



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 27 JUNE 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 4.04 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 John Salerian	Councillor
Cr Craig Wright	Councillor
Cr Laurie Snell	Councillor
Cr Trish Witney	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Deputy CEO/ Director Corporate Services
Mr Patrick Steinbacher	Director Technical Services
Mr Louis Fouche	Director Development Services
Mr Leonard Long	Manager Development Services
Mrs Sue Cicolari	Executive Support Officer

APOLOGIES

There were no members of the public present at the commencement of the meeting.

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil.

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.1 PUBLIC QUESTION TIME

Nil

4.2 PUBLIC STATEMENTS

Nil

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

OCM17/06/047

MOVED: CR MASON

SECONDED: CR SALERIAN

That Leave of Absence be granted to Cr Snell for the period 21 July to 31 August 2017 inclusive, Cr Witney for the period 24-25 July 2017 inclusive, Cr Salerian for the period 4-11 July 2017 inclusive, and Cr Scott for the period 4-11 July 2017 inclusive.

CARRIED 8/0



6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

Cr Witney declared a financial interest in Item 9.4.1 and 9.4.2 (Recommendation Part B) as an employee of the Waroona Community Resource Centre and an interest affecting impartiality in Item 9.4.2 (Part A) as a close associate of a member of the Waroona Men's Shed.

Cr Germain declared an interest affecting impartiality in Item 9.4.1 and 9.4.2 as Chairperson of the Board of the Waroona Community Centre and Item 9.4.2 as a member of the Waroona Agricultural Society.

Cr Mason, Cr Scott and Cr Wright declared an interest affecting impartiality in Item 9.3.3 and 9.3.4 as members of the Waroona Bowling Club and Waroona Cricket Club.

Cr Salerian declared an interest affecting impartiality in Item 9.3.4 as a member of the Waroona Bowling Club.

Cr's Wright, Mason, Salerian and Scott declared an interest affecting impartiality in Item 9.4.2 as members of the Waroona Bowling & Social Club Inc.

Cr Dew declared an interest affecting impartiality in Item 9.4.2 as a member of the Preston Beach Progress Association.

Cr's Snell and Salerian declared an interest affecting impartiality in Item 9.4.2 as members of the Waroona Agricultural Society.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 23 MAY 2017

COUNCIL RESOLUTION

OCM17/06/048

MOVED: CR SNELL

SECONDED: CR MASON

That the Minutes of the Ordinary Council Meeting held 23 May 2017 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

Nil



9.2 DIRECTOR DEVELOPMENT SERVICES

9.2.1 REVOCATION OF LOCAL PLANNING POLICY 9 – RELOCATED DWELLINGS	
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:	Shire of Waroona
Landowner:	Not Applicable
Date of Report: 6 February 2017	File No.: LPP 9
Previous Reference:	OCM 05/119 of 27/09/2005 OCM 07/024 of 27/02/2007
Policy Implications:	State Planning Policy 3.1 – Residential Design Codes 2013 Local Planning Policy 9 – Relocated Dwellings
Statutory Implications:	Planning and Development Act 2005 Planning and Development (<i>Local Planning Schemes</i>) Regulations 2015
Strategic Implications:	See heading below
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): E, No. 3 “Responsible Land Use Planning and Protecting Rural Land”	

PROPOSAL SUMMARY

Council is requested to consider the revocation of Local Planning Policy 9 – Relocated Dwellings.

BACKGROUND/INITIAL COMMENTS

Schedule 2 to the Planning and Development (Local Planning Schemes) Regulations 2015 contains deemed provisions that are to be read as part of all local planning schemes. The provisions of Schedule 2 provide an exemption from the requirement for planning consent for a ‘Single House’ and associated development where the lot is subject to the Residential Design Codes and the deemed to comply criteria of the Codes are met. Therefore, where a relocated dwelling (‘Single House’) is proposed to be compliant with the deemed to comply provisions of the Codes there is no requirement for planning consent.

Single houses that comply with the requirements of the Scheme on lots that are not subject to the Codes are proposed to be exempt from planning consent by Amendment 37, which has been adopted by Council for advertising purposes.

Without a trigger for planning consent a local planning policy cannot be applied to a proposal, meaning that LPP 9 could only be applied to those developments proposing variations to the Residential Design Codes or in areas not subject to the Codes and requires planning consent through the provisions of the scheme.

PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Not required.



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

Cost of advertising – included in operational budget.

POLICY ISSUES/IMPLICATIONS

State Planning Policy 3.1 – Residential Design Codes

The Codes set out provisions for the development of residential land, providing a set of deemed to comply provisions that facilitate an exemption from planning consent under the Regulations.

Local Planning Policy 9 – Relocated Dwellings

LPP 9 provides provisions for the development of relocated dwellings within the Shire. LPP 9 currently prohibits relocated dwellings from being placed within a gazetted town site.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Planning and Development Act 2005

The Act provides a head of power for all schemes and regulation made under it.

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 to the Regulations contains deemed provisions for all local planning schemes. These provisions are to be read as part of all schemes. Where an inconsistency between the Regulations and a scheme exists, the Regulations prevail.

Clause 6 of Schedule 2 provides the process for the revocation of a local planning policy.

Clause 61(1)(c) of Schedule 2 that planning consent is not required for:

“the erection or extension of a single house on a lot if the R-Codes apply to the development and the development satisfies the deemed-to-comply requirements of the R-Codes unless the development is located in a place that is —

- (i) entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990; or*
- (ii) the subject of an order under the Heritage of Western Australia Act 1990 Part 6; or*
- (iii) included on a heritage list prepared in accordance with this Scheme; or*
- (iv) within an area designated under the Scheme as a heritage area; or*
- (i) the subject of a heritage agreement entered into under the Heritage of Western Australia Act 1990 section 29;”*

LEGAL ISSUES/IMPLICATIONS

See statutory issues.



COMMUNITY CONSULTATION

Community consultation is not required prior to the revocation of a local planning policy. Should Council resolve to revoke the policy, a notice in accordance with clause 6 of Schedule 2 will be published.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The current LPP 9 is not able to provide a basis for the requirement for planning consent for relocated dwellings, as such the implementation of the policy is severely compromised. With the vast majority of proposals for relocated dwellings exempt from planning consent, to continue to implement the policy on the occasion where planning consent is triggered by a separate requirement of the Scheme would not constitute proper and orderly planning.

It is recommended that LPP 9 be revoked to avoid potential inconsistencies in the assessment of proposals within the Shire.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute majority.

COUNCIL RESOLUTION

OCM17/06/049

MOVED: CR GERMAIN

SECONDED: CR MASON

That in relation to Local Planning Policy 9 – Relocated Dwellings and in accordance with Clause 6 of Schedule 2 to the Planning and Development (*Local Planning Schemes*) Regulations 2015 Council resolves to:

- 1. Revoke Local Planning Policy 9 – Relocated Dwellings; and**
- 2. Advertise the revocation.**

CARRIED BY ABSOLUTE MAJORITY 8/0

9.2.2 PROPOSED DEMOLITION OF STORAGE SHED AND SEATING STRUCTURE - DRAKESBROOK PUBLIC CEMETERY	
Reporting Officer / Officer's Interest:	Chris Dunlop, Senior Town Planner; Nil
Responsible Officer / Officer's Interest	Leonard Long, Manager Development Services; Nil
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 15 June 2017	File No.: 30/1
Previous Reference:	Nil
Policy Implications:	1.27 – Shire of Waroona Risk Management Policy 2.24 – Shire of Waroona Occupational Safety & Health Statement
Statutory Implications:	Occupational Safety & Health Act 1984 Occupational Safety & Health Regulations 1996 Health (Asbestos) Regulations 1992
Strategic Implications:	Nil
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): <i>No 6 Good Government: Active & Responsible Civic Leadership, & Excellence in Management</i>	

PROPOSAL SUMMARY

Council is requested to consider the demolition of the existing storage shed and seating structure located at the Drakesbrook Public Cemetery and its replacement with a new structure/s in a more suitable location.

BACKGROUND / INITIAL COMMENTS

The structural integrity of the existing storage shed and seating structure at the Drakesbrook Public Cemetery has been compromised. On inspecting the structure the following issues have been identified:

- A main weight bearing post has been damaged as a result of wood rot to such an extent that it can no longer be secured onto the concrete slab and is unable to support the roof structure.
- A corner of the concrete slab on which a main weight bearing post is secured has broken off and no longer adequately supports the post.
- The remaining weight bearing posts, whilst still supporting the roof structure, also show signs of wood rot and would have to be replaced.
- The concrete slab of the structure has severely cracked and needs to be replaced.
- It appears that some of the structural elements of the seating on either side of the structure has either broken or has rotted through in places causing the seating to be unstable and in places has partially collapsed.
- Sections of the roof sheeting have been damaged and need to be replaced.
- All the barge boards show signs of severe wood rot and need to be replaced.
- Given the age of the structure, it may also contain asbestos cladding which has broken in places potentially presenting a hazard to the public (which requires removal by a licenced contractor).

To mitigate against any risk to the public and staff, all the equipment stored inside the shed has been removed and is now stored at the Shire Depot. The structure has also been cordoned off to the public until such time that the site can be rendered safe.



A plan showing the location of the structure is at **APPENDIX 9.2.2A** and photos of the building are at **APPENDIX 9.2.2B**.

PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Nil.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 6 - Good Government: Active & Responsible Civic Leadership and Excellence in Management.

FINANCIAL ISSUES/IMPLICATIONS

Due to the structure containing asbestos a specialised contractor is required to undertake the demolition works, which is estimated to be approximately \$7,500 - \$8,500.

The reconstruction of a like for like structure will still require a specialist to remove all asbestos from the structure prior to any reconstruction taking place. It is estimated that a complete like for like reconstruction would cost approximately \$20,000 - \$25,000.

The replacement of the structure with a storage shed only, elsewhere in the cemetery is estimated to cost approximately \$5,000 - \$7,000, with bench seating estimated to cost approximately \$1,500 - \$2,000 per bench seat.

Costs associated with the demolition of the existing structure and/or reconstruction needs to be included in the 2017/18 budget.

POLICY ISSUES/IMPLICATIONS

1.27 – Shire of Waroona Risk Management Policy

The purpose of risk management is to develop cultures, processes and structures that are directed towards the effective management of potential opportunities and adverse effects. It also is designed to reduce the potential costs of risk by reducing liability, preventing litigation and improving loss control.

2.24 – Shire of Waroona Occupational Safety & Health Statement

This statement reaffirms that the Shire of Waroona's commitment to promote and secure the safety and health of persons in the workplace.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Occupational Safety & Health Act 1984

Section 60 of the act provides a head of power for regulations made under it.

Occupational Safety & Health Regulations 1996

Division 4 of Part 5 of the regulations requires all work with materials containing asbestos to be undertaken by a contractor licenced under the regulations.

Health (Asbestos) Regulations 1992

The Regulations set out requirements for the treatment and disposal of asbestos materials.

LEGAL ISSUES/IMPLICATIONS

See statutory issues.

COMMUNITY CONSULTATION

Nil.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The current condition of the structure is considered to be structurally compromised and it has been cordoned off pending demolition and/or building works. (See Background).

The construction of a like for like replacement of the structure is not considered a suitable option as the storage of materials associated with the Shire's management of the cemetery would be more appropriate at a more discrete location.

The provision of seating within the cemetery driveway is also not recommended from a risk management perspective.

The financial cost of replacement of the structure is calculated to be significantly lower than the cost of refurbishment.

It is therefore recommended that the existing structure be demolished and that it be replaced with a storage shed and seating in an alternate location within the cemetery grounds.

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

Simple Majority.

COUNCIL RESOLUTION**OCM17/06/050****MOVED: CR WITNEY****SECONDED: CR SCOTT**

That Council, with respect to the existing storage and seating structure in the Drakesbrook Public Cemetery, resolves to:

- A. Demolish the existing structure; and**
- B. Refer construction of a replacement storage shed and additional seating in strategic location for budget consideration.**

CARRIED 8/0

9.3 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.3.1 ACCOUNTS FOR PAYMENT	
Reporting Officer / Officer's Interest:	Kathy Simpson, Finance Officer / Nil
Responsible Officer / Officer's Interest	Ashleigh Nuttall – Manager Financial Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 14/06/17	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		
OCM17/06/051		
MOVED: CR WITNEY		
SECONDED: CR SNELL		
That Vouchers numbered:		
<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 8595 - 8616	\$23,461.93
Trust (Cheque/EFTs)	EFT N/A Chq: 11124-11125	\$1,079.75
Electronic Transfers Municipal Fund	EFT 24978 to 25180	\$588,726.91
Direct Wages	01/5/17 – 31/5/17 inclusive	\$176,469.40
Direct Debits	01/5/17 – 31/5/17	\$2,953.71
GRAND TOTAL:		<u>\$792,691.70</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 MAY 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: 19/6/17	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

OCM17/06/052

MOVED: CR GERMAIN

SECONDED: CR SNELL

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

CARRIED 8/0

Cr Mason, Cr Scott and Cr Wright declared an interest affecting impartiality in Item 9.3.3 as members of the Waroona Cricket Club.

9.3.3 LEASE OF COUNCIL PROPERTY – WAROONA CRICKET CLUB	
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: 12 June 2017	File No.: 157/1: Legal Document No. 121
Previous Reference:	
Policy Implications:	None
Statutory Implications:	Section 5 of Strategic Community Plan
Financial Implications:	Minimal
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 5 "Asset Management – Responsible Stewardship of Council Assets"	

PROPOSAL SUMMARY

For Council to adopt a new Lease proposal to be entered into with Waroona Cricket Club, with regard to the use of Council property, being the Club House on part Lot 91, Hill Street, Waroona.

BACKGROUND/INITIAL COMMENTS

A 5 year Lease Agreement was entered into in November 2010, with it expiring in November 2015.

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 5 year period, commencing from 1st July 2017, with it to expire on 30th June 2022.

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 \$100 per annum, and it is proposed that the new amount be also \$100 per annum, in line with other lease charges, for other similar "Not-For-Profit" leases of buildings 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:	9.3.3
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM17/06/053

MOVED: CR WITNEY

SECONDED: CR WRIGHT

1. That the proposed Lease Agreement with the Waroona Cricket Club for the lease of part Lot 91 Hill 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



Cr Mason, Cr Scott, Cr Wright, Salerian and Mr Tilbrook declared an interest affecting impartiality in Item 9.3.4 as members of the Waroona Bowling Club.

9.3.4 LEASE OF COUNCIL PROPERTY – WAROONA BOWLING CLUB	
Reporting Officer / Officer's Interest:	John Crothers, CCP/Project Officer
Responsible Officer / Officer's Interest	Laurie Tilbrook, Director Corporate Services; Interest Affecting Impartiality
Proponent:	Not Applicable at this time
Landowner:	Shire of Waroona
Date of Report: 12 June 2017	File No.: 155/1: Legal Document No. 23
Previous Reference:	
Policy Implications:	None
Statutory Implications:	Section 5 of Strategic Community Plan
Financial Implications:	Minimal
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 5 "Asset Management – Responsible Stewardship of Council Assets"	

PROPOSAL SUMMARY

For Council to adopt a new Lease proposal to be entered into with Waroona Bowling Club, with regard to the use of Council property, being portion of Reserve 8746, Millar Street, Waroona.

BACKGROUND/INITIAL COMMENTS

A 20 year Lease Agreement was entered into in July 1997, with it expiring on 30 June 2017.

A new lease needs to be approved by Council, and it is proposed that it be virtually similar as other recent leases. The new lease agreement is proposed for a 10 year period, commencing from 1st July 2017, with it to expire on 30th June 2027.

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 \$1,200pa, and it is proposed that the new lease amount be set at \$2,400, which is \$200 per month. The Bowling Club is not classified as not being a "Not-for-Profit" organisation.



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:	9.3.4
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM17/06/054

MOVED: CR SCOTT

SECONDED: CR WITNEY

- 1. That the proposed Lease Agreement with the Waroona Bowling Club for the lease of part or Reserve 8746, Millar 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



9.3.5 PROPOSED AMENDMENTS TO 2016/17 ADOPTED BUDGET	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall, Manager Financial Services; No Interest
Responsible Officer / Officer's Interest	Laurie Tilbrook, Deputy CEO/Director Corporate Services; No Interest
Proponent:	
Landowner:	
Date of Report: 16/06/2017	File No.: 1/7
Previous Reference:	2016/17 Adopted Budget
Policy Implications:	<i>See Below</i>
Statutory Implications:	<i>See Below</i>
Strategic Implications:	<i>See Below</i>
Financial Implications:	<i>See Below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): <i>No 6 Good Government: Active & Responsible Civic Leadership, & Excellence in Management</i>	

PROPOSAL SUMMARY

The Council is requested to authorise several amendments to the 2016/17 adopted budget as described below.

BACKGROUND / INITIAL COMMENTS

Long Service Leave Payment

Payout of long service leave entitlement to the City of Swan for former employee Michael Critch

Fire Recovery Grant

Increase both income and expenditure to account for the grant received from State NRM for Landowners Support for Fire Recovery program.

Capital Expenditure

Transfer capital expenditure from Plant & Equipment account to Infrastructure Other account

Fire Related Donations

Increase income to account for payment from City of Perth of the balance of funds raised during the January 2016 Bushfire that wasn't claimed by residents effected. These funds are to be transfer to the Emergency Assistance Reserve. Transfer of donations collected during the 2015 and 2016 Bushfire that are currently sitting in Trust to the Emergency Assistance Reserve account.

Transfer Station Expenditure

Funds allocated in the 2016/17 budget for the first phase of the transfer station at the Buller refuse site are to be transferred to the Waste Management Reserve for future use

WA Primary Health Alliance (WAPHA) Grant

Income and expenditure to be amended to account for the receipt of the first stage payment of WAPHA grant. Expenditure is to span 2016/17 and 2017/18 financial years with relation to the Aboriginal Youth Mental Health Program



Reconciliation Week

Income and expenditure are to be increased to account for the receipt of fund for Reconciliation week.

Scheme Amendment Refund

Expenditure is to be reduced to account for the reimbursement of a portion of scheme amendment No. 35 Lot 500 Old Bunbury road that was not progressed to completion.

PLANNING – STRATEGIC IMPLICATIONS

NIL

REFERRALS

NIL

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

FINANCIAL ISSUES/IMPLICATIONS

The following chart provides a summary of the changes which result in the overall budget remaining in a balanced position.

2017/2018 BUDGET		Increase/ (decrease) in available cash
PROPOSED BUDGET AMENDMENTS		
105420	Increase expenditure to account for payout of long service leave for Michael Critch	(2,784)
106350	Increase income to account for transfer in from Leave Reserve	2,784
121130	Increase income to account for grant received for Fire Recovery	28,000
120320	Increase expenditure to account for Fire Recover grant expenditure	(28,000)
115240	Transfer capital expenditure from P&E to Infrastructure Other	(21,600)
115340	Transfer capital expenditure from P&E to Infrastructure Other	21,600
106930	Increase income to account for balance of Lord Mayors fund payment	14,865
148740	Increase reserve transfer to Emergency Assistance Reserve	(14,865)
106930	Increase income to account for the fire related donations collected in Trust	6,660
148740	Increase reserve transfer to Emergency Assistance Reserve	(6,660)
115340	Decrease waste transfer station phase one expenditure	(62,500)
149040	Increase transfer to Waste Management Reserve to accrue transfer station funding	62,500
152130	Increase income to account for first payment of WAPHA Grant	10,000
153220	Increase expenditure to account for recently received WAPHA Grant	(10,000)
152130	Increase income to account for grant received for Reconciliation Week	5,000
152920	Increase expenditure to account for Reconciliation Week grant	(5,000)
121620	Decrease local planning strategy expenditure	5,000

121720	Decrease heritage inventory review expenditure	1,310
123030	Increase account to pay refund for scheme amendment which was not finalised	(6,310)
109620	Increase expenditure for volunteer ranger vehicle maintenance	(5,300)
109650	Increase income from volunteer ranger reserve	5,300
		0

POLICY ISSUES/IMPLICATIONS

NIL

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Budget Amendments are required to be authorised by an absolute majority

LEGAL ISSUES/IMPLICATIONS

NIL

COMMUNITY CONSULTATION

Not Required

OFFICER'S FINAL COMMENTS/CONCLUSIONS

A number of budget amendments are to be considered to allow officer to continue their duties and responsibilities whilst staying within approved budget figures.

Appendices Attached:	Yes	Appendices Numbers:	9.3.5
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM17/06/055

MOVED: CR GERMAIN

SECONDED: CR MASON

That it be recommended to the Council that the 2016/17 adopted budget accounts be amended as per Appendix 9.3.5

CARRIED BY ABSOLUTE MAJORITY 8/0



9.3.6 LATE ITEM - APPLICATION FOR EXEMPTION TO KEEP MORE THAN ALLOWED DOGS– LOT 63 (No.15) BUTLER RETREAT, WAROONA	
Reporting Officer / Officer's Interest:	Ron Porter – Manager Ranger and Emergency Services / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO / Director Corporate Services / Nil
Proponent:	Linda Ann Benbow
Landowner:	John Edward and Linda Ann Benbow
Date of Report: 2 June 2017	File No.: 45/2
Previous Reference:	N/A
Policy Implications:	Nil
Statutory Implications:	<i>Dog Act 1976</i> <i>Shire of Waroona Dogs Local Law 2001</i>
Strategic Implications:	Nil
Financial Implications:	Nil
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): <i>No 6 Active Civic Leadership, Good Governance, & Excellence in Management</i>	

PROPOSAL SUMMARY

An application has been submitted by the resident of 15 Butler Retreat, Waroona, requesting an exemption under 26(3) of the *Dog Act 1976* to keep three (3) dogs at the premises.

BACKGROUND / INITIAL COMMENTS

The proponent is seeking to obtain an exemption to keep three (3) dogs due to purchasing a new puppy to help alleviate the loss of their older dog “Banjo” when it comes.

The details of the dogs subject to this application are as follows;

1. male, Staffordshire bull terrier, 12-year-old, “Banjo”, registration number 1700305,
2. female, Staffordshire bull terrier, 7-year-old, “Sally”, registration number 1900080,
3. female, Staffordshire bull terrier, 8-mth-old, “Lucy”, registration number LT00240.

All of the dogs are microchipped and the younger two of the three dogs, being “Sally and “Lucy” are sterilised.

There are currently no complaints on file relating to the dogs and/or the proponent subject to this report.

PLANNING – STRATEGIC IMPLICATIONS

N/A

REFERRALS

N/A

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

One of the key strategies of the Strategic Community Plan (SCP) is;



THEME 6: GOOD GOVERNANCE

A core element of Council functioning is legislative compliance. Breaches of legislation can consume considerable quantities of officer resources.

By ensuring appropriate procedures and controls are put in place to maintain compliance with legislation reduces the likelihood of adverse outcomes.

FINANCIAL ISSUES/IMPLICATIONS

N/A

POLICY ISSUES/IMPLICATIONS

There are no inherent policy implications with the proposal.

Council Policy 2.21 allows for alleged breaches of the *Dog Act 1976* to be investigated by authorised officers.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Clause 3.2 of the *Shire of Waroona Dogs Local Law 2001* sets out the number of dogs that can ordinarily be kept on a premises without an exemption:

3.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been –
 - (a) licensed under Part 4 as an approved kennel establishment; or
 - (b) granted an exemption under section 26(3) of the Act.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act –
 - (a) 2 dogs over the age of 3 months and the young of those dogs under that age unless the premises are situated in a rural or special rural zone under the town planning scheme; or
 - (b) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a rural or special rural zone under the town planning scheme.

Part 5 of the *Dog Act 1976* states:

Part V — The keeping of dogs

26. Limitation as to numbers

- (1) A local government may, by a local law under this Act —
 - (a) limit the number of dogs that have reached 3 months of age that can be kept in or at premises in the local government's district; or
 - (b) limit the number of dogs of a breed specified in the local law that can be kept in or at premises in the local government's district.
- (2) A local law mentioned in subsection (1) —



- (a) may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only; and
 - (b) cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age; and
 - (c) cannot apply to dogs kept at premises that are licensed under section 27 as an approved kennel establishment; and
 - (d) cannot apply to dangerous dogs (declared) or dangerous dogs (restricted breed).
- (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —
- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and
 - (b) cannot authorise the keeping in or at those premises of —
 - (i) more than 6 dogs that have reached 3 months of age; or
 - (ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption;
- and
- (c) may be revoked or varied at any time.
- (4) A person must not keep in or at any premises, not being licensed under section 27 as an approved kennel establishment —
- (a) in the case of dogs that have reached 3 months of age, other than dangerous dogs (declared) or dangerous dogs (restricted breed), more than the number of dogs than the limit imposed under —
 - (i) a local law mentioned in subsection (1); or
 - (ii) an exemption granted under subsection (3);
- or
- (b) more than —
 - (i) 2 dangerous dogs (declared); or
 - (ii) 2 dangerous dogs (restricted breed); or
 - (iii) one of each of those kinds of dangerous dogs, that have reached 3 months of age; or
 - (c) any pup, of a dangerous dog (restricted breed), that is under 3 months of age.

Penalty:

- (a) for an offence relating to a dangerous dog —
 - (i) a fine of \$10 000, but the minimum penalty is a fine of \$500;

- (ii) for each separate and further offence committed by the person under the *Interpretation Act 1984* section 71, a fine of \$500;
 - (b) for an offence relating to a dog other than a dangerous dog —
 - (i) a fine of \$5 000;
 - (ii) for each separate and further offence committed by the person under the *Interpretation Act 1984* section 71, a fine of \$100.
- (5) Any person who is aggrieved —
- (a) by the conditions imposed in relation to any exemption under subsection (3); or
 - (b) by the refusal of a local government to grant such an exemption, or by the revocation of an exemption,
- may apply to the State Administrative Tribunal for a review of the decision.
- (6) An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.

LEGAL ISSUES/IMPLICATIONS

There are no inherent legal implications with this proposal.

COMMUNITY CONSULTATION

Ranger Services consulted with five (5) immediate neighbours with no objections received.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The Ranger Services inspection report indicates that the dogs are kept in a well maintained grassed and paved area with adequate fencing and gates capable of confining the animals.

The dogs have access to adequate shelter, food and water and sufficient area for exercise. The inspection report also details that the dogs are good-natured and well cared for with the proponent displaying the ability to control the dogs during the inspection.

A check of the system indicates that there is no previous history relating to the dogs or the proponent in question.

Based on the above, it is recommended that the application be granted subject to conditions aimed at minimising the risk of future adverse problems occurring.

Appendices Attached:	No	Appendices Numbers:	N/A
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VOTING REQUIREMENTS

Simple Majority



COUNCIL RESOLUTION**OCM17/06/056****MOVED: CR SNELL****SECONDED: CR WRIGHT**

That Council resolve that the exemption application to keep three (3) dogs at Lot 63 (No.15) Butler Retreat, Waroona, be approved, subject to the following conditions:

1. The exemption only applies to the specified dogs. If any dog/s die or are no longer kept on the property then a replacement cannot be obtained,
2. All dogs are to be registered and microchipped in accordance with the provisions of the *Dog Act 1976*,
3. That means exist on the property for effectively confining the dogs within the premises in accordance with the provisions of the *Shire of Waroona Dogs Local Law 2001*,
4. The dogs are not to cause a nuisance to neighbouring properties by barking or otherwise,
5. Dog refuse is to be contained on the property and disposed of in a timely and appropriate manner.

The exemption may be reviewed if:

- i. an offence is committed under the *Dog Act 1976* by any of the dogs or a person in charge of the dogs; or,
- ii. a valid complaint is received; or,
- iii. any of the above conditions of the approval are breached.

CARRIED 8/0

9.3.7 LATE ITEM - CREATION OF NEW RESERVE ACCOUNT – FIRE RECOVERY ASSISTANCE 2016 RESERVE	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall – Manager Financial Services / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 26/06/2017	File No.: 1/8
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): <i>No 6 Good Government: Active & Responsible Civic Leadership, & Excellence in Management</i>	

PROPOSAL SUMMARY

That Council consider the creation and purpose of a new reserve account for the grant funds received from Department of the Premier and Cabinet for the purpose of assistance for the fire affected farming and rural communities of the Shires of Waroona and Harvey.

BACKGROUND / INITIAL COMMENTS

Council received the amount of \$450,000 (GST exclusive) to provide one-off support for the farming and rural communities of the Shire of Waroona and Harvey to assist with capacity and resilience building following the Waroona fires of January 2016.

The one-off funds are to be primarily used to assist with the disposal of remaining fire-affected waste on farming and agricultural properties in the Shire of Waroona and Harvey to the existing Buller Road facility, including tipping and transport fees.

Remaining funds may be used to assist with capacity and resilience building, including pest management, soil and vegetation rehabilitation works and outreach support programs. Funding may be used to support the Peel Mobile Health Service, with a particular focus on post-fire recovery related mobile services in the Shires of Waroona and Harvey.

The funds may not be used to purchase equipment or infrastructure.

PLANNING – STRATEGIC IMPLICATIONS

NIL

REFERRALS

NIL



STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

FINANCIAL ISSUES/IMPLICATIONS

The funds will appear in the end of year accounts as ‘Restricted Reserves’ and in subsequent budgets as income being transferred from Reserve when expenditure relating to the grant is incurred.

The funds will be used specifically for the purpose and scope set out in the Grant Agreement executed on the 20th June 2017

All interest accrued on these funds will be allocated back into the Fire Recovery Assistance 2016 Reserve account.

POLICY ISSUES/IMPLICATIONS

All reserve accounts are invested as per Council Policy 3.19 Investment of Surplus Funds

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Local Government Act 1995 Section 6.11 Reserve Accounts and Local Government (Financial Management) Regulations 1996 regulation 17 (1)

Budget amendments are required to be authorised by an absolute majority

LEGAL ISSUES/IMPLICATIONS

NIL

COMMUNITY CONSULTATION

NIL

OFFICER'S FINAL COMMENTS/CONCLUSIONS

That Council approve the create of the new reserve account to hold grant funds from the Department of Premier and Cabinet for the specific purpose of assistance for the fire affected farming and rural communities of the Shire of Waroona and Harvey.

That the 2016/17 Budget be amended to account for the additional income from payment of the grant as well as additional expenditure to transfer these funds into the new Reserve account.

Council is also to resolve the purpose of the new Reserve account.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority



COUNCIL RESOLUTION

OCM17/06/057

MOVED: CR GERMAIN

SECONDED: CR MASON

- a) That Council approve the creation of new reserve account “Fire Recovery Assistance 2016 Reserve’ and the amount of \$450,000 be transferred at 30 June 2017
- b) That Council approve the purpose of this Reserve to provide funds to be used in accordance with the recently endorsed grant agreement “Assistance for the fire affected farming and rural communities of the Shire of Harvey and Waroona”
- c) That the 2016/17 adopted Budget be amended by \$450,000 to account for income to account 109230 and expenditure from account 148440 being transferred to Reserve account

CARRIED BY ABSOLUTE MAJORITY 8/0

9.4 CHIEF EXECUTIVE OFFICER

Cr Witney declared a financial interest in Item 9.4.1 as an employee of the Waroona Community Resource Centre. Cr Witney left the meeting, the time being 4.36 pm.

Cr Germain declared an interest affecting impartiality in Item 9.4.1 as Chairperson of the Board of the Waroona Community Centre.

9.4.1 WAROONA COMMUNITY RESOURCE CENTRE – RECEPTIONIST FUNDING	
Reporting Officer / Officer's Interest:	Ian Curley, Chief Executive Officer / Nil
Proponent:	Waroona Community Centre Inc
Landowner:	Shire of Waroona
Date of Report: 12 June 2017	File No: 192/1
Previous Reference:	OCM 06/144 July 2006; OCM 07/012 January 2007; OCM09/093 June 2009; OCM 11/08/097 Aug 2011, OCM June 2013 13/06/056, OCM June 2015 15/06/066
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	\$46,000 17/18; \$36,000 18/19
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): <i>No 6 Active Civic Leadership, Good Governance, & Excellence in Management</i>	

PROPOSAL SUMMARY

To continue to provide funding to the Waroona Community Centre Inc (WCC) for the purpose of providing reception services at the Waroona Health & Community Resource Centre.

BACKGROUND / INITIAL COMMENTS

The Waroona Health & Community Resource Centre opened in October 2004. Since January 2007 Council has provided on-going funding to the WCC to enable it to provide full-time receptionist services at the centre from Mondays-Fridays. Council had previously partially funded the position since it opened.

Since the implementation of the funding agreement with the WCC it has been providing a valuable and consistent service to residents of the shire and the WCC has consistently met its obligations under the terms of the agreement. The current funding arrangements cease as of 30 June 2017.

Council's June 2015 resolution -

COUNCIL RESOLUTION

OCM15/06/066

MOVED: CR DEW

SECONDED CR WRIGHT

That Council resolves to continue to provide on-going funding to the equivalent of funding a full-time Reception position at the Waroona Health & Community Resource Centre as per the following conditions:



- a) *Funding to be paid directly to the Waroona Community Centre Inc.*
- b) *The amount to be up to \$56,000 for 2015/16 (based on 2014/15 figures and not indexed with inflation) and \$46,000 for 2016/17 (and not indexed with inflation), including any grants that are obtained to assist the funding of the position.*
- c) *Funding can be utilised by the WCC to engage other employees for the Centre, providing that it agrees to provide and maintain full-time reception duties in the Centre either by paid employees, volunteers or other such means as the WCC is able to arrange.*
- d) *The current agreement is re-signed, with or without modification.*
- e) *This funding commitment is for 2 (two) years commencing 1 July 2017, with the first year funding being \$56,000 reducing to \$46,000 in the second year, and the WCC, during this time, is to continue to make endeavours to have the Reception position self-funded as future funding may be further reduced.*
CARRIED 4/0

Council's 2016/17 budget for the Waroona Community Health Resource Centre is -

Expenditure

General maintenance	\$19,333
Utilities-water power etc (less contribution from WCC still to be calculated)	\$15,900
Insurance	\$3,550
Contribution to WCC	<u>\$46,000</u>
	<u>\$84,783</u>

Income

Lease charges, Doctor etc	<u>-\$39,600</u>
Overall budgeted cost for the year	\$45,183

*Note * income for the centre for 2017/18 will be reduced because -
 The lease of \$16,591 with CliniPath expires 19 July 2017 and will not be renewed.
 The lease of \$7,500 with IPN expires 5 July 2017 and will not be renewed.
 Forecast budget income for 2017/18 is \$15,500. This may increase if the vacant
 Doctor's surgery is re-leased.*

PLANNING – STRATEGIC IMPLICATIONS

N/A

REFERRALS

N/A

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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



COMMUNITY CONSULTATION

Nil recommended.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Included in Council's agreement with the WCC the following key areas have been agreed to:

The Shire agrees to –

- Not charge rental to the WCC for its use of the Centre;
- Provide building and contents insurance on the Centre, excluding contents that are in the ownership of the Board and others;
- Pay for the ordinary maintenance of the Centre, garden maintenance, water rates and refuse removal.

The Board agrees to -

- Provide reception duties to the Centre generally between the hours of 9am and 4pm, 5 days per week, excluding public holidays.
- To be responsible for its own occupational health & safety training and management for all staff under its control and invited guests into the building;
- To submit to the Shire, upon request, an annual report on the activities of the Centre.
- Provide the Shire with free use of available areas throughout the Centre. Any additional costs associated with the hire will be paid by the Shire;
- Engage and pay a cleaner for area under its control as defined on annexure 2;
- Pay all utility accounts in relation to the area under control – power, water, telephone etc and charge other building users for portion attributable to them,
- Take bookings and receive and retain money for casual hire of the centre. This clause excludes the area under agreement with the Department for Child Protection and long-term leases contained in the medical wing of the Centre, unless those areas are available and hired out on a casual basis;
- Provide after-hours access for hirers;
- Provide contents insurance cover for equipment owned by the Board;
- Provide public liability insurance cover for activities conducted by the Board.

The following recommendation is provided following guidance from the 2015 Council resolution.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority



COUNCIL RESOLUTION**OCM17/06/058****MOVED: CR WRIGHT****SECONDED: CR MASON**

That Council resolves to continue to provide on-going funding towards a Reception position at the Waroona Health & Community Resource Centre as per the following conditions:

- a) Funding to be paid directly to the Waroona Community Centre Inc.**
- b) The amount to be up to \$46,000 for 2017/18 (based on 2016/17 figures not indexed with inflation) and \$36,000 for 2018/19 (and not indexed with inflation), including any grants that are obtained to assist the funding of the position.**
- c) Funding can be utilised by the WCC to engage other employees for the Centre, providing that it agrees to provide and maintain full-time reception duties in the Centre either by paid employees, volunteers or other such means as the WCC is able to arrange.**
- d) The current agreement is re-signed, with or without modification.**
- e) This funding commitment is for 2 (two) years commencing 1 July 2017, and the WCC, during this time, is to continue to make endeavours to have the Reception position self-funded as future funding may be further reduced.**

CARRIED 7/0

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

Cr Witney declared a financial interest in Item 9.4.2 (Recommendation Part B) as an employee of the Waroona Community Resource Centre and an interest affecting impartiality in Item 9.4.2 (A) as a close associate of a member of the Waroona Men's Shed.

Cr Germain declared an interest affecting impartiality in Item 9.4.2 as Chairperson of the Board of the Waroona Community Centre.

Cr's Wright, Mason, Salerian and Scott declared an interest affecting impartiality in Item 9.4.2 as members of the Waroona Bowling & Social Club Inc.

Cr Dew declared an interest affecting impartiality in Item 9.4.2 as a member of the Preston Beach Progress Association.

Cr's Germain, Snell and Salerian declared an interest affecting impartiality in Item 9.4.2 as members of the Waroona Agricultural Society.

9.4.2 ALCOA WAROONA SUSTAINABILITY FUND	
Reporting Officer / Officer's Interest:	Ian Curley Chief Executive Officer, Chairperson of AWSF Advisory Committee
Proponent:	Alcoa Waroona Sustainability Fund Advisory Committee
Date of Report: 13 June 2017	File No.: AWSF File
Previous Reference:	
Policy Implications:	N/A
Statutory Implications:	AWSF Deed of Agreement
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): E, No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	

PROPOSAL SUMMARY

To consider and give effect to the recommendations of the Alcoa Waroona Sustainability Fund Advisory Committee to approve of 2nd grant funding round from the Alcoa Waroona Sustainability Fund (AWSF) in accordance with the AWSF Deed of Agreement.

BACKGROUND/INITIAL COMMENTS

The AWSF is a fund established and contributed to by Alcoa of Australia Ltd and administered by the Shire of Waroona. The funds are held in the Shire's Trust Account and totalled \$1,570,681 as of 18/05/2017.

The AWSF is governed by a Deed of Agreement and the deed states its purpose is "to fund facilities and projects with enduring value for the communities surrounding the Wagerup refinery. Funds from the AWSF will be allocated to community organisations, initiatives, processes and activities that contribute to the local government region known as the Shire of Waroona".

The AWSF Committee is established under the deed and operated under the Terms of Reference for the Committee. The Deed states "an Advisory Committee will be established by Alcoa and the Shire in accordance with this deed and the terms of reference to advise the Shire in making distributions for the purpose of the AWSF. The



Advisory Committee will have the power to make recommendations to the Shire in regard to the granting of funds from the AWSF. Provided the implementation of a recommendation of the Advisory Committee would not, in the shire's reasonable opinion, result in the Shire being in breach of its obligations under this deed or under any Law, the Shire must give effect to the recommendation".

The Deed allows for grant funding to be made, provided that at all times the capital balance is not less than 50% of the contributions made by Alcoa.

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

There is no cost of Council, other than the minimal costs of administering the fund.

COMMUNITY CONSULTATION

Grant application forms and guidelines were advertised publicly and applications closed on 5 May 2017.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Council approved of the AWSF grant guidelines and application forms at the October 2016 Ordinary Council meeting and, following advertising of the grant round, the AWSF Advisory Committee met on 18 May 2017 to deliberate over the applications and have made the following recommendations to the Council for endorsement.

A matrix of all applications received is included at **Appendix 9.4.2**

There was an overwhelming response to the call for applications with many eligible projects being put forward. 12 applications were received with the \$200,000 total grant amount being oversubscribed by \$214,982. The committee analysed all applications and requests that the overall amount available be increased to \$297,331.50, and, in return, schedule the next grant round for 2019.

This new grant amount can be achieved by:

- a. Not approving Quambie Park Social Inclusion Centre for the Aged \$50,000 *reason:* Quambie has submitted 2 applications in this round and only 1 is recommended for approval.
- b. Not considering the application from Waroona Agricultural Society \$2,650 *reason:* This application does not meet the guidelines as is less than minimum grant amount.
- c. Reduce Waroona West Volunteer Bushfire Brigade amount to \$25,000 *reason:* Request is above the maximum grant allocation of \$50,000 and project is not ready to proceed.
- d. Approving all remaining grants.

It was also suggested by the Committee that the application from Preston Beach Progress Assn for upgrade to their kitchen be expanding for any works related to the expansion of the current building, to which other grants have been obtained.

Appendices Attached:	Yes	Appendices Numbers: 9.4.2
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION**OCM17/06/059****MOVED: CR WITNEY****SECONDED: CR GERMAIN**

- A. i. That the Alcoa Waroona Sustainability Fund Advisory committee recommends to the Council that the total grant funds available for dispersal in the 2017 grant round be increased from \$200,000 to \$297,331.50, and approves the following funding applications :**

Waroona Bowling & Social Club Inc	\$10,387
Quambie Park Waroona Inc (Generator)	\$50,000
Preston Beach Progress Association (For unspecified works on expanding current hall)	\$50,000
Waroona Community Men's Shed	\$50,000
Waroona Visitor Centre	\$22,000
Waroona Community Lights	\$21,687
Waroona Senior Citizens Welfare Committee	18,257.50
Waroona West Volunteer Fire Brigade	\$25,000

- ii. That the Alcoa Waroona Sustainability Fund Advisory committee recommends to Council that the following applications not be approved:**

Quambie Park Waroona Inc (Social Inclusion Centre)	\$50,000
Waroona Agricultural Society Inc	\$2,650
Waroona Vintage Machinery Inc	\$10,000

- iii. That, in lieu of increasing the current round of funding, that the next funding round be held in 2019.**

CARRIED 8/0

Cr Witney declared a financial interest and left the meeting, the time being 4.41 pm.

COUNCIL RESOLUTION

OCM17/06/060

MOVED: CR GERMAIN

SECONDED: CR SCOTT

- B. That the Alcoa Waroona Sustainability Fund Advisory committee recommends to the Council to approve the following funding application:**

Waroona Community Resource Centre Youth Centre \$50,000

CARRIED 7/0

Cr Witney returned to the meeting the time being 4.42 pm.

COUNCIL RESOLUTION

OCM17/06/061

MOVED: CR WITNEY

SECONDED: CR SCOTT

- 1. That approved grantees be advised that an acquittal process is required and that it be similar to the requirements for the Shire's Small Grants Program.**
- 2. That all granted funds remain in the AWSF account until such time as the funds are required for payment of the subject of the grant. Any interest accrued on the funds is to remain for the use and purpose of the AWSF. The grantee is to satisfy the Shire of Waroona CEO that the project has progressed to a point that payment is required before funds are to be released. At least 6 months advance notice is required for the release of funds.**
- 3. That a 3rd round of grant funding not be released until 2019 and that the AWSF Advisory Committee to advise on a suitable time and process.**

CARRIED 8/0

10. CONFIDENTIAL REPORTS

Nil

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

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

12.1 ELECTED MEMBERS

Nil

12.2 OFFICERS

Nil

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 5.00 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 25 JULY 2017 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE

