



Date: 19 June 2014

**To: Shire President
All Councillors**

**Copy: Directors
Staff**

ORDINARY COUNCIL MEETING NOTICE AND AGENDA

An Ordinary Council meeting of the Shire of Waroona will be held at the Waroona Shire Offices on 24 June 2014 at 4.00pm to consider and resolve the matters set out in the attached Agenda.

A handwritten signature in black ink, which appears to read 'Ian Curley', is placed on a light-colored rectangular background.

**Ian Curley
CHIEF EXECUTIVE OFFICER**

PUBLIC QUESTION TIME

AND

PUBLIC STATEMENT TIME

1. The order of business allows for a Public Question time and a Public Statement time at the beginning of the Meeting. The Presiding Member will announce these times.
2. If you wish to ask a Question or make a Statement about an Agenda Item BEFORE it is considered then it should be made at the Public Question and Public Statement Time at Item 4 on the Agenda Notice Paper in accordance with Council's Procedures and Guidelines for Public Question Time and Receiving Public Statements.
3. The visual or vocal recording of Council meeting proceedings is expressly prohibited, unless the prior approval of the Council has been given.

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AGENDA

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

(Disclosure of interest **MUST ALSO** be made by the member or officer immediately prior to a matter, for which an interest is being disclosed, is dealt with.)

7. **PETITIONS/DEPUTATIONS/PRESENTATIONS**
8. **CONFIRMATION OF MINUTES**
 - 8.1 **ORDINARY COUNCIL MEETING – 27 May 2014**

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 27 May 2014 be confirmed as being a true and correct record of proceedings.

- 9.0 **REPORTS OF OFFICERS AND COMMITTEES**
 - 9.1 **DIRECTOR TECHNICAL SERVICES**

Nil.

9.2 DIRECTOR COMMUNITY SERVICES

9.2.1 FIRE CONTROL NOTICE	
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: 17 TH June 2014	File No: 60/1
Previous Reference:	N/A
Policy Implications:	Division 9 – Bush Fire Control
Statutory Implications:	In Document
Strategic Implications:	In Document
Financial Implications:	In Budget
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): Strategy 2: PROTECT RURAL LAND USE	

PROPOSAL SUMMARY

For Council to consider and approve the changes to the Annual Fire Control Notice.

BACKGROUND/INITIAL COMMENTS

Shire Rangers undertook the firebreak and fire mitigation inspections during the 2013/2014 fire season and several areas of concern were noted including considerable feedback from property owners in several locales, with regard to concerns about Fire Control.

At the suggestion of the MEHBS and Shire Rangers, it was considered appropriate to undertake a full review of the Annual Notice, to ensure as best possible, associated risks were mitigated and the best outcomes for the entire community could result. The Annual Notice has been reviewed with regard to community concerns being noted, what is fair and practical for levels of compliance with the Annual Notice; and the Shire's commitment to being responsible for administering the relative provisions of the Bush Fires Act.

There are several key areas where the Annual Notice has had changes made.

The current notice is worded so that for Urban Land there are 2 compliance criteria.

They are:

- If an allotment is less than 2500m² the property owner can reduce the fuel load/hazard by way of slashing/mowing.
- If an allotment is over 2500m² the annual notice requires a Firebreak.

The issue in respect to the Notice provisions for land zoned "Urban" is that no specific dimensions have been set for firebreaks. It is conceivable that a property owner could in theory install a firebreak to any dimension and in the strictest sense they would be complying with the Notice in a default way in the absence of a clear dimension being stipulated.



The Fire Control Notice has been amended to give a clear definition of what constitutes a firebreak, including dimensions. Further, the notice has been amended for urban land zonings to have properties which are over 2500m² to either provide a firebreak, or as an alternative, clear the land (in entirety) of flammable material as defined in the notice. This allows for a practical approach to fire mitigation where the clearing of the land is a more viable and appropriate response.

Another key issue is the current Notice does not stipulate a height for lots being clear of flammable material. This is for lots under 2500m² and it can lead to confusion as to what is acceptable for “stubble” i.e. a property owner could easily argue 200cm is acceptable. The notice has been amended to clearly stipulate a vertical height component for flammable material.

The current notice does not set out any clear criteria for additional hazard reduction measures. This is useful for authorised officers to be able to issue improvement orders (such as where a property has a compliant firebreak as per the Notice requirements) but may have vegetation and/or other issues contributing to having a significant fuel load on the property. The Notice has been amended to include detailing for “Special Work Orders”.

REFERRALS

The alterations and additions proposed have been referred to the Shire’s Chief Bush Fire Control Officer (CBFCO), Shire Rangers; and the South West Regional Superintendent of the Department Fire & Emergency Services (DFES).

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

One of the key strategies of the Strategic Community Plan (SCP) is Strategy 2: PROTECT RURAL LAND USE. The SCP states the community expectation of the Shire to increase awareness of man-made and natural hazards, especially fire, and to be active in the prevention of fire risk throughout the community. With the Shire actively seeking to have an up to date and robust Fire Control Notice will help achieve these objectives.

FINANCIAL ISSUES/IMPLICATIONS

The Annual Fire Control Notice is distributed with the Annual Rates notice to property owners. Associated costs for printing and distribution are within budget.

POLICY ISSUES/IMPLICATIONS

Division 9 – Bush Fire Control of the Shire of Waroona Policy Manual will require updating with the new Notice being inserted.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The notice will require Government Gazettal for its adoption and proclamation. The Bush Fires Act 1954 requires a Fire Control notice to be published in the Government Gazette.



LEGAL ISSUES/IMPLICATIONS

There are no inherent legal issues with this notice. Section 33 of the Bush Fires Act 1954 allows for a local government at any time to give notice, as a measure for helping prevent the outbreak of a bushfire, to owners/occupiers of land within their district.

COMMUNITY CONSULTATION

N/A

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Fire mitigation is a shared responsibility between property owners, Local Government and State Government.

Recent events, particularly large scale fires affecting various communities have prompted the State Government to review the existing legislation governing bush fires and emergency management as a whole. As such, it is timely that the Shire has taken a pro-active approach to reviewing its Annual Fire Control Notice with a view to making minor alterations where necessary.

It is imperative the Shire has an Annual Fire Control Notice that is up to date, consistent with industry best practice; and is implemented for the best interests of the safety and well-being of all in the community.

Appendices Attached:	Yes	Appendices Numbers:	9.2.1
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VOTING REQUIREMENTS

Absolute Majority

<p><u>OFFICER RECOMMENDATION</u></p> <p>That Council adopt and gazette the Fire Control Notice included in Appendix 9.2.1.</p> <p>That Council appoint the Shire of Waroona Chief Executive Officer and Chief Bushfire Control Officer as authorised Officers to administer the provisions of the Fire Control Notice.</p>



9.3 DIRECTOR PLANNING SERVICES

9.3.1 DRAFT LOCAL PLANNING POLICY 28 – BED AND BREAKFAST ACCOMMODATION	
Reporting Officer / Officer's Interest:	Chris Dunlop, 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: 13 June 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).
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): 6 Achieve Civic Leadership	

PROPOSAL SUMMARY

Council is requested to adopt 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 9.3.1A**.

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 a review 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.

At its meeting of 25 March 2014 (**OCM14/03/022**) Council resolved to adopt the draft policy for advertising purposes and advertise the policy in accordance with Clause 2.4.1 of Town Planning Scheme No. 7.

STATUTORY ISSUES / ENVIRONMENT / IMPLICATIONS

Town Planning Scheme No.7 (TPS)

Under the TPS Bed and Breakfast is defined as:

'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 permissibilities for Bed and Breakfast accommodation across the TPS zones:

Zone	Permissibility
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 local planning policy adopted under the TPS 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 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 has been discussed with internal departments in order to ensure that implementation of the policy will not cause conflict with Council's various functions and responsibilities.



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.

The draft policy adopted for advertising purposes has been advertised in accordance with the requirements of Clause 2.4.1 of the TPS. No submissions were received during the consultation period.

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 applicants 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.

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.

Appendices Attached:	Yes	Appendices Number/s:	9.3.1A
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VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That in relation to the proposed Local Planning Policy 28 – Bed and Breakfast Accommodation, Council resolves to:

- a) Adopt Local Planning Policy 28 – Bed and Breakfast Accommodation in accordance with Clause 2.4.1 (b) of Town Planning Scheme No.7 of 1996.**
- b) Publicly advertise the adopted policy in accordance with the requirements of Clause 2.4.1 (c) of Town planning Scheme No. 7 of 1996.**

9.3.2 REVIEW OF LOCAL PLANNING POLICY 6.0 – ADVERTISING (SIGNAGE)	
Reporting Officer / Officer's Interest:	Chris Dunlop, 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:	12 June 2014
	File No.: TP 7 General 111/1
Previous Reference:	N/A
Policy Implications:	Shire of Waroona Town Planning Policy 6.0 – Advertising Signage Shire of Waroona Draft Town Planning Policy 24.0 – Advertising signs adjacent to primary regional roads
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 (Strategic Community Plan-SCP): 1 Manage the Shire of Waroona's Future Growth.	

PROPOSAL SUMMARY

Council is requested to adopt the amended Local Planning Policy 6.0 – Advertising (Signage) (LPP6) at **APPENDIX 9.3.2A**. Given the inclusion of Third Party Advertising Signs in the amended policy, Council is also requested to revoke Draft Town Planning Policy 24.0 – Advertising signs adjacent to primary regional roads.

The objectives of the Policy are to:

1. Ensure that existing and future signage is maintained at a level which produces a positive image of the district.
2. To ensure signage relates to the approved use taking place at the building or land on which it is located. (except in the case of third party advertising sign adjacent to regional roads 7.6.1)
3. To ensure the colour, materials and general design of signage is compatible with the style, heritage values (where applicable) and character of a building and/or place (envisaged by Council or existing).
4. To ensure that signs are designed to be sympathetic and harmonious with the area's amenity, streetscape and surrounding environment.
5. Encourage advertising which complements the natural and urban environment whilst minimising any negative impacts.
6. Promote a high standard of design and presentation.
7. Minimise clutter of advertising signs on any one property and along street frontages.



8. Control the erection of signs (size, type, location and quality) so as to minimise the proliferation of signs, prevent visual pollution and not detract from the amenity of an area.
9. To ensure that the scale of a sign is appropriate to the size of buildings and the lot frontage.
10. To ensure that where multiple signs are erected on a single building or at a single place, the style and form of such signage remains consistent.
11. Prohibit advertising which is superfluous or unnecessary by virtue of their colours, height, prominence, visual impact, size, relevance to the premises on which they are located, number and content.
12. Ensure that the visual quality and character of localities and transport corridors, particularly highways, major roads and tourist routes, are not eroded.
13. Minimise the total area and impact of outdoor advertising commensurate with the realistic needs of commerce for such advertising.
14. To ensure signage does not detract from the level of public safety.
15. Ensure signs are erected in accordance with proper structural engineering practices.
16. To provide preferred development standards for signs in terms of illumination, area, dimensions, text, graphics and images etc.
17. Provide increased certainty for advertisers, landowners, the community and others and to assist in providing greater consistency in decision making by Council.
18. Facilitate the effective and timely processing of sign applications where in accordance with this policy.
19. Ensure that the visual landscape character, environmental qualities and streetscape is not adversely affected.

BACKGROUND / INITIAL COMMENTS

Planning Officers have experienced a number of operational issues in the everyday application of LPP6 (last reviewed in 2005). Issues identified and new elements to the policy include:

- Inconsistency with other Local Planning Policies;
- Inconsistency with the Town Planning Scheme (TPS);
- Some sign types not included in the current policy;
- No figures / graphics depicting sign types; and
- Inclusion of Third Party Advertising Signs component (Previously Draft Policy 24. See **APPENDIX 9.3.2B**).

The Draft Policy has been the subject of review by an Advertising Working Group consisting of elected members and Planning Services staff. The Draft Policy has



been developed based on the direction from the Working Group following a review of similar policies of other local governments. Although the Draft Policy is a review of the current Advertising Signs Policy, it has been completely redrafted and is far more comprehensive than the current policy.

At its meeting of 22 April 2014 (**OCM14/04/033**) Council resolved to adopt the draft policy for advertising purposes and advertise the policy in accordance with Clause 2.4.1 of Town Planning Scheme No. 7.

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.

Main Roads Act 1930

“33B (1) The Governor may, on the recommendation of the Commissioner, make regulations controlling and prohibiting the erection or construction of hoardings or other advertising structures, and to enforce the removal of hoardings and other advertising structures, on or in the vicinity of highways, main roads, and sections or part of a road subject to control of access, and for restricting, preventing or controlling the exhibition of advertisements and for the removal of advertisements on or in the vicinity of highways, main roads, and sections or part of a road subject to control of access where such hoardings or other advertising structures are considered to be hazardous to traffic safety or are aesthetically objectionable and in the case of such hoardings or other advertising structures erected on private property where the property owner refuses either to remove the sign or transfer it to another site acceptable to the Commissioner.”

Town Planning Scheme No.7

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.

Clause 2.4.2 states “A Town Planning Scheme Policy may only be altered, rescinded, or revoked by:

- (a) preparation and final adoption of a new Policy pursuant to this clause, specifically worded to supersede an existing Policy; or
- (b) publication of a formal notice of revocation by the Council twice in a newspaper circulating in the area.”

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

Other relevant provisions include:



7.2.1 Power to Control Advertisements

7.2.1.1 For the purpose of this Scheme, the erection, placement and display, and the continuance of advertisements is development within the definition of The Act requiring, except as otherwise provided, the prior consent of the Council. Such Planning Consent is required in addition to any licence pursuant to Council's Signs and Hoarding and Bill Posting Bylaws.

7.2.1.2 Applications for Council's consent pursuant to this Part shall be submitted in accordance with the provisions of Part VII of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out at Appendix 2, giving details of the advertisement(s) to be erected, placed or displayed on the land.

7.2.2 Existing Advertisements

7.2.2.1 Advertisements which:

- a) were lawfully erected, placed or displayed prior to the approval of this Scheme; or
- b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme.

hereinafter in this Part referred to as “existing advertisements”, may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

7.2.3 Consideration of Applications

7.2.3.1 Without limiting the generality of the matters which may be taken into account when making a decision upon an application for consent to erect, place or display an advertisement, Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed.

7.2.4 Exemptions from Requirement to Obtain Planning Consent

7.2.4.1 Subject to the provisions of the Main Roads (Control of Signs) Regulations, 1983 (as amended) and notwithstanding the provisions of Clause 7.2.1.1, the Council's prior consent is not required in respect of those advertisements listed in Schedule 5 which for the purpose of this Part are referred to as “exempted advertisements”.

7.2.4.2 The exemptions listed in Schedule 5 do not apply to land, buildings, objects, structures and places included on the Heritage List or within a Heritage Precinct established or designated under Clause 7.1 of the Scheme.

7.2.5 Discontinuance

7.2.5.1 Notwithstanding the Scheme objectives and Clause 7.2.4, where in the opinion of the Council, an exempted or existing advertisement so seriously conflicts with the objectives of this Part, it may by notice in writing require the advertiser to remove, relocate, adapt, or otherwise modify the advertisement.



7.2.6 Derelict or Poorly Maintained Signs

7.2.6.1 Where, in the opinion of the Council, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, Council may by notice in writing require the advertiser to:

- a) repair, repaint or otherwise restore the advertisement to a standard specified by Council in the notice; or
- b) remove the advertisement.

7.2.7 Notices

7.2.7.1 “The advertiser” shall be interpreted as any one person or any group comprised of the owner, occupier, licensee or other person having interest in or drawing benefit from the display of the advertisement concerned.

7.2.7.2 Any notice served pursuant to this clause shall be served upon the advertiser and shall specify:

- (a) the advertisement(s) the subject of the notice;
- (b) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice; and
- (c) the period, not being less than 28 days, within which the action specified shall be completed by the advertiser.

7.2.7.3 Any person upon whom a notice is served pursuant to this Part may appeal in accordance with Clause 9.5 of the Scheme.

7.2.8 Scheme to Prevail

7.2.8.1 Where the provisions of Clause 7.2 are found to be at variance with the provisions of the Council’s Signs, Hoarding and Bill Posting Bylaws, the provisions of the Scheme shall prevail.”

Schedule V of the TPS list advertising signs exempt from Planning Consent.

PLANNING – STRATEGIC IMPLICATIONS

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.



REFERRALS

INTERNAL REFERRALS

The draft policy has been discussed with internal departments in order to ensure that implementation of the policy will not cause conflict with Council's various functions and responsibilities.

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. The Draft Policy relates to Strategy 1: Manage the Shire of Waroona's future growth.

FINANCIAL ISSUES / IMPLICATIONS

Cost of Advertising the Policy (Approximately \$700).

POLICY ISSUES / IMPLICATIONS

This policy review includes the review of Town Planning Policy 6.0 – Advertising Signage and Draft Town Planning Policy 24.0 – Advertising signs adjacent to primary regional roads.

LEGAL ISSUES / IMPLICATIONS

See Statutory Implications.

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.

The draft policy adopted for advertising purposes has been advertised in accordance with the requirements of Clause 2.4.1 of the TPS. No submissions were received during the consultation period.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

LPP6 was developed in 2003. A number of Third Party Advertising signs over the last few years have also challenged the application of the current policy and led to the development of Draft Policy 24.0 – Advertising signs adjacent to primary regional roads.

With the assistance of an Advertising Signs Working Group, the current policy (Policy 6), Draft Policy 24 and similar policies of other local governments have been reviewed. The policy direction of the Working Group has formed the basis of the revised Draft Policy.



Draft Policy 6 consists of:

- the Policy text,
- Table 1 - Signage Definitions and Discretionary Development Standards.
- Table 2 - Signage that is not permitted.
- Figure 1 - Sign Dimensions.
- Figure 2 - Sign Regime Example.
- Figure 3 - Sign Type Examples.
- Appendix 1 - Signage Self-Assessment Sheet.
- Appendix 2 - Exempted Advertising Signage.

(Note that the general content of Draft Policy 24.0 has been included in the revised Policy 6.0.)

The figures depicting the sign types and the signage self-assessment sheet in particular are expected to assist applicants in particular in the lodgement of applications.

The detailed definitions and development standards are expected to clarify which specific sign type and what development standards are relevant in each application for advertising signage.

It is also envisaged that the updated Policy will assist Planning Services staff in advising prospective applicants and processing Planning Consent applications for advertising signs.

Following the advertising of Draft LPP6 a minor alteration has been made to the third party advertising devices section of the policy, namely the addition of Clause 7.6.1.3.21 which states;

“The design of signs shall be consistent with existing third party signs approved by Council with regard to size, height and advertising area.”

It was determined that this clause is necessary to ensure consistency of design amongst third party signage adjacent to primary regional roads. The clause is in line with the objectives of the policy and does not constitute a significant change to the policy.

Conclusion

In conclusion the amended policy will serve to clarify a number of issues experienced in the identification of sign types, assist in advising prospective applicants and processing applications for advertising sign. It is therefore recommended that Council adopt the revised Town Planning Policy 6.0 – Advertising Signage and revoke Draft Town Planning Policy 24.0 Advertising signs adjacent to primary regional roads.

Appendices Attached:	Yes	Appendices Numbers: 9.3.2A,B
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VOTING REQUIREMENTS

Absolute Majority



OFFICER RECOMMENDATION

- 1. That in relation to the review of Local Planning Policy 6.0 – Advertising (Signage), Council resolves to:**
 - a) Adopt the revised Local Planning Policy 6 – Advertising (Signage) as set out in APPENDIX 9.3.2A in accordance with Clause 2.4.2. (a) of Town planning Scheme No. 7 of 1996.**
 - b) Publicly advertise the adopted policy in accordance with the requirements of Clause 2.4.2 (b) of Town Planning Scheme No. 7 of 1996.**
 - c) Revoke Draft Town planning Policy 24.0 – Advertising Signage adjacent to primary regional roads as set out in APPENDIX 9.3.2B in accordance with Clause 2.4.2 (a) of Town Planning Scheme No.7 of 1996.**

9.4 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.4.1 ACCOUNTS FOR PAYMENT	
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: 9/6/14	File No.: 1/3
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
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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<u>OFFICER RECOMMENDATION</u>		
That Vouchers numbered:		
<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 7725 - 7758	\$36,020.83
Trust (Cheque/EFTs)	EFT 18395 Cheque 11033	\$22,223.83
Electronic Transfers Municipal Fund	EFT 18396 to 18557	\$657,213.02
Direct Wages	01/5/2014 – 31/5/2014 inclusive	\$168,743.80
GRAND TOTAL:		<u>\$884,201.48</u>
and attached at Appendix 9.4.1 be endorsed.		



9.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2013 TO 31 MAY 2014	
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: 15/6/2014	File No.: 1/1
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
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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OFFICER RECOMMENDATION

That the Monthly Statements of Financial Activity for the period 1 July 2013 to 31 May 2014 at Appendix 9.4.2 be received and noted.



9.4.3 WORKFORCE PLAN – REVISED VERSION [2014]	
Reporting Officer / Officer's Interest:	John Crothers, Co-Ordinator Corporate Planning; No Interest
Responsible Officer / Officer's Interest	Laurie Tilbrook, DCEO; No Interest
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 12 June 2014	File No.: 11/1
Previous Reference:	9.4.7 of 25 June 2013
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. 5 “Responsible Stewardship of Assets, Effective Resources Supervision , and pursuit of Best Practice Financial Management and Sustainability”.	

PROPOSAL SUMMARY

The Council is requested to endorse the revised “Shire of Waroona Workforce Plan”, which forms part of the Integrated Planning and Reporting Framework.

BACKGROUND/INITIAL COMMENTS

The original Workforce Plan [WFP] was adopted in November 2012, and a revised version was adopted on 25 June 2013.

As a result of preparation and updates to the 10 year Long Term Financial Plan and the shorter 5 year Corporate Business Plan, there has been a requirement to amend the Workforce Plan.

PLANNING – STRATEGIC IMPLICATIONS

None Applicable

REFERRALS

None Applicable

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 5 “Responsible Stewardship of Assets, **Effective Resources Supervision**, and pursuit of Best Practice Financial Management and Sustainability”.

FINANCIAL ISSUES/IMPLICATIONS

There are no major financial implications until about 5 years time, and circumstances are expected to change over those years.

If large developments occur, then there will be increased demand for Council services, from Planning and Building controls, Community Development issues at Preston Beach, Parks/Gardens staff, as well as increases in Administration activities.

Large Rates Revenue could occur with the large development, and this extra income will more than offset the extra costs relating to new staff positions.

The projected extra revenues and extra expenses are included in the Corporate Business Plan [principally in the 5th year], as well as in the Long Term financial Plan, which are to go before Council’s July 2014 meeting.

POLICY ISSUES/IMPLICATIONS

There are no Policy implications associated with the adoption of this latest version of the Workforce Plan, but new Staff related Policies will need to be compiled over the next 12 months.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The workforce plan forms part of the Councils Integrated Planning and Reporting Framework as an “informing strategy”, and should be reviewed each year.

LEGAL ISSUES/IMPLICATIONS

There are no Legal implications associated with the adoption of this latest version of the Workforce Plan.

COMMUNITY CONSULTATION

No direct community consultation was carried out when compiling this latest version of the Workforce Plan.

The WFP document is reflective of the community’s sentiment that the Council achieves the six objectives outlined in the Strategic Community Plan, and takes into account that there will greater demand for services into the future. This WFP identifies gaps which might occur with such increases, and it makes provision for changes to HR practices, as well as identifying what should occur if the current level of services are maintained into the future for a much higher population.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Over the next 12 months Council should know whether certain large developments are to proceed. If they do, then this revised Workforce Plan may apply a few years further out. If they do not occur, then the proposals will need to be scaled back.

The reviewed and revised plan contains a number of minor amendments to some text and statistical information, in addition to the following:

- Update of the organisational structure
- Review of predicted staffing levels (pg 12-13)

The above amendments are consistent with the latest Corporate Business Plan and Long Term Financial Plan.

Appendices Attached:	Yes	Appendices Numbers: 9.4.3
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VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That the Shire of Waroona reviewed and revised Workforce Plan for the period 2014/15 – 2023/24 as attached at APPENDIX 9.4.3 be adopted.

9.4.4 STRATEGIC COMMUNITY PLAN – 2014	
Reporting Officer / Officer's Interest:	John Crothers, Co-Ordinator Corporate Planning; No Interest
Responsible Officer / Officer's Interest	Laurie Tilbrook, DCEO; No Interest
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 12 June 2014	File No.: 11/1
Previous Reference:	9.4.3 of 27 May 2013
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<i>Good Governance, Active Civic Leadership, and Excellence in Management</i>"	

PROPOSAL SUMMARY

It is proposed for Council to adopt a final version of the "Strategic Community Plan", which is a part of the Integrated Strategic Planning and Reporting processes, with the whole of the plans being termed a "Plan for the Future" [LG Act term].

BACKGROUND/INITIAL COMMENTS

The draft Strategic Community Plan was adopted at Council's May meeting and then was advertised, with submissions closing on 11 June 2014. Two (2) submissions were received, both relating to Playground Equipment.

Extra Playground Equipment falls within sub-item 5.06 of the draft SCP, being "Provide additions/extensions to existing Buildings, and/or Infrastructures, as finances allow, and after Community consultations". Proposals for new Playground Equipment will be examined over the next few months, and possible funding sources will be investigated. In December 2001 and March 2003 Council decided to centralise Playground Equipment to a few limited locations, and these can be looked at again.

PLANNING – STRATEGIC IMPLICATIONS

None Applicable

REFERRALS

None Applicable

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 6 "Good Governance, etc", but Playground Equipment is included in area number 5, being "Responsible Stewardship of Assets, Effective Resources Supervision, and pursuit of Best Practice Financial Management and Sustainability".

FINANCIAL ISSUES/IMPLICATIONS

Within the Capital figures for the 10 year Long Term Financial Plan and the shorter 5 year Corporate Business Plan, there has been included some broad allocations for new/extra Parks and Gardens items. New Equipment could occur over the next 1-5 years.

POLICY ISSUES/IMPLICATIONS

There are no Policy implications associated with the adoption of this latest version of the new Plan.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Review of a Strategic Community Plan is a statutory requirement, at not less than every 2nd year. Once the final version is adopted it will advertised that a new Plan applies, as per the statutory requirements.

LEGAL ISSUES/IMPLICATIONS

There are no legal issues or implication relating to this matter, merely compliance with the Statutory requirements.

COMMUNITY CONSULTATION

The draft Strategic Community Plan was advertised with submissions closing on 11 June 2014. Two (2) submissions were received, both relating to Playground Equipment.

Details of the draft SCP were also placed on Council's Website.

The low level of submissions may have been due to a SCP not containing any 'specific' projects, which are normally contained in a Corporate Business Plan.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

It is assumed that all the other items contained in the draft SCP were acceptable, as there were only minor modifications made to the 2012 SCP, as well as replicating the additions effected in June 2013, to cover services already provided [EG: Regulatory Services], as well as covering Asset items.

The Playground Equipment proposals are consistent with the draft SCP, and have been included in the latest Corporate Business Plan and Long Term Financial Plan.

The Council has previously commissioned reports into Recreational planning which have included playgrounds and as a result decisions have been which may be relevant today:

This includes:

- Recreation Plan and Facilities Inventory 2001
- Playground rationalisation report 2003

Appendices Attached:	Yes	Appendices Numbers: 9.4.4
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VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

1. That the Shire of Waroona reviewed and revised Strategic Community Plan for the period 2014/15 – 2023/24 as attached at APPENDIX 9.4.4 be adopted;
2. That the matter of additional Playground Equipment at various locations in Waroona be further investigated by Council's Recreational Advisory Committee.

9.4.5 OVERDRAFT ON THE MUNICIPAL BANK FUND	
Reporting Officer / Officer's Interest:	Laurie Tilbrook; No Interest
Responsible Officer / Officer's Interest	Laurie Tilbrook; No Interest
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 16 June 2014	File No.: 17/1
Previous Reference:	Not Applicable
Policy Implications:	<i>See heading below</i>
Statutory Implications:	<i>See heading below</i>
Strategic Implications:	<i>Not Applicable</i>
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): E, No. 6 "<i>Active Civic Leadership, Good Governance, & Excellence in Management</i>"	

PROPOSAL SUMMARY

The Council is requested to approve the establishment of an overdraft facility with the National Australia Bank.

BACKGROUND/INITIAL COMMENTS

The overdraft is intended for short term cash flow purposes only. Generally to cover the period from the commencement of each financial year prior to the first rates instalment being received. At no stage will the overdraft facility be used to fund capital purchases or any other purchases other than short term cash flow.

PLANNING – STRATEGIC IMPLICATIONS

NIL

REFERRALS

NIL

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

Such an overdraft facility is a form of borrowing that is a higher cost than other forms of borrowing and will therefore be subject to minimal use.

It is anticipated that up to \$500,000 will be required during this period of 1 July to 31 August. The current rate of interest is 7.97% which is subject to change each week and the interest charge will be reflected in the accounts in the normal manner (account 104020). The bank has a one off establishment fee to set up this overdraft which will be \$9,000 plus government costs of \$140 and Personal Property Securities Register (PPSR) costs of \$180.



In order to satisfy the future requirements it is recommended that Council approves a maximum overdraft facility of \$500,000

POLICY ISSUES/IMPLICATIONS

It is considered appropriate that should the Council approve the overdraft facility the establishment of a new policy should be created.

Such a policy would provide guidance to future staff and Council in addition to ensuring compliance with the Local Government Financial Management Regulations.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The Council will be requested to include details of its overdraft facility with its monthly report prepared in accordance with Regulation 34 of the Local Government Financial Management Regulation 1996

LEGAL ISSUES/IMPLICATIONS

NIL

COMMUNITY CONSULTATION

Details of the Council overdraft facility will be reported with the Annual Financial Report (included as an accounting statement).

OFFICER'S FINAL COMMENTS/CONCLUSIONS

At all times finance staff will generally avoid the use of the overdraft facility by careful management practices and at no time will the overdraft be used as an ongoing debt facility or to fund any expenditure other than short term cash flow (payroll etc.).

Authority will also be requested for the use of the Common Seal to execute the overdraft documents.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

<p><u>OFFICER RECOMMENDATION</u></p> <ol style="list-style-type: none"> 1. That Council establish an overdraft facility to a maximum of \$500,000 with the National Australia Bank; 2. That the Chief Executive Officer and Shire President be authorised to sign the overdraft agreement; and 3. That authority is granted for the use of the Council Common Seal on the overdraft documentation.



9.5 CHIEF EXECUTIVE OFFICER

9.5.1 COUNCIL DELEGATE TO LOCAL ORGANISATION – QUAMBIE PARK WAROONA INC	
Reporting Officer / Officer's Interest:	Ian Curley, Chief Executive Officer; No Interest
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer; No Interest
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report:	File No.:
Previous Reference:	OCM14/03/028; OCM May 2014 item 12.1.2.
Policy Implications:	Nil
Statutory Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	Nil
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): E, No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	

PROPOSAL SUMMARY

Council to consider appointing a replacement delegate to the Quambie Park Waroona Inc (QPWI) Board.

BACKGROUND/INITIAL COMMENTS

At the March 2014 Council meeting it was resolved to write to QPWI requesting that it consider amending its Constitution to remove the requirement to have a Shire of Waroona representative on its management Board as Councillors had expressed concern over their ability to meet the time requirements of the position. At the April 2014 Council meeting a deputation from QPWI attended the meeting requesting that Council reconsider its position and maintain a member on the Board. The current QPWI Board constitution specifies that the Board comprise of a Shire of Waroona representative.

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

At the May 2014 Council meeting the current Shire delegate to the QPWI Board, Cr Witney, tendered her resignation from the Board, effective immediately. I subsequently advised the QPWI CEO, Ms Irene Mooney, of this decision and advised her that a replacement for the position would be invited to nominate at this meeting. I also requested any supporting information about the position to include in my report, such as meeting dates and times, and any other time commitments required by their members. I have not received a reply to this request.



PLANNING – STRATEGIC IMPLICATIONS

N/A

REFERRALS

N/A

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

N/A

POLICY ISSUES/IMPLICATIONS

N/A

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

N/A

LEGAL ISSUES/IMPLICATIONS

N/A

COMMUNITY CONSULTATION

N/A

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Council is requested to consider a replacement delegate to the Quambie Park Waroona Inc Board.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That Cr is appointed Council delegate to the Quambie Park Waroona Board.



10. CONFIDENTIAL REPORTS

Nil

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

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

12.1 ELECTED MEMBERS

12.2 OFFICERS

13. CLOSURE OF MEETING