



# **MINUTES**

**ORDINARY COUNCIL MEETING**

**TUESDAY 26 SEPTEMBER 2017**

**(Held at the Shire of Waroona Council Chambers)**

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**1. DECLARATION OF OPENING/ANNOUNCEMENTS**

The Deputy Shire President declared the meeting open at 4.00 pm and welcomed Councillors and Staff present.

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

Cr Larry Scott	Deputy Shire President
Cr Christine Germain	Councillor
Cr Trish Witney	Councillor
Cr John Salerian	Councillor
Cr Craig Wright	Councillor
Cr Laurie Snell	Councillor
Cr John Mason	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Deputy CEO/ Director Corporate Services
Mr Louis Fouche	Director Development Services
Mr Chris Dunlop	Senior Town Planner
Miss Ashleigh Nuttall	Manager Corporate Services
Mrs Sue Cicolari	Executive Support Officer

**APOLOGIES**

Cr Noel Dew Shire President

There was one member 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**

Mr George Hajigabriel, of Rowe Group on behalf of Bernie Worthington

Made a public statement in support of Item 9.2.1 of the Agenda.

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

**COUNCIL RESOLUTION**

**OCM17/09/083**

**MOVED: CR WITNEY**

**SECONDED: CR SALERIAN**

**That Leave of Absence be granted for Cr Laurie Snell for the period 13 October to 27 October 2017 inclusive, and Cr John Mason for the period 14 November to 4 December 2017 inclusive.**

**CARRIED 7/0**

**6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS**

Nil

**7. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil

**8. CONFIRMATION OF MINUTES**

**8.1 ORDINARY COUNCIL MEETING – 22 AUGUST 2017**

**COUNCIL RESOLUTION**

**OCM17/09/084**

**MOVED: CR SNELL**

**SECONDED: CR MASON**

**That the Minutes of the Ordinary Council Meeting held 22 August 2017 be confirmed as being a true and correct record of proceedings.**

**CARRIED 7/0**

**9.0 REPORTS OF OFFICERS AND COMMITTEES**

## 9.1 DIRECTOR TECHNICAL SERVICES

<b>9.1.1 TENDER – RFT 2017/01 – SUPPLY &amp; DELIVERY OF GRAVEL BASECOURSE MATERIAL</b>	
Reporting Officer / Officer's Interest:	Murry Bracknell Manager of Works and Services; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, Director Technical Services; No Interest
Proponent:	Shire of Waroona
Landowner:	n/a
Date of Report: 30/08/2017	File No.: 2017/01
Previous Reference:	Nil
Policy Implications:	See heading below
Statutory Implications:	See heading below
Strategic Implications:	See heading below
Financial Implications:	See heading below
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 5 "<u>Assets, Resources, Financial Management &amp; Sustainability</u>"</b>	

### **PROPOSAL SUMMARY**

The purpose of this item is to present to Council for its consideration the tenders received for the tender 2017/01 – Supply and Delivery of Gravel Basecourse Material.

### **BACKGROUND/INITIAL COMMENTS**

Council's 2017/18 budget includes an allocation for the purchase of gravel for use in the construction program. As the total cost of the gravel will exceed \$150,000, a tender process was necessary.

A specification was drawn up and the tender was advertised in the West Australian on the 12<sup>th</sup> August 2017. The closing date of the tender 30<sup>th</sup> August 2017.

The Scope of Works contained in the specification called for the submission of prices the supply and delivery of gravel to the various road works sites subject to the 2017/18 construction season and to the Shire Depot.

Tenderers were also instructed to describe the method in which they intended to determine volumes delivered, however the specification reserved the shire's right to reject any method and implement another.

The specification also stated that the following criteria would be used in the evaluation of the submissions:

- Tendered Price 50%
- Relevant Experience 15%
- Tenderer's Resources 15%
- Demonstrated Understanding 10%
- Value Adding Proposal 10%

The specification sets out how the tenderers were to address the second and third criteria.



The principal has adopted a best value for money approach to this tender evaluation. This means that, although price is considered, the tender containing the lowest price will not necessarily be accepted, nor will the tender ranked the highest on the qualitative criteria. The extent to which a tenderer demonstrates greater satisfaction of each of these will result in a greater score.

A scoring system was used for the assessment of the qualitative criteria and the tendered price which included allowance for the buy local policy.

### **PLANNING – STRATEGIC IMPLICATIONS**

Nil

### **REFERRALS**

Nil

### **STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS**

This issue comes under the SCP No 5 “Assets, Resources, Financial Management & Sustainability” and fits within the SCP [5] sub-item 5.03 “Timely Renewal or Replacement of Assets”; 5.03.04 “Roads and Bridges – Maintenance”

### **FINANCIAL ISSUES/IMPLICATIONS**

The purchase of the gravel is allowed for in the 2017/18 budget. Funding sources include Roads to Recovery, Regional Road Group and Council’s own funds.

### **POLICY ISSUES/IMPLICATIONS**

Nil

### **STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS**

The tender process has been conducted as per the relevant sections of the Local Government Act 1995 and Council policy 3.3 ‘Purchase of Budget Items’.

### **LEGAL ISSUES/IMPLICATIONS**

Nil

### **COMMUNITY CONSULTATION**

Nil

### **OFFICER'S FINAL COMMENTS/CONCLUSIONS**

One submission was received from Charles Hull Contracting. Following the evaluation of the submissions the aggregate score was as follows:

- Charles Hull Contracting: 790

The per cubic metre rate has increased by \$2m<sup>3</sup>, this is the first increase since the 2015/16 tender which was awarded to Charles Hull Contracting.

It is concerning that gravel prices remain high, as evident from this tender and the previous tenders. As gravel is a substantial cost component involved with road works, a high gravel cost severely limits the extents to which roads can be renewed. In light of this, officers have employed cement stabilisation of existing materials in road reconstruction works to reduce the import of gravel. These innovations have been in an effort to maintain the condition of council roads and the levels of service to the community. With costs expected to continue to raise officers shall be actively examining alternative gravel sources and/or construction methods so that costs can be brought down and value for money maximised. Further, officers are currently investigating other sources of gravel which may prove more cost effective.

<b>Appendices Attached:</b>	<b>No</b>	<b>Appendices Numbers:</b>
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### **VOTING REQUIREMENTS**

Simple Majority

### **COUNCIL RESOLUTION**

**OCM17/09/085**

**MOVED: CR WRIGHT**

**SECONDED: CR SNELL**

**That Council award Tender RFT 2017/01 Supply and Delivery of Gravel for the year 2017/18 to Charles Hull Contracting based on the schedule of rates below.**

**CARRIED 7/0**

	<b>Distance from Quarry (Waroona) to Shire Work Site (km)</b>	<b>Per Cubic Metre</b>	
Supply, Load and Deliver	Dorsett Road	\$35.00	
	Buller Road	\$35.00	
	Somers Road	\$35.00	
	Johnston Road	\$35.00	
	Wealand Road	\$35.00	
	Waroona Shire Depot Thatcher Street	\$35.00	
Other Locations – Supply and Deliver Rates	Other Locations = Price of Gravel at pit + \$/km rate	Gravel	\$/km
		\$24.00	\$11.50

<b>9.1.2 TENDER – RFT 2017/02 – SUPPLY &amp; DELIVERY OF CRUSHED LIMESTONE</b>	
Reporting Officer / Officer's Interest:	Murry Bracknell Manager of Works and Services; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, Director Technical Services; No Interest
Proponent:	Shire of Waroona
Landowner:	n/a
Date of Report: 30/08/2017	File No.: 2017/02
Previous Reference:	Nil
Policy Implications:	See heading below
Statutory Implications:	See heading below
Strategic Implications:	See heading below
Financial Implications:	See heading below
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 5 "<u>Assets, Resources, Financial Management &amp; Sustainability</u>"</b>	

### **PROPOSAL SUMMARY**

The purpose of this item is to present to Council for its consideration the tenders received for the tender 2017/02 – Supply and Delivery of Crushed Limestone.

### **BACKGROUND/INITIAL COMMENTS**

Council's 2017/18 budget includes an allocation for the purchase of limestone for use in the construction program. As the total cost of the material will exceed \$150,000, a tender process was necessary.

A specification was drawn up and the tender was advertised in the West Australian on the 12<sup>th</sup> August 2017. The closing date of the tender 30<sup>th</sup> August 2017.

The Scope of Works contained in the specification called for the submission of prices the supply and delivery of limestone to the various road works sites subject to the 2017/18 construction season and to the Shire Depot.

Tenderers were also instructed to describe the method in which they intended to determine volumes delivered, however the specification reserved the shire's right to reject any method and implement another.

The specification also stated that the following criteria would be used in the evaluation of the submissions:

- |                        |     |
|------------------------|-----|
| • Tendered Price       | 60% |
| • Relevant Experience  | 20% |
| • Tenderer's Resources | 20% |

The specification sets out how the tenderers were to address the second and third criteria.

The principal has adopted a best value for money approach to this tender evaluation. This means that, although price is considered, the tender containing the lowest price will not necessarily be accepted, nor will the tender ranked the highest on the qualitative criteria. The extent to which a tenderer demonstrates greater satisfaction of each of these will result in a greater score.





A scoring system was used for the assessment of the qualitative criteria and the tendered price which included allowance for the buy local policy.

### **PLANNING – STRATEGIC IMPLICATIONS**

Nil

### **REFERRALS**

Nil

### **STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS**

This issue comes under the SCP No 5 “Assets, Resources, Financial Management & Sustainability” and fits within the SCP [5] sub-item 5.03 “Timely Renewal or Replacement of Assets”; 5.03.04 “Roads and Bridges – Maintenance”

### **FINANCIAL ISSUES/IMPLICATIONS**

The purchase of the material is allowed for in the 2017/18 budget. Funding sources include Roads to Recovery, Regional Road Group and Council’s own funds.

### **POLICY ISSUES/IMPLICATIONS**

Nil

### **STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS**

The tender process has been conducted as per the relevant sections of the Local Government Act 1995 and Council policy 3.3 ‘Purchase of Budget Items’.

### **LEGAL ISSUES/IMPLICATIONS**

Nil

### **COMMUNITY CONSULTATION**

Nil

### **OFFICER'S FINAL COMMENTS/CONCLUSIONS**

One submission was received by Charles Hull Contracting. Following the evaluation of the submissions the aggregate scores are as follows:

- Charles Hull Contracting: 680

Charles Hull Contracting has supplied limestone to Council on several occasions and their product and service has met the specifications in the past. Therefore officers are comfortable to recommend that Charles Hull Contracting be awarded the tender in this instance.

<b>Appendices Attached:</b>	<b>No</b>	<b>Appendices Numbers:</b>
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**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL RESOLUTION****OCM17/09/086****MOVED: CR WRIGHT****SECONDED: CR SALERIAN**

**That Council award Tender RFT 2017/02 Supply and Delivery of Crushed Limestone for 2017/18 to Charles Hull Contracting based on the schedule of rates below.**

**CARRIED 7/0**

	Distance from Quarry (Lake Clifton) to Shire Work Site (km)	Per Cubic Metre	
Supply, Load and Deliver	Dorsett Road	\$23.00	
	Buller Road	\$23.00	
	Johnston Road	\$23.00	
	Somers Road	\$23.00	
	Waroona Shire Depot Thatcher Street	\$23.00	
Other Locations – Supply and Deliver Rates	Other Locations = Price of Limestone at pit + \$/km rate	Limestone	\$/km
		\$12.00	\$11.50

## 9.2 DIRECTOR DEVELOPMENT SERVICES

<b>9.2.1 INITIATION OF AMENDMENT 38 TO THE SHIRE OF WAROONA LOCAL PLANNING SCHEME NO. 7 - LOTS 2, 21, 22, 23 AND 24 PRINCE ROAD, WAROONA,</b>	
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:	Rowe Group PTY LTD
Landowner:	Drakesbrook Wines Pty Ltd, R H & M K Hawkins
Date of Report: 12/9/2017	File No.: TPS7A38
Previous Reference:	Nil
Policy Implications:	State Planning Policy 2.5 – Land Use Planning in Rural Areas State Planning Policy 3.7 – Planning in Bushfire Prone Areas Local Planning Policy 27 – Waroona East Hills Development
Statutory Implications:	Planning and Development Act 2005 Environmental Protection Act 1986 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 Shire of Waroona Local Planning Strategy
Financial Implications:	See heading below
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): E, No. 3 "Responsible Land Use Planning and Protecting Rural Land"</b>	

### PROPOSAL SUMMARY

Council is requested to consider the initiation of Amendment 38 to the Shire's Local Planning Scheme No. 7. Amendment 38 proposes the rezoning of Lots 2, 21, 22, 23 and 24 Prince Road, Waroona, from Rural 5 – Darling Range to Rural 8 – Hills Landscape Protection and include additional provisions in Schedule 9 of the Scheme.

A copy of the amending documentation is provided on CD with your agenda papers and a location map and brief summary is at **APPENDIX 9.2.1**. The proposed amendment is considered to be a standard amendment for the purposes of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### BACKGROUND/INITIAL COMMENTS

The subject lots are located to the west of Lake Navarino on undulating to steeply sloping land. Lot 22 has been developed as a vineyard, while Lot 2 contains an existing dwelling and outbuildings, all other lots are currently undeveloped. Vegetation on the lots varies from sparse to dense.

### 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 (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 informs the formulation of, and streamlines environmental approval processes for the development of land in accordance with, the Draft South Metropolitan Peel Sub-Regional Planning Framework 2015. The subject lots are not identified in the Green Growth Plan for any form of development.

### Shire of Waroona Local Planning Strategy (Strategy)

The Strategy identifies the subject lots as Hills Landscape Protection and proposes a minimum lot size of 10ha.

## **REFERRALS**

Preliminary discussions with the Department of Planning have confirmed that the amendment is considered a standard amendment and that there is no objection to the proposal at officer level.

Consultation with government agencies will be undertaken during the consultation period. Should any objections be received they will be required to be considered by Council prior to considering the final adoption of the amendment.

## **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**

In accordance with the Planning and Development Regulations 2009 all costs associated with the processing of the proposal, including officer time and public consultation, are to be borne by the proponent.

The Shire has received payment of a fee of \$6,802.89 in accordance with the fee estimate calculated under the Planning and Development Regulations 2009.



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## **POLICY ISSUES/IMPLICATIONS**

### **State Planning Policy 2.5 – Land Use Planning in Rural Areas (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.

SPP2.5 requires that rural living proposals be carefully planned for through local planning strategies and do not compromise the productivity of priority agricultural land.

### **State Planning Policy 3.7 – Planning for Bushfire Risk Management (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.

Methodologies for meeting the requirements of SPP3.7 are set out in the Guidelines for Planning in Bushfire Prone Areas, which is addressed through the Bushfire Management Plan

### **Local Planning Policy 27 – Waroona East Hills Development (LPP27)**

Clause 5.1.1 of LPP27 requires rezoning proposals to be supported by the following:

1. A Fire Management Plan / Bushfire Hazard Level Assessment or a Bushfire Attack level Contour Map demonstrating compliance with State Planning Policy 3.7 – Planning in Bushfire Prone Areas as amended;
2. Landscape/visual amenity impact assessment;
3. Slope analysis;
4. Land capability assessment;
5. A structure plan and special provisions relating to the use, development and management of the land;



6. Details of servicing arrangements including power, water, effluent disposal and road access; and
7. Evidence to demonstrate compliance with relevant WAPC planning policies.
8. Land use permissibility shall be in accordance with the Local Planning Strategy.

### **STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS**

#### **Planning and Development Act 2005**

Section 75 of the Act states that a local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, by an amendment —

- (a) Prepared by the local government, approved by the Minister and published in the *Gazette*; or
- (b) Proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the *Gazette*.

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.

Section 84 of the Act states that after compliance with sections 81 and 82, a local planning scheme prepared or adopted, or an amendment to a local planning scheme prepared or adopted, by a local government, is to be advertised for public inspection in accordance with the regulations.

#### **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.

#### **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.

Regulation 47 provides the process for the advertisement of a standard amendment.

#### **Shire of Waroona Local Planning Scheme No.7 1996**

Clause 3.17 of the Scheme sets out provisions specific to the Hills Landscape Protection zone.



Schedule 9 of the Scheme sets out provisions applicable to specific areas zoned Hills Landscape Protection.

### **LEGAL ISSUES/IMPLICATIONS**

See statutory issues.

### **COMMUNITY CONSULTATION**

Consultation is required to be undertaken in accordance with Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015, with all submissions received required to be considered by Council.

### **OFFICER'S FINAL COMMENTS / CONCLUSIONS**

Amendment 38 proposes the rezoning of lots 2, 21, 22, 23 and 24 Prince Road in accordance with the Shire's Local Planning Strategy. Matters of particular importance required to be considered under LPP27 include bushfire hazard and visual impact. Specialist information has been submitted as part of the proposed amendment in order to inform the proposed amendment.

#### Zoning

The proposed rezoning from Rural 5 – Darling Range to Rural 8 – Hills Landscape Protection will change the provision of the scheme applicable to the land as well as the land use permissibility. The Rural 5 – Darling Range zone is intended to provide planning controls for large rural lots in the Darling Range whereas the Rural 8 – Hills Landscape Protection zone was created specifically to provide necessary controls for rural lifestyle lots in areas of high landscape and amenity value.

#### Amenity

The proposal includes an amenity impact assessment demonstrating the level of impact of the development of the subject area on the visual amenity of the Darling Scarp. Given the topography of the area the further subdivision and development of lot is not expected to generate a detrimental impact on visual amenity.

#### Bushfire Management

A Bushfire Management Plan (BMP) has been submitted in support of the proposal. The BMP will be subject to examination and comment from the Department of Fire and Emergency Services during the consultation period.

The amendment area is located within a designated bushfire prone area. Should the scheme amendment be approved it is only one (1) of a number of applications the developer will have to obtain approval for prior to commencing any development.

Following the scheme amendment the applicant will be required to submit a subdivision plan and thereafter a Building Permit, both have to be accompanied by a Bushfire Attack Level (BAL) assessment. Although the BMP submitted with the scheme amendment identifies the property to be within a bushfire prone area, area's within the indicative lots are not designated 'Flame Zone' or 'BAL 40' and can be developed, this is proposed to be included in Schedule 9 as part of the amendment. Further when a land owner submits a Building Permit it can only be approved if the proposed

development does not fall within an area designated 'Flame Zone' or has a BAL rating of 40.

#### State and Local Policy Framework

The information submitted with the proposal satisfies the requirements of LPP27. The potential future subdivision of the lots to a 10ha minimum is considered to be rural development under the DSMPSRPF and Green Growth Plan, which is the use identified for the subject land.

Compliance with the Local Planning Strategy fulfils the requirements of SPP2.5 as the proposal has been planned for in a strategic document endorsed by the Western Australian Planning Commission.

#### Local Planning Strategy

The proposed rezoning is in accordance with the identified future use and zoning of the land in the Strategy. The Strategy identifies a minimum lot size of 10ha. As part of the application the applicant has provided an indicative subdivision plan to illustrate the ability of the land to be subdivided in accordance with the Strategy. The indicative plan shows Lot 1 as being marginally less than the required minimum of 10ha. This does not impact the ability for Council to consider the subject scheme amendment, the applicant will be advised that at the time of subdivision the minimum lot size of 10ha must be met.

#### Conclusion

The amendment will enable the further subdivision of the lots in accordance with the Local Planning Strategy and is not expected to generate any adverse impact on the amenity of the area. It is therefore recommended that Amendment 38 be initiated for advertising purposes.

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Numbers:</b>	<b>9.2.1A</b>
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#### **VOTING REQUIREMENTS**

Absolute Majority.



**COUNCIL RESOLUTION****OCM17/09/087****MOVED: CR SNELL****SECONDED: CR SALERIAN**

1. That in relation to proposed Amendment 38 to the Shire of Waroona Local Planning Scheme No. 7 to rezone Lots 2, 21, 22, 23 and 24 Prince Road, Waroona, from Rural 5 – Darling Range to Rural 8 – Hills Landscape Protection and include additional provisions in Schedule 9 of the Scheme and pursuant to Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council resolves to;
  - A. Initiate Amendment 38 to the Shire of Waroona Local Planning Scheme No. 7 1996 in accordance with APPENDIX 9.2.1 as a standard amendment for advertising purposes.
  - B. Refer the above Amendment to Local Planning Scheme No.7 to the Environmental Protection Authority pursuant to Section 81 of the *Planning and Development Act 2005* and should the EPA advise that the amendment does not require assessment, advertise the amendment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  - C. Authorise the Chief Executive Officer to execute the Amendment documents.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

**9.3 DEPUTY CEO/DIRECTOR CORPORATE SERVICES**

<b>9.3.1 ACCOUNTS FOR PAYMENT</b>	
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: 10/09/17	File No.: 1/3
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 6 "Active Civic Leadership, Good Governance, &amp; Excellence in Management"</b>	
<b>Voting Requirements</b>	<b>Simple Majority</b>

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Numbers: 9.3.1</b>
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<b><u>COUNCIL RESOLUTION</u></b>		
<b>OCM17/09/088</b>		
<b>MOVED: CR WITNEY</b>		
<b>SECONDED: CR MASON</b>		
<b>That Vouchers numbered:</b>		
<b><u>ACCOUNT</u></b>	<b><u>CHEQUE NOS.</u></b>	<b><u>TOTAL \$</u></b>
Municipal	Cheques 8682 - 8716	\$32,179.13
Trust (Cheque/EFTs)	EFT 5685, 25720, 25721, 25883 Chq: 11135-11139	\$114,252.35
Electronic Transfers Municipal Fund	EFT 25645 to 25884	\$276,456.42
Direct Wages	01/8/17 – 31/8/17 inclusive	\$267,289.80
Direct Debits	01/8/17 – 31/8/17	\$2,215.13
<b>GRAND TOTAL:</b>		<b><u>\$692,392.83</u></b>
<b>and attached at Appendix 9.3.1 be endorsed.</b>		
<b>CARRIED 7/0</b>		



<b>9.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2017 TO 31 AUGUST 2017</b>	
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: 15/9/17	File No.: 1/1
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 "Active Civic Leadership, Good Governance, &amp; Excellence in Management"</b>	
<b>Voting Requirements</b>	<b>Simple Majority</b>

<b>Appendices Attached: Yes</b>	<b>Appendices Numbers: 9.3.2</b>
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**COUNCIL RESOLUTION**

**OCM17/09/089**

**MOVED: CR MASON**

**SECONDED: CR GERMAIN**

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

**CARRIED 7/0**

<b>9.3.3 APPLICATION FOR EXEMPTION TO KEEP MORE THAN ALLOWED DOGS– LOT 2 (No.102) FOURACRE STREET, WAROONA</b>	
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:	Hailey Jeanes
Landowner:	Peter John Collins
Date of Report: 18 Sept 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
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>):</b> <i>No 6 Active Civic Leadership, Good Governance, &amp; Excellence in Management</i>	

### **PROPOSAL SUMMARY**

An application has been submitted by the residents of 102 Fouracre Street, 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 unintendedly taking possession of “Hunter” as a result of him having been abused by the previous owner.

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

1. male, Kelpie cross, 3-year-old, “Chev”, registration number 1700473;
2. female, Kelpie cross, 2-year-old, “Cruiser”, registration number 1700474; and,
3. male, Kelpie cross, 1-year-old, “Hunter”, registration number 1700475.

All of the dogs are microchipped and “Cruiser” is 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 two (2) immediate neighbouring properties 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 gravel 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 copy of the property lease agreement has been provided as part of the application which confirms that the applicant has approval to keep three (3) dogs on the property.

A check of the Shires 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.

<b>Appendices Attached:</b>	<b>No</b>	<b>Appendices Numbers:</b>	<b>N/A</b>
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**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL RESOLUTION****OCM17/09/090****MOVED: CR MASON****SECONDED: CR SNELL**

That Council resolve that the exemption application to keep three (3) dogs at Lot 2 (No.102) Fouracre Street, 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 7/0**



**9.4 CHIEF EXECUTIVE OFFICER**

<b>9.4.1 2017 REVIEW OF COUNCIL POLICY MANUAL, DELEGATIONS REGISTER AND CODE OF CONDUCT FOR ELECTED MEMBERS AND STAFF</b>	
Responsible Officer / Officer's Interest:	Ian Curley – Chief Executive Officer/Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 17/9/2017	File No.: 111/1
Previous Reference:	N/A
Policy Implications:	Council is required to review the Policies and Delegations once in every financial year.
Statutory Implications:	Council is required to review the Policies and Delegations once in every financial year.
Strategic Implications:	Policies may form part of Council's strategic vision
Financial Implications:	Nil
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 6 "Active Civic Leadership, Good Governance, &amp; Excellence in Management"</b>	

**PROPOSAL SUMMARY**

To review Council Policies, review and endorse Delegations to the Chief Executive Officer and re-adopt Council's Code of Conduct for Elected Members and Staff.

**BACKGROUND/INITIAL COMMENTS**

1. Council's Policy Manual - a number of minor changes are proposed for Council's policies listed at **Appendix 9.4.1A**. The list is to be read in conjunction with the current Policy Manual.
2. The Delegations Register list at **Appendix 9.4.1B** contains proposed new delegations and delegations that have previously been authorised by Council and are recommended for re-endorsement.
3. The Council's Code of Conduct for Elected Members and Staff listed at **Appendix 9.4.1C** is recommended for re-adoption without modification.

**PLANNING – STRATEGIC IMPLICATIONS**

As above.

**REFERRALS**

N/A

**COMMUNITY CONSULTATION**

N/A

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Numbers: 9.4.1A, B, C</b>
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**VOTING REQUIREMENTS**

Absolute Majority

**COUNCIL RESOLUTION**

**OCM17/09/091**

**MOVED: CR GERMAIN**

**SECONDED: CR SNELL**

**That Council review and endorse the modifications to the Council Policy Manual as proposed at *Appendix 9.4.1A*, endorse the Delegations Register and new delegations included at *Appendix 9.4.1B* and re-adopt the Council's Code of Conduct for Elected Members and Staff included at *Appendix 9.4.1C*.**

**CARRIED BY ABSOLUTE MAJORITY 7/0**

<b>9.4.2 REQUEST FOR 3 YEAR COMMITMENT FROM COUNCIL - PEEL REGIONAL LEADERS FORUM</b>	
Reporting Officer / Officer's Interest:	Ian Curley, Chief Executive Officer / Nil Interest
Proponent:	Peel Regional Leaders Forum
Date of Report:	19 September 2017
Previous Reference:	
Policy Implications:	N/A
Statutory Implications:	N/A
Financial Implications:	<i>See below</i>

### **PROPOSAL SUMMARY**

Council is requested to consider a 3 year funding commitment to Peel Regional Leaders Forum (PRLF).

### **BACKGROUND/INITIAL COMMENTS**

The Peel Regional Leaders Forum (PRLF), the Peel Region's peak leadership body (comprising membership from Shires of Waroona, Boddington, Murray, Serpentine Jarrahdale, City of Mandurah, Peel Harvey Catchment Council, Peel Community Development Group, Regional Development Australia, and observer status from the Peel Development Commission), conducted a workshop in July 2017 to determine its future direction. Key outcomes of the workshop included:

- PRLF membership remains as is, consisting of the peak groups, with secondment of others as needed;
- Peel Regional Investment Blueprint should be used as a guiding source for regional planning and priorities, with the caveat that there is input to the Blueprint's upcoming review;
- An empowered executive officer function is required, operating as an Executive Director, who is strategic, experienced and a voice for the PRLF.

The PRLF wishes to budget for a 3-year contract of employment for the PRLF Executive Director position. Subject to all five Peel Councils' approval, the new position will be advertised by October, and is expected to be filled by December 2017. Approval for this Budget expenditure is being sought from all five Councils of the Peel Region, each of which are members of the PRLF.

Approval is sought for the following Shire of Waroona financial contribution to the PRLF from 2017/18 to 2019/20 :

2017/18	\$17,180
2018/19	\$20,433
2019/20	\$21,591

*(Note\* Council has included \$20,000 in the 2017/18 budget).*

Other Council contributions are requested as follows

	2017/18	201/19	2019/20
City of Mandurah	72,808	83,771	88,873
Shire of Serpentine-Jarrahdale	44,249	51,900	54,933
Shire of Murray	38,798	45,818	48,455
Shire of Boddington	15,965	19,078	20,148



## **OFFICER'S COMMENTS**

The Peel Regional Leaders Forum was formed as result of a meeting of the Peel Regional Mayor/Presidents and CEOs in September 2010, which determined that existing leadership models were not achieving outcomes for the Peel Region. At the time, the region's economic development body was the Peel Economic Development Unit (PEDU), which had been established in July 1999 to 'work cooperatively with other relevant partners and agencies to advance regional cooperation and economic development in the Peel Region'.

PEDU's initial membership consisted of an Executive Group comprised of Peel Local Government and Peel Development Commission (PDC) representatives, and a Working Group comprised of Local Government CEOs, the PDC CEO, and technical advisors as required. PEDU's membership subsequently evolved to include the Peel Chamber of Commerce and Industry, and the Small Business Centre (SBC) Peel.

At the September 2010 meeting, regional leaders determined that PEDU was not achieving its mission statement, and that a new model was therefore required to replace it.

In October 2010, it was recommended to create the Peel Regional Leaders Forum, with incorporated association status. The PRLF held its inaugural meeting in February 2011. Since then, the PRLF has met bi-monthly, and recently held its 29<sup>th</sup> General Meeting on 8 September.

The PRLF holds its general meetings on a bi-monthly basis, and its CEO Group meetings are also held bi-monthly on alternate months. Under its Constitution, the Objects of the PRLF are as follows:

- To be the means of determining responses to regional priorities for the Peel Region;
- To be the mechanism for determining regional funding priorities at the Commonwealth level;
- To be the mechanism for determining regional funding priorities at the State level;
- To create an environment of sustainable growth;
- To facilitate the economic development, ecological integrity and social wellbeing of the Peel Region;
- To identify the economic needs of the region and make these needs known to key decision makers;
- To foster cooperative and jointing venturing initiatives between members and appropriate partners on projects of mutual benefit or to further joint interests.

In its six-and-a-half years of operation, the PRLF has endeavoured to provide leadership on key regional issues including local government reform, tourism, health service provision, State and Federal funding, and relations with the region's key industries. Some of the PRLF's successes include the distribution of Royalties for Regions Regional Funding (which part funded the Coronation Rd bridge replacement), the regional signage project and its most recent project is the commencement of the Peel *Regional Trails Master Plan*, which will map, design and promote a range of tourism trails across the Peel Region.

The PRLF workshop held in Mandurah on 20 July was designed to determine the strategic direction for the PRLF to be pursued over the next three years. The Workshop Outcomes Report included the following Executive Summary:



- *The current PRLF needs to evolve from its current form. There is a need for a group that includes all of the Peel Region and can act on behalf of the region;*
- *Our vision is that the Peel is worth fighting for and that as a region, it stands strong and firm;*
- *It has a strong regional identity that attracts resources and support. Operating as a whole, the PRLF is stronger than the sum of the individual groups;*
- *Our purpose is to be a regional group that is representative, unifying, independent and strategic, acting through advocacy;*
- *Membership remains as is, consisting of the peak groups and include PDC, with secondment of others as needed;*
- *It is agreed that the Peel Regional Blueprint should be used as a guiding source for regional planning and priorities, with the caveat that there is input to the upcoming review of the Regional Blueprint;*
- *Need an empowered executive officer function in place, operating as an Executive Director, strategic, experienced and a voice for the PRLF;*
- *Elected Chair from the membership, in accordance with the Constitution;*
- *Governance sub-committee established to recommend KPIs for the Executive Director, plus monitor Executive Director performance on a regular basis;*
- *Hosting of the Executive Director according to the successful applicant's situation (or taking advantage of in-kind offers from members);*
- *To attract the type of Executive Director required, a package of \$175,000 per annum may be required, involving a three-year tenure, \$50,000 per annum for marketing, \$63,000 for operational expenses, and leveraged project funding;*
- *An agreed process for determining regional priorities and associated project or advocacy work needs to be further developed and documented;*
- *As an overall structure, it is agreed to use the Peel Regional Blueprint themes as the starting point for identifying regional priorities according to the PRLF i.e.*
  - *Thriving Industry;*
  - *Agriculture and Food Innovation;*
  - *Tourism Excellence;*
  - *Capable People;*
  - *Strong and Resilient Communities;*
  - *Environment (as an added theme).*

<b>Appendices Attached:</b>	<b>No</b>	<b>Appendices Numbers:</b>
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### **VOTING REQUIREMENTS**

Absolute Majority

### **COUNCIL RESOLUTION**

**OCM17/09/092**

**MOVED: CR GERMAIN**

**SECONDED: CR MASON**

**That Council agree to a 3 year funding commitment to the Peel Regional Leaders Forum of: 2017/2018 \$17,180; 2018/2019 \$20,433, 2019/2020 \$21,591.**

**CARRIED BY ABSOLUTE MAJORITY 7/0**



<b>9.4.3 2017/18 BUDGET AMENDMENT – RECOVERY MANAGEMENT</b>	
Reporting Officer / Officer's Interest:	Dave Gossage – Emergency Management Coordinator / Nil
Responsible Officer / Officer's Interest	Ian Curley – Chief Executive Officer / Nil
Proponent:	Nil
Landowner:	Nil
Date of Report: 19/09/2017	File No.: 1/7 & 51/2
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>
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>):</b>	
<i>No 6 Good Government: Active &amp; Responsible Civic Leadership, &amp; Excellence in Management</i>	

### **PROPOSAL SUMMARY**

That Council consider an amendment to the 2017/18 adopted budget to allocate the approved special funding allocation for Recovery activities, as per Department of Premier and Cabinet expenditure agreement, to further support community recovery.

### **BACKGROUND / INITIAL COMMENTS**

The 2016 Waroona fire had major effects on the community with houses have been lost and an estimated 347 properties suffering direct impact by the fire. Council has been progressing the Recovery functions as required by the Emergency Management Act requirements to assist the community get back to a sense of normality. Elements of the recovery functions are expected to continue for many years into the future.

Council's Recovery Coordinator was successful in securing special one off funding for the clean-up and other support functions from the Department of Premier and Cabinet as part of the recovery activities. The agreed areas relating to fire effected communities were;

- Farming community waste disposal still to be resolved
- Funding for independent shire recovery emergency management officer
- Farmers – rebuilding capacity capability
- Red Cross – outreach, targeted support, welfare preparation support, sunrise and community welfare BBQs programs next two years
- GP Down South – funding of program
- Waroona Bushfire Natural Environment Working Group – projects for fire recovery
- Peel Harvey Catchment Council – fire affected farmers rehabilitation programs

These funds were secured into a reserve account pending direction and approval of expenditure frameworks by the state. These have now been agreed upon and a budget amendment is required to enable the funding to be transferred out of the reserve account into the operational account in accordance with the parameters set by the state to enable the works to be undertaken.

**PLANNING – STRATEGIC IMPLICATIONS**

Not applicable

**REFERRALS**

Approval by Department of Premier and Cabinet.

**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**

A budget amendment to the 2017/18 adopted budget is required to move forward with the Recovery functions required.

**POLICY ISSUES/IMPLICATIONS**

Nil, this is in line with Council Emergency Management Policy framework

**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**

Forms part of the ongoing community recovery activities and outcomes required to support community.

**OFFICER'S FINAL COMMENTS/CONCLUSIONS**

That Council approve the amendment to the 2017/18 adopted budget to allow the transfer of funds from the Fire Recovery Assistance Grant Reserve to cover the expenditure of the recommended projects to the total amount of the special funding agreement. The breakdowns were, in part, excluded from the draft budget due to final category allocations not being available at the time.

<b>Appendices Attached:</b>	<b>No</b>	<b>Appendices Numbers:</b>
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**VOTING REQUIREMENTS**

Absolute Majority

**COUNCIL RESOLUTION****OCM17/09/093****MOVED: CR MASON****SECONDED: CR SNELL**

**That for the purpose of assisting fire recovery from the January 2016 natural disaster bushfire the Council amend the 2017/2018 budget for the following purposes as contained in an agreement between the Shire of Waroona and Department of Premier and Cabinet:**

- 1. Transfer \$255,000 from Fire Recovery Assistance Grant Reserve to the Municipal Fund Account 154050.660**
- 2. Authorise the following Municipal Fund expenditure to Account 154620.711–**
  - \$91,000 contribution towards continuing the GP Down South mobile health service throughout the Peel region;**
  - \$60,000 to further bushfire recovery out-reach services to affected properties, primarily conducted by the Red Cross.**
  - \$104,000 towards bushfire recovery initiatives including, but not limited to,**

**Farming community waste disposal;  
Rebuilding capacity capability in the farming district;  
Projects for fire recovery through the Waroona Bushfire Natural Environment Working Group; and  
Fire affected farmer's rehabilitation programs through the Peel Harvey Catchment Council.**

**CARRIED BY ABSOLUTE MAJORITY 7/0**



<b>9.4.4 WAROONA COMMUNITY LIGHTS</b>	
Reporting Officer / Officer's Interest:	Ian Curley, Chief Executive Officer / Nil Interest
Proponent:	Trish Morris, Waroona Community Lights
Landowner:	Shire of Waroona
Date of Report: 21/09/2017	File No: 12/2
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>
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>):</b>	
<i>No 6 Good Government: Active &amp; Responsible Civic Leadership, &amp; Excellence in Management</i>	

### **PROPOSAL SUMMARY**

That Council consider approval of the plans for Christmas lighting in various Council parks.

### **BACKGROUND / INITIAL COMMENTS**

The Waroona Community Lights group was formed in 2016 with an aim of providing decorative Christmas lights in the Waroona townsite. Their initial project was to light a Norfolk Island pine tree adjacent to the Waroona Visitors Centre.

This year the group wishes to expand its lighting project, having received a \$21,000 grant from the Alcoa Waroona Sustainability Fund and other small funding.

The sites identified are: Visitor Centre and Information Bay area; Drakesbrook Place and Centennial Park.

Questions from the group are –

- Does the Shire support the Christmas light project and see value in it being a regular activity in the community?
- Will the Shire grant permission to locate Christmas lights at the Visitor Centre and Information Bay area; Drakesbrook Place and Centennial Park?
- Will the Shire absorb the power cost to run the lights, Most will be on a timer and are LED which have minimal power requirements?
- Will the Shire pay the cost of installing additional power points in Drakesbrook Place – cost is \$10,486.99?

### **PLANNING – STRATEGIC IMPLICATIONS**

Not applicable

### **REFERRALS**

Not applicable

**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**

There are no funds included in Council’s 2017/18 budget to contribute to this initiative.

**POLICY ISSUES/IMPLICATIONS**

Nil

**STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS**

N/A

**LEGAL ISSUES/IMPLICATIONS**

Nil

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Numbers:</b>	<b>9.4.4</b>
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**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL RESOLUTION**

**OCM17/09/094**

**MOVED: CR SNELL**

**SECONDED: CR GERMAIN**

**That Council advise the Waroona Community Lights Group that -**

- **It does support the initiative of the Christmas light project and would like to see it continue in the community;**
- **Permission is granted to locate Christmas lights at the Visitor Centre and Information Bay area; Drakesbrook Place and Centennial Park;**
- **Council will absorb the additional power cost to run the lights installed on Council property;**
- **The Council is unable to pay the \$10,486.99 cost of the installation of additional power points in Drakesbrook Place as no funds have been included in the 2017/18 budget; and**
- **The CEO is authorised to consult with the group over final design and location of all Christmas lights and structures on Council property taking into consideration all occupational health & safety requirements of the installation and equipment, and the suitability of structures and their location.**

**CARRIED 7/0**



**10. CONFIDENTIAL REPORTS**  
Nil

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

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

**12.1 ELECTED MEMBERS**  
Nil

**12.2 OFFICERS**

**12.2.1 EVENT ASSIST – REQUEST FOR SUPPORT FOR CAR SHOW**

**COUNCIL RESOLUTION**  
**OCM17/09/095**  
**MOVED: CR SALERIAN**  
**SECONDED: CR SNELL**

**That the Council advise Mr Cockerham of Event Assist Inc that it is unable to support, financially and in-kind, an additional car show in Waroona at present, however, he is free to hire available facilities provided such hire does not impact on existing annual events or during the football season.**

**CARRIED 7/0**

**13. CLOSURE OF MEETING**

There being no further business the Chairperson closed the meeting the time being 4.57 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE SPECIAL COUNCIL MEETING HELD 24 OCTOBER 2017 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....  
PRESIDING MEMBER

.....  
DATE

