the structure, the Shire may be open to legal action.

COMMUNITY CONSULTATION

Nil

OFFICERS' FINAL COMMENTS/CONCLUSIONS**DIRECTOR TECHNICAL SERVICES**

The structure does not comply with the prevailing Policy therefore it can be assumed to be an illegal structure. Further, the landowner appears to be installing landscaping associated with the structure which has the potential to restrict sight distance at the intersection.

These factors, coupled with the fact that there are no approvals in place, none were sought, and any application that might have happened would have been rejected because of non-compliance with the Policy, there appears to be no recourse than to direct the landowner to remove the structure and any landscaping that is not compliant with Council Policy. There may be avenues of compromise however it is difficult to see how any retaining wall structure could comply with the prevailing Policy, therefore any compromise will likely require additional Council approval. Compromise may also let to the setting of precedent which will also require careful consideration.

Given the nature of the structure it seems reasonable to give the landowner three months in which to remove the structure.

SENIOR TOWN PLANNER

Where the wall is located in the road reserve there are no exemptions from planning consent for works carried out privately and not under a separate head of power. As per Clause 6.1.2 of the Scheme the cut off for earthworks that do not require planning

approval is 1m. Earthworks within the lot boundaries in excess of 0.5m may require approval under the Residential Design Codes.

Development without planning consent constitutes an offence under Section 218 of the Planning and Development Act 2005 and can result in prosecution under the Act.

Appendices Attached: Yes

Appendices Numbers: 9.1.1

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM16/03/025

MOVED: CR WITNEY

SECONDED: CR GERMAIN

That Council:

1. **inform the owners of Lot 53 (#7) Lake View Road, Preston Beach that the retaining wall at the front of the their property is considered by the Shire to be illegal and as such direct them to remove the portion/s of the retaining wall structure, and any other item that does not comply with Council Policy, that are currently located outside the property boundary. Removal shall occur within three months of the date of the notification for removal.**
2. **Inform the owners that any remaining or replacement structures will be applicable to the normal approvals process**

MOTION LOST 3/4

For the Motion: Cr's Witney, Germain & Salerian

Against the Motion: Cr Dew, Scott, Mason, Snell

The Chief Executive Officer advised that the matter will now be referred back to the Director Technical Services and Development Services for further consideration.

9.1.2 WAROONA STORAGE UNITS ALLEGED TREE ROOT DAMAGE			
Reporting Officer / Officer's Interest:	Patrick Steinbacher,	Director	Technical Services; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher,	Director	Technical Services; No Interest
Proponent:	Shire of Waroona		
Landowner:	AG & JL Hewett		
Date of Report: 15/03/2016	File No.: A1676		
Previous Reference:	OCM 15/11/142		
Policy Implications:	See heading below		
Statutory Implications:	See heading below		
Strategic Implications:	See heading below		
Financial Implications:	See heading below		
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): 6.07 Implement and maintain suitable Risk Management Systems, Assessments, & Responses;			

PROPOSAL SUMMARY

The purpose of this item is to present to Council the issues regarding alleged tree root damage within the property of Lot 8 McDowell Street, Waroona.

BACKGROUND/INITIAL COMMENTS

The owners of the Waroona Storage Units claim that there are tree roots growing under their property from trees located in the McDowell Street road reserve are causing damage (cracking) to the asphalt in their development.

In an effort to gain greater understanding of the prevailing factors behind such cracking, Shire officers engaged a consultant to inspect the area and prepare a report which could shed some light on whether the cracking has indeed been caused by tree root growth or could other factors also be a factor.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

This matter has been referred to:

- Stabilisation Technology

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

This issue comes under the SCP area 6.07 Implement and maintain suitable Risk Management Systems, Assessments, & Responses

FINANCIAL ISSUES/IMPLICATIONS

Some minor consultant costs

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS**COMMUNITY CONSULTATION**

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

It is important to determine conclusively that any damage present was caused by tree roots. This was the driving factor in the decision to engage an independent third party to assess and report on the Storage Units.

The report was prepared by a very experienced pavement and seal engineer who has worked extensively for Main Roads WA before working in the pavement stabilisation industry throughout Western Australia for many years. He is an industry expert in pavement materials and construction techniques as well in bitumen based seals.

The report, which is appended (**APPENDIX 9.1.2**), finds no compelling evidence that the current pavement is being affected by the presence of tree roots and instead suggests that any cracking in the current asphalt surface has been caused by other factors such as asphalt age, ingress of groundwater, substandard work practices, etc. The report also finds that what cracking does exist is very minor, and therefore is not compromising the operations of the business. Cracking is evident throughout the extent of the asphalt surface and it is not confined to those areas nearest the verge trees on McDowell Street.

The owners of the property are of the opinion that the cracking is being caused by tree roots and have taken the liberty of obtaining a quote (attached) to “remove hotmix, tree roots, contaminated soils/gravel and replace/reworks” in the amount of \$9,110.00 for 92 square metres of total area and it is their opinion that the Shire is liable for these costs. This represents a substantial area of existing asphalt which, according to the report, has experienced cracking through other factors. In light of this, it is recommended that Council reject this claim.

For the Shire to entertain future claims, the onus is upon the owners of the storage units to prove beyond doubt that any damage to their property is being caused by tree roots.

Appendices Attached:	Yes	Appendices Numbers:	9.1.2
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM16/03/026

MOVED: CR SNELL

SECONDED: CR GERMAIN

That Council, based on professional advice received, reject the claim by the owners of the Waroona Storage Units that the cracking in the existing asphalt surface is attributable to tree root growth and therefore decline to meet any costs associated with any restitution works.

CARRIED 7/0

9.2 DIRECTOR DEVELOPMENT SERVICES

9.2.1 PROPOSED AMENDMENT TO LOCAL PLANNING POLICY 7 – ANCILLARY ACCOMMODATION.	
Reporting Officer / Officer's Interest:	Sarah Park, Assistant / Student Town Planner; No Interest
Responsible Officer / Officer's Interest	Louis Fouche, Director of Development Services; No Interest
Proponent:	Shire of Waroona
Landowner:	Not Applicable
Date of Report: 09/03/2016	File No.: LPP7
Previous Reference:	OCM 15/12/157
Policy Implications:	Shire of Waroona Town Planning Policy 7 – Ancillary Accommodation State Planning Policy 2.1 Peel-Harvey Coastal Plain Catchment State Planning Policy 3.1 Residential Design Codes
Statutory Implications:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 Shire of Waroona Town Planning Scheme No. 7 1996 State Planning Policy 3.1 – Residential Design Guidelines. State Planning Policy 2.1 – The Peel Harvey Coastal Plain Catchment
Strategic Implications:	Shire of Waroona Community Strategic Plan 2014/15 – 2023/24
Financial Implications:	Advertising costs (incorporated in operational budget).
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): Theme 3: Responsible Land Use Planning and Protecting Rural Land	

PROPOSAL SUMMARY

Council is requested to adopt the amended version of Local Planning Policy 7 – Ancillary Accommodation (LPP7).

BACKGROUND/INITIAL COMMENTS

The current version of Local Planning Policy 7 – Ancillary Accommodation is proposed to be amended to address operational issues in the application of the policy. A copy of the updated policy including the proposed changes is at **APPENDIX 9.2.1**.

Shire of Waroona Planning Officers have cited operational issues in the application of LPP7. Issues identified include:

- Inconsistency with State Planning Policy 3.1 Residential Design Codes (R-Codes);
- Inconsistency with State Planning Policy 2.1 – The Peel Harvey Coastal Plain Catchment;
- Inconsistency with the Town Planning Scheme (TPS); and



- Lack of guidance on the preservation of amenity, landscape and environment; and
- The requirement for Ancillary Accommodation to be connected to the same effluent disposal system as the dwelling, resulting in the potential for effluent disposal to be compromised;

In order to address the above issues a number of changes have been made to the policy. These changes include:

Changes proposed to the policy include:

- Updating LPP7 provisions relating to urban areas to be consistent with the R-Codes;
- Inclusion of the requirement for effluent disposal systems to comply with State Planning Policy 2.1 – The Peel Harvey Coastal Plain Catchment.
- Removal of the requirement for all Ancillary Accommodation to be connected to the same effluent disposal system as the dwelling.
- Inclusion of provisions to preserve amenity, landscape and environment.
- Inclusion of applicable TPS references.

At the Ordinary Council Meeting of 22 December 2015 Council adopted the revised policy as attached (**Appendix 9.2.1**) for advertising purposes. Since that time advertising has been undertaken in accordance with the Planning and Development (Local Planning Schemes) Regulations.

PLANNING – STRATEGIC IMPLICATIONS

Local Planning Strategy (LPS)

The LPS serves as Council's main strategic planning instrument guiding development within the Shire. The LPS outlines land uses that are permissible and discretionary within the six (6) precincts of the Shire. The classification of these land uses as permitted or discretionary is then reflected in Table 1 of the TPS. LPP 7 sets the provisions for the assessment and approval of Ancillary Accommodation land use.

REFERRALS

The draft policy has been referred to internal departments, no concerns were raised prior to the matter being referred to Council for final adoption.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

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

FINANCIAL ISSUES/IMPLICATIONS

Cost of Advertising the Policy with the 2015/16 budget (incorporated into Council's existing advertising expenses associated with the Sea to Scarp publication).

POLICY ISSUES/IMPLICATIONS

None applicable.



STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Planning and Development Act 2005

The Planning and Development Act 2005 provides for the preparation of Region and Local Planning Schemes and provides the head of power for the enforcement of the Scheme and any policies adopted under it.

Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)

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

Schedule 2 Division 2 of the Regulations deals with Local planning policies, with Clause 3 stating:

- (1) The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.
- (2) A local planning policy -
 - (a) may apply generally or in respect of a particular class or classes of matters specified in the policy; and
 - (b) may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.
- (3) A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.
- (4) The local government may amend or repeal a local planning policy.
- (5) In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

Schedule 2 Clause 4 of the Regulations specifies the procedures for making a local planning policy, including the requirement for advertising.

State Planning Policy 2.1 – The Peel Harvey Coastal Plain Catchment

State Planning Policy 2.1 – The Peel Harvey Coastal Plain Catchment includes specific policy provisions for effluent disposal, including the requirements for conventional on-site systems in the policy area. Due to the potential for nitrate contamination of groundwater, on-site effluent disposal system densities are generally limited to 1 system per hectare on rural residential lots.

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

Clause 7.1 requires local planning policies to be consistent with the provisions of the R-Codes. Clause 7.3.1 outlines the variations to the deemed-to-comply provisions of the R-Codes that may be varied by the local planning framework, including local planning policies. The R-Code deemed-to-comply provisions relating to Ancillary Accommodation may not be varied by a local planning policy. However, a local planning policy may provide guidance to Council for the determination of applications that do not meet the deemed-to-comply provisions.

An update of the R-Codes was published in August 2013 and includes the following definition for Ancillary Dwelling:

“Ancillary Accommodation: - means self-contained living accommodation on the same lot as a Single House that may be attached or detached from the Single House occupied by members of the same family as the occupiers of the main dwelling”.

The new definition removes the limitation for occupants of Ancillary Accommodation to be members of the same family as occupants of the main dwelling.

The determination of floor area for ancillary accommodation within the R-Codes is now based on a plot ratio area of 70m², excluding non-habitable space such as storage rooms, passageways and verandas.

Town Planning Scheme No.7

Clause 4.2.1 The Zoning Table (Table 1) indicates, subject to the provisions of the TPS, the various uses permitted in the TPS 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.

Although a town planning scheme policy does not bind Council, it shall have regard for the policy when making a decision.

LEGAL ISSUES/IMPLICATIONS

See statutory issues.

COMMUNITY CONSULTATION

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

The draft LPP7 adopted for advertising purposes has been advertised in accordance with the requirements of Clause 4 of the Regulations. No submissions were received during the consultation period.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Particular procedural issues, identified by officers during the everyday application of LPP7, have instigated the requirement for its amendment. It is envisaged that the



updated Policy will aid the Planning Department in processing Planning Consent applications. A clear and consistent policy will also benefit applicants and the general community.

Updating LPP7 provisions relating to urban areas subject to the R-Codes will eliminate inconsistencies between LPP7 and the R-Codes, and provide guidance for applications requiring interpretation of the R-Code design principles.

Inclusion of the requirement for effluent disposal systems to comply with State Planning Policy 2.1 – The Peel Harvey Coastal Plain Catchment (SPP2.1) will improve consistency between LPP7 and SPP2.1 and potentially allow more than one effluent disposal system on Rural Residential lots of at least 2.0 Ha, where appropriate.

The addition to the LPP7 provisions relating to the preservation of amenity, landscape and environment will assist officers to ensure these measures are adequately addressed by applications for Ancillary Accommodation.

Conclusion

The amended policy will provide greater clarity and efficiency around the assessment and approval of Ancillary Accommodation. The Policy will be more consistent with the TPS, R Codes and the other LPPs. It is therefore recommended that Council adopt the LPP7 - Ancillary Accommodation.

Appendices Attached:	Yes	Appendices Numbers:	9.2.1
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM16/03/027

MOVED: CR GERMAIN

SECONDED: CR MASON

- 1. That in relation to Local Planning Policy 7- Ancillary Accommodation, Council resolves to amend the policy in accordance with Appendix 9.2.1 pursuant to Clause 5 of Part 2, Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.**

CARRIED BY ABSOLUTE MAJORITY 7/0

9.2.2 PROPOSED BOUNDARY REALIGNMENT – LOTS 388 AND 266 SOUTH WESTERN HIGHWAY, WAROONA	
Reporting Officer / Officer's Interest:	Chris Dunlop, Senior Town Planner; No Interest
Responsible Officer / Officer's Interest	Louis Fouché , Director Development Services; No Interest
Proponent:	Department of Fire and Emergency Services
Landowner:	Lot 266 - Crown Land vested in Shire of Waroona; and Lot 388 – Crown Land Vested in Department of Fire and Emergency Services
Date of Report: 14 March 2016	File No.: 51/1
Previous Reference:	Nil
Policy Implications:	Nil
Statutory Implications:	Planning and Development Act 2005 Transfer of Land Act 1893 Shire of Waroona Town Planning Scheme No. 7 1996 State Planning Policy 3.1 – Residential Design Codes
Strategic Implications:	Shire of Waroona Local Planning Strategy 2009 Waroona Town Centre Strategy Masterplan 2003
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): E, No. 6 “Active Civic Leadership, Good Governance, & Excellence in Management”	

PROPOSAL SUMMARY

The Department of Fire and Emergency Services is proposing to redevelop the existing fire brigade shed to accommodate a new fire fighting vehicle at the existing fire brigade facility at lot 388 South Western Highway, Waroona. The existing shed is too small to accommodate the new vehicle and as such needs to be demolished and rebuilt in a larger format.

To accommodate the new larger shed a change to the lot boundary between lots 388 and 266 is proposed. A location plan is at **APPENDIX 9.2.2A**. A plan showing the proposed modification to the lot boundary is at **APPENDIX 9.2.2B**.

In order to change the existing lot boundary an application must be made to the Western Australian Planning Commission. This application is required to be signed by all landowners of lots affected by the proposed boundary relocation.

Council is requested to provide landowners consent for the application to realign the boundary between lots 388 and 266 South Western Highway.

PLANNING – STRATEGIC IMPLICATIONS

Shire of Waroona Local Planning Strategy 2009

Under the Shire of Waroona Local Planning Strategy (LPS) Lot 388 is classified as Public Purpose and Lot 266 is classified as Open Space, Recreation, Conservation and Forestry. The proposal would not impact the continued use of Lot 388 for Public Purposes.



Waroona Town Centre Strategy Masterplan

The Town Centre Strategy Masterplan (Masterplan) identifies the current fire station as being redeveloped as a youth centre, with firefighting facilities being relocated adjacent to the St John Ambulance site on Henning Street. The Masterplan also shows landscape improvements similar to those currently in place in the area between Lot 388 and the Town Hall on Lot 266 (Drakesbrook Place).

REFERRALS

Nil.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

FINANCIAL ISSUES/IMPLICATIONS

Nil. Financial responsibility for the application and any works required on site is to be taken by DFES.

POLICY ISSUES/IMPLICATIONS

Nil.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Planning and Development Act 2005

The Planning and Development Act provides the statutory head of power for applications for subdivision and boundary realignment to be assessed and determined by the Western Australian Planning Commission.

Transfer of Land Act 1893

The Transfer of Land Act (Act) provides the statutory head of power for dealings with land including the lodgement of deposited plans and modification of certificates of title.

Part 3B of the Act governs registration and recording in relation to crown land while Part 4 of the Act covers the registration of certificates of title and deposited plans.

Shire of Waroona Town Planning Scheme No. 7 1996

Under the Shire of Waroona Town Planning Scheme No. 7 (TPS) lots 388 and 266 are zoned Urban 2 – Community and Civic. It is the objective of the Urban 2 zone to encourage the establishment of civic and community use facilities in this area adjoining the Town Centre, and ensure that the amenity and streetscapes of the zone are satisfactorily enhanced.

A ‘Community Facility Depot’, such as the existing fire brigade facility is a ‘P’ use in the Urban 2 zone.

State Planning Policy 3.1 - Residential Design Codes 2013

The Residential Design Codes set out provisions for the development of urban land where they are applicable under the TPS. Under the TPS lots 388 and 266 have an applicable density coding of R30. Table 1 of the Residential Design Codes provides required minimum and average lot sizes for each density code.

Table 1 requires a minimum lot size of 260m² and an average lot size of 300m² for lots coded R30.

LEGAL ISSUES/IMPLICATIONS

See statutory issues.

COMMUNITY CONSULTATION

Not required for this item.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The proposed boundary realignment will facilitate the expansion of the existing fire brigade facility on lot 388. The proposal is not considered to compromise the use or development of lot 266 as the area to be included in lot 388 is currently used as access to the existing fire shed and a portion of the un-landscaped area to the north of the existing wall / seating in Drakesbrook Place.

The redevelopment of the shed will provide Council the opportunity to have an input into the proposed finish of the southern wall which faces the developed Public Open Space (Drakesbrook Place) and the Memorial Hall. By ensuring this wall has an appropriate standard of architectural finish, the aesthetic value of the Public Open Space will be enhanced.

In the interest of safety and service provision to the community it is recommended that Council provide its landowners consent to the proposal subject to appropriate conditions.

Appendices Attached:	Yes	Appendices Numbers:	9.2.2A & B
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION**OCM16/03/028****MOVED: CR WITNEY****SECONDED: CR SCOTT**

1. That Council in relation to the proposed realignment of the boundary of lots 388 and 266 South Western Highway, Waroona Council resolves to:
 - A. Provide landowner's consent for the application subject to the finalisation of a written agreement signed by Chief Executive Officer and an authorised officer representing the Department of Fire and Emergency Services addressing but not limited to the following conditions:
 - i. The proposed realignment of the boundary of lot 388 and 266 does not have any impact on the existing public open space or its infrastructure located on lot 266.
 - ii. The existing storm water drain shall not be constructed over or alternatively will be realigned to the satisfaction of the Director Engineering Services.
 - iii. The finish of the southern wall of the proposed shed (abutting lot 266) shall incorporate architectural features that will complement the existing Public Open Space (including Drakesbrook Place) to the satisfaction of the Chief Executive Officer.
 - B. All costs associated with (A) above are to be at no cost to Council.
 - C. Subject to (A) and (B) above delegate authority to provide landowner's consent on any relevant application forms to the Chief Executive Officer.

CARRIED 7/0

9.2.3 LOCAL ECONOMIC DEVELOPMENT STRATEGY	
Reporting Officer / Officer's Interest:	John Crothers; Co-Ordinator Corporate Planning; No Interest. Louis Fouché, Director Development Services; No Interest.
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer; No Interest.
Proponent:	Not Applicable.
Landowner:	Not Applicable.
Date of Report: 15 March 2016	File No.: 121/1, 117/1
Previous Reference:	Not Applicable.
Policy Implications:	See heading in report.
Statutory Implications:	See headings in report.
Strategic Implications:	See headings in report.
Financial Implications:	See heading in report.
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 1 "Local Economy"	

PROPOSAL SUMMARY

Council is requested to consider the Economic Development Strategy prepared by Kirkgate Consulting. A copy of the completed Strategy is provided as an attachment to this report at **APPENDIX 9.2.3**.

BACKGROUND / INITIAL COMMENTS

Within Council's adopted Strategic Community Plan the first Theme relates to "Local Economy" and an Economic Development Strategy was commissioned in July 2015, after the allocation of funding support from the Peel Development Commission.

When the revised Strategic Community Plan was compiled in 2014, various parts of that plan were made to follow the State Government's State Planning Strategy 2050", the "Draft South Metropolitan Peel Sub-regional Planning Framework" as well as the "Peel Regional Investment Blueprint -Vision 2050".

The Economic Development Strategy recommendations will be considered with the next review of the Strategic Community Plan.

The scope of work for the Local Economic Development Strategy consists of the following stages:

- Stage 1 - Development of a Strategic Framework for possible Council involvement in future Economic Development matters. Broad outlines of possible future directions, and associated possible action, are expected.
- Stage 2 - Tourism Development Strategy. This report is to build upon Tourism specifics which have been identified in the broad Stage 1 report. Stage 2 needs to be capable of forming the basis for a Tourism Planning Strategy.
- Stage 3 - Analysis of current Agriculture pursuits, and possible future alternatives, as well as possible support businesses.
- Stage 4 - Other possible future Local Economic Development Options.

The current Economic Development Strategy report prepared by Kirkgate Consulting only addresses Stage 1 of the scope of works.

Peel Tourism Economic Development Strategy

The Peel Development Commission (PDC) has identified the development of a Peel Tourism Economic Development Strategy as a priority aligned to the Peel Regional Investment Blueprint. To progress this initiative, the PDC has engaged consultant to:

- Develop a robust framework entitled Peel Tourism Economic Development Strategy that provides the parameters for progressing regional enabling tourism priorities;
- Deliver two quality Royalties for Regions Program business cases that are outcomes and evidence based and which clearly confirm the social, economic and environmental benefits of these projects; and
- Prepare an overarching economic narrative that describes how the projects will individually and collectively transform the Peel into a progressive, prosperous and dynamic region by 2050.

An overarching aim of this project is to develop a regional tourism economic development strategy that focusses upon the transformational opportunities for enabling infrastructure to be established within priority locations of the region, and which, will deliver strong positive impacts upon the economy.

A Project Steering Committee has been established to support the completion of this initiative. The Director Development Services represents the Shire on the Steering Committee.

PLANNING – STRATEGIC IMPLICATIONS

State Planning Strategy 2050 (SPS)

The vision of the SPS is sustained growth and prosperity of the state.

The relevant Strategic Directions in the SPS include:

1. Economic development
 - 1.1 Resource economy
 - 1.2 Knowledge transfer
 - 1.3 Tourism
 - 1.4 Agriculture and food
 - 1.6 Land availability

Draft South Metropolitan Peel Sub-regional Planning Framework

The framework projects the number of dwellings in Waroona (Shire) to grow from 1,878 to 7,480 and a population growth from 3,720 to 18,231 between 2011 and 2050. Most of the growth is proposed to the north of the Waroona townsite with some development proposed to the east and south of the townsite.

An Industrial Investigation area is proposed in the Wagerup area to the north and west of the existing Alcoa refinery.



Peel Regional Investment Blueprint, 2015

Megatrends identified in the Peel Blueprint are briefly summarised below:

Demographics

The Peel (including Waroona) has an above average and growing number of retirees who will increase demand for services as pension spending increases. The development of facilities should take these factors into consideration. (This sector is already a relatively large employer in Waroona).

Rise of the individual

Individuals have more access to technology (including mobile technology) than ever before and the reliance on City based service providers will decrease in the future. The NBN is expected to be available to the Waroona community in 2016. Conversely, it is expected that personal service will increasingly become highly valued with particular relevance to business and hospitality industries. (Referred to as “Great Expectations” by the CSIRO).

Enabling Technology

New occupations and skillsets are expected to evolve requiring adaptation in training needs and communication methods. The application and implications of use of technology should be considered.

Economic connectedness

Export to Asia is expected to increase to 39% by 2030. The Peel's businesses and industries need to broaden, diversify and expand their markets to stay competitive in a global market. The Blueprint strategies recognise the need to underpin these businesses with innovation, research and a strong and productive labour market. Growing products for the export market in Waroona should be given serious consideration. The demand for products such as beef and milk in Asia and emerging economies could potentially provide significant opportunities to Waroona producers.

Economic power shift

The world's fastest growing cities will be in developing countries, generating 47% of global GDP growth by 2025. The Blueprint proposes to grow Mandurah into a thriving regional city supported by an integrated network of towns and communities to generate economic growth and attract and retain new and professional jobs and commercial investment. (Also see Economic Connectedness above).

Urbanisation

Approximately 60% of the world's population is expected to live in cities by 2030. The significant growth projections for the Peel region (the fastest growing region in Western Australia) and Waroona specifically in the Draft South Metropolitan Peel Sub-regional Planning Framework should be noted. The Waroona population is expected to increase to 18,231 while the Shire of Murray population is projected to increase to 164,256 by 2050. Future communities will require integrated infrastructure planning and economic growth, along with a highly skilled workforce to benefit from future growth.

Despite the projected urban growth rate for Waroona, the Strategic Planning Framework plan shows substantial rural land that will effectively be retained for agricultural production. Natural environments such as the Yalgorup National Park and lake systems are protected through reservation in town planning schemes, which retains long term tourism opportunities.

Climate change

Urban areas has high energy demands resulting in CO2 emissions. Renewable energy sources will play an increasing role in energy provision and are expected to be potential economic drivers to future communities. While this is a universal issue, the expanse of non-urban land in Waroona provides opportunities for local and regional renewable energy generation.

Resources stress

A substantial (40%) gap between global water supply and demand is estimated by 2030. Water supply sources such as Samson Brook catchment, Harvey Water and Stirling Trunk Main could be a significant advantage to Waroona for its future agricultural / industry development.

Some short term economic benefits could be derived from local non-renewable extractive industries / mining, while longer term benefits are possible from plantation industries.

Themes

The Blueprint focuses on goals and strategies encompassed within five themes:

1. Thriving Industry: a broadened and diversified industry base to boost the depth and breadth of jobs and occupations across the region.
2. Agriculture and Food Innovation: increased economic expansion, market base and international competitiveness of the region's agribusiness sector through innovation in production methods and renewable water and energy supplies.
3. Tourism Excellence: a network of adventures that attracts visitors and enables them to engage with the Peel's natural and built attractions in a sustainable manner.
4. Capable People: the availability of an educated and highly skilled workforce with the capacity and capability to flexibly respond to workforce requirements for the future.
5. Strong and Resilient Communities: creation of support services and infrastructure that will ensure the community is strong and resilient and able to increase its participation in, and contribution to, the future development of the Peel

Economic drivers

The Blueprint identifies the following economic drivers in the Peel region:

1. Proximity to the Perth metropolitan region.
2. Strong and diverse natural resource base and suitable environment for renewable energy.
3. Proximity to transport links and Asian markets.
4. Strong infrastructure base.
5. Extensive feedstock, water, landholdings and energy.
6. Large labour force.
7. Housing, retail and commercial facilities and services.

Regional investment opportunities

Two potential regional investment opportunities identified in the Blueprint relevant to Waroona include:

- Scarp to scarp Anytime Adventures
- Town centre revitalisation

Peel Economic and Employment Alliance

The Blueprint proposes the establishment of a Peel Economic and Employment Alliance, working with the Shire of Waroona to:

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

Peel Waterways Institute

Under the theme Capable People it is noted that the Peel Waterways Institute will become the hub of world class science and education in the Peel. The Institute will be promoting a learning based approach to waterway, catchment and environmental management, the vitality of the Institute will drive motivation, innovation and appreciation.

Strong and Resilient Communities

Under the theme Strong and Resilient Communities, the Blueprint recognises the role that ageing residents play in sustaining strong and resilient communities and their ongoing contribution to the economic development of the region. This aspect is specifically relevant to Waroona, current aged care facilities in town and the proposed Growing our South project mentioned under separate heading in the report.

Although not specifically mentioned under strategies to increase community participation in arts and culture, events such as Sea to Art are consistent with the objectives of the Blueprint.

Local Planning Strategy 2009 (LPS)

The LPS provides a local planning framework for development in the Shire.

The LPS acknowledges the contribution that agriculture makes to the economy and to our way of life. Parts of the Shire have the necessary requirements for future agricultural intensification and diversification. The Strategy aims to protect those areas from 'lifestyle' or urban incursion. Specific attention is given to a Priority Agriculture area, the General Agriculture Area as well as a Hills Landscape Protection Area.

The LPS projected a population of 5,400 in 2016 and 6,480 by 2021.

The Commercial Strategy of the LPS includes:

1. Maintain Waroona as the district service centre, providing a range of daily and rural industry goods for the surrounding area.
2. Maintain the extent of commercially zoned land within the current Waroona townsite under the Strategy. Commercial zoned land may be considered within the Waroona North area provided it complements the existing town centre and is adequately justified.

3. Permit a range of commercial uses in the Town Centre zone and permit medium density residential development in appropriate locations.

The Industrial Strategy in the LPS includes the investigation of new locations of a General Industry estate and consideration of rezoning the existing industrial area in Waroona to Light Industry or Mixed Use (after the establishment of a General Industry area).

The Tourism Strategy in the LPS includes:

1. Encourage the development of low-scale tourist accommodation in the Rural zones throughout the Shire, particularly in the Scarp and in proximity to Lake Navarino.
2. Give consideration to resort or similar accommodation on appropriate sites in proximity to Lake Navarino and Preston Beach.
3. Permit the development of hotel/motel accommodation in the Waroona or Preston Beach townsite.
7. Encourage the implementation of the recommendations of the Waroona Waterways Recreation and Tourism Master Plan, in particular the development of tourist accommodation and activities in proximity to Waroona Dam.

The Transport Strategy in the LPS includes the reservation of land for the Waroona Bypass as well as reserving land for realignment of Dorsett and Coronation Road in the Town Planning Scheme to provide an improved linkage between the Waroona townsite and the Forrest Highway.

The Minerals and Basic Raw Materials Strategy aims to allow the extraction of sand, gravel and limestone on sites where clearing of significant vegetation is not required and where the operations can be undertaken without unreasonable impact on the locality and environment.

REFERRALS

None Applicable.

STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

The relevant Strategic Community Plan issue area is number 1 “Local Economy”. The specific actions recommended by the consultant relate to the higher level items contained within the Strategic Community Plan.

FINANCIAL ISSUES / IMPLICATIONS

Funding for the drafting of the Economic Development Strategy (Stage 1) has been sourced via a Royalties for Regions Peel Community Chest Fund Grant. The Grant application included a Grant of \$20,000 plus a cash contribution of \$2,000 by Council and a further \$2,000 ‘In-Kind’ contribution by Council totalling \$24,000 (excl. GST).

There are significant long term financial implications to the Shire emanating from the Strategy. Before introducing recommendations with significant cost implications to Council, it may be necessary to consider a costs/benefit analysis for each of these specific proposals.

POLICY ISSUES / IMPLICATIONS

State Planning Framework Policy 2006

The primary aim of planning is to provide for the sustainable use and development of land. The State Planning Strategy identifies the five key principles which further define this primary aim and describe the considerations which influence good decision-making in land use planning and development. These principles are the Environment, Community, Economy, Infrastructure and Regional Development.

State Planning Policy 3 Urban Growth and Settlement (SPP3)

SPP3 sets out the principles and considerations which apply to planning for urban growth and settlements in Western Australia.

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

The objectives of SPP 2.5 are:

- a) To protect rural land from incompatible uses.
- b) To promote regional development through provision of ongoing economic opportunities on rural land.
- c) To promote sustainable settlement in, and adjacent to, existing urban areas.
- d) To protect and improve environmental and landscape assets.
- e) To minimise land use conflicts.

(This policy is currently subject to review).

State Planning Policy 4.2 Activity Centres for Perth and Peel (SPP 4.2)

The main purpose of SPP 4.2 is to specify broad planning requirements for the planning, development and renewal of activity centres in Perth and Peel. The policy is mainly focused on the distribution, function, broad land use and urban design criteria of activity centres, and coordinating their land use and infrastructure planning. Waroona is classified as a District Centre in terms of SPP 4.2.

Peel Region Scheme: Priority Agricultural and Rural Land Use Policy

The policy guides considerations related to intensive agricultural land uses and associated nutrient management within priority agricultural policy areas on rural land within the Peel Region Scheme portion of the Peel - Harvey Coastal Plain Catchment.

(This policy is currently subject to review).

STATUTORY ISSUES / ENVIRONMENT / IMPLICATIONS

Planning and Development Act 2005

The Act provides the head of power for the preparation of town planning schemes and scheme amendments.

Planning and Development (Local Planning Schemes) Regulations 2015

The Regulations affect arrangements for local planning strategies, schemes and amendments. In addition to a Model Scheme Text, the Regulations introduce a set of deemed provisions that will form part of every local planning scheme in the State once the Regulations take effect.

Peel Region Scheme 2003 (PRS)

The PRS provides a broad statutory framework for development in the Peel region.

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

The TPS provides a local planning framework for development in the Shire of Waroona. A range of recommended actions in the Strategy are already provided for in the TPS while others may require amendments to the TPS.

LEGAL ISSUES / IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

The consultant contacted a number of key local business operators and relevant organisations in the Peel region in order to conduct a local economic assessment and provide recommendations for the Strategy.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

Comments

From a long term perspective, the Local Economic Development Strategy needs to be considered in relation to implications on a global / international, national, state / regional and local level. This is necessary to ensure that viable recommendations are pursued in the future and where funding for these actions are required that the actions align with relevant objectives and priorities of funding bodies.

Megatrends have been identified by a range of organisations including the CSIRO and have also been considered by the PDC in the Peel Regional Investment Blueprint-Vision 2050 (Blueprint). The Draft Strategy addresses the CSIRO megatrends, whilst the Blueprint megatrends are equally considered relevant.

The Kirkgate Local Economic Development Strategy proposes the following broad strategies:

- Strategy 1: Establish Waroona as a centre for intensive agricultural production.
- Strategy 2: Undertake initiatives that will encourage through traffic to stop in Waroona townsite.
- Strategy 3: Improve and encourage the development of new tourism products and provide infrastructure that will support tourism development and the attraction of new events and visitors.
- Strategy 4: Retain, grow and expand business and industry within Waroona.
- Strategy 5: Maximise economic benefit from the Murray Regional Equestrian Centre.



The above strategies are generally supported as they align with the Peel Blueprint vision and goals and are broadly consistent with the themes and strategies in the Strategic Community Plan as well as the strategies in the Local Planning Strategy.

Conclusion

It is proposed that proposals in the Local Economic Development Strategy focused on agriculture, tourism and diversification of the local economy should be pursued.

Existing sectors that have strong long term potential such as manufacturing and human services / aged care should be nurtured for the future (although a manufacturing industry less reliant on the resources sector would be preferable). A growing emphasis on relevant training and education across the board is supported.

In addition activities that focus on comparative / competitive advantages of Waroona should be prioritised. These would include agricultural and related business as well as tourism based on the natural environment (i.e. Yalgorup National Park, Preston Beach, the Scarp, Lake Navarino etc.) Conversely activities with low local advantage should be given a lower priority strong economic competition with other regions / town with similar advantages.

Expectations relevant to business growth and commercial development / redevelopment should be realistic as sound investment decisions are generally made on profitability and growth potential linked to factors such as population catchments and expendable income. Increased business investment generally follows increased population growth. Local government however has limited ability to influence business investment decisions (i.e. provide appropriate zoning for development).

Recommendation

It is recommended that Council adopt the Economic Development Strategy Strategic Framework prepared by Kirkgate Consulting for future reference purposes in the preparation and review of other local strategic and corporate documents including but not limited to:

- The Strategic Community Plan
- The Local Planning Strategy 2009
- Long Term Financial Plan
- Corporate Business Plan
- Annual budgets
- Detailed Economic Development Strategies.

In addition it is recommended that the cost / benefit of proposals be carefully assessed. This is particularly (but not exclusively) applicable to built assets that will have longer term management and maintenance implications.

Appendices Attached:	Yes	Appendices Numbers: 9.2.3
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VOTING REQUIREMENTS

Simple Majority



COUNCIL RESOLUTION

OCM16/03/029

MOVED: CR WITNEY

SECONDED: CR SNELL

In relation to the Economic Development Strategy prepared by Kirkgate Consulting, Council resolves that the Strategy be adopted for future reference purposes in the preparation and review of other local strategic and corporate documents including but not limited to:

- **The Strategic Community Plan**
- **The Local Planning Strategy 2009**
- **The Long Term Financial Plan**
- **The Corporate Business Plan**
- **Annual Budgets**
- **Detailed Economic Development Strategies**

CARRIED 7/0

9.3 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.3.1 ACCOUNTS FOR PAYMENT	
Reporting Officer / Officer's Interest:	Kathy Simpson, Finance Officer / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 15/02/16	File No.: 1/3
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	
Voting Requirements	Simple Majority

Appendices Attached:	Yes	Appendices Numbers: 9.3.1
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COUNCIL RESOLUTION**OCM16/03/030****MOVED: CR WITNEY****SECONDED: CR MASON****That Vouchers numbered:**

<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 8243 - 8262	\$32,682.39
Trust (Cheque/EFTs)	EFT 22027-22035, 22078-22081 22127, 221612 Chqs: 11073 - 11078	\$37,503.84
Electronic Transfers Municipal Fund	EFT 22036 to 22221	\$488,591.17
Direct Wages	01/02/2016 – 29/02/2016 inclusive	\$166,964.60
Direct Debits	010/2/16 – 29/02/16	\$2,435.42
GRAND TOTAL:		<u>\$728,177.42</u>

and attached at Appendix 9.3.1 be endorsed.**CARRIED 7/0**

9.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2015 TO 29 FEBRUARY 2016	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall – 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: 15/3/16	File No.: 1/1
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	
Voting Requirements	Simple Majority

Appendices Attached:	Yes	Appendices Numbers:	9.3.2
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COUNCIL RESOLUTION**OCM16/03/031****MOVED: CR WITNEY****SECONDED: CR SCOTT**

That the Monthly Statements of Financial Activity for the period 1 July 2015 to 29 February 2016 be received and noted.

CARRIED 7/0

9.3.3 APPOINTMENT OF AUDITOR	
Reporting Officer / Officer's Interest:	Laurie Tilbrook, Deputy CEO/Director Corporate Services; No Interest
Responsible Officer / Officer's Interest	Laurie Tilbrook, Deputy CEO/Director Corporate Services; No Interest
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 15/3/16	File No.: 15/1
Previous Reference:	Nil
Policy Implications:	<i>See heading below</i>
Statutory Implications:	<i>See heading below</i>
Strategic Implications:	Nil
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): <i>No 6 Active Civic Leadership, Good Governance, & Excellence in Management</i>	

PROPOSAL SUMMARY

The Council's present Auditor Mr Tim Partridge of AMD Chartered Accountants (AMD) has conducted the Shire of Waroona audit for over 10 years. The proposal is to appoint Mr Partridge for a further 5 year period expiring 30th June 2021 ie; 2016/17, 2017/18, 2018/19, 2019/20 and 2020/21 financial years.

BACKGROUND / INITIAL COMMENTS

AMD has continued to provide excellent service and has proved a valuable resource for Council staff with general advice and legislative change. They have developed a thorough understanding of the Council's policies and procedures and have established good support with Council staff.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

N/A

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

FINANCIAL ISSUES/IMPLICATIONS

AMD have submitted the following prepared fee structure:

Year ending 30 June 2017	\$11,300 (ex GST)
Year ending 30 June 2018	\$11,640 (ex GST)
Year ending 30 June 2019	\$11,990 (ex GST)
Year ending 30 June 2020	\$12,350 (ex GST)
Year ending 30 June 2021	\$12,720 (ex GST)

POLICY ISSUES/IMPLICATIONS

The Council is required pursuant to the Local Government Act 1995 and the Local Government Audit Regulations to appoint an auditor.

In addition the Council must assist the auditor to undertake an audit of its accounts and annual financial statements and to consider reports received from the Auditor.

Currently the Department of Local Government is considering amendments to the Local Government Act to provide for the Auditor General to undertake financial and performance audits of the local government sector.

Under the proposed changes the Auditor General may contract out some of the audits but all audits will be done under the supervision of the Auditor General.

It is likely that although the audit will be carried out by AMD, the reporting mechanism will require AMD to report findings initially to the Auditor General.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

No community consultation was required or considered necessary on this matter.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The fees submitted by AMD are considered to be very reasonable with the proposed first year (2016/17) being the same as the current financial year (2015/16).

The quotation estimate is reflective of the excellent standard of the accounts that are presented for audit.

It should be noted that in the event that additional work is required by the auditor (eg, insufficient presentation of accounts) then extra charges will apply.

Council Policy 3.3 Purchasing and Procurement requires the obtaining of 2 written quotations however this requirement does not apply to procuring professional services where the preferred professional, in the opinion of the CEO, is competent to provide the service requested.

AMD are also registered as a WALGA “preferred supplier” with respect to the provision of both internal and external audit services.

Continuity of service is therefore the significant factor in seeking reappointment of AMD as the Council’s Auditor.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION**OCM16/03/032****MOVED: CR GERMAIN****SECONDED: CR MASON**

That the Council appoint Mr Tim Partridge of AMD Chartered Accountants (Bunbury) to conduct the Council's audit function for the period 2016/17 to 2020/21 inclusive based on the following fee structure:

Year ending 30 June 2017	\$11,300 (ex GST)
Year ending 30 June 2018	\$11,640 (ex GST)
Year ending 30 June 2019	\$11,990 (ex GST)
Year ending 30 June 2020	\$12,350 (ex GST)
Year ending 30 June 2021	\$12,720 (ex GST)

CARRIED BY ABSOLUTE MAJORITY 7/0

9.4 CHIEF EXECUTIVE OFFICER

Nil.

10. CONFIDENTIAL REPORTS

Nil.

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

Nil.

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

12.1 ELECTED MEMBERS

Nil.

COUNCIL RESOLUTION

OCM16/03/033

MOVED: CR GERMAIN

SECONDED: CR WITNEY

That Standing Orders be suspended, the time being 4.47pm.

CARRIED 7/0

COUNCIL RESOLUTION

OCM16/03/034

MOVED: CR GERMAIN

SECONDED: CR WITNEY

That Standing Orders be resumed, the time being 5.10 pm.

CARRIED 7/0

12.2 OFFICERS

12.2.1 REMOVAL OF VERGE TREES – MCDOWELL STREET, ADJACENT TO 3 MCDOWELL STREET

COUNCIL RESOLUTION

OCM16/03/035

MOVED: CR GERMAIN

SECONDED: CR WITNEY

That Council,

- a) Remove the 5 white gum trees, 4 marri trees and lopped marri tree stump on the McDowell Street verge adjacent to No 3 McDowell St as proposed drainage works on No 3 will significantly disturb the root system of each of the trees and may lead to de-stabilisation of the trees;**
- b) The stumps to be stump-ground at the discretion of the CEO and only if future budget funds permit; and**
- c) No trees to be replanted or landscaping to be undertaken on that section of verge.**

CARRIED 6/1

**For the Motion: Cr's Dew, Scott, Witney, Germain, Salerian, Mason
Against the Motion: Cr Snell**

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 5.20 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 26 APRIL 2016 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE

