



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

**TUESDAY 25 MARCH 2014**

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

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**1. DECLARATION OF OPENING/ANNOUNCEMENTS**

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

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

Cr Christine Germain	Shire President
Cr Trish Witney	Deputy Shire President
Cr John Salerian	Councillor
Cr Larry Scott	Councillor
Cr Craig Wright	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Steve Cleaver	Director Community Services
Mr Louis Fouché	Director Planning Services
Mr Andrew Bruce	Director Technical Services
Mr Jason Robertson	Mgr Environmental Health & Building Services
Miss Ashleigh Nuttall	Manager Financial Services
Mrs Annette Mason	A/Executive Support Officer

**APOLOGIES**

Cr Noel Dew	Councillor
Cr John Mason	Councillor
Mr Laurie Tilbrook	Deputy CEO / Director Corporate Services

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

**LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Cr Lina Look	Councillor
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**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****COUNCIL RESOLUTION**

**MOVED: Cr Scott**

**SECONDED: Cr Salerian**

**OCM14/03/015**

**That Cr Witney be granted Leave of Absence from 22<sup>nd</sup> to 25<sup>th</sup> April 2014.**

**CARRIED 5/0**



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

Cr Witney declared an indirect financial interest in item 9.2.2 as an employee of an associated party to the application;  
Cr Germain declared an interest affecting impartiality in item 9.2.2 as a member of the Waroona Community Centre Board, associated with the application;  
Declarations of interest affecting impartiality in Item 9.2.2 – Cr Wright as member of the Waroona Football Club, Waroona Bowling Club; Cr Scott as member of the Waroona Football Club, Waroona Bowling Club, Waroona Agricultural Society; Cr Salerian as member of the Waroona Agricultural Society.  
Cr Salerian and Cr Scott declared interests affecting impartiality in Item 9.5.1 as members of the Waroona Agricultural Society.

**7. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY COUNCIL MEETING – 18 FEBRUARY 2014****COUNCIL RESOLUTION**

**MOVED: Cr Scott**

**SECONDED: Cr Wright**

**OCM14/03/016**

**That the Minutes of the Ordinary Council Meeting held 18 February 2014 be confirmed as being a true and correct record of proceedings.**

**CARRIED 5/0**

**9.0 REPORTS OF OFFICERS AND COMMITTEES**

**9.1 DIRECTOR TECHNICAL SERVICES**

<b>9.1.1 TENDER – RFT 2014/01 – SALE OF ISUZU 6.5 TONNE TRUCK</b>	
Reporting Officer / Officer's Interest:	Murry Bracknell Manager of Works and Services / Nil
Responsible Officer / Officer's Interest	Ian Curley Chief Executive Officer / Nil
Proponent:	Shire of Waroona
Landowner:	Not Applicable
Date of Report: 31 October 2013	File No.: 142/1
Previous Reference:	Nil.
Policy Implications:	See detailed note
Statutory Implications:	See detailed note
Strategic Implications:	See detailed note
Financial Implications:	See detailed note
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): 1</b>	
MANAGE FUTURE GROWTH	

**PROPOSAL SUMMARY**

The purpose of this item is to present to Council for its consideration the tenders received for the tender 2014/01 Sale of Isuzu 6.5 Tonne Truck.

**BACKGROUND/INITIAL COMMENTS**

Council's 2013/14 budget includes an allocation for the purchase of a new truck to replace the existing unit (1989 Isuzu). The decision was taken to offer the disposal of the existing unit as a standalone tender as well as including the disposal option as a trade in the separate tender drawn up for the purchase of the replacement unit.

A specification was drawn up and the tender was advertised in the West Australian on 22 February 2014 and the South West Times on 27 February 2014. The closing date of the tender was 11 March 2014.

The following submissions were received:

	* ALL VALUES ex GST		
TENDERER	PURCHASE PRICE		
WAGERUP CIVIL Pty Ltd			
		\$	7,727.27
VINCI TRANSPORT Pty Ltd			
		\$	8,000.00

**PLANNING – STRATEGIC IMPLICATIONS**

None Applicable

**REFERRALS**

None Applicable



**STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS**

The relevant Strategic Community Plan issue area is number 1 Manage Future Growth.

**FINANCIAL ISSUES/IMPLICATIONS**

It is financially more advantageous to Council to proceed with the disposal of the existing unit via the trade of the unit in conjunction with the purchase of the replacement truck.

**POLICY ISSUES/IMPLICATIONS**

Tenders called in accordance with LG Act & Council Purchasing Policy

**STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS**

The tender process has been conducted as per the relevant sections of the Local Government Act 1995.

**LEGAL ISSUES/IMPLICATIONS**

N/A

**COMMUNITY CONSULTATION**

The tender was advertised in the West Australian on 22 February 2014 and the South West Times on 27 February 2014. The closing date of the tender was 11 March 2014.

**OFFICER'S FINAL COMMENTS/CONCLUSIONS**

Two submissions were received for the outright purchase of the existing unit, however they were both less than that offered for the vehicle as a trade under the separate tender for the purchase of the replacement unit.

In light of this, officers recommend that Council reject all tenders.

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

Simple Majority

**COUNCIL RESOLUTION**

**MOVED: Cr Scott**

**SECONDED: Cr Witney**

**OCM14/03/017**

**That Council reject all submissions for Tender 2014/01 Sale of Isuzu 6.5 Tonne Truck.**

**CARRIED 5/0**



<b>9.1.2 TENDER – RFT 2014/02 – SUPPLY AND DELIVERY of ONE NEW 4 to 5 TONNE TRUCK with 3 WAY TIPPING BODY and CRANE</b>	
Reporting Officer / Officer's Interest:	Murry Bracknell Manager of Works and Services / Nil
Responsible Officer / Officer's Interest	Ian Curley Chief Executive Officer / Nil
Proponent:	Shire of Waroona
Landowner:	Not Applicable
Date of Report: 31 October 2013	File No.: 142/1
Previous Reference:	Nil.
Policy Implications:	See detailed note
Statutory Implications:	See detailed note
Strategic Implications:	See detailed note
Financial Implications:	See detailed note
<b>LINKED TO STRATEGIC OBJECTIVE: ASSET MANAGEMENT</b>	

### **PROPOSAL SUMMARY**

The purpose of this item is to present to Council for its consideration the tenders received for the tender 2014/02 – Supply and Delivery of One New 4 to 5 Tonne Truck with 3 Way Tipping Body and Crane.

### **BACKGROUND/INITIAL COMMENTS**

Council's 2013/14 budget includes an allocation for the purchase of a new truck to replace the existing unit (1989 Isuzu). Since the purchase price of the new truck was likely to exceed \$100,000 a tender process was required.

A specification was drawn up and the tender was advertised in the West Australian on 22 February 2014 and the South West Times on 27 February 2014. The closing date of the tender was 11 March 2014.

The following submissions were received:

	* ALL VALUES ex GST		
<b>TENDERER</b>	<b>PURCHASE PRICE</b>	<b>TRADE</b>	<b>CHANGEOVER</b>
<b>BUNBURY TRUCKS</b>			
Hino FC 1022	\$ 112,500.00	\$ 12,000.00	\$100,500.00
Hino FD 1124	\$ 119,800.00	\$ 12,000.00	\$107,800.00
Fuso FK 1024	\$ 109,500.00	\$ 12,000.00	\$ 97,500.00
Fuso FK1024	\$ 115,200.00	\$ 12,000.00	\$103,200.00
<b>SOUTH WEST ISUZU</b>			
NQR 450 Long	\$ 98,700.00	\$ 9,972.73	\$ 88,727.27
FRR 500 Medium	\$ 107,230.00	\$ 9,957.27	\$ 97,272.73
<b>TRUCK CENTRE</b>			
UD MK11 250 - Manual	\$ 114,579.00	\$ 9,091.00	\$105,488.00
UD MK11 250 - Auto	\$ 118,229.00	\$ 9,091.00	\$109,138.00



**PLANNING – STRATEGIC IMPLICATIONS**

None Applicable

**REFERRALS**

None Applicable

**STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS**

The relevant Strategic Community Plan issue area Asset Management.

**FINANCIAL ISSUES/IMPLICATIONS**

The Plant Replacement budget has a current balance of \$108,568.00 with the truck subject to this tender and a tradesman's utility canopy (approximately \$10,000) being the final two items planned to be purchased this year under this budget allocation. Therefore there are sufficient funds available to cover the purchase of the new truck.

The replacement unit will attract slightly higher annual maintenance costs simply due to the fact that it is a more complex set up (three way tipping body and crane) than the existing truck. However, this will be offset to some extent by modern service intervals which are much longer than that of older vehicles, and the fact that there will be a warranty in place for the first three years/150,000 kilometres/2,000 hours.

Additionally the crane under relevant regulations will require an annual inspection by a suitably qualified third party therefore there will be a minor cost involved in this activity (approximately \$500 per annum plus minor labour and plant costs to deliver the truck to the inspection location).

**POLICY ISSUES/IMPLICATIONS**

Tenders called in accordance with LG Act & Council Purchasing Policy

**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**

N/A

**COMMUNITY CONSULTATION**

The tender was advertised in the West Australian on 22 February 2014 and the South West Times on 27 February 2014.

**OFFICER'S FINAL COMMENTS/CONCLUSIONS**

The existing truck was offered for disposal both by outright purchase via Tender 2014/01 and as a trade in, the latter incorporated into the tender for the purchase of





the new vehicle. As the trade value received as part of the recommended was higher than the two offers for outright purchase received, it is more advantageous to Council to proceed with the trade of the existing truck.

The replacement vehicle will replace the existing truck however the specification called for a three way tipping body (i.e. tips to the rear as well as to either side of the truck) and a crane, which will greatly increase the flexibility and ability of the new truck over the existing truck which is an end tipper only with no crane.

The qualitative criteria used for the evaluation of the submissions were as follows:

- Relevant Experience (weighted 40%)
  - Provide details of similar supply
  - Provide scope of the Tenderer's involvement including details of outcomes.
  - Demonstrate competency and proven track record of achieving outcomes.
  - Commitment to meet delivery requirements

Price considerations were weighted at 60%.

An evaluation was carried out based on the above criteria and the information received in the various submissions. Following this evaluation process, officers recommend the purchase of an Isuzu 500 which satisfies the qualitative criteria and the specification in the tender document. While this option is not the least expensive, it offers greater performance and flexibility in that the Isuzu 500 has a greater payload (approximately 1.5 tonnes more) than the Isuzu 450 which is the least expensive option. Given that the three way tipping body, due to its greater complexity, is heavier than a standard end tipping tray, and that the crane will also add weight, it is advantageous that the base truck has a greater payload capacity. Therefore officers feel that the increase in cost over the least expensive option is justified in this instance.

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

Absolute Majority

#### **COUNCIL RESOLUTION**

**MOVED: Cr Wright**

**SECONDED: Cr Scott**

**OCM14/03/018**

**That Council award Tender RFT 2014/02 to South West Isuzu for the purchase of one Isuzu 500 truck fitted with three way tipping body and crane at the ex GST cost of \$107,230.00 and accept their trade offer of \$9,957.27 (ex GST) for the existing 1989 Isuzu 6.5 tonne truck.**

**CARRIED BY ABSOLUTE MAJORITY 5/0**



<b>9.1.3 BUDGET AMENDMENT – HESSE STREET CAPITAL UPGRADE PROJECT</b>	
Reporting Officer / Officer's Interest:	Murry Bracknell Manager of Works and Services / Nil
Responsible Officer / Officer's Interest	Andrew Bruce Director Technical Services / Nil
Proponent:	Shire of Waroona
Landowner:	Not Applicable
Date of Report: 31 October 2013	File No.: 1/7
Previous Reference:	Nil.
Policy Implications:	See detailed note
Statutory Implications:	See detailed note
Strategic Implications:	See detailed note
Financial Implications:	See detailed note
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER ASSET MANAGEMENT</b>	

### **PROPOSAL SUMMARY**

The purpose of this item is to present to Council for its consideration a budget amendment to create an additional budget item to allow expenditure in 2013/14 on the Hesse Street capital upgrade project.

### **BACKGROUND/INITIAL COMMENTS**

Council holds funds of \$466,475 sourced from the Country Local Government Fund in a reserve account for the purpose of the Hesse Street redevelopment in Waroona. The bulk of these funds are to be expended in the 2014/15 financial year, however some preliminary works in the form of geotechnical investigations, design and service utility investigations have been taking place in the current financial year. This approach has been adopted so that the project can be as close as possible to 'construction ready' in the construction season of 2014/15.

However, this approach was decided upon only after the adoption of the current budget and therefore no expenditure allocation was included. This has therefore resulted in the need for a budget amendment to the 2013/14 budget to allow the inclusion of an additional expenditure account.

### **PLANNING – STRATEGIC IMPLICATIONS**

None Applicable

### **REFERRALS**

None Applicable

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

The relevant Strategic Community Plan issue area Asset Management.



**FINANCIAL ISSUES/IMPLICATIONS**

Officers estimate that \$20,000 is required to cover the expenditure in 2013/14. These funds will be drawn from the Hesse Street redevelopment reserve to cover the costs associated with 13/14 financial year.

The funds will be included in General Ledger number 132040 and will show against the job number RC06.

**POLICY ISSUES/IMPLICATIONS**

None Applicable

**STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS**

None Applicable

**LEGAL ISSUES/IMPLICATIONS**

None Applicable

**COMMUNITY CONSULTATION**

None Applicable

**OFFICER'S FINAL COMMENTS/CONCLUSIONS**

None Applicable

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

Absolute Majority

**COUNCIL RESOLUTION**

**MOVED: Cr Witney**

**SECONDED: Cr Salerian**

**OCM14/03/019**

**That Council approve an amendment to the 2013/14 budget to include the following transfers:**

- i) \$20,000 transferred from the Hesse Street Redevelopment Reserve Account to 131950 (transfers from Reserve)**
- ii) Increase expenditure in 132040 by \$20,000 to account for preliminary expenses in 2013/14.**

**CARRIED BY ABSOLUTE MAJORITY 5/0**



## 9.2 DIRECTOR COMMUNITY SERVICES

<b>9.2.1 CLUB DEVELOPMENT OFFICER</b>	
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:	Shire of Murray
Landowner:	Not Applicable
Date of Report: 27 February 2014	File No.: 126/3
Previous Reference:	nil
Policy Implications:	nil
Statutory Implications:	Local Government Act 1995
Strategic Implications:	Shared Service
Financial Implications:	See detailed note
<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 Shire has been approached by the Shire of Murray and the Department of Sport and Recreation to partner in a club development officer position for a period of two years.

### **BACKGROUND/INITIAL COMMENTS**

Club Development Officers are common in many Local Governments in Western Australia and assist clubs in

- Legal responsibilities
- Social Media
- Club talk initiative
- Financial Management
- Planning processes.
- Identifying and encourage new clubs
- Better understand FIFO and DIDO implications
- Providing guidance and support for KidSport
- Providing specialist advice to Local Governments

At this stage the Shire of Murray envisages that the officer would be based in Pinjarra and service Waroona.

### **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**

Shire of Waroona contributions of \$3250 in 2014/2015 and \$3500 in 2015/2016 The balance of the expenditure is funded by the Department of Sport and Recreation and the Shire of Murray. The project costs are estimated at \$71422 in 2014/2015 and \$73004 in 2015/2016.

**OFFICER'S FINAL COMMENTS/CONCLUSIONS**

As the contributions to this project are minor in nature and the benefits in assistance to community clubs would be significant it is recommend that Council include an allocation in the 2014/2015 budget.

The matter was considered at the March Recreation Advisory Committee where it was recommended that Council endorse the grant application and partner with the Shire of Murray and the Department of Sport and Recreation for this two year project.

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

Simple Majority

**COUNCIL RESOLUTION**

**MOVED: Cr Wright**

**SECONDED: Cr Scott**

**OCM14/03/020**

- 1. That the amount of \$3250 is budgeted in 2014/2015 and that \$3500 is budgeted in 2015/2016 for a shared Club Development Officer with the Department of Sport and Recreation and Shire of Murray.**

**CARRIED 5/0**



Cr Witney declared an indirect financial interest in item 9.2.2 as an employee of an associated party to the application. Cr Witney left the meeting the time being, 4.16 pm;

Cr Germain declared an interest affecting impartiality in item 9.2.2 as a member of the Waroona Community Centre Board, associated with the application;

Declarations of interest affecting impartiality in Item 9.2.2 – Cr Wright as member of the Waroona Football Club, Waroona Bowling Club; Cr Scott as member of the Waroona Football Club, Waroona Bowling Club, Waroona Agricultural Society; Cr Salerian as member of the Waroona Agricultural Society. Comment on the application was invited from the abovementioned groups.

<b>9.2.2 MEN'S SHED</b>	
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:	Shire of Waroona
Landowner:	Not Applicable
Date of Report: 27 February 2014	File No.: 126/3
Previous Reference:	nil
Policy Implications:	nil
Statutory Implications:	Local Government Act 1995
Strategic Implications:	Shared Service
Financial Implications:	See detailed note
<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**

To note Community consultation for the proposed men's shed.

### **BACKGROUND/INITIAL COMMENTS**

In December 2013 the Chief Executive Officer wrote to key users of the sportsground seeking feedback on the use of the Tennis courts as a men's Shed.  
**Appendix 9.2.2A**

### **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**

Nil



**OFFICER'S FINAL COMMENTS/CONCLUSIONS**

At the close of the comment period no comments have been received. The matter was considered at the March Recreation Advisory committee however following the close of the comment period two submissions opposing the location of the Men's Shed were received by the Shire (Attachments 9.2.2.B and 9.2.2.C). It is therefore recommended that Council refer the matter back to the Recreation Advisory Committee for further consideration.

<b>Appendices Attached: Yes</b>
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<b>Appendices Numbers: 9.2.2.A, 9.2.2.B &amp; 9.2.2.C</b>
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**VOTING REQUIREMENTS**

Simple Majority

**RECREATION ADVISORY COMMITTEE RECOMMENDATION**

1. That the Recreation Advisory Committee notes the community consultation on the Men's Shed proposal.
2. That the Committee recommends to Council that the current proposal including site location is endorsed.

**COUNCIL RESOLUTION**

**MOVED: Cr Wright**

**SECONDED: Cr Scott**

**OCM14/03/021**

1. That the matter be referred back to the Recreation Advisory Committee, and
2. That the Recreation Advisory Committee considers late comments by the Waroona Football Club and the Waroona Bowling Club.

**CARRIED 4/0**

The Officers recommendation differs from the Committees recommendation as letters of objection were received after the meeting of the Recreation Advisory Committee.

Cr Witney returned to the meeting, the time being 4.27 pm.



### 9.3 DIRECTOR PLANNING SERVICES

<b>9.3.1 DRAFT LOCAL PLANNING POLICY 28 – BED AND BREAKFAST ACCOMMODATION</b>	
Reporting Officer / Officer's Interest:	Greg Delahunty, Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché, Director Planning and Development Services / Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 14 March 2014	File No.: TPS 7 General, 111/1
Previous Reference:	N/A
Policy Implications:	Tourism Western Australia - Local Government Bed and Breakfast Policy Local Planning Strategy
Statutory Implications:	Shire of Waroona Town Planning Scheme No.7
Strategic Implications:	Shire of Waroona Strategic Community Plan 2012
Financial Implications:	Cost of Advertising (Approximately \$700).
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): 6 Achieve Civic Leadership</b>	

#### **PROPOSAL SUMMARY**

Council is requested to consider a new draft Local Planning Policy to guide the development of Bed and Breakfast accommodation within the Shire of Waroona.

The objectives of this Policy are to:

- a) Support a diversity of accommodation base within the local government;
- b) Provide an effective framework of guidelines within the local government to develop Bed and Breakfast accommodation;
- c) Ensure the maintenance of a satisfactory standard of facility, which has Town Planning as well as Environmental Health and Building approval; and
- d) Maintain the amenity of both the property and the neighbourhood wherein the Bed and Breakfast establishment is located.

In essence this Policy seeks to achieve a balance between the provision of Bed and Breakfast accommodation throughout the Shire whilst ensuring that the local character and amenity is not compromised.

A copy of the draft Policy can be found at **APPENDIX 9.3.1**.

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

Growth in tourism presents an opportunity to increase the benefits that tourism brings to the local community in any area. If the benefits of tourism activity are to be maximised, and the disadvantages minimised, clear planning, management and tourism policies need to be formulated at local government level.

Bed and Breakfast accommodation is a component of the short stay accommodation sector and an important aspect of the overall mix of tourism





accommodation. Tourism Western Australia, a statutory authority under the portfolio of the Minister for Tourism, has produced a Local Government Bed and Breakfast Policy which aims to assist Local Governments in their regulation of Bed and Breakfast accommodation.

Planning Officers are currently undertaking an omnibus amendment of Council's Local Planning Policies in order to ensure consistency with State and Local Government Policy as well as the proposed updated Town Planning Scheme text. This policy aims to achieve consistency with these documents.

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

#### **Town Planning Scheme No.7 (TPS)**

Under the TPS Bed and Breakfast means 'a dwelling, used by a resident of the dwelling, to provide accommodation for person away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast'

The TPS classifies the following land use permissibility's for Bed and Breakfast accommodation across the TPS zones:

<b>Zone</b>	<b>Permissibility</b>
Urban 1 – Town Centre	AA
Urban 4 - Residential	AA
Urban 5 – Special Residential	AA
Urban 6 – Rural Living	AA
Urban 8 - Hamel	AA
Urban 9 - Preston Beach	AA
Rural 1 – General Farming	AA
Rural 3A & 3B – Coastal and Coastal Highway	AA
Rural 4 – Hills Face	AA
Rural 5 – Darling Ranges	AA
Rural 6 – Rural Residential	AA
Rural 7 – Rural Small Holdings	SA

Where an application is made for Planning Consent to commence or carry out development which involves "AA" use, Council may, at its discretion, permit the use.

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 the advertising clause of the Scheme.

In terms of Clause 2.4 of the TPS, once a draft TPS 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 TPS policy does not bind Council, it shall have regard to the policy when making a decision.



## **PLANNING – STRATEGIC IMPLICATIONS**

### **Tourism Western Australia - Local Government Bed and Breakfast Policy**

This policy provides a pro-forma policy for Bed and Breakfast premises which may be adopted 'as is' by Councils, or modified and expanded to suit local requirements.

This policy deals with issues such as:

- Town Planning criteria;
- Building requirements;
- Environmental Health requirements; and
- Approval periods

### **Local Planning Strategy**

The LPS recognizes that currently there is a limited range of tourist accommodation within the Shire. In order to address this, the strategy identifies that the Shire will give consideration to resort or similar accommodation on appropriate sites.

The LPS estimates that there are a total of 26,200 visitors per annum to the Shire. There are 71,000 visitor nights and an average length of stay of 2.7 nights.

The LPS seeks to encourage the development of low scale tourist accommodation in the Rural zones throughout the Shire, but particularly in the Scarp and in proximity to Lake Navarino.

Bed and Breakfast accommodation is classified as a Primary or a Discretionary land use within the following LPS sub precincts:

- Coastal Precinct – General Agriculture sub precinct.
- Lake Clifton Precinct – Rural Smallholdings sub precinct.
- Agricultural Precinct – Priority Agriculture and General Agriculture sub precincts.
- Town Precinct – Rural Small Holdings sub precinct.
- Scarp and Darling Range Precinct – Hills Landscape Protection and General Agriculture sub precincts.

## **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).

## **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**

During the assessment of a recent development application for a Bed and Breakfast, the Tourism WA Local Government Policy for Bed and Breakfasts was referred to. This policy highlights the operational advantages that a Local Government may experience with the adoption of a Bed and Breakfast Local Planning Policy. A Policy can ensure clarity for stakeholders while aiming to achieve a balance between the provision of Bed and Breakfast accommodation and maintaining the amenity of surrounding landowners. The Tourism WA pro forma Policy has been drawn upon in the creation of the draft Policy.

### **Application Requirements**

The draft policy lists all the relevant information that must be submitted in support of an application for Bed and breakfast accommodation. This list offers clarity to applicant while ensuring that Council has enough information to properly assess an application.

### **Approval Requirements**

The draft policy list a number of approval requirements, not covered in any other Town Planning instrument, which are to be met prior to the approval of a Planning Consent. The approval requirements deals with relevant issues such as the maximum number of guests to be accommodated, car parking, waste management, access to a water supply and signage.

### **Ongoing Management**

It is considered that the responsibility for appropriate on-going management of the Bed and Breakfast operation rests with the proponent to ensure that visitors are responsible and do not create inappropriate impacts (including noise) to adjoining/nearby properties.

Accordingly, as part of the planning application, the proponent will be required to submit a property management plan. This management plan will contain an agreement with the owner / operator which lists their responsibility and shall include but not be limited to, matters such as maintenance and cleaning. A code of conduct for guests which shall list what is considered acceptable and unacceptable behaviour will also be required. Finally details of how nuisance issues such as noise will be addressed by the manager are to be provided.

### Approval Period

Similar to Council's Holiday Homes Local Planning Policy, Planning Consent for a Bed and Breakfast may be granted for one year. This offers Council the opportunity to review the approval on an annual basis and the ability to consider and nuisance issues or complaints received.

### Conclusion

In conclusion the proposed policy will seek to ensure that Bed and Breakfast accommodation is regulated, encouraged and suitably located within the Shire. It is therefore recommended that Council adopt the draft policy on Bed and Breakfast accommodation for advertising.

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Number/s: 9.3.1A</b>
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### VOTING REQUIREMENTS

Simple Majority

### **COUNCIL RESOLUTION**

**MOVED: Cr Wright**

**SECONDED: Cr Scott**

**OCM14/03/022**

**That in relation to the draft Bed and Breakfast Policy as set out in Appendix 9.3.1A Council resolves to:**

- 1. Advertise the draft Policy in accordance with the requirements of Clause 2.4.1 of Town Planning Scheme No.7.**
- 2. Consider all submissions received as a result of advertising.**

**CARRIED 5/0**

**9.4 DEPUTY CEO/DIRECTOR CORPORATE SERVICES**

<b>9.4.1 ACCOUNTS FOR PAYMENT</b>	
Reporting Officer / Officer's Interest:	Joe Dineley, Senior Finance Officer / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 11/3/14	File No.: 1/3
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 "Active Civic Leadership, Good Governance, &amp; Excellence in Management"</b>	
<b>Voting Requirements</b>	<b>Simple Majority</b>

<b>Appendices Attached:</b>	<b>Yes</b>	<b>Appendices Numbers:</b>	<b>9.4.1</b>
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**COUNCIL RESOLUTION****MOVED: Cr Witney****SECONDED: Cr Wright****OCM14/03/023****That Vouchers numbered:**

<b><u>ACCOUNT</u></b>	<b><u>CHEQUE NOS.</u></b>	<b><u>TOTAL \$</u></b>
<b>Municipal</b>	<b>Cheques 7633 - 7661</b>	<b>\$230,955.93</b>
<b>Trust (Cheque/EFTs)</b>	<b>EFT 17858 Cheque 11028</b>	<b>\$1382.00</b>
<b>Electronic Transfers Municipal Fund</b>	<b>EFT 17859 to 18030</b>	<b>\$531,531.49</b>
<b>Direct Wages</b>	<b>01/2/2014 – 28/2/2014 inclusive</b>	<b>\$178,814.60</b>
<b>GRAND TOTAL:</b>		<b><u>\$942,684.02</u></b>

**and attached at Appendix 9.4.1 be endorsed.****CARRIED 5/0**

<b>9.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2013 TO 28 FEBRUARY 2014</b>	
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: 18/3/2014	File No.: 1/1
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 "Active Civic Leadership, Good Governance, &amp; Excellence in Management"</b>	
<b>Voting Requirements</b>	<b>Simple Majority</b>

<b>Appendices Attached:</b> Yes	<b>Appendices Numbers:</b> 9.4.2
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**COUNCIL RESOLUTION****MOVED: Cr Witney****SECONDED: Cr Wright****OCM14/03/024**

**That the Monthly Statements of Financial Activity for the period 1 July 2013 to 28 February 2014 at Appendix 9.4.2 be received and noted.**

**CARRIED 5/0**

<b>9.4.3 AMENDMENT TO POLICY 3.16 CHEQUES &amp; ELECTRONIC FUND TRANSFERS</b>	
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: 4 March 2014	File No.: 111/1
Previous Reference: N/A	
Statutory/Policy Implications:	Proposal is an amendment to an existing policy 3.16
Strategic Implications:	N/A
Sustainability Effects:	N/A
Financial Implications:	N/A
Asset Mgt. & LCC Implications:	N/A
Workforce Implications:	N/A
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>):E, No.6</b> <i>“Active Civic Leadership, Good Governance and Excellence in Management”</i>	

### **PROPOSAL SUMMARY**

To seeks Council's endorsement to change policy 3.16 Cheques & Electronic Fund Transfers to allow additional Director as back up for online transfers.

### **BACKGROUND**

At present there are only three internal staff members that are able to authorise electronic fund transfers. On occasion staff member's availability to complete these transactions has been an issue. To overcome this difficulty the addition of a back-up officer at Director level will be added to the current list of officers that can perform the online authorisation.

### **FURTHER COMMENTS**

At this time Corporate Services staff has taken the opportunity to revise the current policy and segregate the authorisation of electronic funds transfers and the signing of cheques.

### **POLICY IMPLICATIONS**

Proposed amendment to policy 3.16; relating to authorising of cheques and electronic fund transfers.

### **FINANCIAL IMPLICATIONS**

N/A

### **STATUTORY IMPLICATIONS**

N/A



**STRATEGIC IMPLICATIONS**

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

**COMMUNITY CONSULTATION**

N/A

**OFFICER'S COMMENTS**

That Council approve the proposed amendment to policy 3.16 which is currently;

- i) That any two of the following be authorised to sign cheques and authorise electronic funds transfers from the Council's Municipal fund for the payment of creditors:

Shire President  
Deputy Shire President  
Any Councillor  
Chief Executive Officer  
Deputy Chief Executive Officer/Director Corporate Service  
Manager Financial Services

**OFFICER'S COMMENTS**

Nil.

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

Absolute Majority



**COUNCIL RESOLUTION**

**MOVED: Cr Scott**

**SECONDED: Cr Wright**

**OCM14/03/025**

**That the proposed amended Council policy 3.16 is endorsed;**

- i) That any two of the following be authorised to sign cheques from the Council's Municipal fund:**

**Shire President**

**Deputy Shire President**

**Chief Executive Officer**

**Deputy Chief Executive Officer/Director Corporate Service**

**Manager Financial Services**

- ii) That any two of the following be permitted to authorise electronic funds transfers from the Council's Municipal fund:**

**Chief Executive Officer**

**Deputy Chief Executive Officer/Director Corporate Service**

**Manager Financial Services**

**Additional backup officer at Director level to be appointed by the Chief Executive Officer.**

**CARRIED BY ABSOLUTE MAJORITY 5/0**

## 9.5 CHIEF EXECUTIVE OFFICER

Cr Salerian and Cr Scott declared an interest affecting impartiality in Item 9.5.1 as they are members of the Waroona Agricultural Society.

<b>9.5.1 WAROONA AGRICULTURAL SOCIETY – ADDITIONAL SPACE ON OLD BASKETBALL COURTS</b>	
Responsible Officer / Officer's Interest	Ian Curley Chief Executive Officer / Nil
Proponent:	Waroona Agricultural Society
Landowner:	Shire of Waroona
Date of Report: 18 March 2014	File No.: 154/1
Previous Reference:	N/A
Statutory/Policy Implications:	Nil
Workforce Implications:	N/A
<b>LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>), No.3</b> <i>"Maintain a strong sense of Community"</i>	

### **PROPOSAL**

To consider a request from the Waroona Agricultural Society to remove portion of the fence and retaining wall between the road and old basketball court to better utilised the old courts area for the annual Agricultural Show.

### **BACKGROUND**

Agricultural Society President, Eric Walmsley, recently met with the CEO and Manager Works & Services to discuss the possibility of removing a portion of the fence and retaining wall on the east side of the old basketball courts and bitumen seal between the existing road and courts. The section of fence to be removed is all the fencing north of the old basketball building. The section of retaining wall to be removed commences approximately 10m north of the old basketball building to its northern end. **Appendix 9.5.1**

### **COMMUNITY CONSULTATION**

N/A

### **OFFICER'S COMMENTS**

The area in question is currently unused and the work requested is feasible at a relatively low cost. It was discussed with the Waroona Agricultural Society President that Council may provide for the cost of labour and plant for the project with the Society paying for materials and contractors. The Manager of Works and Services has costed the project as follows:

Plant & labour	\$1116
Contractors	\$9403
Materials	\$4079
<b>TOTAL</b>	<b>\$14589</b>



Council's priority in the area was to reseal the internal road area and area sideshow alley occupiers. The amount of \$34,000 was included in the 2013/14 budget; however, the work has been postponed due to reduced income in the budget.

<b>Appendices Attached:</b> Yes	<b>Appendices Numbers:</b> 9.5.1
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### **VOTING REQUIREMENTS**

Simple Majority

### **COUNCIL RESOLUTION**

**MOVED: Cr Scott**

**SECONDED: Cr Wright**

**OCM14/03/026**

**The Council approve the request from the Waroona Agricultural Society to remove portion of the fence and retaining wall on the east side of the old basketball courts located on the sportsground reserve and bitumen seal between the roadway and the old courts, subject to the Waroona Agricultural Society being responsible for the payment of contractors and materials costs for the project.**

**CARRIED 5/0**

<b>9.5.2 PEEL DEVELOPMENT COMMISSION BOARD VACANCIES</b>	
Responsible Officer / Officer's Interest	Ian Curley Chief Executive Officer / Nil
Proponent:	Peel Development Commission
Landowner:	
Date of Report: 25 March 2014	File No.: 117/1
Previous Reference:	OCM09/113
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications	N/A
Asset Mgt & LCC Implications:	N/A
Workforce Implications:	N/A
<b><i>LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP), 6 Achieve Active Civic Leadership</i></b>	

### **PROPOSAL**

To nominate a Shire of Waroona representative to fill a vacancy on the PDC board. The position is to be filled by an Elected member.

### **BACKGROUND**

Local Governments from the Peel regional (City of Mandurah, Shires of Murray, Boddington, Serpentine Jarrahdale and Waroona) have 3 elected members on the board, one expiring each year, that represent all Councils interests. This year there are 2 vacancies due to 1 member no longer being eligible.

Historically, the member is nominated on a rotation basis, around the 5 Council's. I have been advised by the PD CEO that this year is the turn for Waroona and Serpentine Jarrahdale. The last Waroona elected member was Cr Scott who was elected to the PDC board in 2008.

### **COMMUNITY CONSULTATION**

N/A

### **OFFICER'S COMMENTS**

A copy of the vacancy information is attached.

<b>Appendices Attached:</b> Yes	<b>Appendices Numbers:</b> 9.5.2
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### **VOTING REQUIREMENTS**

Simple Majority



**OFFICER RECOMMENDATION**

That Council nominate a Shire of Waroona Councillor for consideration by the Minister for Regional Development for an elected member vacancy on the board of the Peel Development Commission.

**COUNCIL RESOLUTION**

**MOVED: Cr Scott**

**SECONDED: Cr Wright**

**OCM14/03/027**

**That the matter lie on the tabled for further consideration at the April 2014 Ordinary Council meeting.**

**CARRIED 5/0**

**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**

**12.1.1 Quambie Park Waroona Inc Board – Council Representative**

Council held general discussion on the constitutional requirement of the Quambie Park Board requiring a Shire Councillor representative on their committee. With increasing work-loads of Councillors and the difficulty in finding volunteers to commit to the Board, and the Board’s need for specialist expertise of its members to manage its own compliance and business obligations, it was resolved that Council seek to remove the requirement to have a representative on the Board.

**COUNCIL RESOLUTION**  
**MOVED: Cr Witney**  
**SECONDED: Cr Scott**  
**OCM14/03/028**

**That the Council request Quambie Park Waroona Inc to consider amending its constitution to remove the requirement to have a Councillor representative appointed by the Shire of Waroona as a member of its board.**

**CARRIED 5/0**

**12.2 OFFICERS**

Nil.

**13. CLOSURE OF MEETING**

There being no further business the Chairperson closed the meeting the time being 5.08 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 22 APRIL 2014 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....  
 PRESIDING MEMBER  
 .....  
 DATE

