



Date: 17 August 2017

**To: Shire President
All Councillors**

**Copy: Directors
Staff**

ORDINARY COUNCIL MEETING NOTICE AND AGENDA

An Ordinary Council meeting of the Shire of Waroona will be held at the Waroona Shire Offices on 22 August 2017 at 4.00pm to consider and resolve the matters set out in the attached Agenda.

A handwritten signature in black ink, appearing to read 'Ian Curley', is placed on a light blue rectangular background.

**IAN CURLEY
CHIEF EXECUTIVE OFFICER**

PUBLIC QUESTION TIME

AND

PUBLIC STATEMENT TIME

1. The order of business allows for a Public Question time and a Public Statement time at the beginning of the Meeting. The Presiding Member will announce these times.
2. If you wish to ask a Question or make a Statement about an Agenda Item BEFORE it is considered then it should be made at the Public Question and Public Statement Time at Item 4 on the Agenda Notice Paper in accordance with Council's Procedures and Guidelines for Public Question Time and Receiving Public Statements.
3. The visual or vocal recording of Council meeting proceedings is expressly prohibited, unless the prior approval of the Council has been given.

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AGENDA

1. **DECLARATION OF OPENING/ANNOUNCEMENTS**
2. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED**
3. **RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**
- 4.1 **PUBLIC QUESTION TIME**
- 4.2 **PUBLIC STATEMENTS**
5. **APPLICATIONS FOR LEAVE OF ABSENCE**
6. **DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS**

(Disclosure of interest MUST ALSO be made by the member or officer immediately prior to a matter, for which an interest is being disclosed, is dealt with.)
7. **PETITIONS/DEPUTATIONS/PRESENTATIONS**
8. **CONFIRMATION OF MINUTES**
- 8.1 **SPECIAL COUNCIL MEETING – 8 AUGUST 2017**

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 8 August 2017 be confirmed as being a true and correct record of proceedings.

- 9.0 **REPORTS OF OFFICERS AND COMMITTEES**

9.1 DIRECTOR TECHNICAL SERVICES

9.1.1 REPLACEMENT OF WATER CART UNIT	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, DTS; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, DTS; No Interest
Proponent:	Shire of Waroona
Landowner:	n/a
Date of Report: 21/02/2017	File No.: 96/1
Previous Reference:	Nil
Policy Implications:	See heading below
Statutory Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): 5.03 Timely Renewal or Replacement of Assets, as per the adopted Asset Management Plans, but within the constraints of the adopted Long Term Financial Plan 5.04 Effect Responsible Stewardship of Council owned/controlled Assets	

PROPOSAL SUMMARY

To present to Council the findings of investigations into replacing the current truck mounted water cart unit and request a departure from Council Purchasing and Procurement Policy 3.3.

BACKGROUND/INITIAL COMMENTS

As part of road construction activities the construction crew utilises a water cart unit that is lifted into one of the six wheel trucks from time to time and used to apply water to the road materials. The current unit is a steel tank which is past the end of its useful life and is no longer a viable proposition for repair. Therefore officers have been investigating replacement units.

The Manager Works and Services favours a design that he used while working for his previous employer which is a slide on/slide off unit that requires no lifting, which removes the logistics (involved with the requirement to have at hand a machine capable of lifting the unit) and risks involved with slinging the existing unit. A photograph indicative of the intended replacement unit is **Appended at 9.1.1**.

Units such as these are available as an 'off the shelf' unit from a limited number of fabrication companies in WA and an indicative cost of around \$30,000 has been obtained. However, the MWS has been in negotiations with local company McCall Bros. who are confident that they have the capability of offering a design and construct option for a new unit for less cost and are willing to undertake the work as it will add to their knowledge and capabilities in the future. This approach also offers the advantage of the unit being able to be tailor made to the Shire's requirements.

Costs have been estimated as follows:

• Tank	\$7,400
• Labour	\$8,000
• Steel	\$3,500
• Sand Blast & Paint	\$1,500
• Fittings	\$3,100
• Pump	\$1,500
• TOTAL	\$25,000

The Shire will purchase the tank direct which leaves a balance of approximately \$17,600.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

5.03 Timely Renewal or Replacement of Assets, as per the adopted Asset Management Plans, but within the constraints of the adopted Long Term Financial Plan

5.04 Effect Responsible Stewardship of Council owned/controlled Assets

FINANCIAL ISSUES/IMPLICATIONS

The 2017/18 budget includes funds of \$30,000 for this purpose. The estimated costs represent a saving in the order of \$5,000.

POLICY ISSUES/IMPLICATIONS

Under Council's Purchasing and Procurement Policy 3.3, where the value of the goods or services sought is within the range \$7,501 to \$24,999, at least two verbal or written quotes should be sought.

However, as McCall Bros. are a local firm who are willing to take on the works and therefore keep the business within the Shire at a lesser cost to the alternative, officers are comfortable to recommend that Council waive the requirement contained in Policy 3.3 and accept the estimate of costs from McCall Bros.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The current unit is well overdue for replacement and the intended new unit will offer significant improvements in terms of logistics, safety and flexibility. The savings anticipated by utilising McCall brothers as well as the fact of keeping the work within the Shire boundary justify the departure from the prevailing policy.

Appendices Attached:	Yes	Appendices Numbers: 9.1.1
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VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That Council:

- 1. Accept the estimate of costs from McCall Bros. for the construction of a new water cart unit at \$17,600**
- 2. Waive the requirement of the Purchasing and Procurement Policy 3.3 to seek two verbal or written quotes in this instance.**

9.2 DIRECTOR DEVELOPMENT SERVICES

9.2.1 REVOCATION OF PREVIOUS RESOLUTION – AMENDMENT 29 TO LOCAL PLANNING SCHEME NO. 7	
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:	MJ Armstrong, RA Armstrong, S Armstrong & Charles Hull Contracting Pty Ltd
Date of Report: 2/8/2017	File No.: TPS7A29
Previous Reference:	OCM10/011 of 11 February 2010
Policy Implications:	State Planning Policy 2.5 – Rural Planning Policy 2016 State Planning Policy 3.7 – Planning in Bushfire Prone Areas 2015 EPA Guidance Statement No. 3 – Separation Distances Between Industrial and Sensitive Land Uses
Statutory Implications:	Planning and Development Act 2005 Environmental Protection Act 1986 Local Government Act 1995 Local Government (Administration) Regulations 1996 Planning and Development (Local Planning Schemes) Regulations 2015 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 2015 Coastal and Lakelands Planning Strategy 1999 Lake Clifton Herron Structure Plan 2010 Shire of Waroona Local Planning Strategy 2009
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 its previous resolution to adopt Scheme Amendment 29 to the Shire's Local Planning Scheme No. 7 for advertising. Scheme Amendment 29 proposes the rezoning of Lots 1 and 2 Old Coast Road from Rural 3B – Coastal Highway to Rural 7 – Rural Small Holdings.

BACKGROUND/INITIAL COMMENTS

At its meeting of 11 February 2010 Council resolved to adopt Scheme Amendment 29 for advertising purposes as follows:



“OCM10/011

MOVED: Cr Salerian

SECONDED: Cr Scott

That Council resolves-

1. *Pursuant to section 75 of the Planning and Development Act 2005 (the Act), to adopt for initiation and public advertising the proposed rezoning of Lots 1 and 2 Old Coast Road, Lake Clifton from Rural 3B – Coastal Highway to Rural 7- Rural Small Holdings subject to-

 - a. *preparation of five sets of amending documents to the satisfaction of the Manager Planning Services;*
 - b. *payment by the applicant of all fees and charges; and*
 - c. *the Shire President and Chief Executive Officer being authorised to sign the documents.**
2. *Prior to public advertising pursuant to section 84 of the Act, the documents being referred to the Environmental Protection Authority in accordance with section 81 of the Act.*
3. *At the conclusion of public advertising a further report, including all submissions received, be presented to Council for consideration of Final Adoption.*

CARRIED 5/1”

Following its adoption the scheme amendment was referred to the Environmental Protection Authority (EPA) in accordance with section 81 of the Planning and Development Act and section 48A of the Environmental Protection Act.

As a result of the assessment of the proposal by the EPA a number of meetings were held and revisions made to the proposal, including the removal of Lot 1. In November 2014 the Shire requested additional information including a revised Bushfire Management Plan, justification against EPA Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses, revised access arrangements to Old Coast Road and revision to the proposed Subdivision Guide Plan to address Threatened Ecological Communities and Building Envelopes.

The latest meeting in relation to the proposal was held on 13 August 2015 and included the applicant, officers from the Shire, Department of Planning, Lands and Heritage, Department of Fire and Emergency Services and EPA where discussion of the above requested information took place. To date, this information has not been provided.

PLANNING – STRATEGIC IMPLICATIONS

Draft South Metropolitan Peel Sub-Regional Planning Framework (DSMPSRPF)

The DSMPSRPF was prepared by the Department of Planning and released by the Western Australian Planning Commission for comment in May 2015. The DSMPSRPF is intended to guide the future preparation of local planning strategies, schemes and structure plans within the South Perth and Peel Region and identifies the subject lots as ‘Rural’.



Draft Perth and Peel Green Growth Plan for 3.5 Million 2015 (Green Growth Plan)

The Green Growth Plan is a comprehensive review of the environmental impacts of future development as well as the associated infrastructure and resource needs. The Green Growth Plan informed the formulation of the DSMPSRPF.

Coastal and Lakelands Planning Strategy 1999

The *Coastal and Lakelands Planning Strategy* complements the *Peel Regional Strategy (1994)*, the *Bunbury - Wellington Region Plan (1995)* and the *Inner Peel Region Structure Plan (1997)* all of which recognise the strategic importance of the coastal strip between Mandurah and Bunbury.

Clause 6.2.5 Rural 3 - Highway Environs:

The zone consists of lands generally orientated to the Old Coast Road, mostly abutting the National Park and the lake system. Lot sizes vary, with a significant proportion in the range of 4-5ha as groups from early subdivision, resulting in de facto rural-residential use.

Recommendations:

- Minimum lot size - five (5) hectares.
- Development setback from Lake Clifton of minimum 150m (including 20m of Spearwood soils and 2m vertical clearance from groundwater) required for building and horticulture. No direct drainage into lake permitted.
- Smaller lot sizes for specialised tourist/commercial purposes may be permitted for a use approved by local government and WAPC.
- Control of access to Perth-Bunbury Highway (Old Coast Road) will be necessary.
- Compatibility with the existing rural character and landscape will be a prerequisite for development approval in the zone.
- Visual management controls to be applied to development by local government, in accordance with the objectives and guidelines of this strategy.

Lake Clifton Herron Structure Plan 2010

The Lake Clifton Herron Structure Plan was prepared in order to guide the future development of the Lake Clifton locality.

Lake Clifton Herron Structure Plan identifies the subject lots as 'Rural Smallholdings' with a required minimum lot size of 5ha.

Shire of Waroona Local Planning Strategy 2009

The subject lot is identified as Rural Small Holdings and is located within the Lake Clifton precinct. It is Council's objective for the area to consolidate the land between Lake Clifton and the Old Coast Road to provide smallholding lots that offer agriculture, lifestyle and tourist opportunities.



A minimum lot size of 5 hectares is specified in the strategy.

Considerations:

- On-site effluent systems to be Alternative Treatment Units. Dwellings are to be set back at least 150m from the high water mark of Lake Clifton and at least 20 metres from the edge of the Vasse soil landform.
- Proponents are referred to the EPA Guidance Note No.28 'Protection of the Lake Clifton Catchment'.
- All new development, including agricultural use, is to be setback at least 150m from the high water make of Lake Clifton and at least 20 metres from the edge of the Vasse soil landform.

REFERRALS

The proposal has been referred to government agencies including the Environmental Protection Authority (EPA), Department of Fire and Emergency Services and Department of Planning, Lands and Heritage.

As a result of the applicant not providing the EPA with the required information since 2010, correspondence was received from the EPA on 19 June 2017 stating that the applicant has not provided required information for the completion of the assessment of the EPA under Section 48A of the *Environmental Protection Act*. The EPA has advised that given the timeframes associated with the proposal and the substantial differences between the current and original proposals a new amendment will need to be initiated and referred to the EPA for the proposal to continue.

During discussions with the Department of Planning, Lands and Heritage following the advice of the EPA it was recommended that the previous adoption of Scheme Amendment 29 be revoked in order to finalise the process of not progressing the amendment in its current form.

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

Officer time (included in operational budget).

On 25 June 2009 the applicant paid \$500 in accordance with the upfront payment required for a minor scheme amendment in the Shire's 2008/09 annual budget. A further payment of \$1,500 for the completion of the scheme amendment process was required by the 2008/09 annual budget. This additional repayment has not been received. As the fees paid were intended to cover the cost of the application up to its initial adoption by Council no refund of fees is required.

POLICY ISSUES/IMPLICATIONS

State Planning Policy 2.5 – Rural Planning Policy 2016 (SPP2.5)



The objectives of this policy are to:

- (a) support existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food;
- (b) provide investment security for existing, expanded and future primary production and promote economic growth and regional development on rural land for rural land uses;
- (c) outside of the Perth and Peel planning regions, secure significant basic raw material resources and provide for their extraction;
- (d) provide a planning framework that comprehensively considers rural land and land uses, and facilitates consistent and timely decision-making;
- (e) avoid and minimise land use conflicts;
- (f) promote sustainable settlement in, and adjacent to, existing urban areas; and
- (g) protect and sustainably manage environmental, landscape and water resource assets.

Clause 5.2 (b) of SPP2.5 (b) rural smallholdings proposals for rural land will be considered by exception in planning strategies and schemes, where topography, biodiversity values, bushfire risk, environmental matters and servicing can be managed in accordance with this and other State policies;

State Planning Policy 3.7 – Planning in Bushfire Prone Areas 2015 (SPP3.7)

SPP3.7 requires the consideration of bushfire risk and potential mitigation measures as part of the assessment of development in bushfire prone areas.

Clause 6.3 of SPP3.7 sets out information required to be submitted with strategic planning proposals that may be provided in the form of a Bushfire Management Plan.

EPA Guidance Statement No. 3 – Separation Distances Between Industrial and Sensitive Land Uses

The guidance note specifically addresses generic separation distances between industrial and sensitive land uses to avoid conflicts between these land uses. It takes into account protection of the environment as defined by the Environmental Protection Act 1986 (EP Act) with a focus on protecting sensitive land uses from unacceptable impacts on amenity that may result from industrial activities, emissions and infrastructure.

The guidance statement recommends a general separation distance of 300m-500m for limestone extraction dependant on the size of the activity.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Planning and Development Act 2005

Section 81 of the Act states that when a local government resolves to prepare or adopt a local planning scheme, or an amendment to a local planning scheme, the local government is to refer the proposed local planning scheme or amendment to the EPA.



Environmental Protection Act 1986

Section 48A of the Environmental Protection Act 1986 sets out the process for the EPA to determine whether a scheme is required to be assessed by the EPA where that scheme is referred under the relevant scheme act.

Local Government Act 1995

The Local Government Act provides a head of power for decisions made by Council and regulations made under the Act.

Local Government (Administration) Regulations 1996 (Regulations)

Regulation 10 of the Regulations sets out the requirements for amending or revoking a decision made by a local government.

Planning and Development (Local Planning Schemes) Regulations 2015

The Regulations are made under the Planning and Development Act. Part 5 of the Regulations sets out the process for amending a scheme. In accordance with the definitions provided by Part 5 of the Regulations the proposal constitutes a 'standard amendment'.

Regulation 35 sets out the process for the adoption of a scheme amendment.

LEGAL ISSUES/IMPLICATIONS

See statutory issues.

COMMUNITY CONSULTATION

Consultation has not been undertaken as the proposal has not been granted consent to advertise from the EPA in accordance with Section 48A of the *Environmental Protection Act* and Section 81 of the *Planning and Development Act*.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

Amendment 29 has undergone significant revisions since its original adoption. Information required by the EPA has not been provided and the timeframes associated with the proposal have now almost reached seven years without the required additional information, namely a revised Bushfire Management Plan to the satisfaction of the Department of Fire and Emergency Services, justification against EPA Guidance Statement No. 3 – Separation Distances Between Industrial and Sensitive Land Uses for the separation distance from the limestone quarry located on Lot 1, revised access arrangements to Old Coast Road to the satisfaction of the Shire and Main Roads Western Australia and revision to the proposed Subdivision Guide Plan to address Threatened Ecological Communities and Building Envelopes

As the EPA now requires the submission and adoption of a new amendment proposal prior to completing its assessment under section 48A of the *Environmental Protection Act* the previous resolution of Council to adopt the amendment is now defunct. The revocation of the previous motion will not compromise the ability of Council to revisit the adoption of any proposed amendment in the future.



Given the above it is recommended that the previous resolution of Council be revoked.

Appendices Attached:	Yes	Appendices Numbers:	9.2.1
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VOTING REQUIREMENTS

Absolute Majority. (A motion to revoke a previous motion requires the support of 3 Councillors)

OFFICER RECOMMENDATION

1. That in relation to proposed Scheme Amendment 29 to the Shire of Waroona Local Planning Scheme No. 7 to rezone lots 1 and 2 Old Coast Road from Rural 3B – Coastal Highway to Rural 7 – Rural Small Holdings and pursuant to Regulation 10 of the *Local Government (Administration) Regulations 1996*, Council resolves to;
 - A. Revoke its previous decision OCM10/011 of 11 February 2010 to adopt the amendment for advertising.
 - B. Advise the owners of Lots 1 and 2 Old Coast Road, the Department of Planning, Lands and Heritage and the Environmental Protection Authority of its decision.

9.2.2 PROPOSED ROAD RENAMING - ELLIOTT STREET, 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:	Shire of Waroona
Landowner:	Crown Land under care and control of the Shire of Waroona
Date of Report: 12/07/2017	File No.: 132/4
Previous Reference:	OCM 09/183 (November 2009) OCM17/04/030 (April 2017)
Policy Implications:	Policies and Standards for Geographical Naming in Western Australia 2015 Local Planning Policy 16 – Geographic Names
Statutory Implications:	Land Administration Act 1997
Strategic Implications:	Shire of Waroona Strategic Community Plan 2014/15-2023/24
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): Theme 6 Active Civic Leadership, Good Governance, & Excellence in Management.	

PROPOSAL SUMMARY

Council was requested to consider the renaming of sections of Elliott Street to Plant Street and Hair Street at its Ordinary Council Meeting of 26 April 2017.

- Elliott Street was proposed to be renamed Plant Avenue from McDowell Street to the corner of Elliott Street and Hair Street, and
- Rename Elliott Street to Hair Street from Hair Street to Thatcher Street.

A total of 7 lots front the section proposed to be named Plant Avenue and 15 lots front the portion proposed to be renamed to Hair Street.

A plan showing the proposed renaming is at **APPENDIX 9.2.2A**.

BACKGROUND/INITIAL COMMENTS

Council maintains a list of reserved names for the renaming of roads under Local Planning Policy 16 – Geographic Names.

The roads on the Reserved Road Name list are approved by the Geographic Name Committee (GNC) providing a source of appropriate names with GNC's authority.

On 2 October 2009, Council received a letter detailing the historical relevance of the Plant family to the construction and establishment of the townsite of Waroona, including significant buildings such as St. Josephs School, dental surgery, additions to the Waroona Bowling Club and District High School, basketball kiosk at the old basketball courts and Alcoa housing. The letter also referred to generational members of the Plant family being heavily involved in the community of Waroona. The name "Plant" was added to Landgate's Reserved Road Name list in 2009 following referral by Council to Landgate and subsequent endorsement of the proposed list.



On 12 July 2016, Council received another letter suggesting the location of the previously endorsed “Plant” road name along with suggested road name for Elliott Street in order to remove the potential for confusion that could result from the current illogical allocation of road names.

At its meeting of 26 April 2017, Council resolved to advertise the renaming of Elliott Street and Hair Street (OCM17/04/030). The proposed road name changes were advertised for a period of 30 days from 19 May to 19 June.

Geographic Names staff advised in an email dated 7 August 2017 that to rename the two portions of Elliott Street would be in the interest of public safety, to assist in the prompt delivery of emergency services, as it is important that a road name follow a logical manner.

REFERRALS

The proposal has been discussed with the Shire’s Technical Services Department with no objection to the proposal.

The application was referred to the follow emergency services:

- St John Ambulance; and
- Western Australian Police, Waroona office.

St John Ambulance, Waroona depot, provided the following comments on the proposal:

- Maps of the renamed streets would be placed in each ambulance and show how to get to them from the depot; Ambulance crew from other depots such as Harvey or Pinjarra rely on their GPS to navigate, which could take a while to be updated.

The proposal was also referred to the Pinjarra St John Ambulance depot and provided the following comment:

- Out-of-town crews will rely on GPS maps or map books that will not reflect the change for some time.

Western Australian Police, Waroona office, provided no comment.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

The relevant Strategic Community Plan issue area is Theme 6 - Active Civic Leadership & Excellence in Management. Specifically, section 6.11 Advocacy on promoting the unique aspects of the Shire of Waroona & the Peel/Harvey region.

FINANCIAL ISSUES/IMPLICATIONS

The financial costs to the Shire which include plant, labour and the costs of the new signs has been budgeted for in the 2017/18 financial budget.

POLICY ISSUES/IMPLICATIONS

Policies and Standards for Geographical Naming in Western Australia 2015

Policies and Standards for Geographical Naming in Western Australia 2015 was developed to provide a basis on which the assignment of names to places, features, administrative boundaries and roads can be undertaken in a way that complies with the relevant legislation.

As per Section 9 of the Policies and Standards for Geographical Naming in Western Australia 2015, statements of objection that do not refer directly to ways in which the proposal does not conform to the guidelines must be discarded and cannot be included in the data analysis of community support.

Local Planning Policy 16 – Geographic Names (LPP16)

LPP16 sets out a list of names endorsed by the GNC as appropriate for use within the Shire.

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.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Land Administration Act 1997

The Land Administration Act 1997 is the State's legislation providing for disposition and management of State land.

As per the provisions in the Land Administration Act 1997, the Minister for Lands has the authority to approve all road, feature and administrative boundary names in Western Australia.

COMMUNITY CONSULTATION

The application was referred to the owners of abutting properties by written notification (letters) advising of the proposed road name change with a comment period of 30 days, in accordance with Section 9: A Guide to Consultation of the *Policies and Standards for Geographical Naming in Western Australia 2015*. Four (4) submissions were received, which objected to the proposal. A Schedule of Submissions is at **APPENDIX 9.2.2B**.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Community consultation

The road name change was proposed in order to decrease confusion for emergency services and increase legibility of the Townsite. Upon referral to affected residents, a small minority of community objection to change the road name was evident, with four (4) of the twenty four (24) affected/notified residents providing written submissions objecting to the proposed renaming.

The twenty (20) directly affected residents that did not respond to the letter, indicating tacit consent, is greater than 50% of the total directly affected residents. Because only one (1) of the four (4) objections to the proposal referred directly to how the proposal doesn't conform to the guidelines, the remaining three objections must be discarded and only one (1) can be included in the data analysis of community support. Given the tacit consent for the proposal is greater than 50% and the objection to the proposal is less than 50%, the proposal is considered to have community support. See Table 1 for community consultation data analysis.

TABLE 1

	Objections	Support (tacit)	Discarded objections
Percentage of directly affected residents	4.2%	83.3%	12.5%

Amenity

Renaming Elliott Street and Hair Street would increase the legibility of the area. The renaming is in the interest of public safety as it would assist in the prompt delivery of emergency services.

Conclusion

The renaming of Elliot Street and Hair Street is intended to improve the logical flow road names in the locality. The proposal is also considered to be in the interest of the general public, particularly from an emergency services perspective, as the renaming is seen to be less confusing.

Given the low percentage of objection and high percentage of tacit consent by affected residents, the proposal is considered to have general public consent.

It is therefore recommended that Council resolves to apply to Landgate to change the name of Elliott Street and Hair Street.

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

Simple Majority.



OFFICER RECOMMENDATION

- 1. That in relation to the proposed renaming of sections of Elliott Street and Hair Street, Waroona, Council resolves:**
 - A. To endorse the road renaming of the proposed section of Elliott Street to Plant Avenue and rename the proposed section of Elliott Street to Hair Street.**
 - B. To apply to Landgate to rename the proposed section of Elliott Street to Plant Avenue and rename the proposed section of Elliott Street to Hair Street as shown at APPENDIX 9.2.2A.**

9.2.3 REVOCATION OF LOCAL PLANNING POLICY 21 – WAROONA TOWNSITE DRAINAGE DEVELOPMENT	
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: 31 July 2017	File No.: LPP 21
Previous Reference:	OCM 08/048 of 18/3/2008 OCM 08/101 of 27/5/2008
Policy Implications:	State Planning Policy 3.6 – Development Contributions for Infrastructure Local Planning Policy 21 – Waroona Townsite Drainage Development
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 21 – Waroona Townsite Drainage Development.

BACKGROUND/INITIAL COMMENTS

In 2008 Council adopted Local Planning Policy 21 – Waroona Townsite Drainage Development (LPP21). The intention of the policy was to require developer contributions towards the improvement of the town's stormwater drainage system.

Since the adoption of LPP 21 the framework governing developer contributions has changed and the need for greater transparency and accountability introduced through State Planning Policy 3.6 - Development Contributions for Infrastructure (SPP3.6). SPP3.6 has introduced a number of requirements that need to be met when preparing a contributions policy (listed under separate heading).

The revocation of LPP 21 would not compromise the ability to levy contributions for large developments. Large landholdings within the policy area have the potential for individually calculated contributions and / or contributions to infrastructure where subdivisions in excess of 5 lots are proposed. The Development Services Directorate will also investigate the potential to rezone the large landholdings to “Urban Development” which would require the development of a structure plan over the property. As such the primary function of LPP21 is contributions from small scale infill subdivision.

At the time of adoption of the LPP21 Waroona was experiencing unprecedented development pressure through significant growth in the property market. These conditions have subsided since the adoption of LPP21 with 9 applications for subdivision being received within the policy area in the last 5 years, of which only 5 have been implemented. In the current market the cost of contributions under LPP21 is considered to be a deterrent to small scale infill subdivision.

PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Internal discussion with the Technical Services Directorate has taken place in the formulation of this report. During these discussions the revocation of the policy was identified as the most suitable course of action at this time.

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.

Potential loss of revenue from developer contributions made under the policy. Research into the subdivision applications received since the adoption of LPP21 has revealed that the rate revenue from lots approved but not created is approximately \$74,740 and far outweighs the \$34,085 received under the policy.

The cost of the revision of LPP21 in accordance with SPP3.6 is expected to be considerably more than the developer contributions already received under the policy.

POLICY ISSUES/IMPLICATIONS

State Planning Policy 3.6 – Developer Contributions for Infrastructure (SPP3.6)

SPP3.6 sets out the framework for the implementation of developer contributions throughout Western Australia.

The objectives of this policy are—

- to promote the efficient and effective provision of public infrastructure and facilities to meet the demands arising from new growth and development;
- to ensure that development contributions are necessary and relevant to the development to be permitted and are charged equitably among those benefiting from the infrastructure and facilities to be provided;
- to ensure consistency and transparency in the system for apportioning, collecting and spending development contributions;
- to ensure the social well-being of communities arising from, or affected by, development.

Section 5.2 of SPP3.6 set out the principles underlying development contributions as follows:

“1. Need and the nexus

The need for the infrastructure included in the development contribution plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).

2. Transparency

Both the method for calculating the development contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.

3. Equity

Development contributions should be levied from all developments within a development contribution area, based on their relative contribution to need.

4. Certainty

All development contributions should be clearly identified and methods of accounting for escalation agreed upon at the commencement of a development.

5. Efficiency

Development contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery of costs.

6. Consistency

Development contributions should be applied uniformly across a Development Contribution Area and the methodology for applying contributions should be consistent.

7. Right of consultation and arbitration

Land owners and developers have the right to be consulted on the manner in which development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe that the calculation of the contributions is not reasonable in accordance with the procedures set out in the draft Model Scheme Text in appendix 2.

8. Accountable

There must be accountability in the manner in which development contributions are determined and expended.”

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Planning and Development Act 2005

The Act provides a head of power for all schemes and regulations and policies 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.

LEGAL ISSUES/IMPLICATIONS

See Statutory Issues. Council development approvals and Western Australian Planning Commission decisions are reviewable by the State Administrative Tribunal under Part 14 of the Planning and Development Act 2005.

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.

Since adopting LPP21, the Shire has been approached by landowners / small developers affected by the policy in relation to the cost of the developer contributions. In general the view of these developers were that the developer contributions in accordance with the policy were high in relation to their return on their investment.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The current implementation of LPP21 is problematic when assessed on a cost / benefit basis.

Currently the financial burden on small scale infill development is considered to be a deterrent to further development within the policy area, contributing to a stagnated property market and slower growth in rate revenue.

In current market conditions the cost of redeveloping the policy is not justified by the rate of development within Waroona. The revocation of the policy will remove a barrier to small scale development, enhancing opportunities for expansion of the Shire's rate base. This long term benefit is considered to outweigh the financial gains of contributions made under the policy.

Development of larger subdivisions (in excess of 5 lots) is dealt with on an individual basis, with developers responsible for the adequate provision of all services and infrastructure, including drainage. These properties may also be rezoned to "Urban Development" which would further ensure proper and orderly planning through the requirement of a structure plan to be prepared prior to any development taking place. This would also provide an opportunity to identify all infrastructure needs and not solely stormwater.

Should developer contributions and / or significant growth pressures become an issue in the future, the adoption of a revised development contributions plan remains an option to Council, should it be considered necessary.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute majority.



OFFICER RECOMMENDATION

- 1. That in relation to Local Planning Policy 21 – Waroona Townsite Drainage Development and in accordance with Clause 6 of Schedule 2 to the Planning and Development (*Local Planning Schemes*) Regulations 2015, Council resolves to:**
 - A. Revoke Local Planning Policy 21 – Waroona Townsite Drainage Development; and**
 - B. Advertise the revocation accordingly.**

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: 10/08/17	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 (<i>Strategic Community Plan-SCP</i>): No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	
Voting Requirements	Simple Majority

Appendices Attached:	Yes	Appendices Numbers:	9.3.1
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<u>OFFICER RECOMMENDATION</u>		
That Vouchers numbered:		
<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 8653 - 8681	\$93,752.78
Trust (Cheque/EFTs)	EFT N/A Chq: 11129-11134	\$97,301.12
Electronic Transfers Municipal Fund	EFT 25492 to 25644	\$604,244.52
Direct Wages	01/7/17 – 31/7/17 inclusive	\$173,325.60
Direct Debits	01/7/17 – 31/7/17	\$2,327.88
GRAND TOTAL:		<u>\$970,951.90</u>
and attached at Appendix 9.3.1 be endorsed.		



9.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2017 TO 31 JULY 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: 15/8/17	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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OFFICER RECOMMENDATION

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

9.3.3 2017/18 BUDGET AMENDMENT – DISASTER RECOVERY LINK	
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:	Nil
Landowner:	Nil
Date of Report: 16/08/2017	File No.: 1/7 & 43/1
Previous Reference:	Nil
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):	
<i>No 6 Good Government: Active & Responsible Civic Leadership, & Excellence in Management</i>	

PROPOSAL SUMMARY

That Council consider an amendment to the 2017/18 adopted budget to include the necessary upgrade to the disaster recovery IT link between the Shire of Waroona and the Shire of Murray.

BACKGROUND / INITIAL COMMENTS

The existing point to point microwave link has been up and running successfully for the previous 5 years, working towards disaster recovery and resource sharing between the Shire of Waroona and the Shire of Murray. As services between the two Shire's has expended over the years this link no longer has the capability to manage the current demand of Ranger, Emergency, Health, IT and Disaster Recovery requirements.

It is therefore recommended that this link be upgraded from a 10mb/10mb link to a 200mb/200mb link enabling all current services to utilise the link without reaching maximum capacity.

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

It is recommended that funds to cover the capital expenditure of this project be taken from the Information & Technology Reserve. Total cost of the project is estimated at \$9,000.

A budget amendment to the 2017/18 adopted budget is required to move forward with the capital upgrade of this essential equipment.

POLICY ISSUES/IMPLICATIONS

Nil

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 amendment to the 2017/18 adopted budget to allow the transfer of funds from the Information and Technology reserve to cover the expenditure of the recommended project.

This project was inadvertently excluded from the draft budget due to final costings not being available at the time.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

<u>OFFICER RECOMMENDATION</u>	
a)	That Council approve the following amendments to the 2017/18 adopted budget;
i)	Capital expenditure account 105540.660 Furniture & Equipment A/R be increased by \$9,000
ii)	Capital income account 106250.660 Transfer from Reserve be increased by \$9,000
iii)	Reserve account 453100 be increased by \$9,000



9.4 CHIEF EXECUTIVE OFFICER

Nil.

10. CONFIDENTIAL REPORTS

Nil

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

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

12.1 ELECTED MEMBERS

12.2 OFFICERS

13. CLOSURE OF MEETING