



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 28 FEBRUARY 2017
(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 4.05 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 Mason	Councillor
Cr Trish Witney	Councillor
Cr John Salerian	Councillor
Cr Craig Wright	Councillor
Cr Laurie Snell	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Deputy Chief Executive Officer / Director Corporate Services
Mr Louis Fouche	Director Development Services
Mr Patrick Steinbacher	Director Technical Services
Mr Leonard Long	Manager Development Services
Mrs Sue Cicolari	Executive Support Officer

APOLOGIES

Nil.

There were no members 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

Nil

6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

Cr Snell declared a financial interest in item 9.3.3, as she is the Author of the Book.

Cr Scott declared an interest affecting impartiality in Item 9.2.6 as a member of the Waroona Lions Club and the Waroona Agricultural Society.

Cr's Germain, Snell and Salerian declared an interest affecting impartiality in item 9.2.6 as members of the Waroona Agricultural Society.



7. PETITIONS/DEPUTATIONS/PRESENTATIONS
Nil.

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 20 DECEMBER 2016

COUNCIL RESOLUTION

OCM17/02/001

MOVED: CR SNELL

SECONDED: CR WRIGHT

That the Minutes of the Ordinary Council Meeting held 20 December 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 PROPOSAL TO NAME PRESTON BEACH ROAD CAUSEWAY	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, DTS; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, DTS; No Interest
Proponent:	Preston Beach Progress Association
Landowner:	Shire of Waroona
Date of Report: 9/02/2017	File No.: 132/4
Previous Reference:	Nil
Policy Implications:	Nil
Statutory Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): 4.11 Pursue actions to preserve areas and materials of Historical significance	

PROPOSAL SUMMARY

To present to Council a proposal to name the causeway section of Preston Beach Road after Mr Alf Barker, a former employee of the Shire of Waroona.

BACKGROUND/INITIAL COMMENTS

The late Mr Alf Barker was the Shire of Waroona's Works Manager/Supervisor for over 30 years and as such he was involved in a substantial amount of the Shire's past works activities including the construction of the Preston Beach Road causeway in its present state.

Following his passing in 2016, the Preston Beach Progress Association and some residents living in Preston Beach considered it would be fitting to install signage adjacent to the causeway to name it in Mr Barker's memory. (see **Attachment 9.1.1**)

This proposal does not change the name of the actual road as it crosses the causeway, which would remain Preston Beach Road. Instead, the name would be linked to the causeway itself that carries Preston Beach Road across the lakes. The Geographic Names Committee has confirmed that this approach is permitted.

Final signage design and placement would be determined if the proposal is supported by Council, however it is envisaged that the sign would be similar in design and colours to the Shire's street signage, sized appropriately and that a sign would be installed at either end of the causeway with the wording 'THE ALF BARKER CAUSEWAY' or words to that effect.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil



STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

This issue comes under the SCP Nos. 4.11 Pursue actions to preserve areas and materials of Historical significance

FINANCIAL ISSUES/IMPLICATIONS

Should the proposal proceed, costs would be limited to the purchase of signage materials and labour to install, which would be relatively minor and could be met by the current budget.

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

It is recommended that this matter be publicly advertised.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

While the proposal is supported by the Preston Beach Progress Association, it is not clear if the proposal has widespread support throughout the Preston Beach and indeed the wider Shire community. For this reason officers feel that it would be appropriate to publicly advertise the proposal prior to proceeding.

Appendices Attached:	Yes	Appendices Numbers:	9.1.1
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM17/02/002

MOVED: CR GERMAIN

SECONDED: CR SNELL

That Council publicly advertise the proposal to name the causeway section of Preston Beach Road after the late Mr Alf Barker, a former Works Manager of the Shire of Waroona and long term employee, and any comments received be presented to the March 2017 Council meeting, prior to formally considering the proposal.

CARRIED 8/0



9.2 DIRECTOR DEVELOPMENT SERVICES

9.2.1 REQUEST FOR FINANCIAL CONTRIBUTION - MANDURAH AND PEEL TOURISM ORGANISATION	
Reporting Officer / Officer's Interest:	Brad Vitale – Community Development Officer; No Interest
Responsible Officer / Officer's Interest	Louis Fouche – Director Development Services; No Interest
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 23/02/2017	File No.: 143/1
Previous Reference:	Nil
Policy Implications:	Nil
Statutory Implications:	Nil
Strategic Implications:	<i>See Strategic Community Plan</i>
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): Theme 1 Local Economy "Managing our Future Growth"	

PROPOSAL SUMMARY

Council is requested to consider a contribution to MAPTO for the promotion of the Shire of Waroona through their organisation.

BACKGROUND/INITIAL COMMENTS

Karen Priest, the Chief Executive Officer of Mandurah and Peel Tourism Organisation (MAPTO) made a presentation to Council on the initiatives of the organisation on 27 September 2016.

MAPTO offers a range of support and services to the tourism industry of the Peel Region. As a regional organisation, MAPTO seeks to extend its reach and influence beyond a single municipality to deliver outcomes throughout a geographic area, covering the Shires of Waroona, Murray, Serpentine Jarrahdale, Boddington and the City of Mandurah. These five local government authorities come together as the Peel Region of WA.

To deliver on tourism growth in Peel, MAPTO:

- Guide the direction of the Peel region's destination marketing to deliver growth of businesses for the region.
- Deliver effective targeted destination marketing strategies that build awareness, converts it to demand and then captures such demand.
- Assist tourism operators with the development of products to enhance their offerings.
- Support business owners with their application for licences and permits by endorsing their enterprise (subject to preliminary assessment by MAPTO)
- Identify and develop opportunities within the tourism marketplace that can help improve the visitor experience within the destination, with the clear objective of growing tourism across the region.
- Identify opportunities for businesses to collaborate.
- Secure funding for major destination development projects and events.



- Liaise with regional tourism authorities and state bodies on behalf of tourism operators.

As per a decision by the Peel Regional Leaders Forum it was decided that the existing PEEL brand will be the primary brand, representing all 5 shires of the Peel Region. As the central brand it 'carries' all advertising material for the region.

With the brand 'Anytime Adventures' MAPTO created a product offering for the region that communicates the unique position of the region and the benefits of the experiences offered.

MAPTO undertakes two major domestic campaigns each year, working closely with partners to encourage people from Perth to visit Mandurah and the Peel Region.

Since 2014, MAPTO has promoted Shire of Waroona through the following activities:

- TV story on WA Weekender featuring Preston Beach and The Cream Shed in Waroona (2014)
- Participation of Waroona Visitor Centre on 92.9 radio station promotion (February 2015)
- TV story on WA Weekender featuring Lake Navarino and Lake Navarino Holiday Park (May 2015)
- Promotion of RV friendly town as part of a full page editorial in Caravanning Australia Magazine (Winter 2015 issue)
- Branded destination page on TripAdvisor (September 2015)
- TV story on WA Weekender featuring Waroona township, Drakesbrook Weir, Waroona Visitor Centre and Drakesbrook Antiques and Collectables (October 2015)
- Promotion of RV friendly town as part of a full page editorial in Caravanning Australia Magazine (Spring 2016 issue)
- Advertising in Hello Perth (Spring 2016 issue)
- Advertising in What's On Perth Guide (Spring 2016 issue)
- New destination page listing for Mandurah and Peel on TripAdvisor (coming soon)
- Monthly meetings with all Peel Visitor Centres
- Feature in Anytime Adventures Destination Guide (ongoing)
- Feature on Visit Peel website (ongoing)
- Feature on social media including Facebook, Twitter, Instagram, TripAdvisor (ongoing)

MAPTO has estimated the cost of these activities since 2014 to be approximately \$37,509. MAPTO is requesting that Council considers supporting the organisation with a contribution of \$10,000 plus GST during this fiscal year to assist with the cost of the activities above.

PLANNING – STRATEGIC IMPLICATIONS

See Strategic Community Plan.

REFERRALS

Nil.



STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 1 Local Economy “Managing our Future Growth”, particularly the following strategies:

- 1.03 Pursue Tourism Initiatives, to entice people to visit the area
- 1.04 Add to Tourism Attractions [such as Walk Trails; Board Walks; Footpaths; Signage; etc.]
- 1.05 Support the establishment of businesses and industries which complement existing activities within the Shire

FINANCIAL ISSUES/IMPLICATIONS

There is no budget allocation for a contribution to MAPTO in the 2016/2017 budget. Any future budget allocations will have to be included from the 2017/2018 budget onwards.

POLICY ISSUES/IMPLICATIONS

Nil.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil.

LEGAL ISSUES/IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

Nil.

OFFICER'S FINAL COMMENTS

In order to determine a reasonable and fair contribution amount, an analysis has been performed based on the contribution value of other local governments in the Peel region given their respective populations.

Shire of Serpentine Jarrahdale has a population of 28,000, and has contributed \$20,000 to MAPTO this fiscal year. By dividing the contribution amount by the population, Shire of Serpentine Jarrahdale has a contribution rate of \$0.714 per person.

Shire of Murray has a population of 17,000, and has contributed \$25,000 to MAPTO this fiscal year. By dividing the contribution amount by the population, Shire of Murray has a contribution rate of \$1.448 per person.

Shire of Waroona has a population of 4,055, and by comparing the contribution rates of Shire of Serpentine Jarrahdale and Shire of Murray, a reasonable and fair contribution amount from Shire of Waroona can be determined, and compared to the \$10,000 plus GST amount proposed by MAPTO.



Based on the Shire of Serpentine Jarrahdale's contribution rate of \$0.714/person, a contribution amount from Shire of Waroona to MAPTO would be \$2,895 (rounded up to \$2,900).

Based on the Shire of Murray's contribution rate of \$1.448/person, a contribution amount from Shire of Waroona to MAPTO would be \$5,872.

CONCLUSION

After considering the contribution amounts above, it is clear that the contribution amount of \$10,000 plus GST requested from Shire of Waroona as proposed by MAPTO is not reasonable or fair.

It is considered that based on the Shire of Serpentine Jarrahdale's contribution, a reasonable contribution amount from Shire of Waroona to MAPTO would be \$2,895 (rounded up to \$2,900 plus GST).

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority.

OFFICER RECOMMENDATION

1. That in relation to the request from the Mandurah and Peel Tourism Organisation (MAPTO) to make a financial contribution to the organisation, Council resolves to allocate \$2,900 (exclusive of GST) annually to MAPTO commencing from 2017/2018 budget, and that this be included as a Council Policy.

COUNCIL RESOLUTION

OCM17/02/003

MOVED: CR SCOTT

SECONDED: CR MASON

1. That in relation to the request from the Mandurah and Peel Tourism Organisation (MAPTO) to make a financial contribution to the organisation, Council resolves to allocate \$5,000 (exclusive of GST) to MAPTO in the 2017/2018 budget, and that an annual contribution to MAPTO be included as a Council Policy.

CARRIED BY ABSOLUTE MAJORITY 5/3
For the Motion: Cr's Scott, Mason, Snell, Wright, Dew
Against the Motion: Cr's Germain, Witney, Salerian

The Officer's Recommendation was not adopted as some Councillors thought it more appropriate to make a contribution similar on a population ratio similar to that of the Shire of Murray.



9.2.2 LOT 2, JOHNSTON ROAD, WAROONA – TRANSFER OF EXTRACTIVE INDUSTRY LICENCE	
Reporting Officer / Officer's Interest:	Sarah Park – Environmental Planner / Nil
Responsible Officer / Officer's Interest:	Leonard Long – Manager Development Services / Nil
Proponent:	Hanson Construction Materials Pty Ltd
Landowner:	Anham Nominees Pty Ltd Fourbells Nominees Pty Ltd
Date of Report: 10 January 2017	File No.: EI30, TP1532
Previous Reference:	OCM06/066 (28 March 2006) OCM13/2/008 (19 February 2013)
Policy Implications:	State Planning Policy 2.4 Basic Raw Materials Peel Region Scheme Strategic Minerals and Basic Raw Materials Policy 2002 Local Planning Policy 15.0 Extractive Industry Shire of Waroona Policy Manual – Policy 1.26 – Application of Shire of Waroona Common Seal
Statutory Implications:	Peel Region Scheme 2003 Shire of Waroona Town Planning Scheme No. 7 1996 Extractive Industry Local Law 1999
Strategic Implications:	Local Planning Strategy 2009 Shire of Waroona Community Strategic Plan 2016/17-2025/26
Financial Implications:	See heading in report
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 3 “Responsible Land Use Planning & Protecting Rural Land”	

PROPOSAL SUMMARY

Council is requested to consider an application for the transfer of the existing Extractive Industry (EI30) Licence at lot 2 Johnston Road, Waroona. (For locality plan see **Appendix 9.2.2A**).

The Extractive Industry extracts sand from the subject site in the continuation of the existing operation on the site. No changes are proposed to the extractive industry operations apart from changed ownership.

The approval of the application will transfer all the existing conditions (as amended) on the approved Extractive Industry licence (EI30) for the removal of sand on the subject lot to the new operator.

BACKGROUND / INITIAL COMMENTS

The current Extractive Industry Licence is issued to Rocla Pty Limited (Rocla), who has previously operated the site. Hanson Construction Materials Pty Ltd (Hanson) have purchased Rocla as part of a Business Sale Agreement between Rocla and Hanson.



Rocla agreed to sell its interest in projects across Australia to Hanson, which includes the Johnston Road Sand Project at lot 2 Johnston Road, Waroona. The Business Sale Agreement was completed on 29 January 2016. As part of the sale arrangements the proponent (Hanson) has requested to transfer the extractive industry licence for the subject site from Rocla to Hanson.

The site is located approximately 1km north of Johnston Road and abuts the state forest along the western boundary. The subject lot is undulating, partially covered in remanent vegetation and small trees and cleared in cells 1, 2, 4, 5. For detailed mine plan see **Appendix 9.2.2B**.

The sand extraction site is located towards the south west of the lot, within the approved extraction boundary.

Previous Applications

An extension to the Extractive Industry Licence (EI30) was approved alongside the Planning Consent application (TP1532) on the 25 February 2013 (OCM13/2/008). The Planning Consent and Extractive Industry Licence are both due to expire on 25 February 2018 and will have to be renewed prior to this date.

In addition to TP1532 and the associated existing Extractive Industry licence (EI30), the following planning consents and licences have been issued on the subject lot.

- A Planning Consent (TP910) Extractive Industry (EI30) fill and construction sand was approved on 29 March 2006.
- Extractive Industry Licence (EI30) was approved on 3 April 2006.

PLANNING – STRATEGIC IMPLICATIONS

Local Planning Strategy 2009

Clause 14.0 Minerals and Basic Raw Materials states:

Minerals contribute significantly to the economy. Mineral extraction and processing is a key component of the local economy. Basic raw materials are essential for the road and constructions industries.

INTERNAL REFERRAL

Upon referral to the Shire's Technical Services Directorate, the Director of Technical Services stated that all existing conditions are to be retained.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 3 "Responsible Land Use Planning, and Protecting Rural Land.



FINANCIAL ISSUES / IMPLICATIONS

Annual Fee (over 5 ha):	\$700.00
Renewal Fee (every 5 years):	\$455.00
Transfer of Licence Fee:	\$455.00

POLICY ISSUES / IMPLICATIONS**Strategic Minerals and Basic Raw Materials Policy 2002 (PRS Policy)**

Lot 2 Johnston Road, Waroona is within the policy application area of the PRS Policy. However, the subject lot is not included in the mapped strategic resource locations within the policy application area.

Local Planning Policy No. 15.0 – Extractive Industry

Objectives:

1. Clarify respective roles of Town Planning Scheme and Extractive Industry Local Law in regulation of extractive industry.
2. Ensure that extractive industry activities are undertaken in an environmentally and socially sound manner.

Council recognises that extractive industry is, and will remain a necessary and important part of the economic life of the Shire.

Shire of Waroona Policy Manual – Policy 1.26 – Application of Shire of Waroona Common Seal

The Common Seal of the Shire of Waroona is authorised to be applied to leases, agreements and other required documents where the Council has previously agree to enter such lease or agreement or consented to the matters pertained in other documents.

The application of the Common Seal is to be witnessed by the Shire President and Chief Executive Officer, or in their absence, by the Deputy Shire President and/or Deputy Chief Executive Officer.

STATUTORY ISSUES / ENVIRONMENT / IMPLICATIONS**Peel Regional Scheme 2003 (PRS)**

Clause 6 (h) states that it is an aim of the Scheme to provide for the efficient and timely extraction of minerals and raw materials and subsequent rehabilitation of affected land.

Lot 2 is zoned Rural under the PRS.

Clause 12 (e) states that the objective of the Rural zone is to provide for the sustainable use of land for agriculture, assist in the conservation and wise use of natural resources including water, flora, fauna and minerals, provide a distinctive rural landscape setting for the urban areas and accommodate carefully planned rural living developments.”

Town Planning Scheme No. 7 1996 (TPS)

The subject lot is zoned Rural 1 – General Farming under the TPS. Within this zone, 'Industry – Extractive' is listed as an 'AA' use meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions.

Rural zones are dealt with under clause 4.14 of the TPS.

Clause 4.14.1 states that Council's objective is to preserve the rural character of the District's farming lands and to ensure that they continue to contribute materially to the District's economy, whilst recognising that changes in land use practices will affect land management and the landscape generally.

Council's policies will therefore be to:

- permit land uses consistent with achieving this objective;
- permit, at Council discretion, Rural Industry;
- require that Intensive Agriculture be subject to the Planning Consent of Council;
- support community endorsed objectives of minimising phosphorous run-off to the Peel-Harvey Estuary including protection of remnant vegetation;
- maintain open rural atmosphere by encouraging generous setbacks in accordance with Clauses 4.14.8 and 4.15.4.

Extractive Industries Local Law (1999)

It is a main objective of this Local Law to regulate the carrying on of extractive industries in order to minimise damage to the environment, thoroughfares and other person's health and property.

Any person wanting to carry on an extractive industry is required to be licensed and comply with the provisions of this Local Law.

Part 4, Transfer, Cancellation and Renewal of licenses states, Transfer of License, Clause 12 (1) includes specific requirements to be complied with by applicants with the submission of applications.

LEGAL ISSUES / IMPLICATIONS

See Statutory Issues.

COMMUNITY CONSULTATION

Under the Shire of Waroona's Local Law there is no requirement for community consultation for the transfer of an extractive industry licence.

OFFICER FINAL COMMENTS / CONCLUSIONS

Peel Region Scheme (PRS) 2003

The existing extractive industry licence meets the PRS aims to provide for efficient and timely extraction of raw minerals, with appropriate rehabilitation of land. In relation to rehabilitation, no extraction cells have been completed and therefore no rehabilitation on the site has commenced. A plan for rehabilitation is stated within the yearly progress reports in accordance with the existing extractive industry licence and ongoing planning consent conditions.

Town Planning Scheme No. 7 1996 (TPS)

An Extractive Industry is listed as an 'AA' use within the Rural 1 – General Farming zone in the zoning table of the TPS, and was approved by Council.

A Rural Zones objective is to ensure the continuation of appropriate rural activities and ensure they continue to contribute materially to the District's economy. The extractive industry licence was initially approved in 2006 and subsequently renewed in 2013. The mining activities on the lot are consistent with the objective. It is therefore considered that approval for the transfer of the existing licence should be granted as it meets the TPS objectives.

Extractive Industries Local Law (1999)

In accordance with the Extractive Industry Local Law, in order to transfer an extractive industry licence the requirements of Clause 12 are to be satisfactorily met.

In accordance with Clause 12 (1), (a),(b) and (c), the application for the transfer of the extractive industry licence for Lot 2, Johnston Road, was made in writing, signed by a representative of the licensee company and signed by the director of the proposed transferee company of the licence, and accompanied by the current extractive industry licence.

In accordance with Clause 12 (1), (d), the transfer application was accompanied by the landowner consent in writing to the transfer from the owner of the excavation site and signed by the four landowners.

In accordance with Clause 12 (1), (e), the transfer application was accompanied by a deed of agreement (Deed of Novation) between the owner, transferor and transferee detailing the terms and conditions relating to the transfer of responsibility for the state of the excavation, the level of compliance with any conditions, that may have been imposed on the licence the subject of the transfer, and any rehabilitation works which may be necessary to remedy the situation. The deed of agreement has been prepared by a legal practitioner pursuant to the Business Sale Agreement and includes all the conditions associated with the approved extractive industry licence (E130).

It is considered that in accordance with Clause 12(1), that the applicant has provided all the required documentation.

Shire of Waroona Policy Manual – Policy 1.26 – Application of Shire of Waroona Common Seal

Subject to approval, the Transfer Endorsement Extractive Industry Licence is to be completed and stamped with the Shire of Waroona Common Seal in accordance with Policy 1.26 – Application of Shire of Waroona Common Seal.

Local Planning Strategy (LPS)

The proposed extractive industry license transfer is consistent with the Local Planning Strategy (LPS) which supports minerals extraction that contributes significantly to the economy and construction industry within the Shire.

Local Planning Policy No. 15.0 – Extractive Industry (LPP15)

The proposed transfer meets the all the objectives of LPP15. The provisions of LPP15 are applied to the planning consent accompanying the licence.

Conclusion

The transfer of the extractive industry licence at lot 2, Johnston Road, will facilitate to operation of the site with the ownership change. This transfer will have no impact on the current Extractive Industry Planning Consent approval for lot 2 (TP1532). It is recommended that conditions 1-11 and Advice Notes A-I of the existing Extractive Industry Licence be amended as follows and be included as conditions of approval of the subject application to ensure the new licence holder is aware of the applicable conditions:

- All reference to the satisfaction of the Director Planning Services / Director Technical Services be amended to Shire of Waroona.
- Condition 11 amended to reflect the expiry year to coincide with the planning approval expiry date.

The transfer process meets all the requirements within the Extractive Industry Local Law and is therefore recommended for approval subject to conditions.

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

Simple Majority



COUNCIL RESOLUTION**OCM17/02/004****MOVED: CR WRIGHT****SECONDED: CR SNELL**

- A. That in relation to the application from Rocla Pty for the transfer of Extractive Industry Licence (EI30) to Hanson Construction Materials Pty Ltd, on lot 2, Johnston Road, Waroona, Council approves the application subject to;**

Conditions:

- 1. The development shall occur in accordance with the approved plans and specifications and these shall not be altered or modified without the prior written approval of the Shire of Waroona.**
- 2. A Rehabilitation Plan being submitted to the satisfaction of the Shire of Waroona.**
- 3. Clearing and Rehabilitation is to occur in accordance with an approved Rehabilitation Management Plan. Materials imported for rehabilitation or other purposes shall be certified free of dieback and other plant diseases.**
- 4. All stormwater is to be contained on site to the satisfaction of the Shire of Waroona.**
- 5. The site is to be managed in a manner that will avoid unacceptable impacts on the amenity of adjoining properties by way of noise or dust emissions.**
- 6. Other than repairs, no maintenance of vehicles and plant or equipment shall be carried out on site.**
- 7. Fuel storage tanks shall be bunded and provided with an impermeable barrier to ensure that no pollution of soils or groundwater occurs.**
- 8. Signs to be placed on Johnston Road indicating the ingress and egress of trucks to the site to the specification and satisfaction of the Shire of Waroona.**
- 9. No later than 24 months from the date of this approval the licensee must provide a progress report to the satisfaction of the Shire of Waroona detailing progress with extraction activities and rehabilitation and demonstrating compliance with all conditions of approval. The progress report must include a survey of the current state of the site.**

10. The crossover to Johnston Road is to be sealed to the satisfaction of the Shire of Waroona. As a minimum the crossover shall be sealed between the constructed edge of Johnston Road and the property boundary.

11. The Extractive Industry Licence shall expire on the 25 February 2018.

ADVICE TO APPLICANT:

- a) The applicant is advised that the extractive industry operation are to comply with the Environmental Protection (Noise) Regulations 1997 at all times.**
- b) Groundwater abstraction, including pit dewatering, is subject to licencing from the Department of Water.**
- c) Clearing of native vegetation is subject to the issuance of a Clearing Permit from the Department of Environment and Conservation.**
- d) Operations are to be carried out in compliance with the Shire of Waroona Extractive Industries Local Law as adopted by Council.**
- e) The applicant is advised that the Licence is subject to the payment of an annual Licence Renewal Fee as required in the Shire of Waroona Extractive Industries Local Law 1999 and prescribed in the Shire's adopted Fees and Charges. The licence shall lapse where the licensee fails to pay the annual licence fee.**
- f) The transfer of a licence is subject to the approval of the Shire of Waroona.**
- g) Should the licensee wish to renew the licence, an application should be made to the Shire of Waroona at least 42 days before the date of expiry of the licence.**
- h) Where a licensee intends to cease carrying on an extractive industry temporarily for a period in excess of 12 months or permanently, the licensee must, as well as complying with clause 21 of the Local Laws, give the Shire written notice of the cessation not later than 1 week after those operations have ceased.**
- i) Prior to the cessation of operations, all restoration works required in terms of clause 21 of the Shire of Waroona Extractive Industries Local Law 1999 shall be carried out.**

CARRIED 8/0



9.2.3 SUBDIVISION OF LOT 982 CORONATION ROAD, WAROONA	
Reporting Officer / Officer's Interest:	Sarah Park, Environmental Planner; No Interest
Responsible Officer / Officer's Interest	Leonard Long, Manager Development Services; No Interest
Proponent:	App Corporation Pty Ltd
Landowner:	Diane Maria De Mol & Robert Steven De Mol
Date of Report: 07/02/2017	File No.: SD154792
Previous Reference:	OCM08/096 (27 May 2008)
Policy Implications:	State Planning Policies (SPP): SPP 2.5 – Agricultural and Rural Land Use Planning. SPP 3.7 – Planning in Bushfire Prone areas - Guidelines for Planning in Bushfire Prone Areas. Western Australian Planning Commission Development Control Policies (DCP): DCP 1.1 – Subdivision of Land – General Principles. DCP 3.4 – Subdivision of Rural Land.
Statutory Implications:	Planning and Development Act 2005 Peel Region Scheme 2003. Shire of Waroona Local Planning Scheme No. 7 1996.
Strategic Implications:	Draft South Metropolitan Peel Sub-Regional Planning Framework. Draft Perth and Peel Green Growth Plan for 3.5 Million. Local Planning Strategy 2009.
Financial Implications:	See heading in report.
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 3 “Responsible Land Use Planning & Protecting Rural Land”	

PROPOSAL SUMMARY

Council is requested to consider a three (3) lot subdivision proposal for Lot 982, Coronation Road, Waroona and make a recommendation on the application to the Western Australian Planning Commission (WAPC).

A location plan is at **Appendix 9.2.3A**.

The application proposes to subdivide Lot 982 into 3 lots as follows:

- proposed lot 1 north of the constructed Coronation Road measuring 53.6652ha;
- proposed lot 2 south of the constructed Coronation Road measuring 5.3967ha; and
- Proposed road reserve being the area of the constructed Coronation Road measuring 8,726m².

A proposed plan of subdivision is at **Appendix 9.2.3B**.

A Bushfire Management Plan (BMP) has been submitted as part of the application and demonstrates that the proposed lots are able to achieve a Bushfire Attack Level (BAL)



rating of 12.5 for the construction of new dwellings. A site overview plan of the BMP is at **Appendix 9.2.3C**.

BACKGROUND/INITIAL COMMENTS

Lot 982 Coronation Road, Waroona is located 7.5 km west of the Waroona Townsite and east of Dorsett Road. The lot is 59.0619 ha in area, is generally flat and covered in remnant vegetation, wetlands, and an inland lake located both sides of the constructed Coronation Road.

On 27 May 2008 (OCM 08/096) Council resolved to realign Coronation Road by excising land from Lot 982 Coronation Road to be vested in Crown for purposes of a road reserve.

The construction (realigned) of Coronation Road effectively subdividing Lot 982 into the proposed 3 lots, being proposed lot 1, proposed lot 2 and road reserve.

The application is required to be considered by Council as proposed a variation to the minimum lot size requirement of the Local Planning Strategy and is therefore not able to be considered under delegation in accordance with the Shire's register of delegations.

PLANNING – STRATEGIC IMPLICATIONS

South Metropolitan Peel Sub-Regional Planning Framework

The draft framework considers where future homes and jobs will be located; what community and social infrastructure will be required; better integrated use of existing infrastructure; protection of important environmental assets and critical services; and staging and sequencing of future development.

The subject lot is identified as Rural within the draft framework.

Draft Perth and Peel Green Growth Plan for 3.5 Million (Green Growth Plan)

The Green Growth Plan delivers a comprehensive environmental program for the protection of both Commonwealth matters of national environmental significance and State environmental values.

Lot 982 is within the mapped area for priority acquisition in phase 2 of the Green Growth Plan.

Local Planning Strategy 2009 (LPS)

Lot 982 is located within the Agricultural Precinct of the LPS and is designated 'General Agriculture'. The objective of 'General Agriculture' under the LPS is to provide for the continued use of the area for a range of agricultural pursuits and low-key tourist establishments.

The LPS states that the minimum lot size of subdivisions within the Agricultural Precinct should not be less than 80ha.



REFERRALS

The Shire's Director of Technical Services recommends that the application be supported in order to enable the finalisation of the realignment of Coronation Road.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

Shire of Waroona Strategic Community Plan 2016/17-2025/26

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

FINANCIAL ISSUES/IMPLICATIONS

The approval and subsequent finalisation of the proposed subdivision will enable the Technical Services Department to finalise negotiations with the land owner regarding any compensation for the Coronation Road reserve.

POLICY ISSUES/IMPLICATIONS

State Planning Policy 2.5 - Agricultural and Rural Land Use Planning

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

Section 4. – Objectives of this policy, states:

- a) To protect rural land from incompatible uses by:
 - i) requiring comprehensive planning for rural areas;
 - ii) making land use decisions for rural land that support existing and future primary production and protection of priority agricultural land, particularly for the production of food; and
 - iii) providing investment security for the existing and future primary production sector.
- b) To promote regional development through provision of ongoing economic opportunities on rural land.
- b) To promote sustainable settlement in, and adjacent to, existing urban areas.
- c) To protect and improve environmental and landscape assets.
- d) To minimise land use conflicts.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7)

SPP3.7 seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. It applies to all higher order strategic planning documents, strategic planning proposals, subdivision and development applications located in designated bushfire prone areas.



Section 6, sets out the policy measures.

6.2 Strategic planning proposals, subdivision and development applications:

- a) Strategic planning proposals, subdivision and development applications within designated bushfire prone areas relating to land that has or will have a Bushfire Hazard Level (BHL) above low and/or where a Bushfire Attack Level (BAL) rating above BAL-LOW apply, are to comply with these policy measures.
- b) Any strategic planning proposal, subdivision or development application in an area to which policy measure 6.2 a) applies, that has or will, on completion, have a moderate BHL and/or where BAL-12.5 to BAL-29 applies, may be considered for approval where it can be undertaken in accordance with policy measures 6.3, 6.4 or 6.5.
- c) This policy also applies where an area is not yet designated as a bushfire prone area but is proposed to be developed in a way that introduces a bushfire hazard, as outlined in the Guidelines.

6.4 Information to accompany subdivision applications

Any subdivision application to which policy measure 6.2 applies is to be accompanied by the following information in accordance with the Guidelines:

- a) a BAL Contour Map to determine the indicative acceptable BAL ratings across the subject site, in accordance with the Guidelines. BAL Contour Maps should be prepared by an accredited Bushfire Planning Practitioner;
- b) the identification of any bushfire hazard issues arising from the BAL Contour Map; and
- c) an assessment against the bushfire protection criteria requirements contained within the Guidelines demonstrating compliance within the boundary of the subdivision site.

This information can be provided in the form of a Bushfire Management Plan or an amended Bushfire Management Plan where one has been previously endorsed.

SPP3.7 requires that subdivision proposals in bushfire prone areas be implemented in accordance with an endorsed fire management plan.

SPP3.7 Guidelines, Section 5.3 – Subdivision in Bushfire Prone Areas, states:

Subdivision proposals should be used as an opportunity to consider the location, siting and design, and infrastructure available to the lots to achieve a combination of bushfire protection measures. Subdivisions in bushfire prone areas should:

- be located within close proximity to existing settlements and/or within existing cleared areas;
- minimise the interface between the subdivision area and the bushfire hazard;
- avoid placing residential development on steep slopes;
- provide for at least two safe access routes;
- consider landscape plans to ensure public open space and reserves avoid increasing the threat of bushfire to new properties;



- carefully consider the creation of vegetation corridors where they may enable a passage of fire to enter the subdivision area;
- consider establishing or retaining recreational areas to have a dual purpose as public refuge areas and/or separation areas;
- have access to adequate water and infrastructure; and
- new development should be located in existing cleared areas wherever possible to minimise exposure to the bushfire hazard and avoid the need for further vegetation clearing. 5.3.

Clause 5.3.2, Bushfire Subdivision Conditions, identifies conditions that may be used on subdivision applications, particularly the conditions requiring preparation and implementation of an approved detailed plan demonstrating the location and capacity of fire emergency infrastructure and the condition requiring an approved Bushfire Management Plan.

WAPC Development Control Policy 1.1 Subdivision of Land – General Principles

Objectives of Development Control Policy 1.1 include:

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

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

Section 6 of DC Policy 3.4 states:

'In considering applications under section 6 (a) to (e), the WAPC will consider rural subdivision in the following exceptional circumstances':

- 'c) to allow for the efficient provision of utilities and infrastructure and/or for access to natural resources'.*

Section 6.1 of DC Policy 3.4 states:

'The existing physical division of a lot by a significant natural or constructed feature may be formalised through subdivision. The physical division in itself however, does not warrant the creation of additional or smaller lots. A significant physical division would include, but not be limited to, a controlled access highway or a river but would not generally include minor barriers such as rural roads or creeks that are commonly crossed for farm management purposes.'

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Peel Region Scheme (PRS)

The subject lot is zoned 'Rural' under the PRS. The purpose of the 'Rural' zone under the PRS is as follows:

'To provide for the sustainable use of land for agriculture, assist in the conservation and wise use of natural resources including water, flora, fauna and minerals provide a distinctive rural landscape setting for the urban areas and accommodate carefully planned rural living developments.'

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

The subject lot is located within the 'Rural 1 – General Farming' zone under the TPS. The objective of the Rural zones is:

'To preserve the rural character of the District's farming lands and to endure that they continue to contribute materially to the District's economy, whilst recognising that changes in land use [practice will affect land management and the landscape generally.'

Council's policies will therefore be to:

- *Permit land uses consistent with achieving the objective;*
- *Permit, at Council's discretion, Rural Industry;*
- *Require that Intensive Agriculture be subject to the Planning Consent of Council;*
- *Support community objectives of minimising phosphorus run-off to the Peel-Harvey Estuary including protection of remnant vegetation;*
- *Maintain open rural atmosphere by encouraging generous setbacks in accordance with Clauses 4.14.18 and 4.15.4 (as amended).'*

As stated under Clause 4.12.8(b)

'If no building envelope is specified, the Council will require the minimum setbacks to be consistent with the Local Planning Strategy and as a minimum shall be 20 metres from any road boundary and 10 metres from rear and side boundaries'

Clause 4.20 states:

'In order to protect the productive capacity of agricultural land, there is a general presumption against the further subdivision of land in the Rural zones. Any proposal for the further subdivision of rural land should be in accordance with the lot sizes recommended by the Local Planning Strategy. Applications to subdivide for agricultural purposes should clearly demonstrate that the subdivision will be beneficial to viable and sustainable agricultural production and land management on the subject land and will not be prejudicial to similar production and management on adjacent lands.'

The Scheme maps reserve Coronation Road as a 'Major Road' under the TPS.

COMMUNITY CONSULTATION

Public consultation is not required for this application as the Shire of Waroona acts only as a referrals body to the WAPC.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Town Planning Scheme (TPS)

The construction (realignment) of Coronation Road reserved as a 'Major Road' has created a physical separation of Lot 982. The physical subdivision has resulted in the proposed lot 2 (5.3967ha) being incapable of meeting the objectives of the Rural zones.

In a broader context it must be noted that the Local Planning Strategy does not identify Lot 982 as being in a 'Priority Agricultural' area. The subdivision of Lot 982, with the proposed lot 1 measuring 53.6652ha, is considered not to have a negative impact on the character of the area and will still comply with the objectives of the Rural zone as stated in the TPS.

Local Planning Strategy (LPS)

The subdivision of Lot 982 is not consistent with the required minimum lot size recommended by the LPS of 80ha. The LPS does however not identify the lot for 'Priority Agriculture'. Further, the LPS states the following under the heading of Transport Considerations:

'It is proposed that by 2009 the Peel Deviation Road [Forrest Highway] will be constructed connecting the southern end of the Kwinana Freeway around Mandurah to the Old Coast Road close to the entrance to Preston Beach. This will substantially reduce the travel time from Preston Beach and Waroona to Perth and is likely to reduce the traffic numbers on the South Western Highway in the short term. There will need to be a connection between the Peel Deviation Road and Waroona. The most logical route is via Williamson, Dorsett and Coronation Roads. All three roads will require upgrading and realignment to remove some dangerous corners.'

Having due regard to the LPS it was a requirement to improve the safety of the Coronation Road alignment which has resulted in the physical division of Lot 982. Whilst the areas of the proposed lots do not comply with the minimum area for lots within the 'General Agricultural' zone this application should be considered as having exceptional circumstance as permitted through Development Control Policy 3.4 Subdivision of Rural Land.

WAPC Development Control Policy 3.4 (DC Policy 3.4)

The creation of proposed lot 3 to be included in Coronation Road is considered to be in accordance with Clause 6 (c) of DC Policy 3.4 as it allows for the provision of improved road access in the locality.

The creation of an additional lot to separate the bisected portions of Lot 982 can be considered under Clause 6.1, which defines a significant physical division as specifically excluding 'minor barriers' such as rural roads that are commonly crossed for farm management purposes. The reservation of Coronation Road as a 'Major Road' under the TPS supports the viewpoint that it is not a road that would be considered a

minor barrier. The construction standard and traffic volume of Coronation Road are not conducive to regular crossing by livestock or farm equipment.

State Planning Policy 3.7 (SPP 3.7)

In accordance with the provisions of Clause 6.4 a BAL Contour Map and Bushfire Management Plan (BMP) are required to be prepared and implemented at subdivision stage. The application includes both a BMP and BAL Contour Map. The BMP shows that the proposed lots are capable of development in accordance with SPP3.7.

Having due regard to the BMP as well as the natural constraints on the proposed lots, it is considered appropriate to require the plan of subdivision to be amended to include building envelopes.

Remnant Vegetation

There is remnant vegetation in areas of the lots, including the area to be subdivided. Prior to any works taking place on the lot a clearing permit from the Department of Environment Regulation may be required.

Threatened Fauna Buffer

Other matters raised in the WAPC referral to the Shire include the inclusion of the lot in a threatened fauna habitat buffer. This is raised as Lot 982 is within the buffer area surrounding habitat for threatened fauna. While the habitat does not exist on the lot, the buffer area surrounding the habitat vegetation does.

Department of Mines & Petroleum (DMP)

Other factors raised in the WAPC referral include a reference to the DMP as the lot is in the policy area of SPP 2.4. The subject lot does not contain any mining activity, nor has it been identified as a source of basic raw materials.

Conclusion

The proposed subdivision of Lot 982 is considered to be in accordance with the objectives of the TPS, DC Policy 3.4 and the LPS.

Whilst the proposed lot sizes do not accord with the recommended minimums of the LPS, it should be considered as 'exceptional circumstance' as per DC Policy 3.4 due to the constructed realignment of Coronation Road creating a physical division.

It is considered that the approval of the application will not create a precedent and would still be in accordance with the broader planning framework. The application is recommended for approval subject to relevant conditions.

Appendices Attached:	Yes	Appendices Numbers: 9.2.3A,B C
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VOTING REQUIREMENTS

Simple Majority



COUNCIL RESOLUTION**OCM17/02/005****MOVED: CR WITNEY****SECONDED: CR SCOTT**

That in relation to the proposed subdivision application 154732 pertaining to Lot 982 Coronation Road, Council recommends to the Western Australian Planning Commission that the application be approved subject to the following conditions:

- 1. (B8) Prior to commencement of subdivisional works, a detailed plan identifying building envelope(s) on all lots on the approved plan of subdivision is to be prepared in consultation with the local government to ensure the appropriate siting of development, to the satisfaction of the Western Australian Planning Commission. (Local Government)**
- 2. (B9) The landowner/applicant shall provide a written undertaking to the satisfaction of the Western Australian Planning Commission to advise prospective purchasers of the provisions of the local government's local planning scheme that relate to the use and management of the land. (Local Government)**
- 3. (D4) The land being filled, stabilised, drained and/or graded as required to ensure that:
 - a) lots can accommodate their intended development; and**
 - b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and**
 - c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government)****
- 4. (F8) A notification, pursuant to Section 165 of the *Planning and Development Act 2005*, is to be placed on the certificate(s) of title of the proposed lot(s) with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan).**

The notification is to state as follows:

***'This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land'* (Western Australian Planning Commission)**

CARRIED 8/0



9.2.4 PROPOSED ROAD NAMES – LOT 1209 SOUTHERN ESTUARY ROAD, LAKE CLIFTON	
Reporting Officer / Officer's Interest:	Sarah Park, Environmental Planning Officer; No Interest
Responsible Officer / Officer's Interest	Leonard Long, Manager Development Services; No Interest
Proponent:	Gray & Lewis Land Use Planners
Landowner:	Ronald Archibald Armstrong
Date of Report: 30/01/2017	File No.: SD150415
Previous Reference:	OCM16/02/014 (23 February 2016) OCM14/12/154 (16 December 2014)
Policy Implications:	Local Planning Policy 16.0 - Geographic Names
Statutory Implications:	Land Administration Act 1997
Strategic Implications:	Shire of Waroona Strategic Community Plan 2016/17-2025/26.
Financial Implications:	See heading in report.
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 3 "Responsible Land Use Planning & Protecting Rural Land"	

PROPOSAL SUMMARY

A request was received from the landowner of the subject lot to name two new roads created by the subdivision of Lot 1209 Southern Estuary Road, Lake Clifton. The owner proposes the names Blackbrim Entrance and Flathead Vista.

A subdivision plan with the proposed road names is attached at **Appendix 9.2.4A**.

BACKGROUND/INITIAL COMMENTS

On 4 March 2015, the Western Australian Planning Commission gave conditional approval to the 13 lot subdivision of Lot 1209 Southern Estuary Road, Lake Clifton. A condition of the subdivision endorsement required:

'Engineering drawings and specification are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawing and specification, to ensure that those lots not front an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant cost.'

As a consequence of the approval, two subdivisional roads were created and are required to be officially named.

Geographic Names staff advised in an email dated 15 December 2016 that the names 'Blackbrim Entrance' and 'Flathead Vista' were considered suitable.

PLANNING – STRATEGIC IMPLICATIONS

Strategic Community Plan

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

INTERNAL REFERRALS

Nil

EXTERNAL REFERRALS

Landgate’s Geospatial Officer for the Topographic, Names and Addresses Department advised that Blackbrim Entrance and Flathead Vista are suitable names.

FINANCIAL ISSUES/IMPLICATIONS

The applicant will be responsible for any costs associated with the road name signage.

POLICY ISSUES/IMPLICATIONS

Local Planning Policy 16.0 – Geographic Names (LPP16)

The assignment of Geographic names is determined by the Geographic Names Committee (GNC), which is a branch of the Department of Land (DoL). In administering this responsibility the GNC has regard to an extensive set of criteria, these may be summarised as follows-

1. Name duplication within local governments or adjoining local governments shall be avoided. If possible, it should also be avoided within the State.
2. Names of living individuals shall not be used.
3. Names characterised as follows are to be avoided: incongruous; given/first names; given/first and surname combinations; double names; qualified names; corrupted, unduly cumbersome or difficult to pronounce names; obscene, derogatory, racist or discriminatory names; company names; or, commercialised names.
4. Preferred sources of names include: Aboriginal names; Pioneers of the State or area; War Casualty lists; or thematic names e.g. fauna, ships etc.

Whilst ultimate responsibility for the naming of roads rests with the GNC, their officers undertake consultation with Local Authorities as part of the process of assigning names. To assist this process a Local Authority can develop policies to guide their advice to the GNC.

Policy statement 1 of LPP16 requires that new subdivisional roads be themed.

Policy Statement 2 of LPP16 states that in the case of existing unnamed roads, Council shall recommend the application of names on the ‘Reserved Road Names List’ contained in Appendix 2 and in localities to which the name has a connection.

Appendix 2 to the policy is Council’s adopted reserved road name list.



STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Land Administration Act 1997

26A. Names of roads and areas in new subdivisions

- (1) If a person delivers a diagram or plan of survey of a subdivision of land approved by the Planning Commission to a local government, and the proposed subdivision includes the provision of a road for use by the public, that person must also deliver to the local government the name proposed to be given to the road.
- (2) The local government may require the person so subdividing the land —
 - (a) To propose a name for the proposed road or, if a name has already been proposed, to alter that name; and
 - (b) To propose a name for the area the subject of the proposed subdivision, or if a name has already been proposed, to alter that name.
- (3) If the local government approves a name proposed under subsection (1) or (2), the local government is to forward the proposal to the Minister.
- (4) The Minister may —
 - Approve the proposed name;
 - Direct the local government to reconsider the proposed name, having regard to such matters as the Minister may mention in the direction; or
 - Refuse to approve the proposed name.
- (5) A person must not —
 - (a) Assign a name to the area or road unless the name is first approved by the Minister.

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Community consultation is not required for the naming of new roads.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Under the Land administration Act 1997 the subdivider was required to propose names for the proposed roads. The owners originally recommended two names:

1. King George Drive
2. Marron Way

The Geographic Names Committee (GNC) criteria suggest that double names (i.e. King George) be avoided. The GNC further advised that the entrance road length does not meet GNC requirements for the road type 'Drive' and therefore it was suggested that it be replaced by "Entrance".



After further consultation with the applicant and the GNC it is recommended that the proposed road names Blackbrim Entrance and Flathead Vista be supported.

Blackbrim is the annunciation of the fish species the Black bream (*Acanthopagrus butcheri*). Black bream commonly occur in estuarine habitats in the West Coast and South Coast bioregions of Western Australia. (Source: Recreational fishing identification guide by Government of Western Australia, Department of Fisheries).

Three species of Flathead fish occur in Western Australia: Yellowtail flathead, Northern sand flathead, and the Southern bluespotted flathead. Each Flathead species is likely to occur in a variety of coastal bioregions such as the North Coast, Gascoyne Coast, West Coast and South Coast of Western Australia. Flathead species commonly occur in estuarine habitats within their respective bioregion.

The proposed street names are compliant with Local Planning Policy 16.0 as they keep with the amenity of the area and generally in theme with the Peel Harvey Estuary area of the subdivision.

Consultation with the GNC confirmed that these names were acceptable and that they may be recommended to Council for approval.

Appendices Attached:	Yes	Appendices Numbers:	9.2.4A & B
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VOTING REQUIREMENTS

Simple majority

COUNCIL RESOLUTION

OCM17/02/006

MOVED: CR SCOTT

SECONDED: CR SNELL

That in relation to the newly created two roads within the subdivision on Lot 1209 Southern Estuary Road, Lake Clifton as shown in APPENDIX 9.2.4A & B, Council:

- A. Endorses the road names Blackbrim Entrance and Flathead Vista.**
- B. Advises the applicant that:**
 - 1. Any costs associated with the required road signage will be at the cost of the applicant.**
 - 2. The proposed street name signs are to be to the specifications of the Shire of Waroona.**

CARRIED 8/0



9.2.5 WAROONA RECREATION AND AQUATIC CENTRE – AMENDMENT OF BUDGET ALLOCATIONS.	
Reporting Officer / Officer's Interest:	Leonard Long - Manager Development Services / Nil
Responsible Officer / Officer's Interest:	Louis Fouché - Director Development Services / Nil
Proponent:	Not Applicable
Landowner:	Vested to the Shire of Waroona by the Crown.
Date of Report: 22 February 2017	File No.: 126/2
Previous Reference:	Not Applicable
Policy Implications:	Policy 1.31: Asset Management Policy 1.40: Risk Management Policy 7.3: Management of Risks on Recreation equipment or at Recreation Facilities.
Statutory Implications:	Local Government Act 1995 Occupational Health and Safety Act 1984
Strategic Implications:	N/A
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): Theme 4: Society and community wellbeing; and Theme 5: Assets, Resources, Financial Management & Sustainability.	

PROPOSAL SUMMARY

Council is requested to consider the amendment of the Waroona Recreation and Aquatic Centre (WRAC) budget by reallocating funds identified for the replacement of a roller door in the plant room and portion of roof over the main administration office with the installation of improved lighting in the car park and the upgrading of the CCTV system covering the external areas of the centre.

BACKGROUND / INITIAL COMMENTS

Recent incidents at the WRAC Centre have resulted in officers having to review the current CCTV system at the centre as well as lighting in the car park, with the safety of staff and patrons using the WRAC of utmost importance.

Having concluded the review it is recommended that the current car park lighting be replaced with brighter LED lights and that the CCTV system covering the external areas of the centre be upgraded.

PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Nil.



STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

The one relevant Strategic Community Plan issue area is theme number 5 “Assets, Resources, Financial Management and Sustainability“. This theme involves responsible stewardship of assets, effective resource supervision and pursuit of best practice financial management and sustainability.

The other relevant theme is Theme 4: Society and community wellbeing. Strategies for future actions under this theme include the provision of recreation facilities.

FINANCIAL ISSUES / IMPLICATIONS

Funds Reallocation:

As part of the 2016/17 budget, an amount of \$31,500 was set aside for building renovations / repairs in the Waroona Recreation and Aquatic Centre (WRAC) Buildings A/R (7104) account. Of this amount \$8,500 was set aside for the replacement of the existing external roller door in the plant room and an amount of \$13,000 was set aside for the replacement of portion of the roof over the main office.

Retrofitting the existing roller door without impacting its integrity resulting in a saving of \$8,500. Resolving a water leak without having to replace a portion of the WRAC foyer / office area roof has led to a further saving of \$13,000.

As a result of the savings noted above it is proposed to amend the 2016/17 budget allocation of \$31,500 to the Waroona Recreation and Aquatic Centre (WRAC) Buildings A/R (7104) account follows:

- \$3,300 be reallocated within Waroona Recreation and Aquatic Centre Building A/R (7104) to Infrastructure Other A/R (7144) for the installation of 4 street lights in the WRAC car park.
- \$6,000 be reallocated from Waroona Recreation and Aquatic Centre Building A/R (7104) to Law Order & Public Safety – Furniture & Equip A/R (0934) for the installation of a CCTV camera in the WARC car park.

POLICY ISSUES / IMPLICATIONS

Policy 1.31: Asset Management

The key objective of this policy is to ensure that services delivered by the Shire of Waroona continue to be sustainably delivered. This will be achieved by ensuring that the Infrastructure Assets used to support the service delivery continue to function to the level of service determined by Council.

Policy 1.40 - Risk Management

This policy provides a framework for the management of organisational risk. It outlines Council’s commitment to risk management principles, systems and processes to ensure consistent and affective assessment of risk in planning, decision making, operational processes and new issues identified.

Relevant risk categories include:

Category 1:



Property & Public Liability – Public Safety – Use of Council Facilities;
 Category 2:
 Property Maintenance & Management Practices;
 Category 3:
 Work Practices & Operational Issues;
 Category 12:
 Security and Asset Management / Safety; and
 Category 15:
 Adequate Financial Management, Budgeting, Financial Planning.

Policy 7.3 – Management of Risk and Recreational Equipment or at Recreational Facilities.

This policy provides a framework to minimise opportunities for litigation and reduction of insurance costs by preparing a Risk Management Program. The policy further requires Council to adopt a practise of preventing equipment, facilities and natural resources from failing or developing problems, and where failures and problems occur, an immediate Program of Rectification is to be instituted.

STATUTORY ISSUES

Local Government Act 1995

The Local Government Act 1995, part 6, Division 2, S6.2(4) provides information on what is required to be incorporated into a budget, which is to be approved by Council. Any amendment to the approved budget is required to be approved by Council.

s6.2

- (4) *The annual budget is to incorporate –*
- (a) *particulars of the estimated expenditure proposed to be incurred by the local government; and*
 - (b) *detailed information relating to the rates and service charges which will apply to land within the district including –*
 - (i) *the amount it is estimated will be yielded by general rate; and*
 - (ii) *the rate of interest (if any) to be charged by the local government on unpaid rates and service charges; and*
 - (c) *the fees and charges proposed to be imposed by the local government; and*
 - (d) *the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and*
 - (e) *details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and*
 - (f) *particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.5(9) of the local government act; and*
 - (g) *such other matters as are prescribed.*

Occupational Health and Safety Act 1984

The objectives of this Act are —

- (a) to promote and secure the safety and health of persons at work;
- (b) to protect persons at work against hazards;



- (c) to assist in securing safe and hygienic work environments;
- (d) to reduce, eliminate and control the hazards to which persons are exposed at work;
- (e) to foster cooperation and consultation between and to provide for the participation of employers and employees and associations representing employers and employees in the formulation and implementation of safety and health standards to current levels of technical knowledge and development;
- (f) to provide for formulation of policies and for the coordination of the administration of laws relating to occupational safety and health; and
- (g) to promote education and community awareness on matters relating to occupational safety and health.

LEGAL ISSUES / IMPLICATIONS

See Statutory Issues.

COMMUNITY CONSULTATION

Officers consulted with Waroona Basketball Club representatives and the Officer in Charge of Waroona Police Station in relation to this matter.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

The proposal to replace the existing street lighting as well as the upgrading of the CCTV system a covering the external areas of the WRAC complies with the objectives of the relevant Shire policies:

- Policy 1.31: Asset Management
The replacement will result in the courts having modern improved lighting with minimal maintenance required.
- Policy 1.40 - Risk Management and Policy 7.3 – Management of Risk and Recreational Equipment or at Recreational Facilities.

The replacement of the car park lights and the upgrading of the CCTV system at the centre will further enhance the safety and security of both the staff and the patrons using the WARC as well as reducing potential injuries due to poor lighting considerably.

Conclusion

The Shire will achieve ongoing savings through the reduced maintenance required for the LED lighting as well as saving through the actual power usage resulting from the lower power consumption of the LED lights. The reduced maintenance and operational cost, while small in the overall comparison, will free up much needed funds which could be redirect elsewhere in the WRAC.

The upgrading of the WRAC CCTV system will ensure that should an incident occur at the centre that the footage could be used to assist in any potential investigation.

Appendices Attached:	N/A	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION**OCM17/02/007****MOVED: CR MASON****SECONDED: CR SALERIAN**

- A. That in lieu of the funds sets aside for the replacement of a roller shutter door and portion of the Waroona Recreation and Aquatic Centre (WRAC) roof, Council approves the amendment of the 2016/17 Adopted Budget as follows:**
- 1. \$3,300 be reallocated within the Waroona Recreation and Aquatic Centre Building A/R (7104) to Infrastructure Other A/R (7144) for the installation of external lights in the WRAC car park.**
 - 2. \$6,000 be reallocated from Waroona Recreation and Aquatic Centre Building A/R (7104) to Law Order & Public Safety – Furniture & Equip A/R (0934) for the upgrading of the CCTV system at the WRAC.**

CARRIED BY ABSOLUTE MAJORITY 8/0

Cr's Snell, Salerian, Scott and Germain declared an interest affecting impartiality in Item 9.2.6 as members of the Waroona Agricultural Society.

9.2.6 FEES AND CHARGES: EXEMPTING WAROONA AGRICULTURAL SHOW AND ALL AUSTRALIAN CAR DAY EVENTS FROM FOOD STALLS LICENCE FEES	
Reporting Officer / Officer's Interest:	Leonard Long - Manager Development Services / Nil
Responsible Officer / Officer's Interest:	Louis Fouché - Director Development Services / Nil
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 22 February 2017	File No.: 12/2
Previous Reference:	OCM 26 October 2010 – Item 9.2.4
Policy Implications:	Policy 3.1.7 – Fees and Charges Policy 1.40 - Risk Management Policy 3.5 - Donations
Statutory Implications:	Local Government Act 1995 Food Act 2008
Strategic Implications:	N/A
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): Theme 4: Society and community wellbeing; and Theme 5: Assets, Resources, Financial Management & Sustainability.	

PROPOSAL SUMMARY

It is proposed to exempt the Waroona Agricultural Show (WAS) and the All Australia Car Day (AACD) from payment of the prescribed fee of \$25 for the registration of food stall (daily rate) as per the approved Fees and Charges for the 2017 events.

BACKGROUND / INITIAL COMMENTS

At its Ordinary Council Meeting of 26 October 2010, Council resolved as follows:

'That Council resolves:

1. *That the 2010/2011 Fees and Charges be amended to Delete charges for food stalls for the Waroona Agricultural Show, All Australian Car Day and British Auto Classic;*
2. *That Local Public notice is given in accordance with section 6.19 of the Local Government Act 1995.*

CARRIED BY ABSOLUTE MAJORITY 7/0'

As a result of this resolution food stall registrations have not been charged for the WAS and the AACD since 2010.

To allow the WAS and AACD an opportunity adjust their fees for stall holders to attend the event it is recommended that the above fee be exempt for the 2017 events and thereafter charged as per the applicable fees and charges approved by Council.



PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

The one relevant Strategic Community Plan issue area is theme number 5 “Assets, Resources, Financial Management and Sustainability“. This theme involves responsible stewardship of assets, effective resource supervision and pursuit of best practice financial management and sustainability.

The other relevant theme is Theme 4: Society and community wellbeing. Strategies for future actions under this theme include the provision of recreation facilities.

FINANCIAL ISSUES / IMPLICATIONS

The financial implications are based upon the assumption that the WAS attracts approximately 30 food stalls and the AACD 10 food stalls as well as the food stalls being registered food businesses outside of Waroona.

In accordance with the Food Act 2008, every food stall is required to obtain a licence from the local government. As per the current approved fees and charges a day licence costs \$25, which covers the administration work but not the inspection required by the Environmental Health Officer on the day of the event.

The cost to the Shire is calculated as follows:

WAS

\$25 (licence administration x 30 (stalls) = \$700

\$50 (EHO hourly rate x 5hrs (stalls are inspected on the day) = \$250

Total cost \$1,000

AACD

\$25 (licence administration x 10 (stalls) = \$250

\$50 (EHO hourly rate x 3hrs (stalls are inspected on the day) = \$150

Total cost \$400

Total cost to the Shire for the two events is \$1,400.

POLICY ISSUES / IMPLICATIONS**Policy 3.1.7: Fees and Charges**

The policy requires a review of all fees and charges including plant hire to be undertaken annually prior to the end of June and is to be included with the annual budget documentation in August.

Policy 1.40 - Risk Management

This policy provides a framework for the management of organisational risk. It outlines Council's commitment to risk management principles, systems and processes to ensure consistent and affective assessment of risk in planning, decision making, operational processes and new issues identified.

Relevant Risk Category 15:

Adequate Financial Management, Budgeting, Financial Planning.

Policy 3.5 – Donations

This policy sets out the parameters Council needs to take into account when considering an application for a donation.

STATUTORY ISSUESLocal Government Act 1995

The Local Government Act 1995, part 6, Division 2, S6.2(4) provides information on what is required to be incorporated into a budget, which is to be approved by Council. Any amendment to the approved budget is required to be approved by Council.

s6.2

- (4) *The annual budget is to incorporate –*
- (a) *particulars of the estimated expenditure proposed to be incurred by the local government; and*
 - (b) *detailed information relating to the rates and service charges which will apply to land within the district including –*
 - (i) *the amount it is estimated will be yielded by general rate; and*
 - (ii) *the rate of interest (if any) to be charged by the local government on unpaid rates and service charges; and*
 - (c) *the fees and charges proposed to be imposed by the local government; and*
 - (d) *the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and*
 - (e) *details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and*
 - (f) *particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.5(9) of the local government act; and*
 - (g) *such other matters as are prescribed.*

s6.16 Imposition of fees and charges

- (3) *Fees and charges are to be imposed when adopting the annual budget but may be –*
- (a) *imposed* during a financial year; and*
 - (b) *amended* from time to time during a financial year.*

** Absolute majority required.*

s6.19. *Local government to give notice of fees and charges*

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and*
- (b) the date from which it is proposed the fees or charges will be imposed.*

Food Act 2008

The Food Act 2008, Part 9, provides information on what is required to conduct a food business.

107. *Notification of conduct of food businesses*

- (1) The proprietor of a food business must not conduct the food business at any premises unless the proprietor has given written notification in respect of those premises to the appropriate enforcement agency, in the approved form, of the specified information.*

Penalty:

- (a) for an individual — a fine of \$10 000;*
- (b) for a body corporate — a fine of \$50 000.*

- (2) In subsection (1) —
specified information means the information specified in the Food Safety Standards that is to be notified to the appropriate enforcement agency before the food business is conducted.*
- (2) Subject to subsection (4), the notification must be accompanied by the fee, if any, prescribed by the regulations.*
- (3) If the appropriate enforcement agency is a local government —*
 - (a) any fee prescribed by the regulations for the purposes of subsection (3) does not apply to notification given to the agency under this section; and*
 - (b) the fee for notification given to the agency under this section may be imposed and recovered by the agency under the Local Government Act 1995 Part 6 Division 5 Subdivision 2.*

108. *Exemption in relation to notification of information*

Section 22 (to the extent to which it requires notification of the information referred to in section 107) and section 107 do not apply to the conduct at any premises of the following food businesses —

- (a) any food business that is not required by the Food Safety Standards to notify that information;*
- (b) any food business that is registered in respect of those premises under this Act or under a law prescribed by the regulations.*



109. *Conduct of unregistered food businesses*

- (1) *The proprietor of a food business, other than an exempted food business, must not conduct the food business at any premises unless the food business is registered in respect of those premises under this Part.*

Penalty:

- (a) *for an individual — a fine of \$10 000;*
(b) *for a body corporate — a fine of \$50 000.*

- (2) *In subsection (1) —*

exempted food business means a food business, or a food business within a class of food businesses, prescribed by the regulations for the purposes of this section.

LEGAL ISSUES / IMPLICATIONS

See Statutory Issues.

COMMUNITY CONSULTATION

Nil.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

It is important to note that the current approved fee of \$25 for a food stall licence, only covers the actual administration cost of preparing the licence documentation, but excludes the cost associated with the Environmental Health Officers inspection of the stall on the day of the event. These events are generally held outside of office hours which incurs a higher hourly cost to the Shire.

Both the WAS and the AACD events have been running for a number of years now and have become well known events throughout the region. The events attract large numbers of people from outside Waroona and is a good economic boost for local businesses.

To assist these events financially, the Shire has since the 2010/11 financial year not charged the food stalls that attend the events a daily licence fee. Given that the events are considered to be well established, Council may wish to review its resolution of 26 October 2010.

Conclusion

It is considered appropriate to continue to exempt the two events from the fee associated with the daily food stall licence for the current calendar year only.



This will give the organisers of the events ample opportunity to adjust their fees and to notify any of the regular stall holders that the daily licence fee will be applicable as from 2018. Duly completed applications will be required regardless.

Appendices Attached:	N/A	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM17/02/008

MOVED: CR GERMAIN

SECONDED: CR WITNEY

- A. That with regard to the fees and charges relating to the daily food stall licence fee for food stall holders attending the Waroona Agricultural Show, the All Australian Car Day and Vintage Machinery Rally, Council resolves to:**
- 1. Exempt food stall holders from the fees associated with the daily food stall licence for 2017, but still require duly completed applications to be submitted and approved by the Shire of Waroona, and that the organisations listed at A be charged the full daily food stall license fee from 2018.**

CARRIED BY ABSOLUTE MAJORITY 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 – Manager Financial Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 14/02/17	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 (Strategic Community Plan-SCP): 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		
OCM17/02/009		
MOVED: CR MASON		
SECONDED: CRSALERIAN		
That Vouchers numbered:		
<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 8462 - 8511	\$57,007.76
Trust (Cheque/EFTs)	EFT 11108-11114 Chq: 24030, 24032, 24033, 24085, 24134	\$64,273.79
Electronic Transfers Municipal Fund	EFT 24005 to 24372	\$1,106,361.47
Direct Wages	01/12/16 – 31/1/17 inclusive	\$349,125.51
Direct Debits	01/12/16 – 31/1/17	\$4,442.17
GRAND TOTAL:		<u>\$1,581,210.70</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 2016 TO 31 DECEMBER 2016 AND 1 JULY 2016 TO 31 JAN 2017	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall – Manager Financial Services / Nil
Responsible Officer / Officer's Interest	Ashleigh Nuttall – Manager Financial Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 22/2/17	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

OCM17/02/010

MOVED: CR MASON

SECONDED: CR GERMAIN

That the Monthly Statements of Financial Activity for the period 1 July 2016 to 31 December 2016 and 1 July 2016 to 31 January 2017 be received and noted.

CARRIED 8/0

Cr Snell declared a financial interest in item 9.3.3, as she is the Author of the Book, and left the meeting the time being 4.35 pm.

9.3.3 SHIRE OF WAROONA HISTORY PUBLICATION “DRAKESBROOK DAYS AND WAROONA YEARS”	
Reporting Officer / Officer's Interest:	Laurie Tilbrook, Deputy CEO/Director Corporate Services; Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook, Deputy CEO/Director Corporate Services; Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 21/2/17	File No.: 72/1, 111/1
Previous Reference:	
Policy Implications:	<i>New Policy</i>
Statutory Implications:	<i>Nil</i>
Strategic Implications:	Nil
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): 4 – Society / Community Wellbeing.	

PROPOSAL SUMMARY

The Council is requested to consider the adoption of policy guidelines for the sale and distribution of its history publication “Drakesbrook Days and Waroona Years”.

BACKGROUND / INITIAL COMMENTS

As Councillors would be aware the third edition of its official history publication has been researched by Cr Laurie Snell and commenced prior to Cr Snell being elected to the Council having been the author of 2 previous editions in 1986 and 2000.

Council staff have provided valuable assistance whenever required. In addition to timeline updates the opportunity has been taken to include an additional chapter dedicated to devastating bushfires in 2015 and 2016.

Cr Snell has donated her time with the research and has been reimbursed for out of pocket expenses.

The third edition will be the first to be produced in soft cover format and represents a 16 year update.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 4 – Society / Community Wellbeing in particular Strategy 4.11 – “Pursue actions to preserve areas and materials of historical significance”.



FINANCIAL ISSUES/IMPLICATIONS

The 2016/17 adopted budget includes total funds of \$18,500 for design and print of the book (3,000 copies will be printed). These funds are to be transferred from the appropriate Reserve account.

Total cost will be within budget estimates with only the actual expenditure being transferred from Reserve.

Sale price is proposed to be \$25 (inc GST) \$30 posted (inc GST).

Adoption of the sale price will require an amendment to the Council's adopted fees and charges and therefore will be publicly advertised.

POLICY ISSUES/IMPLICATIONS

Adoption of a new policy is required.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

No general community dialogue was required or considered necessary. Contact with the specific members of the public was made by the book author in the course of updating all chapters.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Adoption of guidelines for distribution of the history book publication are essential for two main reasons:

1. To ensure security and accountability of each issue.
2. To ensure sufficient funds are available to enable subsequent Council's to update the book.

As a result the following policy is proposed for adoption:

New Policy 1.30

Sale and Distribution of Shire of Waroona History Publication "Drakesbrook Days and Waroona Years"

The following guidelines shall apply to the sale and distribution of the Council history publication "Drakesbrook Days and Waroona Years"

- Over the counter sales shall be from the Council Administration Centre and Waroona Visitor Centre.
- Postage sales shall be from the Administration Centre.
- Cost of book - \$25 per copy (inc GST)



- \$30 per mailed copy (inc GST)

- All proceeds to be received by Municipal Account 7573 with annual proceeds being transferred to Reserve Account 4814 “History Book Reprint Reserve”
- The Chief Executive Officer and Deputy Chief Executive Officer / Director Corporate Services are authorised to issue donated copies of the publication subject to such transactions being recorded as an expense to the Council’s donations account 0212.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM17/02/011

MOVED: CR WITNEY

SECONDED: CR SCOTT

1. That the Council adopt the following new Policy to support the sale and distribution of its history publication “Drakesbrook Days and Waroona Years”.

The following guidelines shall apply to the sale and distribution of the Council history publication “Drakesbrook Days and Waroona Years”

- Over the counter sales shall be from the Council Administration Centre and Waroona Visitor Centre.
- Postage sales shall be from the Administration Centre.
- Cost of book - \$25 per copy (inc GST)
- \$30 per mailed copy (inc GST)
- All proceeds to be received by Municipal Account 7573 with annual proceeds being transferred to Reserve Account 4814 “History Book Reprint Reserve”
- The Chief Executive Officer and Deputy Chief Executive Officer / Director Corporate Services are authorised to issue donated copies of the publication subject to such transactions being recorded as an expense to the Council’s donations account 0212.

2. That the adopted fees and charges for 2016/17 be amended by the inclusion of the following:

History Book Publication “Drakesbrook Days & Waroona Years”

- \$25 per copy (inclusive of GST) – Account 7573

- \$30 per copy posted (inclusive of GST) – Account 7573

CARRIED BY ABSOLUTE MAJORITY 7/0

Cr Snell returned to the meeting, the time being 4.38 pm.



9.3.4 BUDGET REVIEW FOR THE PERIOD 1ST JULY 2016 TO 31ST JAN 2017	
Reporting Officer / Officer's Interest:	Laurie Tilbrook – Deputy CEO/Director Corporate Services/Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services/Nil
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 20/2/17	File No.: 1/7
Previous Reference:	2016/17 Adopted Budget
Policy Implications:	<i>See heading below</i>
Statutory Implications:	<i>See heading below</i>
Strategic Implications:	<i>See heading below</i>
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): E, No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	

PROPOSAL SUMMARY

Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year. The review is to be submitted to Council within 30 days of determination.

The review of an annual budget for a financial year must –

1. Consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
2. Consider the local government's financial position as at the date of the review and
3. Review the outcomes for the end of that financial year that are forecast in the budget.

Within 30 days after a council has made a determination, a copy of the review and council's determination is to be submitted to the Department.

Included with the agenda at **APPENDIX 9.3.4A** is a detailed financial report (including predicted financial position as at 30th June 2017) pertaining to the 2016/17 budget. The report covers the 7 months period to 31st January 2017 by which this review is based.

FINANCIAL ISSUES/IMPLICATIONS

Entire contents of report are financial based.

POLICY ISSUES/IMPLICATIONS

This report considers the Council Policy in relation to material variances which states that "The materiality factor of highlighting variances (budget to actual) shall be 10% with a minimum of \$25,000.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The budget review is conducted in accordance with the following:

- Local Government Act 1995
- Local Government Financial Management Regulations
- Council Policies and Procedures

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Not applicable for a budget review

OFFICER'S COMMENTS

1. Operating Income

General Purpose Funding

Interim rating income of \$7,025 has been received to period end. This amount is largely associated with the clearing of building licences however as was the case in the previous financial year, this amount will be partially offset by Planning Commission land purchases (South West Hwy Bypass) non rateable.

Investment Interest – Municipal Fund investment interest is likely to be slightly below budget estimates at year end. This will be partially offset by expenses associated with year end overdraft fees which were not required.

Insurance – The Council has received a member dividend of \$4,037 from its participation in the LGIS. This amount will be proposed for transfer to the Risk and Insurance Reserve Account.

Community Amenities

Household Refuse – Income of \$250,000 associated with the Refuse Site has been received as a result of negotiations with the State Government relating to the disposal of bushfire damaged material (2016 Natural Disaster Bushfire).

This amount (which is on investment) is subject to a proposed budget amendment.

Income from tipping fees is below budget at period end however no budget amendment is proposed with a further assessment proposed for later in the financial year.

Town Planning

No income has been received associated with proposed subdivision/scheme amendments (Budget \$9,000). A budget amendment is not proposed at this stage.

Recreation and Culture

Recreation & Aquatic Centre – Overall income is consistent and slightly in excess of budget at review period date. There are however inconsistencies between individual income areas e.g. dry area, wet area etc. and this information will be used to ensure more accurate estimates in subsequent budgets and financial plans.

Councillors are reminded that a reduction of \$25,000 in income as a result of withdrawal of Alcoa funding will take effect in 2017/18.

The ratio between stock purchases and sales at the kiosk is below budget estimates however further review is required by the conduct of a stocktake and end of year assessment.

Transport

Vehicle Licensing – Commissions from the service are down approximately 10% compared to the corresponding period in the previous financial year.

It is likely that on line payments are increasing and ongoing monitoring will be required to ensure further review at year end.

Economic Services

Waroona Visitor Centre – 2016/17 represents the first full year of a separate accounting structure for the centre. Outcomes from the financial year will be used to establish benchmarks for subsequent years. At period end no accounts have been identified that require a budget amendment.

Sundry Debtor Control

No doubtful debts likely to impact the end of year position have been identified. 83.44% of outstanding rates were collected as at 31 January 2017 compared with 83.26% for the same period last financial year.

2. Operating Expenditure

Ratings

The following statistics are provided in relation to the Council's fire effected properties instalment offer:

- Number of owners presented with the offer – 195
- Number of owners taking up the offer – 63 (32.5%)
- Total budget estimate - \$12,750
- Actual Costs - \$3,572

Governance

Standard allowance for legal opinions (\$25,000) is within budget at period end but likely to exceed budget by June 30. This account will be reviewed at year end to consider potential recoups etc.



A budget amendment will be necessary to provide for a long service leave payment relating to a former employee (N Aiberti).

Law, Order & Public Safety

Fire Prevention – Funding to assist recovery from the 2016 Bushfire is in excess of budget and will require a budget amendment.

The recovery costs are to be considered in conjunction with separate funds (\$50,000) to provide for the engaging of a Community Emergency Services Coordinator.

Full details of the proposed amendment is included at **Appendix 9.3.4B**.

Community Amenities

Refuse Site – A budget amendment will be necessary to account for income and expenses associated with licence amendment fees at the Buller Road Refuse Site.

The licence was necessary to allow for the recovery of bulk rubbish associated with the January 2016 natural disaster bushfire at a cost of \$4,905.

Town Planning

Expenditure of \$10,000 associated with the development of a Local Planning Strategy and updated Heritage Inventory remains unspent at period end. No budget amendment is proposed and will be reviewed at a later stage.

Recreation & Culture

Recreation and Aquatic Centre – Overall operating expenditure is within budget at period end however building maintenance continues to provide challenges which has resulted in budget amendments to reclassify this expenditure as “Capital”.

Details are provided at **Appendix 9.3.4B**

Ovals – Labour costs associated with oval maintenance are likely to exceed budget estimates but are proposed to be offset in Parks and Gardens therefore a budget amendment is not proposed.

Economic Services

Area Promotion – Expenditure on Community events (Machinery Show & Sea to Art) have exceeded budget estimates. No budget amendment is proposed due to events (Car Show) yet to be held.

Other Property & Services

Public Works Overheads – A review of public works overheads was carried out at 31st October 2016 which resulted in an adjustment of approximately \$60,000.

No further adjustment is required at 31st January 2017. Ongoing reviews will be carried out during the remainder of the financial year.

Salaries & Wages

Subject to unforeseen circumstances calculated forecasts are favourable for estimates to be within budget at financial year end.

3. Capital

Land and Buildings

Lake Clifton Fire Station – Construction of this facility is largely complete with a scheduled opening date of 17 March 2017.

Commencement of this project was delayed by the January 2016 bushfire and additional unbudgeted works of approximately \$28,926 which required additional ESL funding. A budget amendment is proposed for this adjustment.

Recreation & Aquatic Centre – Essential works associated with roof repairs will require a budget amendment.

Plant and Equipment

Plant Replacement Program – Expenditure associated with plant replacement is a timing issue and is expected to be completed within budget by year end. The program has been the subject of a previous budget amendment (see item 6).

Infrastructure Assets – Roads

Expenditure on the 2016/17 Road Construction Program is expected to be completed within budget. The program however is subject to a budget amendment to incorporate additional income and expenditure associated with Dorsett Road reconstruction.

Over expenditure on job RR25 Lake View Road reconstruction is proposed to be offset by reducing works on Job RR24 Somers Road reconstruction by 400m.

An overview of the program is as follows:

Job No	Description	Original Budget	Proposed Budget	Actual	Status
RR21	Old Bunbury Road - Reseal	\$29,000	\$29,000	\$28,349	Complete
RR22	Bristol Road – Second Coat Seal	\$13,000	\$13,000	\$10,341	Complete
RR23	Elliott Street – Reseal & Kerb	\$13,000	\$13,000	\$5,716	In Progress
RR24	Somers Road – Reconstruct	\$200,000	\$115,400	\$72,262	In Progress
RR25	Lake View Road – Reconstruct	\$115,000	\$199,600	\$199,610	Complete
RR26	Scarp Road Intersection Improvements	\$50,000	\$50,000	\$6,660	Scheduled for March
RC21	Dorsett Road – Realign Curve	\$544,490	\$593,990	\$496,631	Works Complete, Survey/Land Matters still to be Completed
RC27	Buller Road – Reconstruct	\$360,000	\$360,000	\$38,185	Scheduled for March
RC28	Weir Road – Clear Hazards, Widen	\$138,500	\$138,500	\$32,734	In Progress
US12	Elliott Street – Storm Water Drainage	\$50,000	\$25,000	0	Scheduled for March
US13	Town Oval Storm Water	\$0	\$77,000	\$76,619	Complete
	TOTAL	\$1,521,990	\$1,614,490	\$967,107	

Infrastructure Assets – Other

Refuse Site – Proposed works on stage 1 of waste transfer station have been deferred until May

Community Centre – Proposed construction of disabled bay deferred until May.

The following table indicates the status of all capital works as at 31st January 2017.

CAPITAL PROJECTS AS AT 31 JANUARY 2017					
COA	PROJECT	ASSET TYPE	BUDGET	ACTUAL TO 31/1/17	COMMENTS
0544	Admin Office - Repair Ceiling	Buildings	6,000	0	On Hold
0554	Upgrade Network Security	Furniture & Equipme	3,580	3,579	Complete
0554	Council Chambers - Purchase Conference Phone	Furniture & Equipme	3,000	2,671	Complete
0574	Changeover CEO Vehicle (gross)	Plant & Equipment	44,500	41,594	Complete
0574	Changeover DCEO Vehicle (gross)	Plant & Equipment	39,800	36,818	Complete
0574	Changeover MFS Vehicle (gross)	Plant & Equipment	23,000	0	Scheduled for May
0774	Construct Lake Clifton Fire Shed	Buildings	136,786	141,998	Budget Amendment - See Below
0924	Admin Office - Purchase and Install Generator	Plant & Equipment	86,000	83,733	Complete
1414	Senior Citizen Centre - Repair Gutters, Repair External Walls	Buildings	4,000	0	Scheduled for April
1524	Plant Upgrade - Replace Head - Cat Compactor (P163)	Plant & Equipment	10,000	12,439	Complete
1524	Plant Upgrade - Cat Loader (P022)	Plant & Equipment	10,000	0	In Progress
1524	Refuse Site - Fire & Safety System (Water Tank & Reticulation)	Plant & Equipment	45,000	0	Scheduled for May
1534	Waste Transfer Station - Phase 1	Infrastructure - Other	62,500	0	Scheduled for May
2014	Townsite Drainage - Elliott St & South West Hwy/Thatcher St	Infrastructure - Other	80,000	0	Budget Amendment - See Below
2254	Changeover DDS Vehicle (gross)	Plant & Equipment	30,900	30,701	Complete
2394	Preston Beach Toilets - Replace Door Frame	Buildings	6,000	5,455	Complete
3024	Library - Repair/Replace Eaves	Buildings	3,000	1,163	Complete
3044	Library - Complete Shelving	Furniture & Equipme	12,100	12,600	Complete
2464	Memorial Hall - Replace Gas Stove	Furniture & Equipme	3,500	2,102	Complete
2474	Memorial Hall - External Refurbishment	Buildings	78,000	0	Scheduled for March
3724	Refurbish Sporting Ovals Reticulation Systems	Infrastructure - Other	45,000	0	Scheduled for May
3724	Showgrounds - Carpark Second Coat Seal	Infrastructure - Other	30,000	28,990	Complete
7104	Rec Centre - Repair Roller Door	Buildings	8,500	0	Budget Amendment - Separate Item
7104	Rec Centre - Replace Ceiling/Roof	Buildings	13,000	28,747	In Progress
7104	Rec Centre - Repair Walls in Gym	Buildings	10,000	0	Scheduled for April
7114	Rec Centre - Purchase Office Furniture	Furniture & Equipme	2,500	0	Not Commenced
7154	Rec Centre - Replace Pool Boiler	Plant & Equipment	12,000	16,204	Complete
7154	Rec Centre - Chemigen Repairs	Plant & Equipment	4,000	0	Deferred to 17/18
7154	Rec Centre - Repair Air Conditioner	Plant & Equipment	3,500	0	Scheduled for April
3184	Roads to Recovery	Infrastructure - Roads	420,000	246,222	In Progress
3274	Community Centre - Construct Disable Bay/Path	Infrastructure - Other	20,000	0	Scheduled for May
3204	Road Works Total Construction	Infrastructure - Roads	1,042,990	472,112	In Progress
3524	Purchase Various Minor Plant	Plant & Equipment	14,000	0	In Progress
3554	Changeover MWS Vehicle (gross)	Plant & Equipment	30,900	31,660	Complete
3554	Changeover DTS Vehicle (gross)	Plant & Equipment	36,700	37,372	Complete
3554	Changeover Kubota Tractor (P83)	Plant & Equipment	70,000	0	Budget Amendment - See Below
3554	Changeover Holden Colorado Tray Back Ute (WR106 - P015)	Plant & Equipment	26,000	0	Scheduled for February
3554	Plant Upgrade Cat 12G Grader - Motor Rebuild (P13)	Plant & Equipment	30,000	39,459	Complete
4164	Changeover MDS Vehicle (gross)	Plant & Equipment	23,000	22363.64	Complete
1824	Landcare - Building Upgrade	Buildings	6,000	0	Scheduled for May
3574	Visitor Centre - Replace Air Conditioner	Furniture & Equipme	3,700	0	Scheduled for April
3904	Visitor Centre - Repair Exterior of Building & Install Storage	Buildings	8,700	6805	In Progress
			2,548,156	1,304,788	
CAPITAL ACCOUNTS - ADOPTED BUDGET AMENDMENTS					
COA	PROJECT	ASSET TYPE	BUDGET AMENDMENT	ACTUAL 31/1/17	COMMENTS
2014	Increase Town Oval Drainage Expenditure (US13)	Infrastructure - Other	77,000	76,619	Complete
2014	Decrease Street Drainage Expenditure (US12)	Infrastructure - Other	-25,000	0	Not Commenced
7104	Increase Expenditure to Rec Centre Building for Risk Mitigation	Buildings	5,000	0	
3554	Decrease Expenditure - Kubota Tractor (P83)	Plant & Equipment	-70,000	0	Deferred
1034	Increase Capital Expenditure to Replace Air Conditioner - Arts & Craft	Infrastructure - Other	3,520	3,520	Complete
7104	Increase Capital Expenditure to Replace Rec Centre Roof	Buildings	2,756	0	See Actual Above
7104	Increase Expenditure to Install Safety Shower	Buildings	2,131	2,131	Complete
4894	Increase Expenditure to Allocate Members Dividend to Reserve Account		4,037	0	
7104	Increase Capital Expenditure to Replace Rec Centre Roof	Buildings	28,045	0	See Actual Above
0774	Increase Expenditure for Lake Clifton Fire Shed	Buildings	28,926	0	See Actual Above
3524	Increase Expenditure for Replacement of Metro Counter	Plant & Equipment	3,945	3945	Complete
3204	Increase Expenditure and 1/3 Contribution to Dorsett Road (RRG)(RC21)	Infrastructure - Roads	49,500	0	See Actual Above
		Sub Total	109,860	86,215	
		TOTAL	\$2,658,016	\$1,391,003	

4. Cash Position

Cash position as at 31st January 2017

Municipal Funds \$2,275,153 (of which \$1,400,000 is invested)

Reserve Accounts \$1,670,549

Note – Interest on Reserve Accounts is yet to be brought to account.

Municipal Account balance for corresponding period previous year - \$2,281,960.

5. Summary

Attached at **Appendix 9.3.4B** is a summary of proposed amendments to the 2016/17 adopted budget resulting in a net surplus of \$26,107. The following observations are of particular note:

- An adjustment to the Council's opening financial position at 30 June 2016 resulted in a final surplus of \$211,518 (estimate \$105,000)
- There is no longer a requirement to raise loan funds of \$200,000 to offset fire losses from the previous financial year.
- Funds of \$250,000 received from Department of Premier and Cabinet have been utilised for fire recovery purposes with an estimated remaining balance of \$155,000.
- Net estimated surplus at 30 June 2016 is \$26,107 which is proposed to be utilised in 2017/18 to engage the services of the Community Emergency Services Coordinator if no further budget amendments are authorised.

6. Budget Amendments 2016/17

The following amendments to the 2016/17 budget have been approved by the Council to date:

- Increase Expenditure for Rec Centre Building Maintenance for Risk Mitigation \$6500 (7162)
Increase Capital Expenditure to Rec Centre Building for Risk Mitigation \$5000 (7104)
Increase Expenditure to Admin Office Building Maintenance for Risk Mitigation \$3000 (0342)
Increase Income to Allow Risk & Insurance Reserve Transfer \$14,500 (7135)
OCM16/08/082
- Increase Town Oval Drainage Expenditure (US13) \$77000 (2014)
Decrease Street Drainage Expenditure (US12) \$25,000 (2014)
Decrease Plant & Equipment Purchases (Kobota Tractor) \$70,000 (3554)
Decrease Proceeds of Sale and Equipment \$18,000 (3575)
OCM16/10/102
- Increase Expenditure for Dune Stabilisation Project \$8980 (2072)
Increase Income for Dune Stabilisation \$8980 (2103)
OCM16/12/133

Appendices Attached:	Yes	Appendices Numbers: 9.3.4A, 9.3.4B
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM17/02/012

MOVED: CR SCOTT

SECONDED: CR MASON

- 1. The statement of budget review appended at Appendix 9.3.4 be adopted and amendments to the 2016/17 adopted budget be made accordingly.**
- 2. The 2016/17 adopted budget review for the period 1 July 2016 to 31 January 2017 be received.**

CARRIED BY ABSOLUTE MAJORITY 8/0

9.3.5 LOCAL GOVERNMENT COMPLIANCE AUDIT RETURN – JANUARY 1, 2016 TO DECEMBER 31, 2016	
Reporting Officer / Officer's Interest:	Laurie Tilbrook – DCEO/Director Corporate Services/Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – DCEO/Director Corporate Services/Nil
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 20/2/17	File No.: 193/1
Previous Reference:	N/A
Policy Implications:	<i>See heading below</i>
Statutory Implications:	<i>See heading below</i>
Strategic Implications:	<i>See heading below</i>
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): E, No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	

PROPOSAL SUMMARY

The Council is requested to adopt the Compliance Audit Return for the 12 month period 1 January 2016 to 31 December 2016.

BACKGROUND/INITIAL COMMENTS

The Compliance Audit is a self-assessment tool that allows the Council to monitor how the organisation is functioning in relation to meeting a range of its statutory obligations under the Local Government Act 1995 and its regulations.

PLANNING – STRATEGIC IMPLICATIONS

Nil

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

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Local Government Audit Regulations 1996 (s14 & s15)

LEGAL ISSUES/IMPLICATIONS



Nil

COMMUNITY CONSULTATION

N/A

OFFICER'S FINAL COMMENTS/CONCLUSIONS

No issues of non-compliance were observed during preparation of the return.

Appendices Attached:	Yes	Appendices Numbers:	9.3.5
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM17/02/013

MOVED: CR SCOTT

SECONDED: CR WITNEY

The Compliance Audit Return for the Shire of Waroona for the period January 1, 2016 to December 31, 2016 be adopted.

CARRIED 8/0

9.3.6 LEASE OF COUNCIL PROPERTY – ST JOHN AMBULANCE	
Reporting Officer / Officer's Interest:	John Crothers, CCP/Project Officer
Responsible Officer / Officer's Interest	Laurie Tilbrook, Director Corporate Services; No Interest
Proponent:	Not Applicable at this time
Landowner:	Shire of Waroona
Date of Report: 17 February 2017	File No.: 88/1: Legal Document No. 26
Previous Reference:	
Policy Implications:	None
Statutory Implications:	Section 5 of Strategic Community Plan
Financial Implications:	Minimal
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 5 "Asset Management – Responsible Stewardship of Council Assets"	

PROPOSAL SUMMARY

For Council to adopt a new Lease proposal to be entered into with St John Ambulance Western Australia Ltd, with regard to the use of Council property, being Lots 17 and 18, Henning Street, Waroona.

BACKGROUND/INITIAL COMMENTS

A 20 year Lease Agreement was entered into in 1998, with it commencing on 1 August 1997, and expiring on 31 July 2017.

A new lease needs to be approved by Council, and it is proposed that it be virtually the same as other recent leases. The new lease agreement is proposed for a 10 year period, commencing from 1st August 2017, with it to expire on 30th June 2027. The proposal brings it into line with other similar lease length of time.

PLANNING – STRATEGIC IMPLICATIONS

None Applicable

REFERRALS

None Applicable

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 5 "Asset Management – sub-item 5.07 Responsible Stewardship of Council Assets".

FINANCIAL ISSUES/IMPLICATIONS

There are no significant financial implications emanating from this proposal.

The prior lease amount was \$5 per annum, and it is proposed that the new amount be \$200 per annum, as there are 2 lots involved. The proposal brings this lease into line with other similar "Not-For-Profit" leases of the Shire of Waroona.



POLICY ISSUES/IMPLICATIONS

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

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

There are no statutory issues or environment implications emanating from this report.

LEGAL ISSUES/IMPLICATIONS

There are no legal issues or implications relating to this matter.

COMMUNITY CONSULTATION

No community consultations are seen as being necessary on this matter.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

A Council resolution on the proposed Lease is now sought.

Appendices Attached:	Yes	Appendices Numbers:	9.3.6
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM17/02/014

MOVED: CR WRIGHT

SECONDED: CR GERMAIN

- 1. That the proposed Lease Agreement with the St John Ambulance Western Australia Ltd for the lease of Lot 17 and Lot 18 Henning Street Waroona, be adopted;**
- 2. That the Common Seal of Council be affixed to the Lease Agreement;**
- 3. That the Shire President and CEO be authorised to sign and complete all matters relating to this Lease Agreement.**

CARRIED 8/0



9.4 CHIEF EXECUTIVE OFFICER
Nil

COUNCIL RESOLUTION

OCM17/02/015

MOVED: CR MASON

SECONDED: CR SCOTT

That the meeting proceed behind closed doors to consider items of a confidential nature, the time being 4.43pm.

CARRIED 8/0

10. CONFIDENTIAL REPORTS – PROVIDED UNDER SEPARATE COVER

10.1 UNAUTHORISED DEVELOPMENT - LOT 129 STACEY RISE, LAKE CLIFTON

10.1 CONFIDENTIAL ITEM - UNAUTHORISED DEVELOPMENT - LOT 129 STACEY RISE, LAKE CLIFTON	
Reporting Officer / Officer's Interest:	Chris Dunlop, Senior Town Planner; No Interest
Responsible Officer / Officer's Interest	Leonard Long, Manager Development Services; No Interest
Proponent:	Not Applicable
Landowner:	Michael Lenard Dean Sorbello
Date of Report: 6/2/2017	File No.: A3242
Previous Reference:	Nil
Policy Implications:	Nil
Statutory Implications:	Planning and Development Act 2005; Building Act 2011; Health Act 1911; Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974; Planning and Development (Local Planning Schemes) Regulations 2015; and Shire of Waroona Town Planning Scheme No. 7 1996.
Strategic Implications:	Nil
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"	

COUNCIL RESOLUTION

OCM17/02/016

MOVED: CR WITNEY

SECONDED: CR SCOTT

That in relation to the unapproved development on Lot 129 Stacey Rise, Lake Clifton, Council resolves:

- (1) To instruct Council's solicitors to write to the owner of the property, instructing the owner to comply with the relevant legislation for development on the lot within 14 days from the date of the correspondence.**
- (2) That should the requirements of (1) above not be met, Council's solicitors be instructed to pursue legal action against the owner.**

CARRIED 8/0



10.2 DEPUTY CHIEF EXECUTIVE OFFICER – VEHICLE USAGE

10.2 DEPUTY CHIEF EXECUTIVE OFFICER – VEHICLE USAGE	
Reporting Officer / Officer's Interest:	Ian Curley, Chief Executive Officer; No Interest
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer; No Interest
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 21 February 2017	File No.: P102
Previous Reference:	OCM06/072, OCM12/2/020 & OCM14/02/013
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): E, No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	

COUNCIL RESOLUTION**OCM17/02/017****MOVED: CR MASON****SECONDED: CR GERMAIN**

That the Council approve the Deputy Chief Executive Officer (DCEO) use of the Council vehicle 101WR outside the State of Western Australia for the period 2 April 2017 to 5 May 2017 with all fuel costs for that period being the responsibility of the Officer.

CARRIED 8/0**COUNCIL RESOLUTION****OCM17/02/018****MOVED: CR WITNEY****SECONDED: CR SCOTT**

That the meeting proceed in public, the time being 4.47pm.

CARRIED 8/0

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

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

12.1 ELECTED MEMBERS

12.1.1 PURCHASE OF COUNCIL PROPERTY – RESIDENTIAL DWELLING FOR STAFF USE

COUNCIL RESOLUTION

OCM17/02/019

MOVED: CR GERMAIN

SECONDED: CR MASON

That Council incorporate into the Forward Financial Plan the possibility of purchasing/constructing a residential dwelling for future staff recruitment purposes.

CARRIED 8/0

A member of the public entered the meeting during discussion of the above item at 4.57pm.

12.2 OFFICERS

Nil

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 5.02 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 28 MARCH 2017 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE

