



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 24 MAY 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 4.03 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	Councillor
Cr Laurie Snell	Councillor
Cr John Mason	Councillor
Cr Trish Witney	Councillor
Cr Craig Wright	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Director Corporate Services/Deputy CEO
Mr Patrick Steinbacher	Director Technical Services
Mr Leonard Long	Manager Development Services
Mr Chris Dunlop	Senior Town Planner
Mrs Sue Cicolari	Executive Support Officer

APOLOGIES

Nil

There was one member of the public at the commencement of the meeting.

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.1 PUBLIC QUESTION TIME

Nil

4.2 PUBLIC STATEMENTS

Nil

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

MOVED: CR SCOTT

SECONDED: CR GERMAIN

OCM16/05/046

That Leave of Absence be granted to Cr Mason for the period 16-29 July 2016, Cr Wright for the period 12 July to 8 September 2016, and Cr Snell for the July Ordinary Council Meeting 2016.

CARRIED 8/0



6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

Cr's Scott, Mason, Wright and Salerian declared an interest affecting impartiality in Item 9.2.1 as members of the Waroona Bowling Club

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 26 April 2016

COUNCIL RESOLUTION

MOVED: CR WRIGHT

SECONDED: CR SNELL

OCM16/05/047

That the Minutes of the Ordinary Council Meeting held 26 April 2016 be confirmed as being a true and correct record of proceedings.

CARRIED 8/0

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DIRECTOR TECHNICAL SERVICES

9.1.1 TENDER – RFT 2016/02 – SALE OF NISSAN NAVARA TRAY TOP UTE	
Reporting Officer / Officer's Interest:	Murry Bracknell Manager of Works and 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: 29/04/2016	File No.: 2016/02
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 (Strategic Community Plan-SCP): No. 5 "<u>Assets, Resources, Financial Management & Sustainability</u>"	

PROPOSAL SUMMARY

The purpose of this item is to present to Council for its consideration the tenders received for the tender 2016/02 – Sale of Nissan Navara Tray Top Utility.

BACKGROUND/INITIAL COMMENTS

Council's 2015/16 budget includes the outright sale of Nissan Navara Tray Top Utility (Plant # P44) previously used by the Preston Beach volunteer rangers. In order to dispose of a Council owned asset, a tender process is necessary.

A specification was drawn up and the tender was advertised in the Harvey Reporter on the 12th April 2016. The closing date of the tender was the 28th April 2016.

Tenders were to be assessed using the following criteria:

- Conformity with the Tender Documents
- Price
- Ability of the Tenderer to remove the item.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

This issue comes under the SCP No 5 "Assets, Resources, Financial Management & Sustainability"

FINANCIAL ISSUES/IMPLICATIONS

The sale of the utility is included in the 2015/16 budget. The budgeted income is \$4,000.

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Three submissions were received:

- Tosum Pty Ltd (Capogreco Farms) \$5,299 inc GST
- Sandro Cicolari \$2,800 inc GST
- Steve Thomas \$2,000 inc GST

All three tenderers agreed to remove the item in the timeframe set down in the tender document and all three completed the tender document in a compliant manner, leaving the price to be the last criteria. Therefore the tender was assessed based on the most advantageous price.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

MOVED: CR GERMAIN

SECONDED: CR WRIGHT

OCM16/05/048

That Council award Tender RFT 2016/02 Sale of Nissan Navara Tray Top Utility to Tosum Pty Ltd based on the price of \$5,299 (inc GST).

CARRIED 8/0



9.2 DIRECTOR DEVELOPMENT SERVICES

Cr's Scott, Mason, Wright and Salerian declared an interest affecting impartiality in Item 9.2.1 as members of the Waroona Bowling Club.

9.2.1 LOT 316 (RESERVE 8746) PARNELL STREET, WAROONA – LANDOWNER'S CONSENT FOR REPLACEMENT BOWLING GREEN, SHADE STRUCTURES AND FENCING	
Reporting Officer / Officer's Interest:	Lucy Lyster – Town Planner / Nil
Responsible Officer / Officer's Interest	Leonard Long – Manager Development Services / Nil
Proponent:	Waroona Bowling & Social Club Inc.
Landowner:	Shire of Waroona
Date of Report: 10 May 2016	File No. TP1853, A2188, 154/1.
Previous Reference:	TP1837
Policy Implications:	Nil
Statutory Implications:	Planning and Development Act 2005 Peel Regional Scheme 2003 Shire of Waroona Town Planning Scheme No. 7 of 1996
Strategic Implications:	Local Planning Strategy 2009 Shire of Waroona Strategic Community Plan 2014/15-2023/24
Financial Implications:	See report
LINKED TO STRATEGIC OBJECTIVE NUMBER – <i>Theme 3: Responsible Land Use Planning and Protecting Rural Land.</i>	

PROPOSAL SUMMARY

A request has been received from the Waroona Bowling & Social Club Inc. for Council to grant Landowner's Consent at Lot 316 (Reserve 8746) Parnell Street, Waroona for the following development:

- Replacement of the grass bowling green with a synthetic grass;
- Replacement shade structures on the north and south sides of the club; and
- Replacement fence to the south and east side of the bowling green.

The location and site plans can be seen at **APPENDIX 9.2.1A** and the proposed costings, plans and photos (of existing similar shade structure) relating to the proposal can be seen at **APPENDIX 9.2.1B**.

BACKGROUND/INITIAL COMMENTS

Lot 316 has an area of 5.665 Ha and has a gradual slope from east to west. The south-eastern corner of the lot is home to the Waroona Bowling Club.

Lot 316 is Crownland vested in the Shire of Waroona. In addition to the Waroona Bowling Club the lot is also home to the Waroona Agricultural Society, the Waroona Football Club and the Waroona Community Men's Shed.



Previous Applications

TP1148 – Application for planning consent for a Scoreboard, approved under delegation 11 April 2008.

TP1165 – Application for planning consent for a Steel Framed Shed, approved under delegation 15 August 2008.

TP1785 – Application for planning consent for the Community Men’s Shed, approved by Council 25 August 2015, OCM 14/08/096.

TP1837 – Application for planning consent for Cattle Stalls, approved by Council 22 February 2016, OCM15/11/133.

PLANNING – STRATEGIC IMPLICATIONS

Local Planning Strategy (LPS)

The subject lot is located within the Waroona Town Precinct of the LPS. It is the aim of the Shire to provide for the enhancement and the planned expansion of the Waroona town site.

Within the LPS the subject lot is designated as Open Space, Recreation, Conservation and Forestry.

INTERNAL REFERRALS

Referral advice will be sought from the appropriate internal departments as part of the assessment of the relevant application for planning consent.

STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

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

This item contributes towards achieving theme number 3: Land Use – Responsible Land Use Planning and Protecting Rural Land.

FINANCIAL ISSUES / IMPLICATIONS

To be addressed, potentially but not limited to:

Lease agreement; Preventive and reactive insurances; and Maintenance agreement.

POLICY ISSUES / IMPLICATIONS

Nil

STATUTORY ISSUES / ENVIRONMENT/IMPLICATIONS

Planning and Development Act 2005

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



Peel Region Scheme (PRS) 2003

Clause 12, Purposes of zones, states:

Land is classified into zones under the Scheme for the following purposes:

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

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

The subject lot is located within the 'Urban 2 – Community and Civic' zone of the Shire of Waroona Town Planning Scheme No. 7 (TPS 7) and is subject to Clause 4.6 of TPS 7, which relates specifically to that zoning.

Clause 4.6.1, Objective and Policies states, Council's objective for the zone is 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. Council's policies will therefore be to:

- permit a wide range of uses consistent with the zone objective;
- encourage the establishment of uses which contribute to the welfare and activity of the community;
- permit medium density housing to appropriate Residential Code standards;
- ensure that development attains a high standard of appearance and convenience of use.

6.1.1 Subject to Clause 6.1.2, a person shall not commence or carry out development on any land zoned or reserved by the Scheme without first having applied for and obtained the Planning Consent of the Council in accordance with the provision of the Scheme.

LEGAL ISSUES / IMPLICATIONS

The Waroona Bowling and Social Club Inc. holds the lease over the subject site, executed with the Shire of Waroona. The existing lease may require reviewing to include the location of the proposed new buildings / structures.

COMMUNITY CONSULTATION

Nil.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

The proposed replacement bowling green, shade areas and fence will improve the function of the facilities at the Waroona Bowling Club. The proposal is considered to be incidental development to the existing land use.

The preliminary proposal is consistent with the TPS LPS, existing land use and types of structures on the subject lot. The proposed development is not expected to result in any detrimental effects on the amenity of the area. The proposal is therefore recommended for approval for landowners consent.

Appendices Attached:	Yes	Appendices Numbers:	9.2.1A & B
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

MOVED: CR GERMAIN

SECONDED: CR SNELL

OCM16/05/050

That Council in relation to the proposed Replacement Bowling Green, Shade Structure and Fencing on Lot 316 (Reserve 8746), Parnell Street, Waroona, resolves to:

- A. Grant in-principle support for the replacement bowling green, shade structures and fencing.**
- B. Grant landowner's consent for an application for planning consent for the replacement bowling green, shade structures and fencing.**
- C. Grant landowner's consent for a building permit application for the replacement bowling green, shade structures and fencing.**

CARRIED 8/0

9.2.2 REVOCATION OF LOCAL PLANNING POLICY 19.0 – TELECOMMUNICATIONS INFRASTRUCTURE	
Reporting Officer / Officer's Interest:	Chris Dunlop, Senior Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché, Director Development Services / Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report:	27 November 2015 File No.: TPS 7 General, 111/1
Previous Reference:	OCM07/155 OCM08/103
Policy Implications:	Local Planning Policy 19.0 – Telecommunications Infrastructure
Statutory Implications:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 State Planning Policy 5.2 – Telecommunications Infrastructure Shire of Waroona Town Planning Scheme No.7 1996
Strategic Implications:	Shire of Waroona Strategic Community Plan 2014/15-2023/24
Financial Implications:	Cost of Advertising (included in existing operation expenditure).
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): <i>Theme number 3: Land Use – Responsible Land Use Planning and Protecting Rural Land</i>	

PROPOSAL SUMMARY

Council is requested to consider the revocation of Local Planning Policy 19 – Telecommunications Infrastructure (LPP19). As part of the review of Council's local planning policy manual this policy has been found to be unnecessary. A copy of the current policy can be found at **APPENDIX 9.2.2A**.

BACKGROUND / INITIAL COMMENTS

LPP19 was adopted by Council as a local planning policy in 2008 following the preparation of State Planning Policy 5.2 – Telecommunications Infrastructure (SPP5.2) by the Western Australian Planning Commission (WAPC). SPP5.2 was subsequently amended by the WAPC, with a revised policy adopted in 2015. The objectives and provisions of LPP19 reflect those of the previous version of SPP5.2 and as such have become antiquated with the revision of SPP5.2.

SPP5.2 is made by the WAPC under Part 3 of the Planning and Development Act 2005. Under the Act local governments are required to impose the provisions of state planning policies, as a result LPP19 now represents an inconsistency between SPP5.2 and the Shire's planning framework. The adoption of state planning policies as local planning policies does not provide any greater weight to the policy and represents an unnecessary administrative process.

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 provide 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.

Clause 6 of Schedule 2 to the Regulations states:

A local planning policy may be revoked —

- (a) by a subsequent local planning policy that —*
 - (i) is prepared in accordance with this Part; and*
 - (ii) expressly revokes the local planning policy;*
- or*
- (b) by a notice of revocation —*
 - (i) prepared by the local government; and*
 - (ii) published in a newspaper circulating in the Scheme area.*

State Planning Policy 5.2 – Telecommunications Infrastructure (SPP5.2)

SPP5.2 aims to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in protecting the visual character of local areas. Using a set of land use planning policy measures, the policy intends to provide clear guidance pertaining to the siting, location and design of telecommunications infrastructure.

The objectives of this policy are to:

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

SPP5.2 applies throughout Western Australia in respect to above and below ground telecommunications infrastructure other than those facilities exempted under the *Commonwealth Telecommunications Act 1997*.

Town Planning Scheme No.7 (TPS)

Clause 2.4.2 of the TPS states that a scheme policy may only be rescinded or revoked by the preparation and final adoption of a new policy specifically worded to supersede an

existing policy or by publication of a formal notice of revocation twice in a newspaper circulating in the area.

PLANNING – STRATEGIC IMPLICATIONS

Nil.

STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

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

The community expects Council to regularly review plans with community consultation on significant decisions affecting the Shire.

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

FINANCIAL ISSUES/IMPLICATIONS

Cost of Advertising the revocation of the policies. (to be included in the already budgeted Sea to Scarp).

COMMUNITY CONSULTATION

In terms of Clause 2.4.2 of the TPS the revocation of a local planning policy is to be advertised twice in a local newspaper. Notwithstanding the requirements of TPS, the Deemed provisions for local planning schemes, Clause 6 of Schedule 2 to Regulations requires only a single publication of a notice of revocation in a local newspaper.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

SPP5.2 is not required to be adopted as a local planning policy in order to maintain its standing within the planning framework, the policy effectively forms an unnecessary double up of planning documents. The revocation of the policy will enable officers to only refer to the current version of SPP5.2 and remove the requirements for updating of the local planning policy in order to ensure consistency with SPP5.2. It is therefore recommended that the policy be revoked.

Appendices Attached:	Yes	Appendices Number/s: 9.2.2A
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

MOVED: CR WITNEY

SECONDED: CR GERMAIN

OCM16/05/051

That Council in relation to Local Planning Policy 19 – Telecommunications Infrastructure as set out in Appendix 9.2.2A, and pursuant to Clause 2.4.2 of the Shire of Waroona Town Planning Scheme No. 7 and Clause 6 of Schedule 2 to the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to:

- 1. Revoke the Local Planning Policy.**
- 2. Advertise the revocation of the policy in accordance with the requirements of Clause 6 of Schedule 2 to the Planning and Development (Local Planning Schemes) Regulations 2015.**

CARRIED BY ABSOLUTE MAJORITY 8/0

9.2.3 LOT 104 (NO. 32) SOUTH WESTERN HIGHWAY, WAROONA – RETROSPECTIVE APPLICATION FOR AN ABOVE GROUND FUEL VESSEL	
Reporting Officer / Officer's Interest:	Lucy Lyster – Town Planner; No Interest
Responsible Officer / Officer's Interest	Leonard Long – Manager Development Services; No Interest
Proponent:	Pascal & Roseanna Angi
Landowner:	Halycon Pty Ltd
Date of Report: 12/05/2016	File No.: TP1844
Previous Reference:	Nil
Policy Implications:	Local Planning Policy 1 – Community Consultation Local Planning Policy 5 – Setbacks and Building Envelopes Local Planning Policy 14 – Industrial/Commercial Land-Use & Development Local Planning Policy 23 - Landscaping
Statutory Implications:	Shire of Waroona Town Planning Scheme No. 7
Strategic Implications:	Planning and Development Act 2005 Peel Region Scheme 2003 Local Planning Strategy 2009 Shire of Waroona Strategic Community Plan 2014/15 – 2023/24
Financial Implications:	See Report
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): <i>Theme 3: Responsible Land Use Planning and Protecting Rural Land</i>	

PROPOSAL SUMMARY

The application is for an above ground diesel fuel vessel that will replace the above ground gas tank. The fuel vessel is setback 8.9m from the front boundary (South Western Highway) and 2.17m from the side boundary (southern boundary), is 2.42m wide and 12m long with a floor area of 24.04m² and is 2.59m in height.

The applicant has opted for an above ground fuel vessel for the following reasons:

- The diesel fuel vessel replaced the previous gas vessel, of which gas sales were low;
- The recent bushfires in the area required urgent demand for diesel, therefore the decision was made to increase diesel fuel storage;
- An above ground, self-bunded fuel vessel was the most cost effective solution;
- The preferred option was to install a new underground tank, however the cost would have severely challenged the business's viability, with the remaining tanks required replacement sometime in the future; and

The applicant has stated that they are currently in the process of confirming that the vessel complies with the WA Dangerous Goods Regulations and are upgrading the sites Dangerous Goods Storage Licence to include the fuel vessel.

The location and site plans can be seen at **APPENDIX 9.2.3A** and photos in **APPENDIX 9.2.3B**.



BACKGROUND/INITIAL COMMENTS

The subject lot abuts the eastern side of the South Western Highway and is rectangular in shape. The lot shares a 51m frontage to the South Western Highway and its side and rear boundaries are shared by other Service Commercial zoned properties. The lot faces R40242, a vehicle rest area vested to the Shire of Waroona, and a cleared lot owned by Department of Water. The existing development on the lot includes a Petrol Filling/Service Station, patio and shed.

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 provide the head of power for the enforcement of the Scheme and any policies adopted under it.

Peel Region Scheme 2003 (PRS)

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

Cl.12 (a) Purposes of zones, states:

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

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

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

The subject lot is located within the Urban 3 – Service Commercial Zone.

Within the TPS a Petrol Filling/Service Station is classed as an ‘SA’ use, and therefore the Council may, at its discretion, permit the use after notice of application has been given in accordance with clause 8.2.

Clause 4.7.1 Objectives and Policies states:

Council’s objective is to provide areas additional to those in the Town Centre for commercial and service industry uses which might not be appropriately located in the Town Centre Zone for reasons of the type of use or spatial requirements.

Council’s Policies will therefore be to:

- ensure that development is functionally and visually appropriate to the location adjoining the Town Centre and abutting the South Western Highway;
- minimise access to the Highway from establishments by requiring, wherever possible, controlled access points;
- ensure adequate on-site car parking provision and setbacks from the road frontages;
- require appropriate landscaping in the setback area abutting the Highway.

4.7.3 Setbacks states, Minimum setback from lot boundaries shall be in accordance with the following:



- South Western Highway Frontage – 9 metres east side of highway
- Other Lot Boundaries – 3 metres from one side boundary and rear boundary

8.2 Advertising of Applications

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.

PLANNING – STRATEGIC IMPLICATIONS

Local Planning Strategy (LPS)

The subject lot is designated as Mixed Use and is located within the Waroona Town Precinct of the LPS. The objective of the Mixed Use zone is to provide for a mix of residential and compatible service industries, including opportunities to live/work lots.

Industry – Service is classed as a discretionary land use within the Mixed Use zone. There is a minimum of 6m road setback and 1.5m side/rear setback within the subject zone.

All development is to face and interact with road frontages in the zone. The front setbacks are to contain a high percentage and standard of landscaping.

POLICY ISSUES/IMPLICATIONS

Local Planning Policy 1 – Community Consultation (LPP1)

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

LPP1 requires that an application for a Use designated “SA” with non-compliance is to be advertised to owners and occupiers of affected neighbouring properties for a period of 14 days.

Local Planning Policy 5 – Setbacks and Building Envelopes (LPP5)

The objective of this policy is to establish appropriate criteria for the assessment of requirements for the modifying of setback or building envelope requirements for development not subject of the *Residential Design Codes*.

In the Scheme, no specific process is set out with respect to the relaxation of building envelope requirements, or setback requirements set out in the Scheme itself. Clause 5.5 of the Scheme does, however, include a general provision giving Council the discretion to modify the development standards (setback and building envelope requirements are two examples of ‘development standards’), which may only be exercised if-

- a) Approval of the development would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality;



- b) The non-compliance will not have any adverse effect upon the occupiers or users of the development or the property or the inhabitants of the locality or upon the likely future development of the locality; and
- c) The spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.

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

The objective of this policy is to ensure that industrial and commercial meets minimum standards in terms of design and presentation.

Policy Statement:

2. A landscape plan shall be required as a condition of approval, other than in the 'Town Centre' zone where zero front setbacks apply, or for small-scale developments in rural areas.

Local Planning Policy 23 – Landscaping (LPP23)

The objective of this policy is to:

- i. To provide the policy framework for landscaping requirements in the town sites of Waroona, Preston Beach and Hamel.
- ii. To provide guidelines for effective landscaping for a range of purposes including screening, shelter and shade, ornamental and other issues, and to encourage retention of existing trees in that landscaping wherever practicable
- iii. To provide a recommended species list for the town sites of Waroona, Preston Beach and Hamel.
- iv. To provide minimum standards for maintenance of landscaping requirements.

5.1 General Principles

- i. Landscaping will generally be required in association with all developments of a commercial or industrial nature as well as certain uses of a higher density residential nature. Particular emphasis will be placed on landscaping of a higher standard on the entrances to towns and key arterial roads such as the South Western Highway, Nanga Brook Road, Coronation Road, Cornucopia Street and Preston Beach Road. A particular emphasis for industrial development will be screening vegetation of a suitable height and thickness to mask development that is not aesthetically pleasing.
- ii. Landscaping will require to conform to an approved landscape plan for the site. That plan is to be submitted and approved by the Manager of Planning Services prior to the issue of building licences. The landscaping plan is to indicate the location and species of all trees, shrubs and plants to be planted on site. The landscape plan should also include a maintenance regime denoting watering schedules and also including, where practicable, Water Sensitive Urban Design (WSUD) programmes for re use of water. There is no

requirement for this plan to be prepared by a landscape planner though the plan must be to scale.

- iii. All landscaping required as a condition of approval is required to be maintained for the life of the approval. Moribund trees and shrubs must be replaced as soon as practicable. Council supports water saving principles and practices and will favourite consider water gardens which utilise on site drainage systems for landscaping.
- iv. Council supports use of endemic native species where appropriate. Use of endangered and threatened local species such as the Preston Beach mallees (*E. petrensis* and *E. foecunda*) or the tuart (*E. gomocophelia*) is strongly encouraged in appropriate circumstances.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

This item contributes towards achieving theme number 3: Land Use – Responsible Land Use Planning and Protecting Rural Land.

INTERNAL REFERRALS

The application has been circulated to the Shire's Building, Environmental Health and Technical Services departments. No issues or requirements for the fuel vessel have been raised.

FINANCIAL ISSUES/IMPLICATIONS

The prescribed fees apply.

LEGAL ISSUES/IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

Under LPP 1 – Community Consultation, a comment period of 14 days was required. Consultation was conducted in the form of written notification to owners and occupiers of affected neighbouring properties, no written submissions were received.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The above ground diesel fuel vessel is an extension to the existing Petrol Filling/Service Station land use on the subject lot.

The development requires a variation of the TPS setback requirements (Clause 4.7.3), the front setback being 8.9m in lieu of 9m and side setback being 2.17m in lieu of 3m. These are considered to be minor variations. In accordance with requirements of the TPS, LPS, LPP14 and LPP23 a condition will be added in relation to suitable landscaping being undertaken. The southern boundary of the lot has solid fencing, which screens the fuel vessel. For this reason no landscaping is required along the southern lot boundary.

Advice notes have been included advising that the vessel is required to comply with the WA Dangerous Goods Regulations and be added to the lots Dangerous Goods Storage Licence.

The above ground fuel vessel is considered to be consistent with the objectives and policies of the Urban 3 – Service Commercial Zone. Given the mitigating circumstances it is considered that in this instance a variation to the TPS can be approved. The retrospective application is therefore recommended for approval subject to appropriate conditions.

Appendices Attached:	Yes	Appendices Numbers: 9.2.3A & B
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION**MOVED: CR MASON****SECONDED: CR WITNEY****OCM16/05/052**

That Council in relation to the retrospective application for an above Ground Diesel Fuel Vessel on Lot 104 (No. 32) South Western Highway, Waroona, resolves to approve the application for Planning Consent subject to the following conditions:

- 1. The development shall occur in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval from the Shire of Waroona.**
- 2. A landscaping plan is to be developed by the proponent and submitted to and approved by the Shire of Waroona. The landscaping plan must include botanical names, common names, pot sizes and quantities of each plant. The approved landscaping plan is to be implemented in full and thereafter maintained to the satisfaction of the Shire of Waroona.**

ADVICE TO APPLICANT

- A. With regard to condition 2 the Shire of Waroona requires that landscaping plans utilise the recommended species lists listed in appendix A of Local Planning Policy 23.0 - Landscaping. The Shire of Waroona supports use of endangered or threatened endemic native species in landscaping wherever this is practicable.**
- B. The development is required to comply with the WA Dangerous Goods Regulations and the vessel is to be added to the subject lots Dangerous Goods Storage Licence.**

CARRIED 8/0

9.3 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.3.1 ACCOUNTS FOR PAYMENT	
Reporting Officer / Officer's Interest:	Kathy Simpson, Finance Officer / Nil
Responsible Officer / Officer's Interest	Ashleigh Nuttall – A/Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 09/05/16	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**MOVED: CR SNELL****SECONDED: CR MASON****OCM16/05/053****That Vouchers numbered:**

<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 8288 - 8306	\$46,046.81
Trust (Cheque/EFTs)	EFT 22413, 22599, 22600 & 22648 Chqs: 11083 - 11085	\$8,768.28
Electronic Transfers Municipal Fund	EFT 22414 to 22647	\$864,657.67
Direct Wages	01/04/2016 – 27/04/2016 inclusive	\$169,516.60
Direct Debits	01/04/16 – 30/04/16	\$1,791.85
GRAND TOTAL:		<u>\$1,090,781.21</u>

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

9.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2015 TO 30 APRIL 2016	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall - A/Deputy CEO/Director Corporate Services / Nil
Responsible Officer / Officer's Interest	Ashleigh Nuttall – A/Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 17/5/16	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**MOVED: CR MASON****SECONDED: CR GERMAIN****OCM16/05/054**

That the Monthly Statement of Financial Activity for the period 1 July 2015 to 30 April 2016 be received and noted.

CARRIED 8/0

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 PROPOSED CONTRIBUTION TO WHEELER FIELD AIRFLIED, COOLUP	
Reporting Officer / Officer's Interest:	Ian Curley, Chief Executive Officer; Nil Interest
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer; Nil Interest
Proponent:	Shire of Murray
Landowner:	R Wheeler
Date of Report: 10 May 2016	File No.: 5/1
Previous Reference:	Nil
Policy Implications:	See heading below
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No.2 Protecting Rural Land No.4 Environment Conservation No 6 Active Civic Leadership, Good Governance, & Excellence in Management	

PROPOSAL SUMMARY

Council is requested to consider providing a contribution to the upgrade of Wheeler Airfield, Coolup, to support ongoing air suppression of bushfires in the region, in the 2016/2017 Budget. [Note – the following information has been provided by the Shire of Murray]

BACKGROUND/INITIAL COMMENTS

Wheeler Field is located on Lot 7 (270) Mounsey Road, West Coolup, in the Shire of Murray. The land is zoned rural under the Shire of Murray Town Planning Scheme No 4 and the closest townsite is Coolup 10km to the north east. The airstrip on the property is 1300m long of compacted gravel construction, orientated in an ENE/WSW alignment. There is an all year soak/dam on the property of significant capacity, which is spring fed.



Wheeler Field has been used for firefighting air operations by fixed wing aircraft since 1998 due to its central location, 65km north of Bunbury, 44km south of the Serpentine Airfield, 76km south of Jandakot and 28 km south west of Dwellingup. A hand-drawn map of the flying time it takes to neighbouring towns is seen at **ATTACHMENT'S 9.4.1A & B**.

The airstrip has three interconnected runways. The main runway is 1300 metres long of compacted gravel, orientated in an ENE/WSW alignment. The other two interconnected runways (one N/S and 450 metres) and the other E/W (780 metres) are constructed of compacted dirt and mowed grass. This layout of the interconnected runways makes for a virtually uninterrupted flow of fire-bombing aircraft arriving, loading and departing during sustained firefighting operations.

An aerial photograph and dimensions of the strip are presented at **APPENDIX 9.4.1C**.

Dwellingup has a smaller airstrip than the Wheeler Airstrip. The significant height above sea level and wind direction and intensity factors during the fire season can limit fixed wing air operations or limit carrying capacity of aircraft from this airfield. The town of Dwellingup is located 1.6 Km to the south and noise from aircraft operations can impact the town. Issues that prevent Dwellingup being effective include:

- 865 feet above sea level meaning less water can be picked up and dropped onto the fire;
- 800 metre runway as opposed to the 1300 metre Wheeler Airfield;
- Significant trees making the runway dangerous for firefighting purposes;
- Limited water supply.

Murrayfield is another airfield within the Peel region. This facility is privately owned and it is located on Lakes Road, Nambelup. This airfield has two runways orientated south west/north west and the other east west. The south west/north west runway is similar in length to Murray Field and is all weather, the other runway is significantly shorter and is of gravel construction. In summary, limiting factors to use Murrayfield in an emergency include:

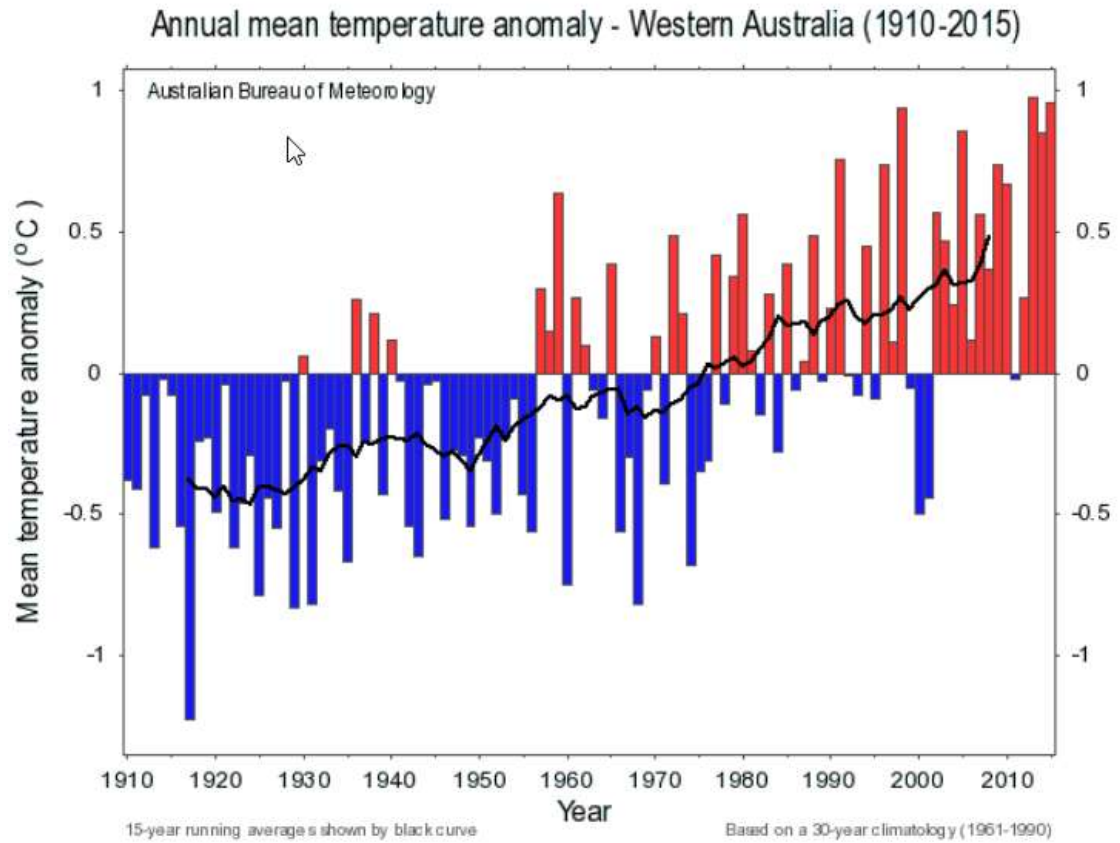
- Runway is shorter;
- Noise issues due to its locality near residential development;
- Nearby powerlines;
- Difficult cross-wind factors;
- Limited water supply;
- Other aircraft traffic, therefore limitations of airspace can exist;
- Landing fees are applicable.

Wheeler Field, given its central location in the region and its semi isolated location and ongoing support of the landowner, combined the availability of water, the orientation of the airstrip, given the prevailing summer wind patterns of either a south west sea breezes or diurnal easterly winds over the Darling Scarp makes this facility an important link for fire operations within the district, the greater Peel and adjoining regions.

Proposal

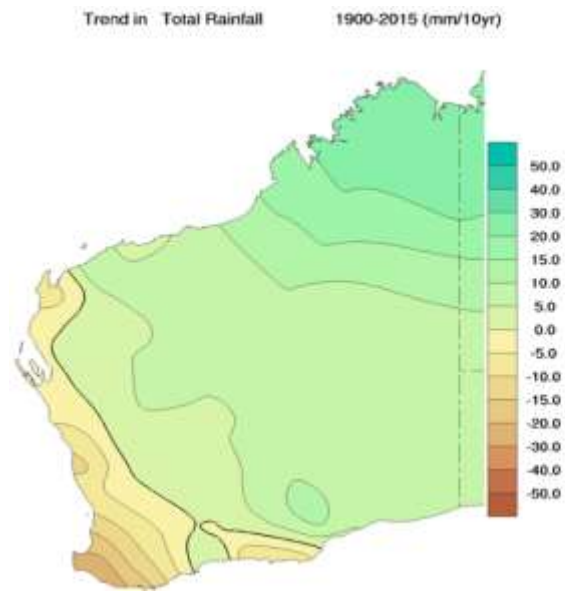
Climate change is one of the many increasing challenges that communities are facing in relation to bush fire management.

There is evidence of climate change through a review of the mean temperature increase since the 1960's, but particularly in the last decade.



(Source; Bureau of Meteorology).

Also, below table provides data on rainfall trends in Western Australia over the period 1910 to 2015 with the South west region having reduced rainfall of between 15% and 30%.

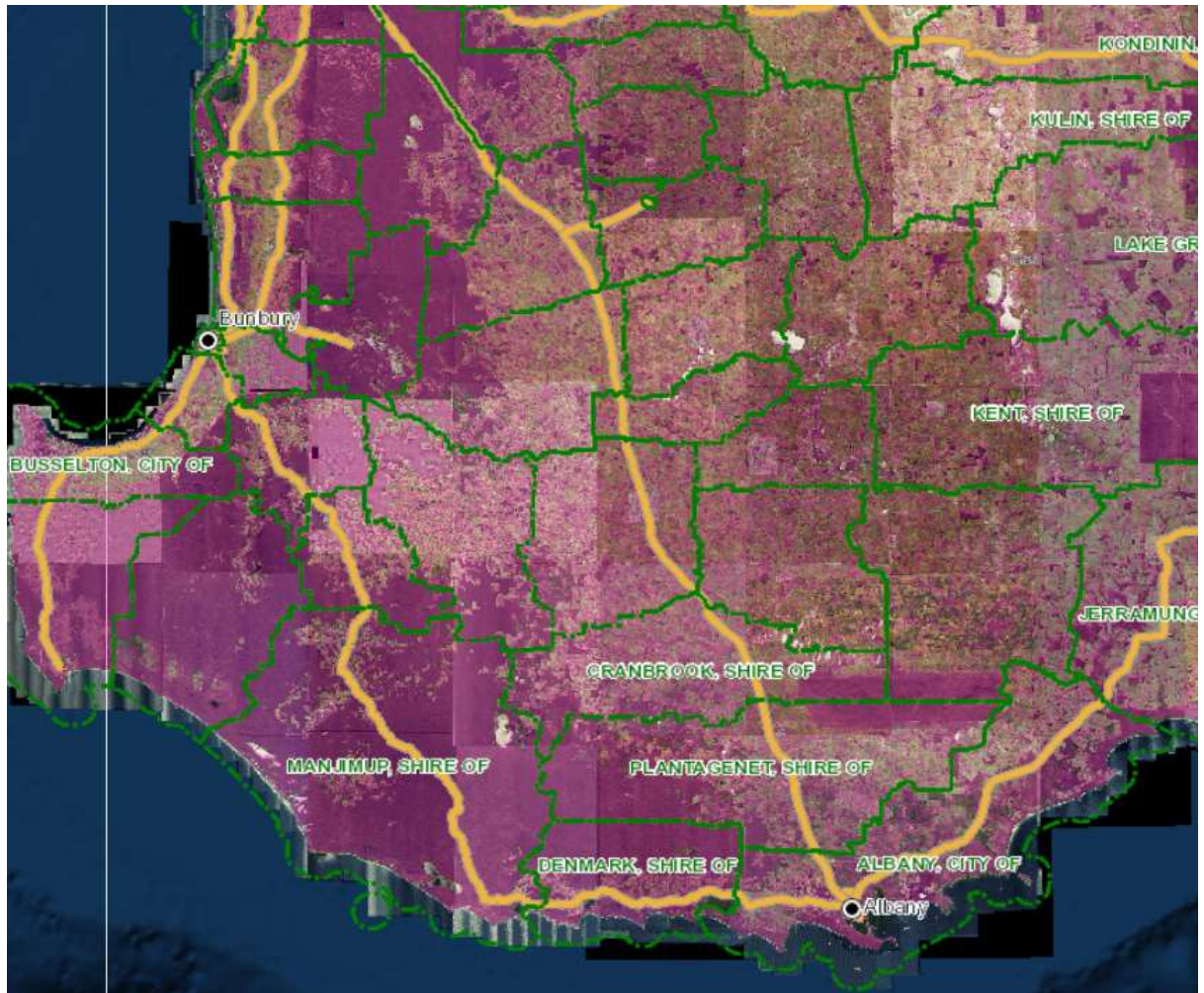


(Source: Australian Bureau of Meteorology)

Significant portions of south west Western Australia have been declared fire-prone areas, as can be shown in purple in the illustration below.

In general the Forest Fire Danger Index (FFDI) is used to measure the degree of risk of fire in our forests and the Grassland Fire Danger Index GFDI is used on the coastal plain. The Bureau of Meteorology (BoM) and some fire management agencies use both the GFDI the FFDI to assess fire risk and issue warnings (Fire Danger Ratings) in particular areas or regions.

The FFDI index was originally designed on a scale from 0 to 50 (McArthur Forest Fire Danger Index), with fires above 50 considered 'extreme'.



(Source DFES Website – (Fire prone areas in purple)

During the recent devastating Waroona fires, the Wheeler Airstrip was pivotal in fighting this massive fire. To illustrate how important the Wheeler Airfield is to fighting fires, there were over 440 aircraft movements with 1,209,600 litres of water which equates to 41 x 30,000 litre tankers of water.

It is very arguable to state that without the infrastructure at Wheeler Field there was a very real risk of the town of Preston Beach being lost and for the fire to have reached the southern areas of the City of Mandurah. The recent bushfire area of this devastating fire can be seen at **APPENDIX 9.4.1D**.

Given the increasing challenges of managing and fighting bush fires there is a very real need to upgrade facilities at the Wheeler Airstrip. Below is a list of the priorities that should be addressed in order to increase protection for the region and beyond.

Priority 1 – Runways

The Wheeler, Air Field, forward fire base, has three runways deliberately interconnected to provide efficient traffic management for the arrival and departures of fixed wing aircraft, under different wind conditions.

Basically this runway configuration means that the Fire Bombers can arrive in circuit, land, taxi to the water/fuel loading bays, load water/fuel, taxi to the holding point and take-off in a constant stream of aircraft in the most efficient way possible. Meaning that water arrives on the fire ground in the shortest time possible. Wheeler Field now is capable of loading three fire bombers on the ground at once and to get them all in the air as soon as possible requires that all three active runways are always operational.

The weak link during sustained firefighting operations, is the fact that the two interconnecting runways are both mowed hay stubble.

These grass/sand runways can stand a few movements but under a sustained operation are quickly blown out and degrade from mowed grass into a dirt track that can make them unserviceable for further aircraft operations. This means that all aircraft are slowed down because each one then has to land on the main gravel runway and backtrack to the holding point, on the very same runway before the next aircraft, can taxi with a full load of water or land to refill with water. This results in water taking much longer to arrive at the fire.

To solve this problem both dirt runways 36 and 08 need to be surfaced with gravel. The main runway 24 also needs to have five metres of gravel added to its width.

• Widen the main runway	\$100,000
• Runway 08/26 to gravel surface (676m)	\$ 80,000
• Extend runway 08/26 (95m x 16m x 100mm)	\$ 12,000
• Runway 18/36 to gravel surface (453m)	\$ 60,000
• Enlarge dam water supply to double volume	<u>\$ 7,000</u>
TOTAL	\$259,000

Second Priority

• Concrete Pump bases for Bomber Loader Pumps	\$ 1,000
• Gravel Car Park Area	\$ 8,000
• Tables and Chairs for Loader and Air Crews	<u>\$ 1,000</u>
TOTAL	\$ 10,000

Third Priority

- Drive way & two Pull Off Bays for traffic safety \$ 8,000
- Helicopter Landing Pad Gravel \$ 3,000
- Bore and Stationary Diesel Pump Water Supply
Therefore, no reliance external water or
power supply \$ TBA
- Mobile/removable, Caravan type Crew Room,
for Fire Bomber Loader crews, during operations.

- Relief from heat, noise and dust. \$ TBA
- Installation and connections \$ 20,000

Fourth Priority (see separate page outlining full requirements)

- Crew Room skid mounted Donga Air-conditioned Pilot sleeping, Accommodation. Toilet, Shower, Basic Kitchen, eating area. Vehicle access and parking to allow Pilots and Aircraft to overnight or for extended periods at Wheeler Field. So as to remain attacking Fire's longer in the Murray and surrounding area. \$ TBA
 - Installation and connections \$ 20,000
- Note that the un-costed items are being sought from external parties and may be provided

FINANCIAL ISSUES/IMPLICATIONS

For inclusion in the 2016/17 Budget.

POLICY ISSUES/IMPLICATIONS

There are no policy issues or implications emanating from this report.

Sustainability & Risk Considerations

Consultation for funding has been undertaken by Mr Wheeler and the Shire of Murray with :

- Mr Murray Cowper – Member for Murray Wellington
- Department of Fire & Emergency Services
- Bureau of Meteorology
- Peel Development Commission
- Peel Regional Leaders Forum
- City of Mandurah
- Shire of Boddington
- Shire of Waroona
- Shire of Harvey

To date, \$50,000 has been pledged by the Shire of Murray, \$20,000 City of Mandurah and \$20,000 Shires of Boddington and Harvey.

Resource Implications

Financial

It is reasonable to argue a case for the Department of Fire & Emergency Services to fund this proposal, both from an upgrade point of view and regular maintenance.

The response on both questions was no, with the reasoning being that the airstrip is privately owned and the LGGS only has the ability to fund Volunteer Bush Fire Brigades and State Emergency Service Units.

The Emergency Service Levy (ESL) collects funds from landowners throughout the State. The funds raised from the community are provided to the Department of Fire and Emergency Services to fund their general business operations and Career Brigades, Volunteer Fire and Service Brigades, Volunteer Sea Search and Rescue Units, state wide aerial fire operations and the LGGS for Volunteer Bush Fire Brigades and State Emergency Service Units.

Appendices Attached:	Yes	Appendices Numbers: 9.4.1A-D
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Voting Requirements

Simple Majority

COUNCIL RESOLUTION

MOVED: CR GERMAIN

SECONDED: CR WITNEY

OCM16/05/055

That Council refers an amount of \$20,000 for consideration for funding in the 2016/17 Budget to be paid to the Shire of Murray towards the upgrade of infrastructure at Wheeler Field Airstrip, Coolup for the purpose of supporting on-going air suppression of bushfires in the region.

CARRIED 8/0

10. CONFIDENTIAL REPORTS

Nil.

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

Nil

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

12.1 ELECTED MEMBERS

Nil.

12.2 OFFICERS

Nil.

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 4.27 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 28 JUNE 2016 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE

