



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 22 OCTOBER 2013
(Held at the Shire of Waroona Council Chambers)

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1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Chief Executive Officer declared the meeting open at 4.03 pm and welcomed Councillors and Staff present.

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

Cr Noel Dew	Councillor
Cr Larry Scott	Councillor
Cr Trish Witney	Councillor
Cr Christine Germain	Councillor
Cr Craig Wright	Councillor
Cr Lina Look	Councillor
Cr John Salerian	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Deputy CEO / Director Corporate Services
Mr Steve Cleaver	Director Community Services
Mr Louis Fouché	Director Planning Services
Mr Jason Robertson (until 5.59pm)	Mgr Environmental Health & Building Services
Mrs Sue Cicolari	Executive Support Officer

APOLOGIES

Cr John Mason Councillor

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

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil.

A. SWEARING IN OF COUNCILLORS

Cr Lina Look JP officiated the Swearing-in of Councillors in the following order:

i.	Cr Noel Hugh Joseph Dew	Four Year Term
ii.	Cr Christine Ann Germain	Four Year Term
iii.	Cr Patricia Anne Witney	Four Year Term
iv.	Cr Larry Russell Scott	Four Year Term

Cr Look congratulated each Councillor and wished the newly elected Council every success for their ensuing term.

B. ELECTION OF SHIRE PRESIDENT

The Chief Executive Officer called for written nominations to fill the Office of Shire President for the period 2013-2015.

Two (2) written nominations were received for the position of Shire President.

1. Cr Noel Dew
2. Cr Christine Germain



As there was more than one nomination for the position of Shire President the Chief Executive Officer conducted a secret ballot, with Cr Christine Germain being declared elected with a majority of votes, as Shire President of the Council for the ensuing 2 years.

1. SWEARING IN OF SHIRE PRESIDENT

Cr Lina Look JP officiated the Swearing-in of Cr Germain as Shire President for the period 2013-2015.

C. ELECTION OF DEPUTY SHIRE PRESIDENT

At the request of the Shire President the Chief Executive Officer called for written nominations to fill the Office of Deputy Shire President for the period 2013-2015.

Two (2) written nominations were received for the position of Deputy Shire President.

1. Cr Larry Scott
2. Cr Patricia Witney

As there was more than one nomination for the position of Deputy Shire President the Chief Executive Officer conducted a secret ballot, with Cr Patricia Witney being declared elected with a majority of votes, as Deputy Shire President of the Council for the ensuing 2 years.

1. SWEARING IN OF DEPUTY SHIRE PRESIDENT

Cr Lina Look JP officiated the Swearing-in of Cr Witney as Deputy Shire President for the period 2013-2015.

The Chairperson, Mr Ian Curley, thanked Cr Look for assisting Council with the Swearing-in ceremonies.

The Shire President Cr Germain then assumed her position and presided over the remainder of the meeting.

D. ELECTION OF COMMITTEE MEMBERS AND REPRESENTATIVES**COUNCIL RESOLUTION****OCM13/10/093****MOVED: Cr Witney****SECONDED: Cr Salerian**

That the appointment of Councillors to the Council Standing Committees and Councillors and Staff to Other Council Committee/Groups as per the Local Government Act 1995 for the 2013-2015 period as listed below be endorsed:

Council Standing Committees (Members only)

- a. **Works & Services Committee**
Cr Wright, Cr Mason, Cr Scott, Cr Salerian
- b. **Senior Staff Appointment, Remuneration and Performance Review Committee**
Cr Germain, Cr Witney, Cr Scott, Cr Mason
- c. **Finance & Audit Committee**
Cr Germain, Cr Scott, Cr Witney, 1 Vacant
- d. **Waste Management Advisory Committee**
Cr Wright, Cr Dew, Cr Salerian, Cr Mason
- e. **Waroona Health & Medical Committee**
Cr Witney, Cr Look, Cr Germain, Cr Scott

Other Council Committees/Groups

- a. **Recreation Advisory Committee**
Cr Germain, Cr Witney, Cr Scott, Cr Wright
- b. **Small Grants & Awards Committee**
Cr Look, Cr Mason, Cr Salerian, Cr Witney
- c. **Occupational Safety & Health Committee**
Cr Dew, Cr Scott (proxy)
- d. **Waroona Visitor Centre Working Group**
Cr Witney, Cr Look, Cr Germain
- e. **Heritage Advice Committee**
Vacant until Councillors needed: DPS; TP; CDO
Public members – E Marcus; G Walmsley; R Hawley

- f. **Waroona Cemetery Development Working Group
Cr Salerian, Cr Look, Cr Witney**

CARRIED 7/0

The appointment of Representatives and delegates to the Advisory Committees; Committees and Progress Associations; Local Organisations; Regional Bodies/Committees; and Special Purpose Committees and Groups for the 2013-2015 period as listed below:

COUNCIL RESOLUTION

OCM13/10/094

MOVED: Cr Salerian

SECONDED: Cr Look

That the appointment of Representatives to Advisory Committees and Progress Associations; Delegates to Local Organisations, Regional Bodies and Committees and Special Purpose Committees and Groups and Liaisons to other Committees and Organisations for the 2013-2015 period as listed below be endorsed :

Advisory Committee Representatives

- a. **Bush Fire Advisory Committee
Cr Dew (Cr Scott – proxy)**
- b. **Local Emergency Management Committee
Cr Germain**

Committees and Progress Association Representatives

- a. **Preston Beach Progress Association
Cr Dew**
- b. **Hamel Hall Management Committee & Hamel Residents Association
Cr Salerian**
- c. **Lake Clifton/Herron Progress & Sports Association
Vacant**

Delegates to Local Organisations

- a. **Quambie Park (Inc.)
Cr Witney**



**b. Wagerup Community Consultative Network
Cr Salerian**

Delegates to Regional Bodies/Committees

- a. **Rivers Regional Council
Cr Dew (Cr Mason as Deputy), Cr Salerian (Cr Wright as deputy)**
- b. **Peel Zone – Western Australian Local Government Association
Cr Germain and Cr Witney (no proxy)**
- c. **Peel Region Planning Committee
Cr Germain**
- d. **Regional Road (Sub) Group (South West)
Cr Mason**
- e. **COASTSWAP
Cr Dew & TP**
- f. **Peel Economic & Development Unit
Cr Germain & CEO**
- g. **Peel Joint Development Assessment Panel
Cr Dew & Cr Scott (Cr Germain & Cr Mason - alternate delegates)**

Special Purpose Committees and Groups

- a. **Waroona Roadwise
Cr Wright**
- b. **Hamel Eco-Historic Precinct Working Group
Cr Salerian, CEO & DCS**
- c. **Waroona Interagency Committee
Cr Look**
- d. **Harvey River Task Force
Vacant**
- e. **Alcoa Waroona Sustainability Fund
Cr Germain (Shire President), CEO, & 2 Community Reps**

Liaison to other Committees/Organisations

- a. **Coolup Land Conservation District Committee
Vacant**

- b. Landcare-Crossing the Boundaries Committee
Cr Mason**
 - c. Peel Mosquito Management Group
Cr Germain**
 - d. Peel Inlet Management Council (PIMC)
Vacant**
 - e. Waroona Historical Society
Cr Germain**
 - f. Long Term Residue Management Committee
Cr Salerian**
 - g. Peel Trails Group
TP**
 - h. Lesueur Community Consultative Committee
Vacant, DCS**
 - i. Peel Regional Leaders Forum
Cr Germain & CEO**
 - j. Peron Naturaliste Partnership
Cr Germain & DPS**
 - k. Alcoa Wagerup Environmental Improvement Plan Stakeholder
Reference Group
1 Staff member**
 - l. Willowdale Mine Environmental Improvement Plan Stakeholder
Reference Group.
1 Staff member**
- CARRIED 7/0**

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE
Nil.

4.1 PUBLIC QUESTION TIME
Nil.

4.2 PUBLIC STATEMENTS
Nil.



5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

Cr Witney declared a financial interest in Item 9.5.1, as an employee of the Community Resource Centre.

Cr Look declared a financial interest in Item 9.5.1, as an employee of the Community Resource Centre.

Cr Germain declared an interest affecting impartiality in Item 9.5.1, as Chairperson of the Community Resource Centre Board.

Cr Scott declared an interest affecting impartiality in Item 9.5.1, as a member of the Waroona Lions Club and Waroona Football Club.

Cr Wright declared an interest affecting impartiality in Item 9.5.1, as a member of the Waroona Football Club.

Cr Dew declared an interest affecting impartiality in Item 9.5.1, as a member of the Preston Beach Progress Assn.

Cr Salerian declared an interest affecting impartiality in Item 9.5.1, as a member of the Waroona Lions Club.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING – 24 SEPTEMBER 2013****COUNCIL RESOLUTION****OCM13/10/095****MOVED: Cr Witney****SECONDED: Cr Look**

That the Minutes of the Ordinary Council Meeting held 24 September 2013 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**

Nil.



9.2 DIRECTOR COMMUNITY SERVICES

9.2.1 FACILITATED WORKSHOP AND COMMUNITY SURVEY	
Reporting Officer / Officer's Interest:	Steve Cleaver, Director Community Services / Nil
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community Services / Nil
Proponent:	Recreation Advisory Committee
Landowner:	Shire of Waroona
Date of Report:	3 September 2013 File No.: 126/9
Previous Reference:	R.A.C August 2013
Policy Implications:	Nil
Statutory Implications	Local Government Act
Strategic Implications:	Nil
Financial Implications:	\$3435 ex GST expenditure
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): 3 - Maintain A Strong Sense Of Community	

PROPOSAL SUMMARY

To consider a quote from SDF Global for a survey and facilitated workshop on the operational expense of the Shires Recreation and Aquatic Centre.

BACKGROUND / INITIAL COMMENTS

At the August Recreation Advisory Committee it was resolved:

COMMITTEE RESOLUTION

MOVED: T Morris

SECONDED: S Platell

- 1. That the Committee notes the operational loss of the Waroona Recreation and Aquatic Centre.**
- 2. That the Committee monitors and investigates options that assist in reducing the operational deficit.**
- 3. That the Committee requests that a facilitated SWOT analysis workshop be conducted with officers present.**
- 4. That a customer survey be undertaken.**

CARRIED 5/0

PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Nil.

STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

Of the 6 objectives outlined in Waroona's *Strategic Community Plan (SCP)*, this item contributes towards achieving objective number 3 maintaining a strong sense of community.



FINANCIAL ISSUES / IMPLICATIONS

A quote of \$3435 ex GST has been obtained from SDF Global to undertake this work.

POLICY ISSUES / IMPLICATIONS

Nil.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Local Government Act 1995

LEGAL ISSUES / IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS / CONCLUSIONS

As the proposal for a workshop came after the formation of the 2013/2014 budget there are no budgeted funds for a facilitated workshop and survey. The committee may recommend to Council that out of budget expenditure be approved for this work. This would require that the 2013/2014 budget would need to be amended by absolute majority of the full Council. This may require another budgeted project to be deferred.

In this regard it is preferable that the committee recommends that this amount be budgeted in 2014/2015 for this research.

Whilst use of Councils staff to undertake workshops and surveys is possible results are often skewed or biased leading to variable results. The committee should also note that following capital works of the gymnasium and upgraded software there may be changes to the data that would assist in the committees' decisions.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM13/10/096

MOVED: Cr Scott

SECONDED: Cr Witney

That Council refer the amount of \$3435 to the 2014/2015 budget for a workshop and survey on the operational expense of the Waroona Recreation and Aquatic Centre.

CARRIED 7/0



9.2.2 REQUEST FOR TENDER 2013/03 RECREATION CENTRE EXTENSIONS	
Reporting Officer / Officer's Interest:	Steve Cleaver, Director Community Services
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community Services
Proponent:	Shire of Waroona
Landowner:	
Date of Report: 9 October 2013	File No.: 126/1
Previous Reference:	OCM 13/9/086
Policy Implications:	
Statutory Implications	Local Government (Functions and General) Regulations 1995
Strategic Implications:	N/A
Financial Implications:	
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>):	
3 - Maintain A Strong Sense Of Community	

PROPOSAL SUMMARY

To not accept any tenders for extensions to the Recreation Aquatic Centre facility gymnasium.

BACKGROUND / INITIAL COMMENTS

In 2011/12 Council allocated Royalties for Regions funds from its allocation for the Country Local Government Fund (CLGF) for extensions to the gymnasium. In that same financial year the Shire was successful in receiving Department of Sport and Recreation Community Sport and Recreation Facilities funding towards the project.

A state-wide public tender was called in September 2013 and closed on 2 October 2013. At the close of tenders, seven builders tendered on the works. They were:

No	Tenderer	Tender amount (\$ inc GST)	Tender amount \$ ex GST)	Remarks
1	Civilcon	\$576320.00	\$521200.00	
2	Tyrone Developments	\$811661.93	\$737874.48	
3	CPD Group	\$673129.71	\$611936.10	
4	Solution Building	\$613297.40	\$557543.09	
5	Eclat Building	\$493309.00	\$448217.27	lowest
6	Devlyn Constructions	\$557613.00	\$506920.90	
7	Safeway Building	\$659450.00	\$599500.00	

PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

Nil.

STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

Of the 6 objectives outlined in Waroona's *Strategic Community Plan (SCP)*, this item contributes towards achieving objective number 3 maintaining a strong sense of community.

FINANCIAL ISSUES / IMPLICATIONS

Council has allocated \$361980 in financial year 2013/2014 and has spent \$13800 on design in financial year 2012/2013. There is \$22000 in design fees and tender costs required to be spent this financial year.

Income	\$ ex GST	\$ (ex GST)
DSR Grant	125000	
Royalties for Regions	250000	
Total		375000 (budget amount)
Expenditure		
Design Fees	-35800	
tender	-448217.27	
Total		-484017.27
<i>Shortfall</i>		-109017.27

POLICY ISSUES / IMPLICATIONS

Nil.

STATUTORY ISSUES / ENVIRONMENT / IMPLICATIONS

Local Government (Functions and General) Regulations 1995.

LEGAL ISSUES / IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

Nil.

OFFICER'S FINAL COMMENTS / CONCLUSION

As the tender exceeds the project budget it is recommended that all tenders are rejected and the committee recommends to Council that it delegates to the Chief Executive Officer to negotiate a suitable contract with the lowest Tenderer.

The Shires Architect Clem Mitchell from HMA has been instructed to look at the project scope to see if any non-essential elements can be deleted.

As at 17 October 2013 the Recreation Centre Building Maintenance Reserve account had available funds of \$94963, Sporting reserve \$53826 and the Asset



Management reserve \$45771. Unspent funds on the construction of the cemetery niche wall is approximately \$10000.

Including contingency funds of \$40,000 that may be required, an additional \$149000 is required to complete this project. As such a possible scenario would be a reduction in the scope of the project by 10% or \$45000. Additional income of a \$10000 reallocation from the Niche wall project and reserve transfers from the Sporting Reserve and Recreation Centre maintenance reserve would fund the \$95000 remaining shortfall. Contingency funds of \$45000 could come from the building maintenance reserve. Should the contingency funds not be required a transfer would not be made.

At this stage until the builder agrees to negotiate the scenario is simply hypothetical. Delegation to the CEO to negotiate a possible contract is required as no such delegation exists currently. Once a suitable draft agreement is reached the matter would be brought back before the Recreation Advisory committee and Council.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

RECREATION ADVISORY COMMITTEE RECOMMENDATION

That the Committee recommends to Council

1. That no tenders be accepted for RFT 2013/03 (Recreation Centre Extensions).
2. That the Chief Executive Officer be authorised to negotiate with the lowest tenderer being Eclat Building Pty Ltd to form a suitable contract.

Cr Witney and Cr Look left the meeting during discussion of this item at 5.10 pm and returned at 5.12 pm.

COUNCIL RESOLUTION

OCM13/10/097

MOVED: Cr Scott

SECONDED: Cr Wright

1. That no decision be made on tenders for RFT 2013/03 (Recreation Centre Extensions).
2. That the Chief Executive Officer be authorised to negotiate with the lowest tenderer being Eclat Building Pty Ltd to form a suitable contract.
3. That the short fall be found from a 10% (\$45,000) reduction in the scope of the project.
4. The balance of the project be funded from a loan.
5. That a further report be presented to the Recreation Advisory Committee prior to the next Council meeting.

CARRIED BY ABSOLUTE MAJORITY 7/0

The Council's resolution differs from the Committee's recommendation as following advice from the Department of Local Government it is only permissible to negotiate



with the lowest tenderer up to a value of 10%. If a larger reduction is sought then the project would need to be re-tendered.

9.2.3 RECREATION CENTRE - MARKETING PROJECT	
Reporting Officer / Officer's Interest:	Ron Thomas, Manager Recreation Services / Nil
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community Services / Nil
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 7 October 2013	File No. 126/9
Previous Reference:	n/a
Policy Implications:	Local purchasing policy
Statutory Implications:	Local Government Act 1995
Strategic Implications:	In document
Financial Implications:	\$3,582 - \$8000 ex GST
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): 3 Maintain a strong sense of community	

PROPOSAL SUMMARY

To recommend that Council budgets \$7000 in the financial year of 2014/2015 to market/rebrand the Waroona Recreation and Aquatic Centre.

BACKGROUND/INITIAL COMMENTS

At the August meeting of the Recreational Advisory Committee it was resolved that the administration investigates various projects to improve the financial performance of the Recreation and Aquatic Centre. As a result quotes were obtained from a local supplier and a WALGA preferred supplier to market the Recreation Centre to the public in a modern and professional format. The quote from Templeman Twells Web Design was \$3582 ex GST and the quote from Marketforce was up to \$8000 ex GST.

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

At this stage the request was to obtain a rough quote for budget with both suppliers given the same brief. Marketforce is currently utilised by the Shire for advertising in the print media and are well recognised. Templeman Twells Web Design has also been utilised by the Shire for the Vintage Machinery Rally. One supplier has already identified that the Shires logo is dated and rebranding is required.

The Committee should also be aware that the Peel regional Leaders forum has engaged consultants "Brandino" to rebrand the Peel logo and it may be prudent to await the styles and colours that are approved from this process. In this regard it is recommended that the committee recommends to Council that it budgets \$7000 for rebranding of the Recreation and Aquatic Centre in 2014/2015.



All marketing would be a benefit to the Recreation Centre in the area of logo's, letterheads, promotional brochures and some web design.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM13/10/098

MOVED: Cr Scott

SECONDED: Cr Wright

That Council refers the amount of \$7000 to the 2014/2015 budget for rebranding of the Waroona Recreation and Aquatic Centre.

CARRIED 7/0

9.2.4 PERMISSION REQUEST: DRAKESBROOK DAM (WEIR)	
Reporting Officer / Officer's Interest:	Jason Robertson, Manager Health & Building Services / Nil
Responsible Officer / Officer's Interest	Steve Cleaver – Director Community Services / Nil
Proponent:	Shire of Waroona
Landowner:	Water Corporation
Date of Report: 7 th October 2013	File No.49/1
Previous Reference:	N/A
Policy Implications:	Policy 7.3 Management of Risks on Recreation Equipment or at Recreation Facilities
Statutory Implications:	In Document
Strategic Implications:	In Document
Financial Implications:	In Document
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): Strategy 4: CONSERVE SENSITIVE ENVIRONMENTAL ASSETS Strategy 5: ENCOURAGE A DYNAMIC LOCAL ECONOMY	

PROPOSAL SUMMARY

The Mandurah Model Power Boat Club seeks permission to conduct a model boat meeting once a month on the third Sunday of each month between the hours of 9.00am to 3.00 pm at the Drakesbrook Dam (Weir).

BACKGROUND/INITIAL COMMENTS

Earlier this year the Secretary for the Mandurah Model Power Boat Club contacted the Shire seeking permission to operate their powered model boats once a month, on a Sunday. This came about from the Shire Ranger attending the Dam and instructing the club personnel to cease operations (they had on several occasions used the Dam when the Waroona Dam was closed) until formal approval, if granted, was received from the Shire.

A copy of the letter seeking permission, risk management plan, insurance details is attached as **APPENDIX 9.2.4**.

The Shire leases and maintains portion of the land to the western side of the water body (specifically the carpark and recreational facilities area), from the Water Corporation being the vested agency for the Crown Reserve. There is also private ownership of other land surrounding the dam which is outside that which the Shire controls.

In respect to the approval, the Shire can only grant the club access to the area of land which it controls.

REFERRALS

The Shire contacted the Water Corporation & Department of Transport with respect to the proposal. The Water Corporation owns the water body itself and granted permission for the club to use their asset. The Water Corporation made clear to the club it is a leased recreational facility and their approval was provided on the condition the clubs usage would not impact upon other users of the site.



The Department of Transport (Maritime) through the Mandurah branch contacted the club secretary and advised there are no concerns from the Department's point of view. The senior officer did request that where there could be a conflict with other vessels that they (the club) take extreme caution and due consideration. The club advised they cannot operate with other powered vessels due to the wake from them; it would be unlikely they would encounter such craft as powered water craft are not permitted at the Weir.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

One of the key strategies of the Strategic Community Plan (SCP) is the Communities desire to see sensitive natural assets protected. The Drakesbrook Weir is identified in the SCP as such. It is Council officers understanding that no approvals to date have been granted for any powered craft to utilise the Drakesbrook Weir (excluding the Water Corporations approval for the Mandurah Model Power Boat Club).

It is to be noted that should the Club be given permission it may set a precedent for other sporting clubs to seek usage of the Weir to operate powered water craft.

This issue has the potential to be both a positive and a negative. It could benefit the local economy (to a degree), assist in tourism and raising the Shire's profile, however, it also equally has the potential to limit the usage of the Weir by local residents that typically enjoy this recreational area for social gatherings and swimming, particularly over summer. This is also the case for tourists seeking similar. It is difficult to ascertain the potential of either, though it is pointed out there are other water bodies in close proximity which allow powered craft. Any person(s) visiting such sites are well aware of this, and any associated elements including noise etc.

The current arrangements at the Weir would in essence be reversed if an approval was granted. There is the expectation it is a recreational area for non-powered craft (canoes/kayak's) and swimming. It is appreciated the club may themselves have on occasion difficulties in utilising the other water bodies as a result from different users, but on balance there are more sites where powered craft are used or able to be used that those not having powered vessels.

FINANCIAL ISSUES/IMPLICATIONS

There are no inherent financial implications with the club having Public Liability Insurance.

POLICY ISSUES/IMPLICATIONS

Policy number 7.3 Management of Risks on Recreation Equipment or at Recreation Facilities -

Council has an obligation to ensure it mitigates risks associated with activity in or on recreational facilities.



STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The vessels range in size from 1.0 metre to 1.2 metres, with petrol motors having a sealed “bladder” similar to that of a hospital drip line. They are wholly self-contained minimising the risk of fuel contamination.

The Environmental Protection (Noise) Regulations 1997 governs vessels of this class, but it is to be noted that advice received from the Department of Environmental Protection detailed the amended Noise Regulations, coming into operation within a few weeks, will not.

LEGAL ISSUES/IMPLICATIONS

There are no inherent legal issues; the Club has provided evidence of its insurance policies including public liability.

COMMUNITY CONSULTATION

N/A

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The Shire can only control the approval for the Club in respect to the land it has control over. In essence, this would be limited to the recreation area including the car park, barbeque area and sanded access area.

It is possible the Club could still utilise the water body for their activities if they access from land outside the leased area. The Drakesbrook Dam has always been recognised as a water body for non-powered craft.

If Council wishes to preserve the current recreational feel for the Weir, it would be appropriate for the Shire to refuse access to the water body from the area it controls, accepting the Club can still use the facility if they make alternative arrangements as detailed above.

Appendices Attached:	Yes	Appendices Numbers: 9.2.4
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM13/10/099

MOVED: Cr Wright

SECONDED: Cr Witney

That Council:

- 1) **Refuse the Mandurah Model Power Boat Club access from the leased area at Drakesbrook Dam (Weir), Weir Road Waroona for the purpose of utilising the dam for model power boats.**
- 2) **Write to the Mandurah Model Power Boat Club advising that should access be granted by others, Council recommends the Club adhere to the comments made by the Department of Transport and Water Corporation.**

CARRIED 7/0

9.2.5 RECREATION ADVISORY COMMITTEE COMMUNITY REPRESENTATIVES	
Reporting Officer / Officer's Interest:	Steve Cleaver, Director Community Services; No Interest
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community Services; No Interest
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 3 September 2013	126/9
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	Local Government Act 1995
Strategic Implications:	N/A
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	

PROPOSAL SUMMARY

To elect two community representatives to the Shire of Waroona Recreation Advisory Committee.

BACKGROUND/INITIAL COMMENTS

Following the expiry of their two year terms the Shire advertised the positions for two Recreation Advisory Community Members for the term October 2103 to October 2015 to coincide with Local Government elections. Advertisements were placed in the Sea to Scarp and on the Shires website in October 2013.

At the close of nominations three nominations were received for two vacant positions, they were:

- Kenneth Landwehr
- Trish Morris
- Steven Platell

PLANNING – STRATEGIC IMPLICATIONS

None Applicable

REFERRALS

None Applicable

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

OFFICER'S FINAL COMMENTS/CONCLUSIONS

All three applicants have significant experience in sport in the Waroona district and would make a valuable contribution to the committee. Completed application forms are attached in Appendix 9.2.5.

Appendices Attached:	yes	Appendices Numbers:	9.2.5
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM13/10/100

MOVED: Cr Scott

SECONDED: Cr Witney

That Council appoints Steve Platell and Trish Morris as Community Representatives to the Recreation Advisory Committee as per the Local Government Act 1995 for the 2013-2015 period.

CARRIED BY ABSOLUTE MAJORITY 7/0

9.2.6 BULLER ROAD LANDFILL MANAGEMENT	
Reporting Officer / Officer's Interest:	Jason Robertson, Manager Health & Building Services
Responsible Officer / Officer's Interest	Steve Cleaver – Director Community Services /Nil
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 14 th October 2013	File No77/3
Previous Reference:	N/A
Policy Implications:	Policy 1.26 Application of Shire of Waroona Common Seal Policy 3.3 Purchase of Budget Items
Statutory Implications:	In Document
Strategic Implications:	In Document
Financial Implications:	In Budget
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): Strategy 5: ENCOURAGE A DYNAMIC LOCAL ECONOMY	

PROPOSAL SUMMARY

Council is requested to accept an offer for the landfill management contract submitted by A.M Pisceroni.

BACKGROUND/INITIAL COMMENTS

The Shire has had its landfill management operations by contracted services for several years. The current contractor, A.M Pisceroni has undertaken the contractual service for close to 10 years. It has proven to be a considered success on many levels and it is intended for the provision of such services to be continued.

REFERRALS

The RFQ documentation was reviewed by the Shires insurer, Local Government Insurance Services (legal section) to ensure applicable legislation and risks were captured in the documentation.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

One of the key strategies of the Strategic Community Plan (SCP) is encouraging a dynamic local economy. As the Shire continues to grow in all sectors, residential, commercial and industrial; best practise landfill management needs to be in place.

FINANCIAL ISSUES/IMPLICATIONS

The respondent's offer was submitted at \$73,800 (ex GST). This is within budget.

POLICY ISSUES/IMPLICATIONS

Policy number 1.26 Application of Shire of Waroona Common Seal



Council has an obligation to ensure documents requiring the Common Seal are signed in accordance with this policy.

Policy 3.3 Purchase of Budget Items

This Policy requires for the purchase of budget items between \$50,000 - \$99,999 for at least 3 written quotations to be sought, or calling of quotations through local or state-wide public notice.

Noting only 1 quotation was sought; Council is advised the policy does allow for other considerations, including demonstrated previous acquisition of services and fair value for the service. In this regard, the demonstrated past performance for the landfill management service by A.M Pisoneri amply qualifies, the value is considered to be exceptionally fair, and there is no other local service provider.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The Local Government Act 1995 requires suitable records be kept in respect to financial matters. The Local Government (Functions and General) Regulations 1996 sets out purchasing policies for local governments. There are no inherent issues with compliance under either legislation in respect to this item.

LEGAL ISSUES/IMPLICATIONS

As mentioned earlier, Council Policy ordinarily requires 3 written quotations for procurement of services between the thresholds of \$50,000 to \$99,999. The Policy does allow for in certain circumstances less than 3 quotations to be sought.

COMMUNITY CONSULTATION

N/A

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The Shire has had a good working relationship with A.M Pisoneri for the past several years, benefiting the whole community. Effective management of the Landfill site and Waste Management is a critical component of the Shires key duties and responsibilities.

By accepting the respondents offer, this will allow the Shire to continue providing a high level of service for waste management to its residents.

Appendices Attached:	Yes	Appendices Numbers:	9.2.6
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VOTING REQUIREMENTS

Absolute Majority



COUNCIL RESOLUTION

OCM13/10/101

MOVED: Cr Wright

SECONDED: Cr Salerian

That Council:

- 1) **Accept the one quotation for the provision of services to the landfill management at Buller Road landfill site.**
- 2) **Waive the requirement for 3 quotes under Policy 3.3 based on the contract meeting the provisions of the “other considerations” clause of the policy.**
- 3) **Apply the Shire of Waroona Common Seal to execute as an agreement acceptance of the offer and terms and conditions of the Buller Road Refuse Site Contract.**

CARRIED BY ABSOLUTE MAJORITY 7/0

Mr Cleaver and Mr Tilbrook left the meeting, the time being 5.52 pm and returned, the time being 5.54 pm.

9.3 DIRECTOR PLANNING SERVICES

9.3.1 REVIEW OF LOCAL PLANNING POLICY 1.0 - COMMUNITY CONSULTATION	
Reporting Officer / Officer's Interest:	Greg Delahunty, Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché, Director Planning and Development Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 11/10/2013	File No.: TP 7 General 111/1
Previous Reference:	N/A
Policy Implications:	State Planning Policy 3.1 – Residential design Codes Shire of Waroona Town Planning Policy 1.0 – Community Consultation
Statutory Implications:	Planning and Development Act 2005; Shire of Waroona Town Planning Scheme No. 7;
Strategic Implications:	Shire of Waroona Strategic Community Plan 2012
Financial Implications:	Cost of Advertising the Policy (Approximately \$700)
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>):6 Achieve Civic Leadership	

PROPOSAL SUMMARY

Council is requested to consider adopting the amended Local Planning Policy 1.0 – Community Consultation (LPP1) at **APPENDIX 9.3.1A** for advertising.

See schedule of changes made to the existing Policy at **APPENDIX 9.3.1B**.

BACKGROUND / INITIAL COMMENTS

Shire of Waroona Planning Officers have cited numerous operational issues in the everyday application of LPP1. Issues identified include:

- Advertising time period being inconsistent with the Model Scheme Text;
- Inability for the Director / Manager Planning and Development Services (DPS) to advertise an application for a longer period than 21 days without Council approval;
- Inconsistency with other Local Planning Policies; and
- Inconsistency with the Town Planning Scheme (TPS).

PLANNING – STRATEGIC IMPLICATIONS

State Planning Policy 3.1 Residential Design Codes (R Codes)

The R-Codes provide a comprehensive basis for the control of residential development throughout Western Australia. The R-Codes splits the assessment of a



proposal up into separate design elements with each design containing a number of deemed to comply provisions.

All residential development is to comply with the requirements of the R-Codes. Approval under and in accordance with the R-Codes is required if the proposed residential development:

- (a) does not satisfy the deemed-to-comply provisions of Parts 5 and/or 6 of the R-Codes as appropriate; or
- (b) proposes to address a design principle of Parts 5 and/or 6 of the R-Codes which therefore requires the exercise of judgement by the decision-maker.

Tables 1, 2a, 2b, 3 and 4 as well as a number of figures demonstrate how an applicant can meet the deemed to comply provisions of the Codes.

Local Planning Strategy (LPS)

Local Planning Strategy serves as Council's main strategic planning instrument guiding development within the Shire. The LPS outlines land uses that are permissible and discretionary within the six (6) precincts of the Shire. The classification of these land uses as permitted or discretionary is then reflected in Table 1 Zoning Table of the TPS. LPP 1 sets the level of advertising required based on the land use classification of the TPS Zoning Table.

Planning Policy 1.0 Community Consultation

The objective of this policy is to ensure that an appropriate level of community notification is undertaken to keep any potentially affected ratepayer aware of a development proposal and to allow them ample opportunity to make a submission to allow their concerns to be considered by Council prior to making a decision on the subject proposal.

Planning Policy 4.0 Heritage

Special Procedural Considerations:

Where development is proposed on a site on the Heritage List, or adjacent to a site on the Heritage List, Council may refer applications to the Regional Heritage Advisor or other Heritage professional/s for comment, or may require the undertaking of a heritage assessment at the applicant's expense, prior to determination of an application.

Planning Policy 5.0 Setbacks and Building Envelopes

In terms of the Special Procedural Considerations of Policy 5.0, where it is deemed that a proposed modification to a building envelope is of a minor nature, unlikely to impact on the amenity of adjoining properties or the locality in general, advertising of the proposal to adjoining landowners is not required.

Planning Policy 7.0 Ancillary Accommodation

Special Procedural Considerations:



1. Except where inconsistencies are deemed to be of a minor nature unlikely to generate significant impact on the amenity of adjoining properties, applications for assessment of Ancillary Accommodation proposals in the context of the Performance Criteria set out in the Residential Design Codes must be subject of consultation in accordance with Part 2.5 of the Codes.
2. Ancillary Accommodation proposals not subject of the Residential Design Codes must be subject to consultation in accordance with Clause 8.2 of the Scheme.

Planning Policy 8.0 Moyanup Heights and Lake Moyanup Estate

Where Planning Consent applications are received where a dwelling or outbuilding is considered to be inconsistent to the requirements of this Policy (alternate materials, oversized shed, etc.) such applications will be referred to the potentially affected adjoining neighbours for their comment. Any comments received will be considered by Council in its assessment of the proposal.

Planning Policy 12.0 Brooklyn Rise – Special Residential Zone building Standards

Where Planning Consent applications are received where a dwelling or outbuilding is considered to be inconsistent to the requirements of this Policy (alternate materials, oversized shed, etc.) such applications will be referred to the potentially affected adjoining neighbours for their comment. Any comments received will be considered by Council in its assessment of the proposal.

Planning Policy 13.0 Intensive Agriculture

Special Procedural Considerations:

Applications should be referred to Department of Agriculture and Department of Environment, Water and Catchment Protection.

Planning Policy 13.0 Industrial / Commercial Land Use and Development

Special Procedural Considerations:

Advertise 'major' developments for public comment prior to determination of the application. The determination of whether an application is a major development should be determined on a case-by-case basis, however, any development that is likely to have significant implications on the use of public space or interaction with nearby properties should be advertised. 'Commercial' or 'competition' issues should generally not be considered as relevant in the determination of applications.

Planning Policy 15.0 Extractive Industry

Special Procedural Considerations:

- a) Where extraction activity has been the subject of a decision by the Environmental Protection Authority, applications shall be referred to that authority for comment prior to determination.
- b) Where extraction activity may have the potential for significant environmental impact and the proposal has not already been referred to the Environmental Protection Authority, Council shall require referral of the proposal to that authority prior to giving consideration to the application.



- c) Prior to lodging an application with Council, either for a new proposal, or for the expansion of an existing operation, the applicant should seek the advice of the Water and Rivers Commission with respect to groundwater issues.
- d) All applications (other than applications for renewal and which do not involve an expansion of the extraction area) shall be referred to the Department of Environment, Water & Catchment Protection and the Department of Mineral & Petroleum Resources.

Planning Policy 25.0 Outbuildings

Special Procedural Considerations

5.3 Outbuildings that comply with all the criteria specified in Columns B and C of Table 1 are deemed acceptable and will be approved without referral to neighbours for comment except where:

- a) In the opinion of the Chief Executive Officer potential adverse impacts on the streetscape may occur.
- b) The proposed development does not comply with another provision of the Town Planning Scheme, the R-Codes or Local Planning Policy.

5.4 Applications for outbuildings that do not comply with one or more of the criteria specified in Columns B and C of Table 1 or that are subject to the provisions of Clause 5.3 of this Policy, will be advertised for public comment before being determined.

Column C	
Conditions to be met for approval without advertising.	
Urban Zones	
<ul style="list-style-type: none"> I. The proposed outbuilding is located behind the existing dwelling; and II. The proposed outbuilding is set back from side and rear boundaries in accordance with Tables 2a and 2b of the R-Codes, is located entirely within an approved building envelope or is proposed to be located in accordance with the setbacks applicable to the particular area as stipulated in the Town Planning Scheme or relevant Local Planning Policy; and III. The proposed outbuilding is constructed of a style and of colours and materials which are complementary to and compatible with the existing or proposed dwelling or in keeping with the amenity of the area 	
Rural Zones	
<ul style="list-style-type: none"> I. The proposed outbuilding is located entirely within an approved building envelope or is in accordance with the setbacks applicable to the particular area as stipulated in a town planning scheme or relevant local planning policy and in keeping with the amenity of the area. 	

Planning Policy 26.0 Holiday Homes

Community Consultation

All applications for planning approval for the establishment of new Holiday Homes will be the subject of a process of community consultation in accordance with clause 8.2.2 of the Town Planning Scheme and Local Planning Policy 1.0 – Community Consultation.

REFERRALS

None applicable.

INTERNAL REFERRALS

The draft policy will be referred to internal departments, prior to being referred to Council for final adoption.

STRATEGIC COMMUNITY PLAN ISSUES / IMPLICATIONS

Shire of Waroona Community Strategic Plan 2012

The community expects Council to regularly review plans with community consultation on significant decisions affecting the shire.

FINANCIAL ISSUES/IMPLICATIONS

Cost of Advertising the Policy (Approximately \$700)

POLICY ISSUES/IMPLICATIONS

None applicable.

STATUTORY ISSUES / ENVIRONMENT / IMPLICATIONS

Planning and Development Act 2005

The Planning and Development Act 2005 provides for the preparation of Region and Local Planning Schemes and Section 162 specifies that where required in a planning Scheme, development is not to commence without approval of a development application.

Town Planning Scheme No.7

Clause 4.2.1 The Zoning Table (Table 1) indicates, subject to the provisions of the TPS, the several uses permitted in the TPS area in the various zones, such uses being determined by cross reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.

Clause 4.2.5 states that if a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the Council may -

- a) Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- b) Determine that the use may be consistent with the objectives of the particular zone and thereafter follow the “SA” procedures of clause 8.2 in considering an application for planning approval; or
- c) Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

Clause 8.2 of the TPS deals with the advertising of Planning Consent Applications.

8.2.1 Where an application is made for Planning Consent to commence or carry out development which involves “SA” use, the Council shall not grant consent to that application unless notice of the application is first given in accordance with the provisions of this clause.

8.2.3 Where the Council is required or decides to give notice of an application for Planning Consent, the Council shall cause one or more of the following to be carried out:

- a) Notice of the proposed development to be served on the owners and occupiers of the land within an area determined by the Council as likely to be affected by the granting of Planning Consent stating that submissions may be made to the Council within twenty-one days from the publication thereof;
- b) Notice of the proposed development to be published in a newspaper circulating in the Scheme Area stating that submissions may be made to the Council within twenty-one days from the publication thereof;
- c) A sign displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause.

8.2.4 If notices have been given, after expiration of twenty-one days from the publication of the notice, the erection of the notice or the posting of the notice to the owners and occupiers, whichever is the latter, the Council shall consider and determine the application.

In terms of Clause 2.4 of the Scheme, once a Draft Town Planning Scheme Policy has been developed, Council needs to resolve to adopt the draft policy and then advertise the policy for a minimum period of 21 days. All submissions to the draft policy need to be considered by Council and then Council can resolve to adopt the policy, amend it or not proceed with the policy.

Although a town planning scheme policy does not bind Council, it shall have regard for the policy when making a decision.

LEGAL ISSUES / IMPLICATIONS

None applicable.



COMMUNITY CONSULTATION

In terms of Clause 2.4.1 of the TPS a Draft Planning Policy is to be advertised for two consecutive weeks in a local newspaper, allowing a minimum of 21 days for submissions. Council must consider submissions received on the draft policy and subsequently decide to adopt or not proceed with the Policy.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

Particular procedural issues, identified by officers during the everyday application of LPP1, have instigated the requirement for its amendment. It is envisaged that the updated Policy will aid the Planning Department in processing Planning Consent applications faster. The reduced processing time will also benefit applicants.

Unnecessary advertising of a Planning Consent application with no local Impact

Upon receiving a Planning Consent application, Council's Planning Officers will discuss the potential impact that the proposal may have on the amenity of the locality and the surrounding landowners. Currently the LPP 5, Setbacks and Building Envelopes, gives the DPS the discretion to advertise if they are of the opinion that the proposal is minor of nature and will have no local impact. This is inconsistent with LPP1 wherein such discretion is not available to the DPS. In order to rectify this a new provision has been inserted into the consultation procedure table attributing discretion to the DPS, ensuring consistency with LPP5.

Unnecessary length of advertising time period

It is considered that applications that have an impact on a limited number of people are not required to be advertised for 21 days. Shire of Waroona Town Planning Scheme Amendment No.32 has amended the advertising requirements of the TPS by reducing the time period from 21 to 14 days. This is consistent with the Model Scheme Text. The amendment to LPP1 has considered the new TPS text and the advertising requirements have been updated accordingly. For applications with the potential to have a wider reaching impact, the advertising period has remained at 21 days. (Note that the amended policy timeframes will only be applied upon the gazettal of Amendment 32).

Inconsistencies with the TPS

The policy currently allows for neighbours to undertake the advertising of their application prior to submitting the proposal to Council for consideration. However, should Council decide to give notice of an application, the advertising procedure of clause 8.2 must be followed. This inconsistency renders the advertising, undertaken by the applicant, immaterial. Further clarification has been added to LPP1 stating that where the applicant has undertaken advertising and the DPS is satisfied that the advertising has been undertaken correctly, the DPS may determine that the proposal has no impact and advertising of the proposal is not required therefore the provisions of 8.2 are not applicable.

Discretion for Director / Manager to advertise for a longer time period

Currently the LPP1 states that the DPS must get Council approval to advertise an application for a longer period than 21 days. This is considered to be an unnecessary extra step in the development approval process. LPP1 acts as



Council's tool setting the level of advertising required for an application. Should a situation arise, where in the opinion of the DPS extra time is required for advertising, LPP1 now offers the DPS the opportunity to do so. This provision has the potential to significantly increase processing times as well as reducing the number of reports to Council. Council will ultimately still be responsible for determining the application unless it has been delegated to the Chief Executive Officer.

Conclusion

In conclusion the amended policy will serve to reduce processing times by reducing timeframes and giving discretion to the DPS. The Policy will be more consistent with the Model Scheme Text, the TPS and the other LPPs. It is therefore recommended that Council adopt the draft policy on Community Consultation for advertising.

Appendices Attached:	Yes	Appendices Numbers: 9.3.1A and 9.3.1B
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM13/10/102

MOVED: Cr Wright

SECONDED: Cr Scott

That pursuant to Clause 2.4 of the Shire of Waroona Town Planning Scheme No.7, Council resolves to:

- 1. Prepare a Draft Community Consultation Policy as set out in Appendix 9.3.1A.**
- 2. Advertise the Draft Policy in accordance with the requirements of Clause 2.4.1 of Town Planning Scheme No.7.**
- 3. Consider all submissions received as a result of advertising.**

CARRIED BY ABSOLUTE MAJORITY 7/0

9.4 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.4.1 ACCOUNTS FOR PAYMENT	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall – Manager Financial Services / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 15/10/2013	File No.: 1/3
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 “Active Civic Leadership, Good Governance, & Excellence in Management”	
Voting Requirements	Simple Majority

Appendices Attached:	Yes	Appendices Numbers: 9.4.1
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COUNCIL RESOLUTION		
OCM13/10/103		
MOVED: Cr Witney		
SECONDED: Cr Salerian		
That Vouchers numbered:		
<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 7462 - 7494	\$29,983.50
Trust (Cheque/EFTs)	EFT 16983 & 17113 Chq 11025	\$1,853.20
Electronic Transfers Municipal Fund	EFT 16984 - 17115	\$370,608.81
Direct Wages	01/09/2013 – 30/09/2013 inclusive	\$165,827.80
GRAND TOTAL:		<u>\$568,273.31</u>
and attached at Appendix 9.4.1 be endorsed.		
CARRIED 7/0		

9.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2013 TO 30 SEPTEMBER 2013	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall – Manager Financial Services / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook - Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 15/10/2013	File No.: 1/1
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 “Active Civic Leadership, Good Governance, & Excellence in Management”	
Voting Requirements	Simple Majority

Appendices Attached: Yes	Appendices Numbers: 9.4.2
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COUNCIL RESOLUTION**OCM13/10/104****MOVED: Cr Look****SECONDED: Cr Salerian**

That the Monthly Statements of Financial Activity for the period 1 July 2013 to 30 September 2013 at Appendix 9.4.2 be received and noted.

CARRIED 7/0

9.4.3 ADMINISTRATION OFFICE CLOSURE FOR THE CHRISTMAS PERIOD	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall – Manager Financial Services / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook / Deputy Chief Executive Officer / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 8 October 2013	File No.44/2
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 “Active Civic Leadership, Good Governance & Excellence in Management”	

PROPOSAL SUMMARY

To seeks Council's endorsement for the closure of the Administration office during the Christmas and New Year holiday period from close of business Tuesday 24 December 2013 and reopen Thursday 2 January 2014

BACKGROUND/INITIAL COMMENTS

It is proposed that Council consider the closure of the Administration officer from close of business Tuesday 24 December 2013 and reopen Thursday 2 January 2014.

During this period there is minimal requirement of customer service and administration needs to the community. It has been discussed with a number of staff that believe there is little or no benefit of the Administration office being open during this period, as majority of enquires in previous years have been of a non-urgent nature, or enquires of the refuse site and pick up information which will be advertised widely leading up to the holiday period. It would be a welcomed gesture from Council to acknowledge the efforts of the team by agreeing to close the office during this time.

The following time line shows that there is 3 non-public holiday days that the office will be closed for;

25 December 2013 Wednesday	-	Public Holiday
26 December 2013 Thursday	-	Public Holiday
27 December 2013 Friday	-	Propose to Close
30 December 2013 Monday	-	Propose to Close
31 December 2013 Tuesday	-	Propose to Close
1 January 2014 Wednesday	-	Public Holiday

If Council accepts this proposal it can be assured that emergency contact details for each department will be advertised leading up to this period as well as a plan of action in the instance that something unforeseen were to occur. The closure will be communicated to the community well in advance through newsletter/paper, posters, messages on hold, and the Shire's website.



All staff members who want to take advantage of this close down period will need to have accrued leave which will cover the 3 non-public holiday days. If an employee has no accrued leave this time off will be leave without pay.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

Nil

FINANCIAL ISSUES/IMPLICATIONS

Nil

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY/STAFF CONSULTATION

Administration office staff was asked if they would like the option of closure during the holiday period, 80% of staff were in favour of this proposal.

Information was gathered for other Council's regarding the procedure they follow during this period. Almost 90% of the Councils that responded do close their Administration office between December 25th and January 1st. Regarding those Council's that do not close the principal reason to remain open is for licensing purposes.

Some of the governing reasons that the majority of Council's take this action is; it is a gesture from Council as well as Executive officer to recognise the efforts of staff from the year past, this time of the year is quite due to members of the public away on holidays, it is a good time for staff to have a break and spend time with family.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

It is proposed that Council endorse the closing of the Administration office during the Christmas and New Year's break.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM13/10/105

MOVED: Cr Witney

SECONDED: Cr Wright

That Council authorises the closure of the Shire Administration office on the following days, in addition to standard public holidays;

- **Friday 27 December 2013**
- **Monday 30 December 2013 and**
- **Tuesday 31 December 2013.**

CARRIED 7/0

9.4.4 LOCAL LAW – REPEAL OF LOCAL LAWS	
Reporting Officer / Officer's Interest:	John Crothers [CCP]; No Interest
Responsible Officer / Officer's Interest	Laurie Tilbrook, Director Corporate Services; No Interest
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 3 September 2013	File No.: 26/1
Previous Reference:	9.3.3 of 26 June 2012
Policy Implications:	See detailed note
Statutory Implications:	See detailed note
Strategic Implications:	See detailed note
Financial Implications:	See detailed note
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 “Active Civic Leadership, Good Governance, & Excellence in Management”	

PROPOSAL SUMMARY

It is now proposed that the necessary steps be taken to repeal two (2) old Local Laws, as they are seen as being no longer relevant or applicable.

Two (2) existing Local Laws, as mentioned within this report, were made in 2001, or earlier, and seemed relevant at those times. In June 2012 it was resolved to

Prepare a repeal Local Law to repeal the following obsolete local laws :-

- Fencing, & Tennis Court Floodlighting
- Bushfire Brigades

BACKGROUND/INITIAL COMMENTS

The review of Council's Local Laws was commenced a number of years ago, with some having been re-endorsed/retained without change, while some have needed to be repealed.

For the “Fencing” part of the 1st item proposed to be repealed, this is covered by the urban “R-Code” classification of Council's Town Planning Scheme, or by provisions of the Dividing Fences Act. Therefore there is no further use of this old provision.

For the “Tennis Court Floodlighting” there are no courts in any urban areas of this Shire, and there have been no problems relating to those rural properties which have Tennis Courts Floodlighting. . Therefore there is no further use of this old provision.

With regard to the “Bushfire Brigades” Local Law, these relate to various ‘Administrative’ issues, which have now been superseded by State Government involvement which was FESA, and now include items from the Department of Fire and Emergency Services [DFES].

PLANNING – STRATEGIC IMPLICATIONS

None Applicable



REFERRALS

None Applicable

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

FINANCIAL ISSUES/IMPLICATIONS

There are to be only minor Financial Implications. Some extra advertising costs are now anticipated.

POLICY ISSUES/IMPLICATIONS

There are no policy issues or implications emanating from this report.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Section 3.16 of the Local; Government Act 1995 requires that a Council, within a period of 8 years, reviews each local law “to determine whether or not it considers that it should be repealed or amended”.

LEGAL ISSUES/IMPLICATIONS

No legal issues or implications have been identified with regard to these proposed repeals.

COMMUNITY CONSULTATION

No new community consultations are seen as being needed with regard to these proposed repeals.

Once the repeals are adopted, then statewide public notice is to be given that Council intends to repeal such old local laws.

The latest proposal will need to be again advertised, and this will be on 23 October 2013 with closure of submissions to be at least 42 days later, being 6 December 2013. Any submissions received will be made known to Council at its meeting of 17 December 2013.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The final steps to repeal these items now need to be effected.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority



COUNCIL RESOLUTION

OCM13/10/106

MOVED: Cr Look

SECONDED: Cr Witney

- 1. That Council's existing Local Law applicable to "Bushfire Brigades" be repealed, and that Local Law effecting such repeal be now adopted, in principle;**
- 2. That the proposed repeal be advertised**
- 3. That after the closure of the advertised period this proposal be placed before Council's Ordinary meeting in December 2013.**

CARRIED BY ABSOLUTE MAJORITY 7/0

Note: The CEO requested that the reference to repealing the Fencing, & Tennis Court Floodlighting be removed from consideration due to further research being undertaken on the possible retention of this Local Law.

9.4.5 LOCAL GOVERNMENT PROPERTY LOCAL LAW	
Reporting Officer / Officer's Interest:	John Crothers [CCP]; No Interest
Responsible Officer / Officer's Interest	Laurie Tilbrook, Director Corporate Services; No Interest
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 3 September 2013	File No.: 26/1
Previous Reference:	9.3.3 of 26 June 2012
Policy Implications:	Not Applicable
Statutory Implications:	See detailed note
Strategic Implications:	See detailed note
Financial Implications:	See detailed note
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 “Active Civic Leadership, Good Governance, & Excellence in Management”	

PROPOSAL SUMMARY

The proposal is for Council to review and amend an existing Local Law which is applicable to various items of Council Owned/Controlled Property, but in particular being - Swimming Pools, Recreation Reserves, Foreshores, Parks and Gardens.

The ‘Purpose’ of this Local Law is to enable Council, and its staff and volunteer rangers, to regulate the care, control, and management of property of the local government, in particular the use of Council Owned/Controlled Properties.

The ‘Effect’ is this Local Law is to control the use of Local Government property, it provides that some activities are permitted only under a permit, or that some activities are restricted or prohibited. Breaches of the Local Law provisions are considered as offences of inappropriate behaviour, and Infringement Penalty Notices may be issued.

The majority of the amendments were already considered at a Council meeting of 26 June 2012. The “determinations” have been taken out. Other relevant changes since Council’s 2012 consideration of this Local Law involve some new wording clarifications, following discussions with staff at the Councils of Mandurah and Murray.

The only other major change relates to certain prohibit or control certain activities at Foreshore areas, in particular, Preston Beach. The “designated” area at Preston Beach has been changed, and a map of the proposed 100 metre ‘No Fishing’ Zone is clearly shown on schedule 3.1 which is part of section 3 “Reserves and Foreshores” of the new proposed amendments.

Page 10 of the proposed amended Local Law includes Sub-Section 3.4, which lists the various Prohibited Activities. Page 18 shows Schedule 5.1 which lists the proposed modified Infringement Penalties. These are in line with a number of other ‘Coastal Council’ Penalties currently in force.

BACKGROUND/INITIAL COMMENTS

The review of Council's Local Laws was commenced a number of years ago, with some having been re-endorsed/retained without change.

The existing Shire of Waroona "Local Government Property Local Law" was made on 27 August 2001. It is now proposed that the old Local Law be amended, by being replaced by the new proposal, which is attached to this report.

PLANNING – STRATEGIC IMPLICATIONS

None Applicable

REFERRALS

None Applicable

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

FINANCIAL ISSUES/IMPLICATIONS

New Signage Costs can be expected, as well as printing and advertising costs.

POLICY ISSUES/IMPLICATIONS

There are no policy issues or implications emanating from this report.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Section 3.5 of the Local Government Act 1995 [as amended] provides the power for Local Governments to make Local Laws to help perform their functions.

There are set Statutory steps applicable before any Local Law takes effect, including any amendment to a Local Law. Such steps are now being followed.

COMMUNITY CONSULTATION

When the review process commenced a few years ago, submissions were originally sought for this amended Local Law in September 2010, with no correspondence received.

The latest proposal will need to be again advertised, and this will be on 23 October 2013 with closure of submissions to be at least 42 days later, being 6 December 2013. Any submissions received will be made known to Council at its meeting of 17 December 2013.

LEGAL ISSUES/IMPLICATIONS

Local Laws provide local governments with the power to manage and control issues and activities within their own district, for the good governance for the people in their



district, as well as the activities of visitors to the district. Local Laws, once adopted and gazetted, they become legally enforceable laws.

There are no identified “National Competition Policy’ [NCP] effects/implications to apply by the adoption and enforcement of this amended Local Law. The new proposal follows that of a ‘model’ Local Law for Local Government Properties which is used by many Councils, but with their own additions. Therefore no NCP applies.

Following Council’s final adoption at its 17 December 2013 meeting, with any changes if deemed appropriate, then the proposed new Local Law needs to be published in the Government Gazette. Then final local public notice is given by way of a 14 day advertisement. The new provisions would then apply for the next summer season, but could become applicable from 1 April, 2014.

The enforcement of the new changes should be delegated to the CEO, who should, in turn, sub-delegate the enforcement to the Council Rangers and/or other staff.

OFFICER’S FINAL COMMENTS/CONCLUSIONS

A Council resolution is needed on the attached proposed, amended, Local Law.

After the Council adopts this, it will be sent to the Minister for Local Government, who will, in turn, refer it to a ‘Delegated Legislation’ Committee for their assessment. This Committee will then ascertain the appropriateness of the proposal, whether any sections/parts should be disallowed, or whether there is any inconsistency with any State Legislation.

Appendices Attached:	Yes	Appendices Numbers: 9.4.5
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VOTING REQUIREMENTS

Absolute Majority



COUNCIL RESOLUTION

OCM13/10/107

MOVED: Cr Scott

SECONDED: Cr Wright

1. That the proposed amended Local Government Property Local Law, as attached, be adopted in principle with final consideration to be made at the December 2013 Ordinary Council meeting, with a view to these coming into force from 1 April 2014;
2. That the proposed Infringement Penalties be adopted under sections 6.16 of the Local Government Act, and that these be advertised as Charges applicable from the date that this Local Law amendment becomes effective;
3. That the Enforcement actions relating to this Local Law are delegated to the CEO;
4. That the CEO shall maintain an up-to-date list of all Authorised Staff to whom he subsequently delegates Enforcement Powers
5. Such staff shall keep appropriate records of all identified offences as well as details of Infringement Penalty Notices issued, and any related actions taken;
6. The Council shall be provided with details of any prosecutions effected under this Local law.

CARRIED BY ABSOLUTE MAJORITY 7/0

9.4.6 ANNUAL AUDIT 2012/2013	
Reporting Officer / Officer's Interest:	Laurie Tilbrook – Deputy Chief Executive Officer / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy Chief Executive Officer / Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 16 October 2013	File No.: 15/1
Previous Reference:	Nil
Policy Implications:	
Statutory Implications:	Local Government Act 1995 and Audit Regulations
Strategic Implications:	Nil
Financial Implications:	Nil
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	

PROPOSAL SUMMARY

The Council's annual audit for 2012/13 has now been finalised by the Council's auditor Mr Tim Partridge from AMD Bunbury.

The auditor has advised that the accounts have been presented to a very high standard with no areas of concern in relation to statutory compliance.

Details of management issues, suggestions etc are contained within a separate report and are addressed on an ongoing basis. Staff are pleased to advise that no issues requiring Council's attention were identified during the audit.

A copy of the 2012/13 Annual Accounts together with the audit report are attached at **APPENDIX 9.4.6**.

Following adoption of the official audit report the document and Annual Financial Statements will be presented to the Electors.

It is also a requirement that a copy of the audit report and Financial Statements be forwarded to the Dept of Local Government.

BACKGROUND/INITIAL COMMENTS

The Council is required to prepare its annual accounts by September 30 each year. This is followed by formal acceptance of the Audit report and subsequent incorporation of the audit report into the Annual Report which is to be presented to the Electors.

PLANNING – STRATEGIC IMPLICATIONS

None Applicable



REFERRALS

None Applicable

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

FINANCIAL ISSUES/IMPLICATIONS

None Applicable

POLICY ISSUES/IMPLICATIONS

None Applicable

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

In accordance with section 6.4 of the Local Government Act 1995 the Council is required by the 30th September each year to submit its accounts to the auditor.

LEGAL ISSUES/IMPLICATIONS

Non Applicable

COMMUNITY CONSULTATION

In accordance with Statutory requirements of both the Local Government Act 1995 and Audit Regulations.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

A full set of the audited Annual Financial Statements will be included within the “Annual Report” which is to be presented to Electors at the Annual meeting of Electors to be held on Tuesday 17th December 2013 (following the December Ordinary Council meeting).

The Councils Finance and Audit Committee are also required to meet with the Auditor on an annual basis. This is expected to take place immediately prior to the December Ordinary Council meeting.

Appendices Attached:	Yes	Appendices Numbers:	9.4.6
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VOTING REQUIREMENTS

Simple Majority



COUNCIL RESOLUTION

OCM13/10/108

MOVED: Cr Look

SECONDED: Cr Salerian

1. That the Annual Financial Statements for the books of account for the Shire of Waroona, for the 2012/2013 financial year, as appended be received.
2. That the Audit Report for the books of account for the Shire of Waroona, for the 2012/13 financial year, as appended be received.
3. That the Council records its appreciation to the Manager Financial Services and all Finance staff on the excellent presentation of the Council's accounts.

CARRIED 7/0

9.5 CHIEF EXECUTIVE OFFICER

Cr Witney declared a financial interest in Item 9.5.1, as an employee of the Community Resource Centre.

Cr Look declared a financial interest in Item 9.5.1, as an employee of the Community Resource Centre.

Cr Germain declared an interest affecting impartiality in Item 9.5.1, as Chairperson of the Community Resource Centre Board.

Cr Scott declared an interest affecting impartiality in Item 9.5.1, as a member of the Waroona Lions Club and Waroona Football Club.

Cr Wright declared an interest affecting impartiality in Item 9.5.1, as a member of the Waroona Football Club.

Cr Dew declared an interest affecting impartiality in Item 9.5.1, as a member of the Preston Beach Progress Assn.

Cr Salerian declared an interest affecting impartiality in Item 9.5.1, as a member of the Waroona Lions Club.

9.5.1 2013/14 SHIRE OF WAROONA COMMUNITY DEVELOPMENT GRANTS	
Reporting Officer / Officer's Interest:	Sian Gair -Community Development Officer / Nil
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community Services / Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report:	8.10.2013
Previous Reference:	File No.98/1
Policy Implications:	Nil
Statutory Implications:	Nil
Strategic Implications:	
Financial Implications:	The allocation in the 2013/2014 budget is a total of \$6,400
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>):	
<i>Strategy 3: Maintain a Strong Sense of Community</i>	
<i>Strategy 6: Achieve Active Civic Leadership</i>	

PROPOSAL SUMMARY

The Committee is requested to consider the applications for the 2013 Shire of Waroona Community Development Grants to recommend to Council.

BACKGROUND/INITIAL COMMENTS

The Community Development grant scheme was developed in 2004 to enhance the community in line with community development principles. The scheme provides up to eight hundred dollars for each proposal and has annually assisted a number of community groups and organisations.



In the 2013/14 budget Council resolved to provide an amount of six thousand and four hundred dollars (\$6,400) for the Community Development Grants Program.

A total of ten applications have been received with a total budget of seven thousand and eighty dollars (\$ 7,080).

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The Community Development Grants addresses two key strategies of the Community Strategic Plan, namely: Strategy 3: Maintain a Strong Sense of Community and Strategy 6: Achieve Active Civic Leadership.

FINANCIAL ISSUES/IMPLICATIONS

Funding all applications will cause a budget deficit of six hundred and eighty dollars.

POLICY ISSUES/IMPLICATIONS

N/A

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

N/A

LEGAL ISSUES/IMPLICATIONS

COMMUNITY CONSULTATION

The grants were advertised through a media release and sent directly to various community organisations via email. Hard copies of the application forms were available from the Shire Office. Consultation and assistance where required for applicants was made available through the Shire of Waroona Community Development Officer.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

All applications meet the Community Development grant scheme requirements but the total application exceeds the allocated budget. A range of factors were considered in determining the recommendation. An equal cut across all applications was considered inappropriate as the applications ranged from \$300 dollars to \$800.

The Waroona Lions Club applied for \$800 to cover Memorial Hall hire fees for the Lions Markets, the fees have been worked out at \$540. The grants still exceed the total amount by \$420. Previous applications were taken into account and the Waroona Community Resource Centre had received funding for three consecutive years and have presented three applications to this grants round, therefore it is recommended that the Community Cuppa application be reduced from \$750 to \$330.

Appendices Attached: No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority

Crs Witney and Look left the meeting, the time being 6.11 pm and returned at 6.14 pm. Cr Dew left the meeting at 6.11 pm and returned at 6.13 pm during discussion of this item.

COUNCIL RESOLUTION**OCM13/10/109****MOVED: Cr Scott****SECONDED: Cr Wright**

That Council resolve to award the following grants from the 2013/14 small grants program, as follows –

- 1. Waroona Lions Club receive \$540 to cover Memorial Hall fee hire for a twelve month period;**
- 2. Waroona Junior Basketball Assn receive \$800 for development of website;**
- 3. Preston Beach Progress Assn receive \$800 for community planting day;**
- 4. Waroona Football Club receive \$800 towards internal clubhouse improvements;**
- 5. Just Cruizin Street Machiners receive \$300 towards upgrading of constitution;**
- 6. Waroona Chamber of Commerce receive \$800 towards Waroona Business Awards; and**
- 7. Preston Beach Golf Club receive \$800 towards golf course reticulation, subject to the Recreation Advisory Committee reviewing and agreeing to the reticulation project.**

CARRIED 7/0

Crs Witney and Look left the meeting, the time being 6.17 pm.



COUNCIL RESOLUTION

OCM13/10/110

MOVED: Cr Scott

SECONDED: Cr Wright

That the Council resolve to award the following grants from the 2013/14 small grants program, as follows –

- 1. Waroona Health & Community Resource Centre, Youth Centre funding for consumables receive \$750;**
- 2. Waroona Health & Community Resource Centre, Playgroup funding for morning tea & facilitators receive \$480; and**
- 3. Waroona Health & Community Resource Centre, Community Cuppa receive \$330**
- 4. That the CEO give consideration to approving a donation of \$250 from donations account 0212.780 to the Waroona Health & Community Resource Centre Community Cuppa in addition to the above grant.**

CARRIED 5/0

Crs Witney and Look returned to the meeting, the time being 6.19 pm.

9.5.2 TOWNSCAPE DEVELOPMENT AND BUSINESS INCENTIVE GRANTS	
Reporting Officer / Officer's Interest:	Ian Curley, Chief Executive Officer /nil Sian Gair, Community Development Officer/nil
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer /nil
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report:	File No.: 98/1
Previous Reference:	
Statutory/Policy Implications:	Nil
Strategic Implications:	Improve town centre aesthetics/promote new businesses
Financial Implications – Net To Council:	\$16,000- no change to budget amount
Asset Mgt. & LCC Implications:	The resulting annual operating cost will be \$16,000
Workforce Implications:	HR requirements will be provided by current staff.
Linked To Strategic Objective Number (SCP): 1 - Manage Future Growth 5 – Encourage a Dynamic Local Economy 6 – Achieve Active Civic Leadership	

PROPOSAL SUMMARY

The Small Grants Committee request Council suspension of the Townscape Development and Business Incentive Grants for 2013/14 (budget amount of \$16,000) and that the Committee investigates other opportunities for the funding to better target the business community.

BACKGROUND/ INTIAL COMMENTS

The Shire of Waroona established Townscape Development Grants in 2010 to provide small amounts of discretionary funds to commercial business owners in Waroona Central Business District (CBD) for upgrades to their premises. These funds are designed to assist with projects that will enhance the aesthetics of the area and compliment the recent upgrade of the town centre.

Council resolved to provide an amount of Sixteen Thousand dollars (\$16,000) in the 2009/10 budget for the Townscape Development Grants Program.

At the OCM 10/10, Council resolved to initiate a Business Incentive Grant fund to provide small amounts of discretionary funds to new or existing commercial business proprietors in the Waroona CBD to assist with the costs of opening a new business or expansion of an existing business. The fund was designed to encourage new and current business proprietors to make use of existing empty business premises in the Waroona CBD.

The Townscape Development Grant and Business Incentive Grant have a combined budget of sixteen thousand dollars (\$16,000) allocated in the 2013/14 budget.



Townscape Development Grant

Eleven businesses have received funding at a total cost of twenty four thousand three hundred (\$24,300). The grant has available for a discrete 6 week period in October/November each year.

Businesses Incentive Grants

Six new businesses have received the Business Incentive Grants totalling eleven thousand eight hundred and eighteen dollars (\$11,818) over the three years scheme.

PLANNING / STRATEGIC PLAN IMPLICATIONS REFERRALS**STRATEGIC COMMUNITY PLAN ISSUES/ IMPLICATIONS**

(SCP): 1 - Manage Future Growth

1.1 Manage moderate growth in the Shire of Waroona to protect the communities lifestyle;

1.1.1 Improve urban design of locality centres.

(SCP): 5 – Encourage a Dynamic Local Economy

5.2 continue the current town centre upgrade to help invigorate local retail:

5.2.2. Encourage community and business initiatives to refresh and connect the town centre.

(SCP): 6 – Achieve Active Civic Leadership

6.3 regularly review plans with community consultation on significant decisions affecting the shire.

FINANCIAL IMPLICATIONS

Individual business owners can apply for amounts of up to \$3000.

TOWNSCAPE DEVELOPMENT GRANTS 2010/2012		
OCM 10/072 Round 1 May 2010	Waroona Rural Services	\$4000
	John's Hairdressing	\$2727.27
OCM 10/10/164 Round 2 October 2010	Drakesbrook Realty	\$909.09
	Mainline Motors	\$3636.36
	Golden Glass	\$1676
OCM 11/10/128 Round 3 October 2011	The Angry Snappa	\$1569
	Waroona Post	\$927.27
	Shops 9,10, 11	\$3000
	Shop 1, 61 South Western Highway	\$3000
OCM 12/11/146 Round 4 November 2012	Dizzy's Diner	\$2578.18
	Aunty Jacks Video Shop	\$277.51
	TOTAL	\$24,300.68



BUISNESS INCENTIVE GRANTS		
March 2011	Natural Wicca	\$2000
September 2011	Waroona Computers	\$2000
October 2011	Angry Snappa	\$2000
July 2012	Templeman Twells Web Design	\$2000
December 2012	Waroona Seafood	\$1818.18
March 2013	Nifty Nook	\$2000
	TOTAL	\$11,818.18

Business Incentive Grants are to a maximum of \$2,000.

POLICY ISSUES / IMPLICATIONS

N/A

SMALL GRANTS COMMITTEE

The Committee discuss the Townscape and Business Incentive grants at its recent meeting of 8 October 2013 and there was a general consensus that both grants had had a positive impact on the Waroona town centre, however, it was time to re-evaluate the grants and perhaps apply the funding to a different concept; one that may have more overall effect in the business area. Suggestions have included increasing the Christmas/night-time lighting in the CBD, encourage murals on large open spaces and/or empty shop windows, business training opportunities in web design and other marketing opportunity that could be accessed by any Waroona business.

OFFICER'S COMMENTS

The Townscape Development Grants have improved the aesthetic of the CBD but as businesses move into a maintenance phase there is potential to create dependency on Council for ongoing funds.

The Business Incentive Grants have assisted new business owners but there have been a number of issues administrating the scheme and there has been negative feedback when businesses have been advised they do not met the criteria.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority



COUNCIL RESOLUTION

OCM13/10/111

MOVED: Cr Witney

SECONDED: Cr Look

That Council suspend The Townscape Development and Business Incentive Grant Scheme for 2013/2014 (\$16,000) and that the Small Grants Committee is requested to explore alternative options to enhance the aesthetics and business opportunity of the Waroona Central Business District and, possibly, other business areas.

CARRIED 7/0

9.5.3 DECEMBER, JANUARY & FEBRUARY COUNCIL MEETINGS /ANNUAL ELECTORS MEETING	
Reporting Officer / Officer's Interest:	Ian Curley – Chief Executive Officer/Nil
Responsible Officer / Officer's Interest	Ian Curley – Chief Executive Officer/Nil
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 15 October 2013	File No.: 35/1
Previous Reference:	OCM 11/10/127 (October 2011) & OCM 12/10/119 (October 2012)
Policy Implications:	Council policy 1.13
Statutory Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	Nil
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	

PROPOSAL

To set the date and time for the December 2013 Council meeting and the 2013 Annual Electors Meeting, and consider the need for a January 2014 meeting.

BACKGROUND

The December 2013 Council meeting is scheduled for Tuesday 24 December 2013 which is Christmas Eve and it is recommended that the meeting be held one week prior to the scheduled day, on Tuesday 17 December 2013 commencing at 4.00pm.

It is suggested that the Annual Electors Meeting be held at 6.00pm on the same day as the December Council meeting, as occurred last year.

The January 2014 Council meeting is scheduled for Tuesday 28 January 2014. Council, generally, does not hold a January meeting and brings forward the February meeting. If urgent business arises during this period a Special Council meeting can be held.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION**OCM13/10/112****MOVED: Cr Witney****SECONDED: Cr Salerian**

That Council give public notice of the following schedule for coming meetings:

- 1. December 2013 Council meeting to be held on Tuesday 17 December 2013 commencing at 4:00pm.**
- 2. 2012/13 Annual Electors meeting to be held on Tuesday 17 December 2013 commencing at 6:00pm.**
- 3. No January 2014 Council meeting be held.**
- 4. February 2014 Council meeting to be held on Tuesday 18 February 2014 commencing at 4.00pm.**

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

Nil.

12.1 ELECTED MEMBERS

Nil.

12.2 OFFICERS

Nil.

Cr Dew left the meeting at 6.36 pm during general discussion and returned at 6.39 pm.

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 6.43 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 26 NOVEMBER 2013 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE

