



**Date: 13 December 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 18 December 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 positioned above the name and title of the signatory.

**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.

**TABLE OF CONTENTS**

<b>1.</b>	<b>DECLARATION OF OPENING/ANNOUNCEMENTS.....</b>	<b>4</b>
<b>2.</b>	<b>RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED .....</b>	<b>4</b>
<b>3.</b>	<b>RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE .....</b>	<b>4</b>
<b>4.1</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>4</b>
<b>4.2</b>	<b>PUBLIC STATEMENTS .....</b>	<b>4</b>
<b>5.</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE.....</b>	<b>4</b>
<b>6.</b>	<b>DISCLOSURES OF MEMBERS’ &amp; OFFICERS’ INTERESTS.....</b>	<b>4</b>
<b>7.</b>	<b>PETITIONS/DEPUTATIONS/PRESENTATIONS .....</b>	<b>4</b>
<b>8.</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>4</b>
<b>8.1</b>	<b>ORDINARY COUNCIL MEETING – 27 NOVEMBER 2018 .....</b>	<b>4</b>
<b>9.0</b>	<b>REPORTS OF OFFICERS AND COMMITTEES .....</b>	<b>4</b>
<b>9.1</b>	<b>DIRECTOR TECHNICAL SERVICES.....</b>	<b>5</b>
<b>9.1.1</b>	<b>TENDER – RFT 2018/08 – PROVIDE TREE MAINTENANCE AND REMOVAL SERVICES .....</b>	<b>5</b>
<b>9.2</b>	<b>DIRECTOR STRATEGIC DEVELOPMENT.....</b>	<b>7</b>
<b>9.2.1</b>	<b>REQUEST FOR COUNCIL SUPPORT FOR THE FAIRBRIDGE FESTIVAL 2019 PEEL AND SOUTH-WEST CULTURAL DEVELOPMENT PROJECT... ..</b>	<b>7</b>
<b>9.2.2</b>	<b>REQUEST FOR COUNCIL PARTICIPATION IN OUR TOWN TELEVISION SERIES .....</b>	<b>10</b>
<b>9.3</b>	<b>EXECUTIVE MANAGER PLANNING &amp; BUILDING SERVICES.....</b>	<b>13</b>
<b>9.3.1</b>	<b>DONATION OF LAND FOR WAROONA WEST VOLUNTEER BUSHFIRE BRIGADE FACILITY – LOT 51 (NO. 1631) CORONATION ROAD, WAROONA .....</b>	<b>13</b>
<b>9.3.2</b>	<b>APPLICATION FOR SITE OFFICE – LOT 1701 (R36315), BULLER ROAD, WAROONA .....</b>	<b>16</b>
<b>9.4</b>	<b>DEPUTY CHIEF EXECUTIVE OFFICER / DIRECTOR CORPORATE SERVICES....</b>	<b>21</b>
<b>9.4.1</b>	<b>PAYMENT LISTING FOR THE MONTH OF NOVEMBER 2018.....</b>	<b>21</b>
<b>9.4.2</b>	<b>MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2018 TO 30 NOVEMBER 2018 .....</b>	<b>23</b>
<b>9.4.3</b>	<b>ADOPTION OF REVISED POLICY DOCUMENTATION.....</b>	<b>25</b>
<b>9.5</b>	<b>CHIEF EXECUTIVE OFFICER.....</b>	<b>29</b>
<b>10.</b>	<b>CONFIDENTIAL REPORTS .....</b>	<b>29</b>
<b>11.</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN, OR FOR CONSIDERATION AT NEXT MEETING .....</b>	<b>29</b>
<b>12.</b>	<b>NEW BUSINESS OF AN URGENT NATURE/REPORTS &amp; INFORMATION .....</b>	<b>29</b>
<b>12.1</b>	<b>ELECTED MEMBERS.....</b>	<b>29</b>
<b>12.2</b>	<b>OFFICERS .....</b>	<b>29</b>
<b>13.</b>	<b>CLOSURE OF MEETING .....</b>	<b>29</b>

# **AGENDA**

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

(Disclosure of interest **MUST ALSO** be made by the member or officer immediately prior to a matter, for which an interest is being disclosed, is dealt with.)
7. **PETITIONS/DEPUTATIONS/PRESENTATIONS**
8. **CONFIRMATION OF MINUTES**
- 8.1 **ORDINARY COUNCIL MEETING – 27 November 2018**

## **OFFICER RECOMMENDATION**

**That the Minutes of the Ordinary Council Meeting held 27 November 2018 be confirmed as being a true and correct record of proceedings.**

- 9.0 **REPORTS OF OFFICERS AND COMMITTEES**

## 9.1 DIRECTOR TECHNICAL SERVICES

<b>9.1.1 TENDER – RFT 2018/08 – PROVIDE TREE MAINTENANCE AND REMOVAL SERVICES</b>	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Director Technical 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: 5 December 2018	File No.: RFT2018/07
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 recommend to Council that it reject all submissions for tender 2018/07 – Provide Tree Maintenance and Removal Services.

### **BACKGROUND/INITIAL COMMENTS**

Officers prepared a tender process to cover the Shire's tree maintenance and removal requirements and were preparing to bring the matter to Council to award the contract when its current contractor, who also submitted for the new tender, lost his life while carrying out works in the course of his business.

Due to this, the decision was made to suspend that process at the time and it has since been further decided that there is no alternative other than to recommend to Council that it rejects all tenders at this time and officers will prepare an entirely new tender process early in 2019.

### **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**

Nil

### **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**

Nil

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

Simple Majority

**OFFICER RECOMMENDATION**

**That Council reject all tenders submitted for Tender 2018/08 Provide Tree Maintenance and Removal Services.**

## 9.2 DIRECTOR STRATEGIC DEVELOPMENT

<b>9.2.1 REQUEST FOR COUNCIL SUPPORT FOR THE FAIRBRIDGE FESTIVAL 2019 PEEL AND SOUTH-WEST CULTURAL DEVELOPMENT PROJECT</b>	
Reporting Officer / Officer's Interest:	Brad Vitale, Community Development Officer; Nil
Responsible Officer / Officer's Interest	Louis Fouche, Director Strategic Development; Nil
Proponent:	Fairbridge Festival
Landowner:	Not Applicable
Date of Report: 10/12/18	File No.: 12/2
Previous Reference:	Not Applicable
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 (Strategic Community Plan-SCP):</b> <i>No.4 Society/Community Wellbeing: A Strong Sense of Community, addressing Social issues, and Effective Community Wellbeing</i>	

### **PROPOSAL SUMMARY**

Council has been requested to consider the partnership proposal by Fairbridge Festival to support the Fairbridge Festival 2019 Peel and South-West Cultural Development Project. Request attached as **APPENDIX 9.2.1**.

### **BACKGROUND / INITIAL COMMENTS**

Fairbridge Festival has received funding from the Building Better Regions Fund for the Fairbridge Festival 2019 Peel and South West Cultural Development Project. The aim of this project is to increase the participation of artisans from the Peel and South West regions for the 2019 event. This will be a similar endeavour to the Stretch into Fairbridge project that took place in 2018, which introduced a range of new acts, workshops, artists and market stall holders to Fairbridge Festival.

For 2019, the event organisers plan to invite selected artists and artisans from the Waroona area to join in the festival, along with an extended invitation to other local government areas in the Peel region. The hope is to have a collective of regional creatives involved in the dance program, street program, visual arts, workshops and market stalls.

In order to progress this invitation to partner, Fairbridge Festival is requesting to:

- a) Submit a formal application; or
- b) Enter into a partnership agreement with the Shire of Waroona, which will include a cash sponsorship of \$6,000 and in-kind support to assist in sourcing the participating artists and artisans.

### **PLANNING – STRATEGIC IMPLICATIONS**

Nil.

### **REFERRALS**

Nil.



**STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS**

The relevant Strategic Community Plan issue areas are:

Number 4 – Society/Community Wellbeing “A strong sense of community and effective community wellbeing”

**FINANCIAL ISSUES/IMPLICATIONS**

By entering the partnership, Council will be required to provide a cash sponsorship of \$6,000 and in-kind support for the 2019 event. No funding has been included in the 2018/19 budget for this event. In-kind support such as sourcing local artists and artisans could however be accommodated if staff resourcing only is required.

**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”*

**LEGAL ISSUES/IMPLICATIONS**

Nil.

**COMMUNITY CONSULTATION**

Nil.

**OFFICER'S FINAL COMMENTS/CONCLUSIONS**

Fairbridge Festival has received federal funding to assist in the implementation of the Fairbridge Festival 2019 Peel and South-West Cultural Development Project.

The Shire’s 2018/19 Budget has been approved and there is no flexibility to allocate this contribution to an existing account without reducing funding for local projects and events. It is not clear what the return on investment to the general local community will be by providing funding towards a project that is predominantly situated in another local government area.

The project has merit to local artists and artisans that will be involved regardless of the proposed partnership. The Shire is able to provide in-kind support to assist in sourcing local artists and artisans to participate through existing community organisations and contacts.

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

Simple majority (not amending budget). Absolute majority (amending the budget / committing funding towards a future budget).





**OFFICER RECOMMENDATION**

**That in relation to the Fairbridge Festival 2019 Peel and South-West Cultural Development Project, Council:**

- 1. Advises that it supports the Fairbridge Festival Peel and South-West Cultural Development Project;**
- 2. Will provide in-kind support to assist in sourcing local artists and artisans to participate if requested; and**
- 3. Will not enter into a partnership agreement which will require a sponsorship of \$6,000.**

<b>9.2.2 REQUEST FOR COUNCIL PARTICIPATION IN OUR TOWN TELEVISION SERIES</b>	
Reporting Officer / Officer's Interest:	Brad Vitale, Community Development Officer; Nil
Responsible Officer / Officer's Interest	Louis Fouche, Director Strategic Development; Nil
Proponent:	Visage Productions
Landowner:	Not Applicable
Date of Report: 10/12/18	File No.: 29/1
Previous Reference:	Not Applicable
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 (Strategic Community Plan-SCP):</b>	
<i>No.1 Local Economy: Managing Future Growth</i>	
<i>No.4 Society/Community Wellbeing: A Strong Sense of Community, addressing Social issues, and Effective Community Wellbeing</i>	
<i>No.6 Good Governance: Active Civic Leadership and Excellence in Management</i>	

### **PROPOSAL SUMMARY**

Council is requested to consider participating in the Our Town television series.

### **BACKGROUND / INITIAL COMMENTS**

The Our Town television series highlights why people should visit, live, work, play and invest in particular regions of Western Australia. The ten episode series will be broadcast throughout Western Australia on Channel 7 and GWN7 in a weekend afternoon timeslot from March 2019.

The Perth based production company Visage Productions has identified an opportunity to produce a Peel region episode, focusing on the City of Mandurah and Shires of Boddington, Murray, Serpentine Jarrahdale and Waroona, to profile positive growth stories around visitation in the region, liveability options and economic development opportunities. Proposed storylines in Waroona will be based around community and economic development, tourism, industry growth, and positive partnerships.

The proposed Peel region episode will consist of four segments, each approximately five minutes, and will be broadcast on Channel 7, GWN, online catch-up service 7plus and social media. Filming for the series will commence from January/February 2019 through to April 2019 with filming in destinations appropriate to seasonal weather conditions and attractions.

Examples of episodes produced previously can be found at:

Swan:	<a href="https://vimeo.com/205186236">https://vimeo.com/205186236</a>
Kununurra:	<a href="https://vimeo.com/196720612">https://vimeo.com/196720612</a>
Victoria Park:	<a href="https://vimeo.com/202833168">https://vimeo.com/202833168</a>
West Kimberley:	<a href="https://vimeo.com/187660942">https://vimeo.com/187660942</a>
Gascoyne:	<a href="https://vimeo.com/194962048">https://vimeo.com/194962048</a>
Kalamunda:	<a href="https://vimeo.com/202203493">https://vimeo.com/202203493</a>



Wave Rock: <https://vimeo.com/191148327>  
Outback Pathways: <https://vimeo.com/204244897>

### **PLANNING – STRATEGIC IMPLICATIONS**

Nil.

### **REFERRALS**

Visage Productions was referred to Shire of Waroona by Peel Chamber of Commerce and Industry.

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

The relevant Strategic Community Plan issue areas are:

Number 1 – Local Economy “Managing future growth”

Number 4 – Society/Community Wellbeing “A strong sense of community and effective community wellbeing”

Number 6 – Good Governance ‘Active civic leadership and excellence in management’

### **FINANCIAL ISSUES/IMPLICATIONS**

Participation in the Our Town Television Series will require a financial contribution from Council, up to a maximum of \$10,000.

Visage Productions has suggested a joint venture between the Shire of Waroona and Alcoa, with a contribution breakdown to be decided by the two organisations.

The 2018/19 budget has been adopted, and did not allocate funding towards this initiative. Should Council wish to participate and make a contribution, funding will need to be sourced from an existing account and the budget amended.

### **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”*

### **LEGAL ISSUES/IMPLICATIONS**

Nil.

### **COMMUNITY CONSULTATION**

Nil.



**OFFICER'S FINAL COMMENTS/CONCLUSIONS**

The aim of the Our Town television series is to promote why people should visit, live, work, play and invest in regional and metropolitan locations. Visage Productions is seeking a \$10,000 partnership to produce a five-minute segment showcasing Waroona, as part of the ten-episode series.

Partner participation in the series is inclusive of the following:

- State-wide broadcast coverage on Western Australia’s #1 rated metropolitan and regional networks;
- Full editorial control;
- Each episode is encoded on one of the Seven Network’s free-to-air digital channels as well as the online catch-up service 7plus;
- Pre-broadcast exposure via social media platforms and on-location hashtag relevant links;
- On-location social media coverage during filming;
- Opportunities to cross promote with other marketing mediums in designated regions, being both newspaper and radio;
- On-camera promotions to be filmed on location that can be utilised pre-broadcast via social media platforms;
- Every episode to be made available via the Visage Productions Facebook page once aired on the commercial network;
- Unlimited access to the final edited story and full episode, which can be forwarded in various sizes and format across multiple mediums; and
- Access to the filmed high definition raw video files, inclusive of drone footage, which can be further promoted through other mediums such as television commercial, websites and social media.

Visage Productions has advised that there are only four segments available and are currently in advanced discussions with Landcorp to allocate one of the segments towards the Peel Business Park.

Visage Productions has not provided projections on the potential financial benefit / return on investment to the shire as a result of providing funding towards the broadcast.

Council may wish to enter into the partnership solely, as a collaboration with local businesses and organisations, or not enter into the partnership at all.

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

Simple majority (not amending budget). Absolute majority (amending the budget / committing funding towards a future budget).

**OFFICER RECOMMENDATION**

**That in relation to the Our Town Television Series scheduled for March 2019, Council resolves not to enter into the partnership with Visage Productions.**



### 9.3 EXECUTIVE MANAGER PLANNING & BUILDING SERVICES

<b>9.3.1 DONATION OF LAND FOR WAROONA WEST VOLUNTEER BUSHFIRE BRIGADE FACILITY – LOT 51 (NO. 1631) CORONATION ROAD, WAROONA</b>	
Reporting Officer / Officer's Interest:	Chris Dunlop, Senior Town Planner; Nil
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer; Nil
Proponent:	Shire of Waroona
Landowner:	Irvine Graham Muir
Date of Report: 6/12/2018	File No.: 24/1
Previous Reference:	Nil
Policy Implications:	Nil
Statutory Implications:	Local Government Act 1995 Planning and Development Act 2005
Strategic Implications:	Nil
Financial Implications:	See heading below
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP):</b> <i>No.5 Asset Management and Financial Sustainability: Provision of functional Assets to support services, involving built/acquired assets, &amp; Infrastructure; Financial Proficiency &amp; Sustainability</i>	

#### **PROPOSAL SUMMARY**

Council is requested to consider the acceptance of an offer of land free of charge made by Mr Irvine Graham Muir to create an additional lot to house a new Waroona West Volunteer Bushfire Brigade facility. The area of land to be created as a new lot is approximately 4,000m<sup>2</sup>, with survey details to be prepared prior to the lodgement of the subdivision application.

Costs of the creation of the new lot to be covered by the Waroona West Volunteer Bush Fire Brigade.

Tenure over the land is required to be established in order to secure allocated funding through the Emergency Services Levy for the construction of a new brigade building.

#### **BACKGROUND / INITIAL COMMENTS**

Emergency Services Levy funding has been secured for the construction of a new facility for the Waroona West Volunteer Bushfire Brigade. In order for the construction of the facility to progress an appropriate portion of land is required to be identified and the tenure secured by the Shire.

Mr Muir has offered a section of Lot 51 on Deposited Plan 402636 (No. 1631 Coronation Road) to be donated to the Shire free of charge. A location plan is at **APPENDIX 9.3.1A**.

The Waroona West Volunteer Bushfire Brigade has been awarded a \$25,000 grant through the Alcoa Waroona Sustainability Fund for costs associated with the construction of a new brigade facility that are not covered by the Emergency Services Levy. It is proposed that a portion of this funding will be forwarded to the Shire to cover costs associated with the creation and ceding of the new lot.



**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**

Costs of the creation of the new lot to be covered by the Waroona West Volunteer Bushfire Brigade. Costs for the creation and transfer of the lot are estimated at \$10,000.

**POLICY ISSUES/IMPLICATIONS**

Nil.

**STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS**

Nil.

**LEGAL ISSUES/IMPLICATIONS**

Nil.

**COMMUNITY CONSULTATION**

Nil.

**OFFICER'S FINAL COMMENTS/CONCLUSIONS**

The creation of a new lot and its transfer into ownership by the Shire is required to secure the tenure and funding for a new brigade building. Shire officers will work with appointed consultants to create the new lot and secure its ownership with the Shire.

The establishment of a new brigade building in the Waroona West brigade area is expected to greatly increase the service provision for firefighting in the shire.

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Numbers:</b>	<b>9.3.1</b>
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**VOTING REQUIREMENTS**

Absolute Majority



**OFFICER RECOMMENDATION**

- 1. That Council acknowledges and accepts the generous offer from Mr Irvine Graham Muir to allow the subdivision of a portion of Lot 51 (No. 1631) Coronation Road, Waroona to be ceded to the Shire of Waroona, free of cost, for the construction of a new Waroona West Volunteer Bushfire Brigade facility.**
- 2. That Council amends its Annual Budget for 2018-19 to include a contribution of \$10,000 from the Waroona West Volunteer Bushfire Brigade towards the costs of subdivision with account 5403 – Donations amended to include the additional income and account 0774 – Waroona West Fire Shed amended to include the additional expenditure.**
- 3. That Council authorises the Chief Executive Officer to proceed with the surveying and subdivision of portion of Lot 51 (No. 1631) Coronation Road, Waroona to accommodate a new Waroona West Volunteer Bushfire Brigade facility.**

<b>9.3.2 APPLICATION FOR SITE OFFICE – LOT 1701 (R36315), BULLER ROAD, WAROONA</b>	
Reporting Officer / Officer's Interest:	Sarah Park, Environmental Officer; No Interest
Responsible Officer / Officer's Interest	Chris Dunlop, Senior Planner; No Interest
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report:	File No.: TP2085
Previous Reference:	Nil.
Policy Implications:	State Planning Policy 3.7 Planning in Bushfire Prone Areas.
Statutory Implications:	Planning and Development Act 2005; Planning and Development (Local Planning Schemes) Regulations 2015; Peel Region Scheme 2003; Shire of Waroona Local Planning Scheme No. 7 1996; Building Act 2011.
Strategic Implications:	Shire of Waroona Local Planning Strategy 2009.
Financial Implications:	Nil.
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>):</b>	
No.3 Land Use: Responsible Land Use Planning, and Protecting Rural Land	

### **PROPOSAL SUMMARY**

Council is requested to consider an application for planning consent for a new Site Office at the Shire of Waroona Buller Road Refuse Disposal Site (BRRDS). The locality plan can be seen at **APPENDIX 9.3.2A** and the site plan can be seen at **APPENDIX 9.3.2B**. The floor and elevations plans can be seen at **APPENDIX 9.32C**.

The Site Office is proposed to replace the existing degraded site office. The Site Office is proposed to be set back 45m from the front lot boundary and 38m east of the existing shed. The existing site office is proposed to be demolished following the construction of the new Site Office. The new Site Office will be the following dimensions; 6m long, 3m wide, 2.403m wall height, 2.895m apex height and 18m<sup>2</sup> of floor area. Windows are proposed to be located on three of the four sides and a sliding door on the fourth side. This design allows for passive surveillance of vehicles entering, exiting and driving on the site. The new Site Office is proposed to be constructed of re-used transportable parts with the external roof cladding being Zinalume. The aluminium windows and doors are proposed to have flyscreen and steel mesh security screen. The external colour scheme includes Surfmist, Deep Ocean, Zinculume, and Pearl White.

### **BACKGROUND / INITIAL COMMENTS**

The subject lot is vested in the Shire of Waroona and reserved (R36315) for the Purpose of Rubbish Disposal Site. The lot contains the Shire's active landfill site and liquid waste ponds. The existing developments on the lot include a site office, shed, two water tanks and a toilet block.





### **Previous Applications**

TP1266 application for planning consent for a Shed approved 26/10/2009.

BA 2009084 application for a building permit for a Shed approved 29/10/2009.

### **PLANNING – STRATEGIC IMPLICATIONS**

#### **Local Planning Strategy 2009 (LPS)**

The subject lot is located in the Agriculture Precinct and is designated Public Purpose.

The objection of the lot is to provide for the continued operations of the Waroona Wastewater Treatment Plant. The primary land-use is public utility and setbacks for development are to be determined by Council.

### **REFERRALS**

Building Services provided comments stating that a certified Building Permit application will required to be submitted prior to siting the Site Office on the lot.

### **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**

#### **State Planning Policy 3.7 Planning in Bushfire Prone Areas**

The application is accompanied by a Bushfire Attack Level assessment conducted by Bushfire Smart, an accredited BAL assessor. The assessment determined a BAL 19 for the Site Office. Therefore, the development requires compliance with construction sections 3 & 6 of Australian Standard 3959:2009 (as amended).

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

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

The Act provides the statutory head of power for enforcement of Local Planning Schemes and regulations made under the Act.

#### **Planning and Development (Local Planning Schemes) Regulations 2015**

Under Part 10A of the Regulations, a Bushfire attack Level assessment is required for the site office.

#### **Peel Region Scheme 2003 (PRS)**

Under the Peel Region Scheme the subject lot is zoned Rural.

Cl.12 Purposes of zones, states:

Land is classified into zones under the scheme for the following purposes –



(e) Rural — to provide for the sustainable use of land for agriculture, assist in the conservation and wise use of natural resources including water, flora, fauna and minerals, provide a distinctive rural landscape setting for the urban areas and accommodate carefully planned rural living developments;

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

The subject lot is located in the Rural 1- General Farming zone of the Shire of Waroona Local Planning Scheme No. 7 and is therefore subject to Clause 3.13.

Clause 3.13.1 Objectives and Policies states, Council's objective is to preserve the rural character of the District's farming lands and to ensure that they continue to contribute materially to the District's economy, whilst recognising that changes in land use practices will affect land management and the landscape generally.

Council's policies will therefore be to:

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

The proposed Site Office is development appurtenant to a land-use not listed in Table 1 of LPS No. 7. Clause 3.3(4) of LPS No. 7 sets out the process for the consideration of land uses not listed.

Clause 3.3(4) states the following:

*“(4) The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table —*

*(a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or*

*(b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or*

*(c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.”*

Building Act 2011

The proposal to construct a new Site Office at the subject site requires the issue of a building permit prior to the works being undertaken.

**LEGAL ISSUES/IMPLICATIONS**

See Statutory Issues.

**COMMUNITY CONSULTATION**

NA



**OFFICER'S FINAL COMMENTS/CONCLUSIONS**

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

The lot is located within the Bushfire Prone Vegetation for 2018, as determined by the Department of Fire and Emergency Services. Therefore, under SPP3.7 a Bushfire Attack Level assessment is required. The determined BAL -19 does not trigger the requirement for a Bushfire Management Plan.

Zone Objective

The Local Planning Scheme states that the local government may, in respect to a land-use not listed, determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone.

Council’s objective for the General Farming zone is to preserve the rural character of the District’s farming lands and to ensure that they continue to contribute materially to the District’s economy, subsequently land-uses that achieve this objective should be permitted.

Large lot sizes and subsequent distances between houses permits suitable buffers between the landfill and any houses, the closest being 600m west of the active landfill area. The large distances also contribute to preserving the rural character of the district, as required by the General Farming zone objective. The location of the landfill within a zone that permits farming activities and large lot sizes mitigates the potential for land-use conflict with incompatible land-uses associated with residential zones and subsequent negative impacts to amenity. The BRRDS is located next to another landfill. This maintains the Shire’s waste disposal facilities within the same area, which permits easier management of the land-use. Furthermore, the lot has been consistently used as a waste disposal facility since 1996.

Conclusion

The new Site Office will vastly improve the working conditions for the employees at the BRRDS and uphold high standards for Shire structures to be up to date with construction and policy requirements. The re-used parts also facilitates Shire recycling efforts.

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Numbers:</b>	<b>9.3.2A,B,C</b>
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**VOTING REQUIREMENTS**

Simple Majority



**OFFICER RECOMMENDATION**

**That in relation to the proposed Site Office at Lot 1701 (No. 702) Buller Road, Waroona, Council resolves:**

- A. That under Cl.3.3 (4) of the Shire of Waroona Local Planning Scheme No. 7, Council determines the proposed Site Office development is subsequent to a use that is consistent with the zone objectives and is therefore permitted.**
- B. To approve the development application subject to the following conditions:**
- 1. The development shall be carried out and fully implemented in accordance with the details indicated on the application and stamped approved plans.**
  - 2. All development shall be carried out and fully implemented in accordance with the details indicated on the Bushfire Attack Level Assessment by Bushfire Smart Pty Ltd dated the 10th December 2018 unless otherwise required or agreed to in writing by the Shire of Waroona.**
  - 3. Building materials are to be of a standard and colour scheme complementing and blending in with the amenity of the area and existing structures.**

**ADVICE NOTES:**

- A. The applicant is advised that no site works shall commence until a Certified Building Permit has been issued by the Shire of Waroona. This planning approval does not grant consent to commence building works. Furthermore, the proposed development is to comply with the National Construction Code 2015.**
- B. In relation to Condition 2, compliance with the Bushfire Attack Level (BAL) Assessment includes (but is not limited to):**
- a) Subsequent vegetation modification to achieve necessary setbacks for Bushfire Protection Zone (BPZ) and Hazard Separation Zone (HSZ) as determined by the BAL Assessment signed and dated 10th December 2018; and**
  - b) Construction compliance as per AS 3959.**

## 9.4 DEPUTY CHIEF EXECUTIVE OFFICER / DIRECTOR CORPORATE SERVICES

<b>9.4.1 PAYMENT LISTING FOR THE MONTH OF NOVEMBER 2018</b>	
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: 12/12/18	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>
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 “Active Civic Leadership, Good Governance, &amp; Excellence in Management”</b>	

### **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 November 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 adopted budget.

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

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Numbers:</b>	<b>9.4.1</b>
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**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That Vouchers numbered:

<b><u>ACCOUNT</u></b>	<b><u>CHEQUE NOS.</u></b>	<b><u>TOTAL \$</u></b>
Municipal	Cheques 9048 - 11197	\$24,219.90
Trust (Cheque/EFTs)	Chq: 11195-11197 EFT 28960, 29012, 29014, 29049, 29105	\$54,587.16
Electronic Transfers Municipal Fund	EFT 28886 to 29106	\$407,020.26
Direct Wages	01/11/18 – 30/11/18 inclusive	\$177,770.40
Direct Debits	01/11/18 – 30/11/18	\$43,014.95
<b>GRAND TOTAL:</b>		<b><u>\$706,612.67</u></b>

and attached at Appendix 9.4.1 be endorsed.



<b>9.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2018 TO 30 NOVEMBER 2018</b>	
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: 12/12/2018	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>
<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**

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.

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Numbers:</b>	<b>9.4.2</b>
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### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION**

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



<b>9.4.3 ADOPTION OF REVISED POLICY DOCUMENTATION</b>	
Reporting Officer / Officer's Interest:	Laurie Tilbrook, Deputy Chief Executive Officer; No Interest
Responsible Officer / Officer's Interest	Laurie Tilbrook, Deputy Chief Executive Officer; Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 6 November 2018	File No.: 111/1
Previous Reference:	Nil
Policy Implications:	<i>See heading below</i>
Statutory Implications:	<i>See heading below</i>
Strategic Implications:	<i>See heading below</i>
Financial Implications:	<i>See heading below</i>
<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**

The Council is requested to consider and adopt revised policy documentation supporting all Council's Policies with the exception of Town Planning Policies and several other policies which are subject to further research.

### **BACKGROUND / INITIAL COMMENTS**

Extensive research and internal consultation has been necessary in order to achieve documentation which completely supersedes the Council's previous policy manual and which will be the basis for all future reporting and subsequent decision making.

To achieve this outcome there are three essential components to each policy which identify:

1. Whether the policy is a requirement of legislation (in which case the legislation is identified).
2. Whether or not the policy has an associated management procedure which will then form part of internal procedures (requiring approval of the CEO)
3. Whether or not the policy has an associated "Delegation" which will then form part of the Council's delegation register.

The objectives of the Council's Policy Manual documentation are:

- To provide the Council with a formal written record of policy decisions.
- To provide Council staff with clear direction to respond to issues and act in accordance with the Council's direction.
- To enable Councillors to adequately handle general enquiries relating to the role of the Council.
- To enable the Council to maintain a process to continually review policy decisions and to ensure they are in keeping with the community expectations, current legislative trends and circumstances.
- To enable residents to obtain immediate advice on matters of Council policy.

Policies provide information and direction on issues of an ongoing nature. Council decisions on single issues are not considered policy.

Changes to Policy will only be made as a result of:

- An annual operational review (previously Oct/Nov but subject to review)
- A Council decision arising from an agenda item.

The following were key factors considered necessary to conduct the review:

- Presentation format to be organisational in content (as distinct from departmental).
- Existing policies that are obsolete or not policies at all (i.e. procedural).
- Identification of policies considered to be essential and/or best practice.
- Reformatting policies using a standard template and containing an “administration statement”.
- Identification of policies requiring further research and to be adopted and included at a later date.
- Identification and review of all existing policies that are to be retained.

As a result the following structure by which each policy will be categorised has been determined as follows:

- Community Policies (COM)
- Corporate & Government Policies (COR)
- Finance Policies (FIN)
- HR Policies (HR)
- Planning & Regulatory Policies (PR)
- Works & Engineering Policies (WKS)

The review has also identified the requirement for three (3) additional delegations and these are proposed as follows:

- Seed Collection Applications (new)
- Withdrawal of Infringement Notices (Previously Policy 2.23)
- Out of gauge vehicle permits (Previously Policy 5.18)

Details are provided at **Appendix 9.4.3C**.

### **PLANNING – STRATEGIC IMPLICATIONS**

Adoption of the proposed policy restructure is another step in achieving greater linkage within the Council’s Integrated Planning and Reporting Framework (IP&RF).

All policies will be available publically via the Council’s website and cross referenced to the Community Strategic Plan via officers reports.

Greater administration efficiencies are expected to be achieved by clearly separating policy and procedure matters in Council documents including all officer agenda reports.

### **REFERRALS**

N/A



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

The relevant Strategic Community Plan issue area is number 6

## **FINANCIAL ISSUES/IMPLICATIONS**

There are no direct financial costs associated with the Council Policy review.

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

Details of policies which are required as a result of statutory legislation are to contain a statement providing a reference to the relevant legislation.

The Council is no longer required by legislation to conduct annual reviews of its policies, however it is considered “best practice” to do so. To this end, it is proposed that future reviews will be conducted in February/March each year.

## **LEGAL ISSUES/IMPLICATIONS**

As councillors would be aware there is an increasing expectation on Councils to adopt and implement decision making by the use of policy guidance. There is also an obligation (on specifically identified policies) that a process exists to measure & report compliance with those identified policies.

Upcoming amendments to the Local Government Act 1995 & the proposed drafting of a new Local Government Act are all expected to place a greater reliance on the adoption & compliance of policy.

## **COMMUNITY CONSULTATION**

No direct public consultation is required during preparation of documentation, however all policies will be placed on the Council’s website

There may, however, on occasions be policy adoption reports which do require a process of public consultation and these will be identified and considered on their individual merits.

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

In order to facilitate presentation to the Council the review process is presented in the attachment tabled to this report (**APPENDIX 9.4.3B**) whereby each existing policy has been categorised as follows:

- Completely New Policies (See Page 8)
- Significant Change to Existing Policies (Highlighted in Green)
- Basic Change To Existing Policies (Highlighted in Blue)
- No Change
- Deleted Policies (Highlighted in Yellow)

Note that the document will be presented on the Council’s website as separate files for each policy and will include a “Foreword” to provide reader guidance. Copies of the Foreword and all final policies has been provided by email and on a USB as **Appendix 9.4.3A**.

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Numbers:</b>	<b>9.4.3A, B, C</b>
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**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION**

1. That the Council endorse adoption of the revised Shire of Waroona Policy documentation as appended at Appendix 9.4.3A.
2. That Council repeal the Policies recommended to be deleted as listed in Appendix 9.4.3B.
3. The Council endorse the new delegations at Appendix 9.4.3C.

**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**