



Date: 19 July 2018

**To: Shire President
All Councillors**

Copy: Directors
Executive Manager
Managers
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 24 July 2018 at 4.00pm to consider and resolve the matters set out in the attached Agenda.

A handwritten signature in black ink, which appears 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

Leave of Absence Previously Approved

Cr Scott June & July
Cr Mason 16th - 25th July
Cr Walmsley 5th July - 28th July

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 ORDINARY COUNCIL MEETING – 26 June 2018

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 26 June 2018 be confirmed as being a true and correct record of proceedings.

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DIRECTOR TECHNICAL SERVICES

Nil



9.2 DIRECTOR STRATEGIC DEVELOPMENT

9.2.1 REQUEST FOR SUPPORT – GOLF WA STATE SAND GREEN CHAMPIONSHIPS	
Reporting Officer / Officer's Interest:	Brad Vitale, Community Development Officer; No interest
Responsible Officer / Officer's Interest	Louis Fouché, Director Strategic Development; No Interest
Proponent:	Waroona Golf Club
Landowner:	Shire of Waroona
Date of Report: 16/07/2018	File No.: 12/2
Previous Reference:	Nil
Policy Implications:	Nil
Statutory Implications:	See heading
Strategic Implications:	See heading
Financial Implications:	See heading
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan 2016/17 – 2025/26</i>): 1.03, 4.01, 4.05 and 4.07	

PROPOSAL SUMMARY

Council is requested to support the 2020 Golf WA State Sand Green Championship proposal by Mandurah and Peel Tourism Organisation (MAPTO) to be hosted by the Waroona Golf Club.

BACKGROUND / INITIAL COMMENTS

MAPTO has presented local governments in the Peel region with a proposal to co-fund and host the 2020 Golf WA State Sand Green Championship. Should multiple local governments wish to host the competition, the event organiser will select the local government they believe to be best suited for the event.

Throughout Australia, there are around 400 courses that have greens comprised of oiled sand or some other similar material, usually due to the prohibitive cost of maintaining grass greens by small clubs in rural areas. Golf WA State Sand Green Championship stretches over 4 days from Thursday to Sunday, and although it is a formal state championship, there is very much a social element to the event. The event schedule is typically:

- Day 1 – Super Scroungers
- Day 2 – 4 Ball Best Ball
- Day 3 – 18 Holes Stroke
- Day 4 – 18 Holes Stroke

The proposed event will be held in the second week of August in 2020, with an expected participation of over 220 golfers from over 70 of the state's golf clubs. The accompanying partner rate is approximately 1.3:1, meaning that the event is expected to attract over 500 people to the region. MAPTO predicts that 98% of competitors would be from outside Waroona and would stay 4 nights in the region. Based on Tourism Research Australia's calculation that on average a sports tourist will spend \$273 per person per day, this could translate into an economic benefit of approximately \$539,994 (not taking multipliers into account).



PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Nil.

STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

The relevant Strategic Community Plan themes are Theme 1 – Local Economy, “Managing our Future Growth”, and Theme 4 – Society / Community Wellbeing, “Maintain strong sense of community; effective community wellbeing”, particularly the following strategies:

- 1.03 Pursue tourism initiatives, to entice people to visit the area;
- 4.01 Pursue a social environment that is accessible and inclusive for all ages and abilities;
- 4.05 Attempt to provide a variety of quality, safe, attractive, user-friendly facilities for recreation, health and social purposes, where financially possible; and
- 4.07 Promote tourism, inclusiveness and the local communities of the Shire, by the holding of a variety of events.

FINANCIAL ISSUES / IMPLICATIONS

Golf WA is seeking a funding commitment to the amount of \$5,000 + GST to be allocated in the 2020/21 financial year. This amount will be used to offset a proportion of the travel and logistical costs required to host the event.

MAPTO has committed to fund the additional cost of \$2,200 +GST which will be used to cover professional fees from Sports Marketing Australia.

The Shire may also be required to provide in-kind contributions to the preparation of the golf course. The estimated value of these in-kind contributions would be \$3,000.

POLICY ISSUES / IMPLICATIONS

Nil.

STATUTORY ISSUES / ENVIRONMENT / IMPLICATIONS**Local Government Act 1995**

Part 6, Division 2, s. 6.2 “Local government to prepare annual budget”

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

** Absolute majority required.*

- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —
 - (a) the expenditure by the local government; and



- (b) the revenue and income, independent of general rates, of the local government; and
- (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.
- (3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.
- (4) The annual budget is to incorporate —
- (a) particulars of the estimated expenditure proposed to be incurred by the local government; ...”

[Section 6.2 amended by No. 49 of 2004 s. 42(8) and 56.]

LEGAL ISSUES / IMPLICATIONS

Insurance

Although the Waroona Golf Club facility and associated land is owned by the Shire of Waroona, the insurance for this event, as with others, will be the responsibility of the Waroona Golf Club and Golf WA. This is specified in the Lease Agreement between the Shire of Waroona (lessor) and Waroona Golf Club (lessee), made on the 23rd February 2006, which states:

- 2.16 Except in the case of the Lessor's own wilful or negligent acts or omissions or those of its servants, agents or contractors, indemnify and keep indemnified the Lessor against all losses, damages, costs, actions, claims, demands, writs, summonses, suits, proceedings, judgments, orders, decrees and expenses of any nature whatever which the Lessor may suffer or incur in connection with loss of life, personal injury and/or damage to property arising from or out of any occurrence in, upon or at the demised premises or the use by the Lessor of the demised premises or to any person or the property of any person using or entering on or near the demised premises.

COMMUNITY CONSULTATION

Waroona Golf Club has been consulted with on this proposal and is supportive of the event occurring in Waroona. If Waroona is selected as the host local government, Waroona Golf Club is willing to consider ways of supporting the event whether in-kind or financially. See *Appendix 9.2.1*

OFFICER'S FINAL COMMENTS / CONCLUSIONS

Based on recent research, Sports Marketing Australia has identified that golf tourism is of high value and is growing. Golf WA events have the ability to promote a region as a premium golfing destination, as well as attract visitors to the region for several days.

- Golf WA believes that hosting the event will provide the following community benefits:
- Upskilling local volunteers and club officials by being involved in a state event;
 - Golf WA to undertake MY Golf coaching in local schools in conjunction with the event; and
 - Significant revenue raising opportunity for the local club.



Golf WA offer the following benefits to the Shire of Waroona and MAPTO:

- Accommodation promotion;
- Logo recognition;
- Media launch;
- Shire President welcome;
- Post event acquittal;
- Signage at the venue;
- Promotion on the Golf WA website and social media;
- Direct link to the Council & MAPTO preferred website through the dedicated competition page on the Golf WA website;
- Advertisement on Golf WA dedicated Regional Seniors Competition webpage;
- Promotion through Golf WA's monthly electronic newsletter including advertising opportunities; and
- Static signage on the 1st and 10th tees for the duration of the Regional Seniors competition.

Appendices Attached:	Yes	Appendices Numbers:	9.2.1
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VOTING REQUIREMENTS

Absolute Majority.

OFFICER RECOMMENDATION

In relation to the proposed 2020 Golf WA State Sand Green Championship event, Council:

- 1. Strongly supports the hosting of the competition by the Waroona Golf Club;**
- 2. Agrees to co-fund the competition, allocating future funding to the amount of \$5,000 + GST for the 2020/21 financial year; and**
- 3. Authorises the CEO to sign agreements / contracts regarding the event.**

9.3 EXECUTIVE MANAGER PLANNING AND BUILDING SERVICES

9.3.1 INITIATION OF AMENDMENT 40 TO THE SHIRE OF WAROONA LOCAL PLANNING SCHEME NO. 7	
Reporting Officer / Officer's Interest:	Sarah Park – Environmental Officer; No Interest
Responsible Officer / Officer's Interest	Leonard Long – Executive Manager Planning & Building Services; No Interest
Proponent:	Shire of Waroona
Landowner:	Not applicable
Date of Report: 06/07/2018	File No.: TPS7A40
Previous Reference:	N/A
Policy Implications:	State Planning Policy 2 – Environment and Natural Resource Policy State Planning Policy 2.1 – Peel-Harvey Coastal Plain Catchment State Planning Policy 2.5 – Land Use Planning in Rural Areas State Planning Policy 2.9 – Water Resources State Planning Policy 3.7 – Planning in Bushfire Prone Areas Development Control Policy 1.2 Development Control – General Principles (DCP 1.2)
Statutory Implications:	<i>Planning and Development Act 2005</i> <i>Environmental Protection Act 1986</i> Planning and Development (Local Planning Schemes) Regulations 2015 Shire of Waroona Local Planning Scheme No. 7 1996
Strategic Implications:	Nil
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): E, No. 3 “Responsible Land Use Planning and Protecting Rural Land”	

PROPOSAL SUMMARY

Council is requested to consider the initiation of Amendment 40 to the Shire's Local Planning Scheme No. 7. Amendment 40 proposes to remove part of the provisions in Schedule A, with the intention of exempting compliant single houses and associated structures from requiring planning consent within the Rural Residential zone.

A copy of the amending documentation is at **APPENDIX 9.3.1A**. 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 requirement for planning consent for a single house and associated structures in the rural residential zone has formed part of the Shire of Waroona Local Planning Scheme No.7 since its gazettal in 1996. The reason for requiring planning consent is based around Environmental Protection Peel Inlet - Harvey Estuary Policy 1992. This policy required that environmental quality objectives be achieved by local authorities



through their local planning schemes. However, since the adoption of the policy, new development controls have been put in place for the purpose of protecting the environmental amenity. The controls currently in place via building envelopes, setbacks, clearing, bushfire management and additional provisions specific to lands contained in Schedule 2 of LPS7 are considered to adequately address the environmental and amenity aspects of dwelling construction.

PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Preliminary discussions with the Department of Planning have confirmed that the amendment is considered a standard amendment and that there is no apparent concern regarding 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

Officer time associated with the preparation and processing of the amendment is included in the Shire’s existing operating expenditure. Advertising costs are to be included within the existing operating budget via publication in the Sea to Scarp newsletter.

POLICY ISSUES/IMPLICATIONS

The proposed amendment has been considered in terms of the following State Planning Policies and does not cause any inconsistency with the state planning framework:

- State Planning Policy 2 – Environment and Natural Resource Policy
- State Planning Policy 2.1 – Peel-Harvey Coastal Plain Catchment
- State Planning Policy 2.5 – Land Use Planning in Rural Areas
- State Planning Policy 2.9 – Water Resources
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- Development Control Policy 1.2 Development Control – General Principles (DCP 1.2)

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The proposed amendment has been assessed against the following statutory documents, with no implications identified.

- *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*

LEGAL ISSUES/IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

Should Council resolve to initiate the amendment, 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

The original intent of requiring planning approvals for single houses and associated structure in 'Rural Residential' zone was to mitigate against any negative impact such developments may have on the environment.

The proposed exemption will not forfeit the requirement to comply with the *Planning and Development (Local Planning Schemes) Regulations 2015* specific to bushfire management. The construction of a single house will still require compliance with state planning policies and the issuing of a building permit, therefore no additional impact on bushfire safety will result from the amendment.

Building envelopes, setbacks and other building controls prescribed under the Shire of Waroona Local Planning Scheme No. 7 will protect the environmental amenity, with any proposed variations of these controls requiring planning consent. Therefore, exemption for planning consent of single houses and associated structures that comply with Scheme and policy provisions will not impact on the environmental amenity.

The inclusion of the exemption in Schedule A of the Scheme is considered to be an integral action to the proper and orderly planning of the Shire. The current requirement for planning consent for compliant Single Houses in the rural residential zone is an unnecessary and onerous requirement.

It is therefore recommended that Amendment 40 be initiated for advertising purposes.

Appendices Attached:	Yes	Appendices Numbers:	9.3.1A
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VOTING REQUIREMENTS

Simple Majority.

OFFICER RECOMMENDATION

- 1. That in relation to proposed Scheme Amendment 40 to the Shire of Waroona Local Planning Scheme No. 7 to exempt compliant Single Houses and associated structures within the Rural Residential zone and pursuant to Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council resolves to;**
- A. Initiate Scheme Amendment 40 to the Shire of Waroona Local Planning Scheme No. 7 1996 in accordance with APPENDIX 9.3.1A as a standard amendment for advertising purposes.**
- B. Refer the above Scheme 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 Scheme Amendment documents.**

9.3.2 WAROONA RECREATION AND AQUATIC CENTRE – NEW OPERATING HOURS	
Reporting Officer / Officer's Interest:	Daniel Cools, Recreation Centre Coordinator / Nil
Responsible Officer / Officer's Interest	Leonard Long, Executive Manager Planning & Building Services / Nil
Proponent:	N/A
Landowner:	Shire of Waroona
Date of Report:	File No.: 126/2
Previous Reference:	N/A
Policy Implications:	<i>Policy 1.27 – Shire of Waroona Risk Management Policy Policy 1.31 – Asset Management Policy Policy 1.40 - Risk Management Policy 1.7.4 – Use, Control and Management of the Waroona Recreation / Aquatics Centre.</i>
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): <i>No.4 Society: A Strong Sense of Community, addressing Social issues, and Effective Community Wellbeing No.5 Asset Management and Financial Sustainability: Provision of functional Assets to support services, involving built/acquired assets, & Infrastructure; Financial Proficiency & Sustainability</i>	

PROPOSAL SUMMARY

Council is requested to consider the proposed new operating hours for the Waroona Recreation and Aquatic Centre (WRAC).

Winter (April 1 to Oct 31)

- Monday to Friday - 7:30am – 8pm; and
- Saturday and Sunday – Closed.

Summer (November 1 to March 31)

- Monday to Friday – 7:30am – 9pm; and
- Saturday - Closed; and
- Sunday – 10am – 2pm.

BACKGROUND / INITIAL COMMENTS

The WRAC has compiled statistics over the past 3.5 years to ascertain the use of the WRAC between the hours of 5am and 7:30am, 8pm and 9pm (winter). The statistics did not include the group fitness classes which will continue as normal.

The statistics show that the amount of users for the swimming pool and the gymnasium before 7:30am averages 3 people per day. Similarly the amount of users of the gymnasium after 8pm averages less than 1 person per day.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

The proposal has been considered by the Recreation Advisory committee who has resolved as follows:

COMMITTEE RESOLUTION

MOVED: CR JOHN MASON

SECONDED: CR CRAIG WRIGHT

That the Recreation Advisory Committee recommends to Council:

A. That they approve the new operating hours for the Waroona Recreation and Aquatic Centre as follows:

Winter (April 1 – Oct 31)

- Monday to Friday - 7:30am – 8pm; and
- Saturday and Sunday – Closed.

Summer (November 1 to March 31)

- Monday to Friday – 7:30am – 9pm; and
- Saturday - Closed; and
- Sunday – 10am – 2pm.

B. That the new operating hours be monitored and reviewed in 12 months.

CARRIED 5/0

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

- Theme 5 “Assets, Resources, Financial Management and Sustainability“. This theme involves responsible stewardship of assets, effective resource supervision and pursuit of best practice financial management and sustainability.
- Theme 4: Society and community wellbeing. Strategies for future actions under this theme include the provision of recreation facilities.

FINANCIAL ISSUES/IMPLICATIONS

The proposed new operating hours could have a significant impact on the operating costs of the WRAC with a savings of approximately \$4,500 per month. This savings has been calculated on the following assumptions:

- [1.5 hours x \$150 (savings / 1.5hr using pool blankets)] x 20 (days)
= (\$4,500 / month) x 7 months (Winter) = \$31,500
- [1.5 hours x \$60 (savings / 1.5hr using pool blankets)] x 20 (days) – (5 months)
= (\$1,800 / month) x 5 months (Summer) = \$9,000
- potential saving \$40,500 / annum



From a rates perspective this equates to approximately 1% of the rates

POLICY ISSUES/IMPLICATIONS

The following policies have been considered:

- Policy 1.27 – Shire of Waroona Risk Management Policy
- Policy 1.31 – Asset Management Policy
- Policy 1.40 - Risk Management
- Policy 1.7.4 – Use, Control and Management of the Waroona Recreation / Aquatics Centre.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

The proposed new operating hours have been advertised for approximately the last 3 months with patrons being encouraged to put their concerns in writing to the Shire.

As a result of the community consultation one (1) objection was received, and is summarised as follows:

1. As a rate payer the new hours are short sighted and people do use the centre during this period. The time change will make it impossible for the work force to use the gym or pool.

Response:

The proposed new hours have been advertised for the past three (3) months and discussed with the patrons. No other objections have been received.

2. Why not close the centre around lunch time which is the quietest time of the day.

Response:

The purpose of the closure is twofold. Firstly to reduce operating costs. The most significant saving can be achieved through the use of pool blankets reducing the use of LPG gas. By closing the centre during the day it would not be practical or effective to use the pool blankets, and would not result in any noticeable cost saving. Secondly the hours will allow staff to have a crossover in shifts which will enable them to ensure that a concise handover is done.

3. How will the time change affect the basketball and netball.

Response:

The proposed hours would not have an impact on netball which finishes at 8pm and basketball which is played in the summer months and finishes at 9pm. It must also be

noted that whilst the centre closes at 8pm in winter and 9pm in summer staff are still on site for at least a further 30min.

4. Not enough consultation has been done and other centres open at 5:30am – 6am, Waroona should be the same.

Response:

Consultation has been done through advertising the proposed new hours at the recreation centre for approximately the past three (3) months, with patrons encouraged to write to the Shire should they have any concerns. With regard to other centres opening hours, these centre may have other driving factors as to why they open earlier. The driving factor for the WRAC was to introduce cost savings with the least amount of impact on its community.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The proposed new operating hours may have a significant financial savings on the operational cost of the WRAC, with limited interruption to the community. The users such as the Basketball Association, Netball Association and the Swimming Club will not be impacted upon by the proposed hours.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority

RECREATION ADVISORY COMMITTEE RECOMMENDATION

That in relation to the proposed Waroona Recreation and Aquatic Centre operating hours, Council resolves as follows:

- 1. to approve the following operating hours for the Waroona Recreation and Aquatic Centre:**
 - a) Winter (April 1 – Oct 31)**
 - Monday to Friday: 7:30am – 8pm; and
 - Saturday and Sunday: Closed.
 - b) Summer (November 1 to March 31)**
 - Monday to Friday: 7:30am – 9pm; and
 - Saturday: Closed
 - Sunday: 10am – 2pm.
- 2. that the new operating hours be monitored and reviewed in 12 months.**



9.3.3 APPLICATION OF COMMON SEAL – SECTION 70A OF THE TRANSFER OF LAND ACT 1893 NOTIFICATION FOR THE SUBDIVISION OF LOT 15 HAUB ROAD, LAKE CLIFTON	
Reporting Officer / Officer's Interest:	Chris Dunlop, Senior Town Planner; Nil
Responsible Officer / Officer's Interest	Leonard Long, Executive Manager Planning & Building Services; Nil
Proponent:	R.I.T. McEwen
Landowner:	M & M Herbert
Date of Report: 10 July 2018	File No.: SD154576
Previous Reference:	Nil
Policy Implications:	Shire of Waroona Policy 1.26 – application of common seal
Statutory Implications:	<i>Transfer of land Act 1893</i> <i>Local Government Act 1995</i>
Strategic Implications:	Nil
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): <i>No.3 Land Use: Responsible Land Use Planning, and Protecting Rural Land</i>	

PROPOSAL SUMMARY

Council is requested to authorise the application of the Shire of Waroona Common Seal in the execution of documents relating to the registration of a notification under section 70A of the *Transfer of Land Act 1893*, notifying prospective purchasers of the absence of reticulated sewer and scheme water to lots created by the subdivision of Lot 15.

BACKGROUND / INITIAL COMMENTS

Subdivision approval was granted by the Western Australian Planning Commission on 3 March 2017. Conditions 12 and 13 of approval require the registration of notifications under section 70A in relation to the absence of sewer and scheme water availability.

PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Nil.

STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

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

FINANCIAL ISSUES / IMPLICATIONS

Nil.

POLICY ISSUES / IMPLICATIONS

- Shire of Waroona Policy 1.26 – Application of Common Seal



STATUTORY ISSUES / ENVIRONMENT / IMPLICATIONS

- *Transfer of Land Act 1893*
- *Local Government Act 1995*

LEGAL ISSUES/IMPLICATIONS

See statutory issues.

COMMUNITY CONSULTATION

Community consultation is not required for this item.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

The execution of the Section 70A documentation is required for the clearance of the subdivision conditions by the Shire. The notifications are a required inclusion on the titles to be created as a condition of subdivision approval from the WAPC.

It is therefore recommended that Council authorise the application of the Shire of Waroona common seal in order to execute the documents.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority.

OFFICER RECOMMENDATION

That in relation to the documentation for the registration of notifications under section 70A of the *Transfer of Land Act 1893* for the lots resulting from the subdivision of Lot 15 Haub Road, Lake Clifton and pursuant to section 9.49A of the *Local Government Act 1995*, Council resolves to authorise:

- 1. The application of the Shire of Waroona Common Seal, and**
- 2. The execution of the required documents by the Shire President and Chief Executive Officer.**

9.3.4 APPLICATION OF COMMON SEAL – SECTION 70A OF THE TRANSFER OF LAND ACT 1893 NOTIFICATION FOR THE SUBDIVISION OF LOT 1 SOUTHERN ESTUARY ROAD, LAKE CLIFTON	
Reporting Officer / Officer's Interest:	Chris Dunlop, Senior Town Planner; Nil
Responsible Officer / Officer's Interest	Leonard Long, Executive Manager Planning & Building Services; Nil
Proponent:	Lake Clifton Investments Pty Ltd
Landowner:	Lake Clifton Investments Pty Ltd
Date of Report: 10 July 2018	File No.: SD153947
Previous Reference:	OCM16/08/085 of 23 August 2016 OCM16/11/122 of 22 November 2016
Policy Implications:	Shire of Waroona Policy 1.26 – application of common seal
Statutory Implications:	<i>Transfer of land Act 1893</i> <i>Local Government Act 1995</i>
Strategic Implications:	Nil
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): <i>No.3 Land Use: Responsible Land Use Planning, and Protecting Rural Land</i>	

PROPOSAL SUMMARY

Council is requested to authorise the application of the Shire of Waroona Common Seal in the execution of documents relating to the registration of notifications under section 70A of the *Transfer of Land Act 1893*, notifying prospective purchasers of the absence of reticulated sewer and scheme water to lots created by the subdivision of Lot 1.

BACKGROUND / INITIAL COMMENTS

At its Ordinary Council meeting of 22 November 2016 Council resolved to recommend the approval of the subdivision of Lot 1, Southern Estuary Road, Lake Clifton, into 24 lots.

Subdivision approval was granted by the Western Australian Planning Commission on 23 February 2017. Conditions 23 and 24 of approval require the registration of a notification under section 70A in relation to the absence of sewer and scheme water availability.

PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Nil.

STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

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

FINANCIAL ISSUES / IMPLICATIONS

Nil.



POLICY ISSUES / IMPLICATIONS

- Shire of Waroona Policy 1.26 – Application of Common Seal

STATUTORY ISSUES / ENVIRONMENT / IMPLICATIONS

- *Transfer of Land Act 1893*
- *Local Government Act 1995*

LEGAL ISSUES/IMPLICATIONS

See statutory issues.

COMMUNITY CONSULTATION

Community consultation is not required for this item.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

The execution of the Section 70A documentation is required for the clearance of the subdivision conditions by the Shire. The notifications are a required inclusion on the titles to be created as a condition of subdivision approval from the WAPC.

It is therefore recommended that Council authorise the application of the Shire of Waroona common seal in order to execute the documents.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority.

OFFICER RECOMMENDATION

That in relation to the documentation for the registration of notifications under section 70A of the *Transfer of Land Act 1893* for the lots resulting from the subdivision of Lot 1 Southern Estuary Road, Lake Clifton and pursuant to section 9.49A of the *Local Government Act 1995*, Council resolves to authorise:

- 1. The application of the Shire of Waroona Common Seal, and**
- 2. The execution of the required documents by the Shire President and Chief Executive Officer.**

9.3.5 REQUEST FOR CHANGE IN VESTING ORDER – RESERVE 30647	
Reporting Officer / Officer's Interest:	Chris Dunlop, Senior Town Planner; Nil
Responsible Officer / Officer's Interest	Leonard Long, Executive Manager Planning and Building Services; Nil
Proponent:	Shire of Waroona
Landowner:	Crown Land Vested to Shire of Waroona
Date of Report: 12/7/2018	File No.: A2241
Previous Reference:	Nil
Policy Implications:	Nil
Statutory Implications:	<i>Land Administration Act 1997</i>
Strategic Implications:	Nil
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): <i>No.5 Asset Management and Financial Sustainability: Provision of functional Assets to support services, involving built/acquired assets, & Infrastructure; Financial Proficiency & Sustainability</i>	

PROPOSAL SUMMARY

Council is requested to request an amendment to the vesting order of Reserve 30647 via the Minister for Lands. The amendment is required to facilitate the construction of a new building to house the Waroona West Fire Brigade and associated equipment.

A location plan is at **APPENDIX 9.3.5A**.

BACKGROUND / INITIAL COMMENTS

Reserve 30647 is a crown reserve vested to the Shire of Waroona for the purposes of 'Rubbish Depot'. The site has historically been used for that purpose prior to the establishment of the Shire's current waste facility at Buller Road.

A number of potential sites have been investigated in consultation with the Waroona West Brigade, with Reserve 30647 being identified as the most feasible for the construction of a new brigade facility.

PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Nil.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 5 Asset Management and Financial Sustainability: Provision of functional Assets to support services, involving built/acquired assets, & Infrastructure; Financial Proficiency & Sustainability.

FINANCIAL ISSUES/IMPLICATIONS

As a result of the reserve being identified as 'Possible Contamination', Council may be required to undertake a contamination report. Should this be the case the cost of such a report will be absorbed in the 2018/19 budget.



POLICY ISSUES/IMPLICATIONS

Nil.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

A change to the vesting of a reserve is may be undertaken by the Minister under Section 51 of the *Land Administration Act 1997*.

LEGAL ISSUES/IMPLICATIONS

See statutory issues.

COMMUNITY CONSULTATION

Not required for this item.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The amendment of a reserve vesting can only be undertaken with authorisation from the Minister for Lands. As such it is recommended that Council request the amendment of the reserve vesting from the Minister to include 'Emergency Services' in addition to 'Rubbish Depot' and to include the ability to lease.

Appendices Attached:	Yes	Appendices Numbers:	9.3.5A
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VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council request the Minister for lands to amend the vesting of Reserve 30647 to include 'Emergency Services', with the ability to lease.

9.4 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.4.1 PAYMENT LISTING FOR THE MONTH OF JUNE 2018	
Reporting Officer / Officer's Interest:	Kathy Simpson, Finance Officer / Nil
Responsible Officer / Officer's Interest	Ashleigh Nuttall – Manager Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 16/7/18	File No.: 1/3
Previous Reference:	N/A
Policy Implications:	<i>See heading below</i>
Statutory Implications:	<i>See heading below</i>
Strategic Implications:	<i>See heading below</i>
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 “Active Civic Leadership, Good Governance, & Excellence in Management”	

PROPOSAL SUMMARY

The purpose of this report is to present the listing of payments made from the Shire's Municipal and Trust funds throughout the month of June 2018.

BACKGROUND / INITIAL COMMENTS

The attached appendix lists the payments from Council Municipal and Trust funds for the month applicable as per requirements of the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.

As per Regulation 13 of the Local Government (Financial Management) Regulations 1996 the following information is required to be presented to Council;

- The Payee's name;
- The amount of the payment;
- The date of the Payment; and
- Sufficient information to identify the transaction

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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



FINANCIAL ISSUES/IMPLICATIONS

Nil

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Local Government Act 1995 – Section 6.4 and Local Government (Financial Management) Regulations 1996 – Section 13

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

All payments made from Council’s Municipal and Trust account were completed in accordance with the 2017/18 adopted budget.

That Council receive the payment listing for the period as per the appendices.

Appendices Attached:	Yes	Appendices Numbers: 9.4.1
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VOTING REQUIREMENTS

Simple Majority

<u>OFFICER RECOMMENDATION</u>		
That Vouchers numbered:		
<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 8938 - 8963	\$54,535.59
Trust (Cheque/EFTs)	Chq: 11177-11180 EFT 27878 - 27879	\$27,434.25
Electronic Transfers Municipal Fund	EFT 27834 to 28135	\$823,629.08
Direct Wages	01/06/18 – 30/06/18 inclusive	\$173,990.40
Direct Debits	01/06/18 – 30/06/18	\$62,292.07
GRAND TOTAL:		<u>\$1,141,881.39</u>
and attached at Appendix 9.4.1 be endorsed.		



9.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2017 TO 30 JUNE 2018	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall – Manager Corporate Services; Nil
Responsible Officer / Officer's Interest	Ashleigh Nuttall – Manager Corporate Services; Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 16/07/2018	File No.: 1/1
Previous Reference:	N/A
Policy Implications:	<i>See heading below</i>
Statutory Implications:	<i>See heading below</i>
Strategic Implications:	<i>See heading below</i>
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>):	
<i>No 6 Good Government: Active & Responsible Civic Leadership, & Excellence in Management</i>	

PROPOSAL SUMMARY

The purpose of this report is to present the financial position of Council as at the reporting date as per requirements of the Local Government Act 1995 and the Local Government (Financial Management) Regulation 1996.

BACKGROUND / INITIAL COMMENTS

The monthly financial report recognises the financial position of Council at the reporting date and contains the following information;

- a) Annual budget estimates taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Local Government Act 1995;
- b) Budget estimates to the end of the month to which the statement relates;
- c) Actual amounts of expenditure, revenue and income to the end of the month to which the statements relate;
- d) The material variance between the comparable amounts referred to in the paragraphs (b) and (c); and
- e) The net current assets at the end of the month to which the statement relates.

The following information is included in the report;

- Statement of Financial Activity by Programme
- Statement of Financial Activity by Nature and Type, and
- Statement of Financial Position
- Note 1 – Significant Accounting Policies
- Note 2 – Graphical Representation
- Note 3 – Net Current Funding Position
- Note 4 – Cash and Investments
- Note 5 – Major Variances
- Note 6 – Budget Amendments
- Note 7 – Receivables
- Note 8 – Grants & Contributions
- Note 10 – Capital Disposals and Acquisitions

- Note 11 – Significant Capital Projects
- Note 12 – Trust
- Note 13 - Borrowings

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

FINANCIAL ISSUES/IMPLICATIONS

Nil

POLICY ISSUES/IMPLICATIONS

Accounting policies - Policy 3.1.1 to Policy 3.1.7

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Local Government Act 1995 – Section 6.4 and Local Government (Financial Management) Regulations 1996 – Section 34

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

That Council receive the monthly statement of financial activity for the period as per the appendices.

Appendices Attached:	Yes	Appendices Numbers:	9.4.2
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VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council receive the Monthly Statement of Financial Activity for the period 1 July 2017 to 30 June 2018 as presented.

9.5 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