



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 16 DECEMBER 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 Noel Dew	Councillor
Cr Lina Look	Councillor
Cr Craig Wright	Councillor
Cr John Mason	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Deputy Chief Executive Officer
Mr Louis Fouché	Director Development Services
Mr Patrick Steinbacher	Director Technical Services
Mrs Sue Cicolari	Executive Support Officer

APOLOGIES

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

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil.

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

4.1 PUBLIC QUESTION TIME

Nil.

4.2 PUBLIC STATEMENTS

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

Nil.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 25 NOVEMBER 2014

COUNCIL RESOLUTION

OCM14/12/149

MOVED: CR LOOK

SECONDED: CR WITNEY

That the Minutes of the Ordinary Council Meeting held 25 November 2014 be confirmed as being a true and correct record of proceedings.

CARRIED 8/0

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DIRECTOR TECHNICAL SERVICES

9.1.1 PROPOSED REALIGNMENT OF DORSETT ROAD	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Director Technical Services; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, Director Technical Services; No Interest
Proponent:	Shire of Waroona
Landowner:	Various
Date of Report: 8/12/14	File No.: 132/3
Previous Reference:	Nil
Policy Implications:	See heading below
Statutory Implications:	See heading below
Strategic Implications:	See heading below
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 5 "Assets, Resources, Financial Management & Sustainability"	

PROPOSAL SUMMARY

To present to Council for in principle endorsement a proposed realignment of Dorsett Road, Waroona.

BACKGROUND/INITIAL COMMENTS

Dorsett Road is a strategic road in the Shire of Waroona as it forms part of the Waroona – Lake Clifton route and its importance to the Shire has increased since the opening of the Forrest Highway as it is now also an access to and from the Forrest Highway for the residents of Waroona and surrounding areas. These are reflected in the fact that the road has been included in the Roads 2030 Road Development Strategy which results in it being eligible for funding under the Regional Road Group (RRG) program.

Under this program Dorsett Road has steadily been upgraded in the last three years in the form of the widening of the narrow sections to the North West of the Shire. The decision has now been taken that the road will form the focus for the Shire's RRG program funded projects for the next three to four years so that a more substantial amount of money (\$450,000 - \$550,000 typically) can be directed to the road each year.

Works will focus on the section approximately 1.8 kilometres from Coronation Road (commencing at the Peel Road West intersection) to approximately 6.1 kilometres from Coronation Road – a total length of approximately 4.3 kilometres. Works will be planned so that they can be staged commensurate with available funding. Under the RRG funding guidelines, if a project is deemed to be ongoing, i.e. it receives RRG funding in the current year, it automatically will be funded in the following year. This removes any uncertainty with regards to ongoing funding being available, subject of course to RRG funding levels as determined by the State Government.

The subject section contains two right angle S bends and a number of substandard curves in the area adjacent and to the West of the Williamson and Gibbings Road intersections. The proposed realignment is attached at **Appendix 9.1.1**. This route has been chosen as the preferred option based on the following main points:



- The ability to split the length into three separable sections which will allow staging of the project
- The minimisation of the impact on existing service authority assets, particularly the electrical transmission line at the southern end of the site, low voltage distribution network throughout, and water corporation drainage at the northern end of the site.
- Maximise distance of new road from existing dwellings.
- Minimise vegetation clearing required, particularly bushland to the west of Gibbings Road.
- Minimise where possible land takings and severed land to existing land holdings.
- Maximises the opportunity to rationalise road reserve areas as part of the project and use these as land swap areas to reduce net land purchasing requirements

The proposed alignment is a substantial departure from the existing, which is required to deal with the very substandard geometry of the existing road and bring it up to an appropriate standard given the speed environment and the level of use of the road. Therefore it also has an impact on the adjacent private property. At the time of writing, discussions with the owners of the effected properties have not commenced, however this process will occur in the near future. It is anticipated that, given landowner acceptance of the proposal, the land issues will be able to be resolved via a combination of direct purchase of land in some instances and by the swapping of unneeded road reserve and/or severed land for required land in others.

PLANNING – STRATEGIC IMPLICATIONS

All land subject to the proposal is zoned ‘General Agriculture’ under the Shire’s Town Planning Scheme No. 7. As such there is no requirement for any change in reservations or zoning with regard to the realignment of the gazetted road.

In accordance with Clause 6.1.2(k) of the Scheme all works undertaken by a public authority acting pursuant to the provisions of an Act, on, in, over or under a street or road are exempt from planning consent.

REFERRALS

Nil at this stage.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

This issue comes under the SCP No 5 “Assets, Resources, Financial Management & Sustainability” and fits within the SCP [5] sub-item 5.03 “Timely Renewal or Replacement of Assets”; 5.03.04 “Roads and Bridges – Maintenance”

FINANCIAL ISSUES/IMPLICATIONS

Under the requirements of the RRG program, Council must contribute one third of the total cost with the State Government contributing the remaining two thirds. Therefore given the anticipated expenditure as mentioned under a previous heading, Council will be required to contribute approximately \$150,000 – \$166,000 per year for the anticipated three or four year life of the project. This is well within line with the typical annual contribution.

Under this year’s allocation it is anticipated that very little, if any, physical works will take place. Instead the current budget of \$198,000 will be used to fund preliminary works



such as design, clearing permit application, service relocation as necessary, land acquisition costs, survey, fencing (if the process advances sufficiently), etc. Any remaining costs may be used to reseal the areas previously reconstructed.

As this section of the road has seen at least one fatality in the last approximately 12 months, there may be sufficient accident statistics to support a future application to the Australian or State Government Blackspot programs which would further boost funding levels or allow RRG funds to be redirected elsewhere.

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The creation and closing of road reserves and the disposal and acquisition of land will be subject to various statutory requirements as will be the purchasing of various goods and services required by the works.

Some native vegetation clearing will likely be necessary and will require the appropriate approval from the Department of Environment Regulation.

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Consultation with effected landowners will have commenced by the date of the Council meeting. Various items to do with the creation and closing of road reserves and the disposal and acquisition of land will require public advertising in due course. It is not considered that dedicated community consultation is required.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The proposed realignment is the current preferred option. It will not be finalised until such time as the land issues have been resolved as these issues may have a bearing on the final new alignment. As such, detailed design and a full understanding of what is involved and therefore an anticipated cost has not yet been determined.

The proposal is presented to Council for its endorsement in principle with the understanding that some modifications may be required as the project progresses.

Appendices Attached:	Yes	Appendices Numbers: 9.1.1
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VOTING REQUIREMENTS

Simple Majority



COUNCIL RESOLUTION

OCM14/12/150

MOVED: CR WITNEY

SECONDED: CR DEW

That Council endorse in principle the proposed realignment of Dorsett Road as shown in Appendix 9.1.1.

CARRIED 8/0

9.1.2 SHIRE OF MURRAY HARDWASTE DISPOSAL AT BULLER ROAD WASTE FACILITY	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Director Technical Services; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, Director Technical Services; No Interest
Proponent:	Shire of Waroona
Landowner:	Various
Date of Report: 8/12/14	File No.: 77/3
Previous Reference:	OCM13/12/133
Policy Implications:	Nil
Statutory Implications:	See heading below
Strategic Implications:	See heading below
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): objective number 4 and 5	

PROPOSAL SUMMARY

To present to Council a proposal to accept hardwaste from the Shire of Murray's annual verge collection and to set a fee for this service for 2014/15.

BACKGROUND/INITIAL COMMENTS

The Shire of Murray has approached the DTS with a request that they again be permitted access to the Buller Road Waste Facility in order to dispose of waste products generated by their annual verge collection. A similar request was brought to Council in December 2013 and was endorsed. At that time, the matter was brought to Council as it was a departure from the adopted budget fees and charges in that the Shire of Murray requested they be charged on a tonnage rate rather than a cubic metre rate as is allowed for in the fees and charges. The Shire of Murray also requested a reduction in the equivalent charge to bring the fee in line with what was then being charged per tonne by the Dardanup landfill site, because of the significant amount of waste (estimated at the time to be in the order of 500 tonnes) expected.

It was recommended in the December 2013 report that a contract be entered into solely with the Shire of Murray rather than amend the fees and charges to include a tonnage arrangement so as to avoid the potential for other clients to take advantage of the reduced fee and in doing so deposit large volumes of waste in Council's landfill site thereby shortening its available life span. However, in order to avoid the need to bring the matter back to Council each year it is recommended that the charge be included in the annual budget's fees and charges with wording to ensure that participants are solely at the CEO's discretion.

Council does not offer a tonnage rate because the Buller Road Waste Facility is not fitted with a weighbridge. However the Shire of Murray has determined an average weight per truck of 6.3 tonnes which is then multiplied by the number of loads deposited to arrive at a total tonnage. The waste products sent to Buller Road by the Shire of Murray under this proposal are only those remaining after all other items that can be recycled or otherwise diverted have been dealt with. The Shire of Murray has indicated that they do not collect items such as:

- green waste
- tyres or batteries
- asbestos products
- car bodies or vehicle parts
- bricks or building rubble
- hazardous materials such as paints, chemicals, oil or gas cylinders

Therefore the remaining waste products after recyclables and other items have been taken out will be inert and non-hazardous and therefore pose no concerns as to the safety and compliance of the Buller Road site. The collection is carried out by a contractor whom the Shire of Murray has indicated is very vigilant.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil at this stage.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

This issue comes under the SCP Nos. 4.08: “Provide recurrent services which attend to Community Safety [Ranger Services; CCTV; Building Inspections; Health Inspections of Food Outlets; Waste Services]; and 5.05 “Pursue items and actions which will improve the efficiencies of the organisation”

FINANCIAL ISSUES/IMPLICATIONS

The Shire of Murray has offered to again pay \$53.40 per tonne as was the case last year. Officers feel this is a fair price given that the price to dispose at Dardanup is apparently slightly less. The Shire of Murray deposited 372 tonnes in 2013/14 and has indicated that this year’s total tonnage will likely be similar. This relates to a total income figure of approximately \$20,000.

In order to remove the need for this matter to come back to Council each year, it is recommended that a cost be included in the fees and charges section of each subsequent year’s draft budget for Council’s deliberation. The amount of the charge will be determined by a process to be developed which will take into account aspects such as market prices for similar services and the cost to deal with the waste at Buller Road, etc. It is further recommended that the CEO be given delegated authority to allow or deny participants based on the impact that the anticipated volumes of waste will have on the operations and/or lifespan of the landfill site.

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The Buller Road Landfill site is a licenced waste receival facility and the waste deposited by the Shire of Murray is compliant under this licence. There are no environmental implications related to the landfill site itself.



LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The Technical Services Department has recently assumed the management of the Buller Road Waste Facility and as such are still in the process of understanding the operations of the facility and therefore the impact of receiving waste from outside sources is not fully quantifiable at this time. However, given that the anticipated tonnage is not excessive, officers are confident that the acceptance of the waste will not pose significant issues to the operations or to the life of the current landfill.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION**OCM14/12/151****MOVED: CR WITNEY****SECONDED: CR MASON****That Council:**

- 1. Agree to accept waste generated by the Shire of Murray's 2014/15 verge side hardwaste collection in the order of 400 tonnes only;**
- 2. Set a rate of \$53.40 per tonne;**
- 3. Delegate authority to the CEO to determine a process to set a rate for the receipt of similar waste streams in subsequent years for inclusion in Council's draft fees and charges;**
- 4. Delegate authority to the CEO to determine a process whereby potential participants wishing to deposit waste under this process may be solely at the discretion of the CEO.**

CARRIED 8/0

9.1.3 LOCATION 731 NANGA BROOK ROAD – CREATION OF ROAD RESERVE & CONSTRUCTION OF ROAD WITHIN EXISTING ROAD RESERVE	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Director Technical Services; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, Director Technical Services; No Interest
Proponent:	Charles Hull
Landowner:	Charles Hull
Date of Report: 8/12/14	File No.: 132/3
Previous Reference:	Nil
Policy Implications:	See heading below
Statutory Implications:	See heading below
Strategic Implications:	See heading below
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 5 "<u>Assets, Resources, Financial Management & Sustainability</u>"	

PROPOSAL SUMMARY

To present to Council for approval several issues concerning road reserves and access at Location 731 Nanga Brook Road, Waroona.

BACKGROUND/INITIAL COMMENTS

Location 731 Nanga Brook Road is owned by the Proponent who operates an approved extractive industry from the Lot. An unnamed road reserve bisects this property as shown in the appendix. Property owners to the North currently access their properties by travelling over Location 731 on 'ad hoc' internal roads created at some point in the past and which on the whole are not located within the unnamed road reserve.

As shown on the drawing #10248F included in the appendices, part of the current track used to access the Northern properties will be consumed as part of future extractive industry activities. In order that access to the Northern properties can be maintained, the Proponent is prepared to construct a new access within the existing road reserve.

Separate to this issue is the matter of the first approximately 320 metres of the internal access road which has been constructed to a substantial standard but is also outside of the existing unnamed road reserve. Since the cost to reconstruct this section to a similar standard within the road reserve is prohibitive, the Proponent wishes to create a section of new twenty metre wide road reserve to contain the existing access road, which will then re-join the existing road reserve as shown on the plan.

Both proposals will maintain access for the Northern Properties as well as remove the current practice of public access over private property which raises questions of liability for the Proponent and the users of the access.

As shown on the second appendix related to this item, similar issues exist further North within the same property with regards to the access road not being contained within the road reserve. The Proponent has indicated that ideally this will be dealt with at the same time as the issues above, however at this stage it is not certain exactly how the final outcome will pan out. Therefore it is recommended that the CEO be delegated the authority to negotiate with the Proponent with regards to the access issues within the Northern section of the property in an effort to come to a conclusion.



PLANNING – STRATEGIC IMPLICATIONS

Minimal – the existence of the road reserve and maintenance of the road will be factors effecting future extractive industry applications however the issues subject to this report have little immediate Planning implications.

REFERRALS

Nil at this stage.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

This issue comes under the SCP No 5 “Assets, Resources, Financial Management & Sustainability” and fits within the SCP [5] sub-item 5.03 “Timely Renewal or Replacement of Assets”; 5.03.04 “Roads and Bridges – Maintenance”

FINANCIAL ISSUES/IMPLICATIONS

Initially, there will be no cost to Council as the Proponent is to meet all costs associated with the construction of the new access, the creation of the new section of road reserve and any ancillary costs such as native vegetation clearing applications etc. At some stage in the future the road will most likely revert to the care of control of Council however as a relatively short section of gravel road, costs to maintain it will not be excessive.

While approved extractive industry activities continue on the property, Council can condition the approval such that the Proponent must maintain the access road. Additionally, since it is likely that the Proponent would see merit in restricting access to only those landowners who require access it may be possible to enter into an agreement at an appropriate point in the future such that the Proponent continues to maintain the road in return for Council support in limiting access by means of an approved gate or some similar means.

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Some native vegetation clearing will likely be necessary and will require the appropriate approval from the Department of Environment Regulation.

LEGAL ISSUES/IMPLICATIONS

Council’s Extractive Industries Local Law has implications with regards to this matter in that according to the Local Law no extraction activities may take place within 40 metres of a thoroughfare. The Proponent is aware of this and has taken this into account in its plans for future extraction activities.

Another limiting factor is that under the Mining Act 1978, no mining activities may take place within a road reserve without a mining licence, the gaining of which is a process which can take several years. The Proponent acknowledges that pursuing this avenue

is untenable and therefore is more inclined to deal with the road reserve as described in this report.

COMMUNITY CONSULTATION

Nil at this stage. Creation of a new road reserve will require advertising prior to gazettal.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The proposal as presented by the Proponent represents a logical solution to the issues at hand and removes some uncertainty created via the current practice of allowing public access over private property. Although it may expose Council to financial implications in the future, this must be weighed up against the immediate issues.

At this point the specifications pertaining to the construction of the new section of road have not been fully discussed with the Proponent however they will be to the satisfaction of the Director Technical Services and appropriate to the expected usage.

The section of existing road reserve which will be bypassed should a new road reserve be created will remain in place unless the Proponent seeks to close, purchase and amalgamate it into Location 731. There are no impacts on Council either way as the empty road reserve poses no implications for Council in its current state and any money raised by its sale reverts to the State Government rather than Council.

The matter of the access issues to the North of the property will be dealt with either by constructing a new access within the existing road reserve or creating new road reserve over the existing access, or a mixture of both, depending on the assessment to be carried out by the Proponent in with reference to Shire officers' advice. Since both solutions are similar to that proposed for the Southern-most section of the property, officers are comfortable to recommend that the CEO be given delegated authority to deal with the matter without the need to bring it back to Council at a future time.

Appendices Attached:	Yes	Appendices Numbers: 9.1.3
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM14/12/152

MOVED: CR SCOTT

SECONDED: CR LOOK

That Council:

- 1. Support the creation of a new twenty metre wide road reserve within Location 731 Nanga Brook Road as shown on Appendix 9.1.3 ;**
- 2. Support the construction of a new section of road within the existing road reserve on Location 731 Nanga Brook Road from the point where the existing constructed access road ends as shown on Appendix 9.1.3 to the satisfaction of the Director of Technical Services;**
- 3. Delegate authority to the CEO to negotiate with the Proponent in order that the access issues within the Northern section of Location 731 may be resolved either by relocation of an access route within the existing road reserve or by the creation of new road reserve to encompass the existing access, or a combination of both; at no cost to Council.**

CARRIED 8/0

9.1.4 TRANSFER OF FUNDS FROM WASTE RESERVE	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Director Technical Services; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, Director Technical Services; No Interest
Proponent:	Shire of Waroona
Landowner:	Various
Date of Report: 9/12/14	File No.: 132/3
Previous Reference:	Nil
Policy Implications:	See heading below
Statutory Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 5 "Assets, Resources, Financial Management & Sustainability"	

PROPOSAL SUMMARY

Council's Caterpillar 816F Waste Compactor has failed and is need of urgent repairs. To meet the cost of the repairs it is proposed to source funds from the waste reserve account.

BACKGROUND/INITIAL COMMENTS

The Waste Compactor is a critical item of equipment for the operations of the landfill site at Buller Road in that it optimises compaction of the waste material. Investigations by a mechanical contractor has revealed relatively major engine failure. The investigation necessitated the commencement of the disassembly of the engine therefore the works have for all intents and purposes already commenced.

The mechanical contractor has provided a written estimate of costs to complete the repairs.

As these works were not anticipated there is currently no budget allocation to cover the expenditure therefore it is proposed to source the funds from the waste reserve account.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

This issue comes under the SCP No 5 "Assets, Resources, Financial Management & Sustainability"

FINANCIAL ISSUES/IMPLICATIONS

Council's mechanical contractor has provided an estimated cost of \$22,701.64 (ex GST) to complete the works. This is an estimate only as final costs depends on the nature of the faults encountered as work progresses on the machine – it is not unusual to find more problems as more of the engine is disassembled. For this reason the recommendation is worded to seek approval to transfer 'up to' the figure of \$30,000 from the waste reserve account. It is not anticipated that this full amount will be required and once a final figure is determined at the completion of the works, this will become the amount transferred.

POLICY ISSUES/IMPLICATIONS

Council policy 3.3 – Purchase of Budget Items allows the CEO discretion to waive the need to call for quotes if the CEO is satisfied that the purchase is of an urgent nature. As the lack of a compactor is reducing the compaction rates of the landfill and therefore reducing the space available, officers feel that the works are indeed of an urgent nature.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Nil

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM14/12/153

MOVED: CR WRIGHT

SECONDED: CR DEW

That Council;

- 1) Approve the out of budget expenditure of urgent capital repairs to Caterpillar 816F Waste Compactor up to \$30,000 – Account 115240**
- 2) Approve the transfer of up to \$30,000 from the Waste Reserve – Account 454000**

CARRIED BY ABSOLUTE MAJORITY 8/0



9.2 DIRECTOR DEVELOPMENT SERVICES

9.2.1 SHIRE OF WAROONA TOWN PLANNING SCHEME NO.7 AMENDMENT NO.36	
Reporting Officer / Officer's Interest:	Lucy Lyster – Town Planner, Nil
Responsible Officer / Officer's Interest	Louis Fouché – Director Development Services / Nil
Proponent:	Town Planning Management Engineering
Landowner:	Michael Geoffrey and Margaret Oliver Herbert
Date of Report: 28 November 2014	File No.: TPS7A36 – 1
Previous Reference:	N/A
Policy Implications:	Draft State Planning Policy 3.7 – Planning for Bushfire Risk Management May 2014 State Planning Policy 4.1 – State Industrial Buffer Policy EPA Guidance Note 3 – Separation Distances Between Industrial and Sensitive Land Uses
Statutory Implications:	Planning and Development Act 2005 Environmental Protection Act 1986 Draft Planning and Development (Bushfire Risk Management) Regulations 2014 Peel Region Scheme 2003 Shire of Waroona Town Planning Scheme No. 7
Strategic Implications:	Coastal and Lakelands Planning Strategy 1999 EPA Guidance Note No.28 'Protection of the Lake Clifton Catchment' Shire of Waroona Local Planning Strategy 2009 Shire of Waroona Strategic Community Plan 2014/15-2023/24
Financial Implications:	Application Fee.
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): <i>Theme 3: Land Use – Responsible Land Use Planning and Protecting Rural Land</i>	

PROPOSAL SUMMARY

The proposal seeks the rezoning of Lot 15, Haub Road, Waroona, from 'Rural 3B – Coastal Highway' to 'Rural 7 – Rural Small Holdings' under the Shire of Waroona Town Planning Scheme No.7 (TPS7) see **APPENDIX 9.2.1A**.

The subdivision guide plan (SGP) associated with the amendment provides for 3 lots, varying in size between 5.2 hectares and 5.6 hectares. See SGP at **APPENDIX 9.2.1B**.

The amendment is in its initial stages and requires Council to resolve to initiate this amendment prior to any further assessment.

BACKGROUND / INITIAL COMMENTS

The subject lot is located on the Southern end of Haub Road, Lake Clifton, which runs parallel to Old Coast Road. See site location map **at APPENDIX 9.2.1C**. Access to the lot is obtained via Haub Road, which is proposed to be extended to allow access to the two proposed lots to the South.



Lot 15 is 16.614 ha and is largely clear of remnant vegetation and trees with the exception of some vegetation on the Western Boundary and some scattered mature trees on the lot.

Previous Applications

Planning consents:

TP1223 – Home Occupation for an office for a mobile pest control company – approved 25 May 2009.

Building permits:

2004064 – Horse Shelter; and
2004071 – Single Dwelling.

STATUTORY IMPLICATIONS

Planning and Development Act 2005.

Section 75 of the Act states that a local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, by an amendment —

- (a) Prepared by the local government, approved by the Minister and published in the *Gazette*; or
- (b) Proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the *Gazette*.

Section 81 of the Act states that when a local government resolves to prepare or adopt a local planning scheme, or an amendment to a local planning scheme, the local government is to refer the proposed local planning scheme or amendment to the EPA.

Section 84 of the Act states that after compliance with sections 81 and 82, a local planning scheme prepared or adopted, or an amendment to a local planning scheme prepared or adopted, by a local government, is to be advertised for public inspection in accordance with the regulations.

Environmental Protection Act (section 48)

Section 48 – Control of Implementation of Proposals

- (1) The CEO may monitor the implementation of a proposal, or cause it to be monitored, for the purpose of determining whether the implementation conditions relating to the proposal are being complied with.

Draft Planning and Development (Bushfire Risk Management) Regulations 2014

The regulations are intended to:

- clarify whether a property is within a bushfire prone area for the purposes of building and planning regulation;
- ensure that a bushfire risk assessment is undertaken before a new habitable building or land use is constructed in a bushfire prone area; and
- require development approval for habitable buildings and land uses on sites of extreme bushfire risk to ensure appropriate bushfire risk management measures are undertaken.

Section 4 – Purpose of deemed provisions

The purpose of the provisions in Schedule 1 is to ensure —

- (a) that bushfire risk is addressed in planning and development decisions; and
- (b) that there is a clear legal basis —
 - (i) for local governments to require the assessment of bushfire risk in areas identified under the provisions; and
 - (ii) the application of bushfire resistant construction requirements of the Building Code, as defined in Schedule 1 clause 2(1), in areas so identified; and
- (c) that the development of any building or structure on land assessed under the provisions as land having a high risk of bushfire attack is subject to development approval requirements, even if the class of development may ordinarily be exempt from those requirements.

Section 3 – Determining whether development site is in a bushfire prone area

For the purposes of this Schedule, a development site is subject, or likely to be subject, to bushfires and is referred to as being in a bushfire prone area in either of the following cases:

- (a) where the development site is on land covered by a Bushfire Prone Area Map endorsed by the FES Commissioner — if any part of the development site is designated on that map as being in a bushfire prone area; or
- (b) where the development site is not on land covered by a Bushfire Prone Area Map endorsed by the FES Commissioner — if any part of the development site is within 100 metres of an area of bushfire prone vegetation equal to or greater than one hectare

Peel Region Scheme 2003

The subject area is zoned Rural under the Peel Region Scheme.

Clause 12 (e) sets out the objective of the Rural zoning under the Scheme as follows;



“Rural – to provide for the sustainable use of land for agriculture, assist in the conservation and wise use of natural resources including water, flora, fauna and minerals, provide a distinctive rural landscape setting for the urban areas and accommodate carefully planned rural living developments”.

Town Planning Scheme No. 7 (1996)

The subject land is currently zoned Rural 3B – Coastal Highway under TPS7.

The objective of the Rural 3B zone is to ensure continuation of appropriate rural activities which are consistent with protection of the coastal environment, the ecology of the Yalgorup National Park, the landscape of the environs of Old Coast Road and the traffic management requirements of that road by:-

- (a) ensuring that rural pursuits are consistent with achieving the objective;
- (b) permitting, at Council discretion in accordance with the requirements of its Policy, other uses, additional, or special uses, appropriate to the objective and to the location of the zone including establishment of commercial uses in accordance with the provisions of Tables 1 and 2 on lots in the zone subject to:
 - satisfactory advice from the Department of Conservation and Land Management and the Environmental Protection Authority, that the proposed use will not impact detrimentally on Yalgorup National Park;
 - a building setback from the lot frontage of Old Coast Road of fifty metres, and satisfactory landscaping within the setback area.

The proposed zoning in this scheme amendment is Rural 7 – Rural Small Holdings zone

The objective of the Rural 7 zone is to select areas within the rural areas wherein closer subdivision will be permitted to provide for a rural lifestyle on a small rural lot where uses such as hobby.

4.16.2 Subdivision, Land Use and Development Control

In addition to clause 4.16 further provisions for controlling subdivision, land uses and development relating to specific areas will be as laid down in Schedule VII to the Scheme. Before making provision for a Rural Small Holding Zone, the local government will prepare or require the proponent to prepare a submission supporting the creation of the Rural Small Holding Zone and such submission shall be in accordance with the Western Australian Planning Commission’s Rural Land Use Planning Policy and consistent with Council’s Local Planning Strategy.

4.16.3 Subdivision Guide Plan

A Subdivision Guide Plan shall be prepared and shall include the following:

- (i) The proposed ultimate subdivision including approximate lot sizes and dimensions and building envelopes as necessary.



- (ii) Areas to be set aside for Public Open Space, pedestrian accessways, horse trails, community facilities, etc as may be considered appropriate.
- (iii) Physical features that are intended to be conserved.
- (iv) Any other features relevant from the Local Planning Strategy.

4.16.5 Lot Sizes

The minimum lot size shall be 2 hectares unless a higher minimum lot size is specified for an estate within Schedule VII.

4.16.6 Building Envelopes, Setbacks and Variations

- (a) All building envelope boundaries are to be setback a minimum of 20 metres from any street frontage and 10 metres from a rear or side boundary unless alternate setbacks are specified for a particular estate under Schedule VII.
- (b) Where a building envelope is defined for a lot on a subdivision guide plan, the dwelling and any outbuilding(s) shall be confined to that envelope. Shire of Waroona TPS 7 Page No. 35.
- (c) Notwithstanding the provisions of the preceding sub-clauses, Council may permit variation of the location of the building envelope if it is satisfied that such variation is desirable and will not detrimentally affect the objective for the zone or the amenity of the area.
- (d) If no building envelope is specified the setbacks of any development is to comply with the 20 metre street frontage and 10 metre rear/side setbacks unless alternate setbacks are specified for a particular estate under Schedule VII.

4.16.9 Fire Management

The subdivider shall prepare and implement a Fire Management Plan as part of any application to subdivide the land, with the plan being to the satisfaction of Council and Fire and Emergency Service Authority (FESA).

4.16.10 Effluent Disposal

Standard on-site septic systems only to be provided where there is compliance with the minimum setbacks prescribed in Statement of Planning Policy No. 2.1 The Peel-Harvey Coastal Plain Catchment, being a minimum of 100 metres from any watercourse or wetland and a 2 metre minimum vertical separation from the highest known groundwater level. Alternative Treatment Units to be provided where the setback is less than 100 metres from a watercourse or wetland and/or the vertical separation to the highest known ground water level is less than 2 metres.

4.16.11 Water Supply

A minimum 92, 000 litre capacity rainwater tank(s) is required to contain a domestic water supply unless varied by Schedule VII.

4.16.12 Drainage

The drainage system shall not be altered without the prior approval of the Council in writing. In considering any proposal to obstruct or dam any part of the drainage system the Council shall have regard to the effect of the drainage system and the impact on the land and the environment in general, and shall consult with any appropriate authority prior to granting approval.

New provisions proposed to be inserted into the scheme Schedule VII are as follows:

General Provisions

1. *The subdivision of Lot 15, Haub Road, Lake Clifton shall be in accordance with the approved Subdivision Guide Plan, or any variation of the plan approved by the Western Australia Planning Commission.*
2. *Setbacks for all future development on Lot 1 shall be in accordance with Clause 4.16.6(a) of the Shire of Waroona's Town Planning Scheme No. 7. In addition, a minimum setback of 150m from the high water mark of Lake Clifton shall be maintained.*
3. *All future development on Lots 2 and 3 shall be within the building envelope indicated on the adopted Subdivision Guide Plan.*
4. *Effluent disposal shall be installed in a manner to the satisfaction of Council and the Department of Health. Council may require the installation of alternative treatment units on some or all of the lots due to site constraints and the vicinity to the Lake Clifton Reserve.*

STRATEGIC PLANNING IMPLICATIONS

Coastal and Lakelands Planning Strategy 1999 (CLPS)

The *Coastal and Lakelands Planning Strategy* complements the *Peel Regional Strategy (1994)*, the *Bunbury - Wellington Region Plan (1995)* and the *Inner Peel Region Structure Plan (1997)* all of which recognise the strategic importance of the coastal strip between Mandurah and Bunbury.

Clause 6.2.5 Rural 3 - Highway Environs:

The zone consists of lands generally orientated to the Old Coast Road, mostly with abuttal to National Park and the lake system. Lot sizes vary, with a significant proportion in the range of 4-5ha as groups from early subdivision, resulting in de facto rural-residential use.

Recommendations:

- Minimum lot size - five hectares.
- Development setback from Lake Clifton of minimum 150m (including 20m of Spearwood soils and 2m vertical clearance from groundwater) required for building and horticulture. No direct drainage into lake permitted.



- Smaller lot sizes for specialised tourist/commercial purposes may be permitted for a use approved by local government and WAPC.
- Control of access to Perth-Bunbury Highway (Old Coast Road) will be necessary.
- Compatibility with the existing rural character and landscape will be a prerequisite for development approval in the zone.
- Visual management controls to be applied to development by local government, in accordance with the objectives and guidelines of this strategy.

EPA Guidance Note No.28 'Protection of the Lake Clifton Catchment'

The purpose of these guidelines is to describe the Environmental Protection Authority's environmental criteria which would provide a basis for managing new land uses and changes to certain existing land uses on private land within the catchment of Lake Clifton.

Section 5. Criteria and Management Plan

5.2 Rural residential developments

The following management criteria have been adopted by the Environmental Protection Authority (EPA):

- For any subdivision within the catchment, the average lot size should not be less than 5 ha. In achieving the average lot size, no lot shall have an area of less than 2 ha. Further subdivision of the same lot, or part thereof, should not be permitted where this would result in an average lot size less than 5 ha as originally determined. Innovative design measures to reduce potential impacts, for example clustering, should be used where lot sizes are allowed below 5 ha while maintaining the over 5 ha average;
- Domestic water allocation should be limited to 1500 kL per lot per year;
- Conventional septic systems should not be permitted, instead alternative effluent systems with high nutrient retaining capacities should be used;
- Stocking rates (as advised by Agriculture Western Australia) should be determined based on area of cleared land, and not total lot size;
- Stocking rates should be set as those for dry pasture, with no importation of feed allowed;
- For lots adjacent to the lake, either the number of lots abutting the lake should be minimised, or appropriate management measures should be applied to reduce uncontrolled human access to the lake, the vegetated buffer and the thrombolites (e.g. Fencing, direct access to a particular location(s), in consultation with CALM).
- Building envelopes should:
 - Not be located on the Vasse landform type:



- Be setback at least 150m from the high water mark of the lake (as defined by the edge of the salt water dependent wetland vegetation species), and
 - Be setback at least 20m between the edge of the Vasse landform and/or fresh water wetland.
- Intensive land uses requiring high water and fertiliser usage should not be permitted;
 - Unless otherwise determined by the Western Australia Planning Commission (WAPC), and in accordance with the Coastal and Lakelands Planning Strategy, subdivision should be supported by Town Planning Scheme provisions, where appropriate, to ensure that these criteria can be met.

Shire of Waroona Local Planning Strategy (2009)

The subject lot is identified as Rural Small Holdings and is located within the Lake Clifton precinct. Here it is Councils objective to consolidate the land between Lake Clifton and the Old Coast Road to provide smallholding lots that offer agriculture, lifestyle and tourist opportunities.

A minimum lot size of 5 hectares is specified in the strategy.

Considerations:

- On-site effluent systems to be Alternative Treatment Units. Dwellings are to be setback at least 150m from the high water mark of Lake Clifton and at least 20 metres from the edge of the Vasse soil landform.
- Proponents are referred to the EPA Guidance Note No.28 'Protection of the Lake Clifton Catchment'.
- All new development, including agricultural use, is to be setback at least 150 metres from the high water make of Lake Clifton and at least 20 metres from the of the Vasse soil landform.

Shire of Waroona Strategic Community Plan 2014/15-2023/24

This item contributes towards achieving theme number 3: Land Use – Responsible Land Use Planning and Protecting Rural Land.

POLICY IMPLICATIONS

Draft State Planning Policy 3.7 – Planning for Bushfire Risk Management May 2014 (SPP3.7)

This policy intends to assist in reducing the risk of bushfire to people, property and infrastructure by taking a risk-minimisation approach to development proposed in bushfire-prone areas.

Clause 4.2 – Where this policy applies:

The location of bushfire-prone areas may be identified in one of the following ways:

- local planning schemes and amendments;



For the purposes of this policy, a bushfire-prone area is an area that has been designated by the Fire and Emergency Services Commissioner, or designated as such in a legislative instrument. The location of bushfire-prone areas may be identified in one of the following ways:

- In the absence of either local or State Government maps, any land within 100 metres of an area of bushfire-prone vegetation equal to or greater than one hectare.

Responsibility will lie with the proponent to demonstrate that bushfire risks have been sufficiently identified and, if necessary, reduced and/or managed. In the absence of such identification and management to the satisfaction of the responsible authority, decision-makers should refuse the planning application.

Part 5 - Policy objectives

The objectives of this policy are to:

- 5.1 Facilitate the avoidance of placing people, property and infrastructure in areas of extreme bushfire risk.
- 5.2 Reduce vulnerability to bushfire through the identification and assessment of bushfire hazards and risk in decisions at all stages of the planning process, including strategic planning, regional and local planning schemes, and structure planning through to subdivision and development.
- 5.3 Ensure that subdivision, development and land-use proposals take into account bushfire protection requirements and include specified fire protection measures, especially over land that has or will have a moderate or extreme bushfire hazard level, and/or land where construction standards of BAL-12.5 and above apply.
- 5.4 Achieve a responsible and balanced approach between bushfire risk management measures and landscape amenity and biodiversity conservation objectives.

Part 6 - Policy measures

- 6.2 Planning proposals or development applications relating to land that has or will have a bushfire hazard level above low are to comply with these policy measures.
- 6.8 The advice of the relevant authority responsible for emergency services is to be sought and considered in the preparation of all sub-regional structure plans and local planning strategies and regional and local planning schemes and amendments incorporating bushfire-prone areas, and for subdivision and development applications where compliance with these policy measures is unlikely to be achieved.

State Planning Policy 4.1 – State Industrial Buffer Policy (SPP 4.1)

The purpose of the policy is to provide a consistent state-wide approach for the surrounding land uses while having regard to the rights of landowners who may be affected by residual emissions and risk.

Section 1.2 - Application

The policy applies to all industry infrastructure and special use categories where on-site and off-site buffer areas are required. It also has regard to associated road/rail/pipeline transport routes servicing these facilities and airports. This policy addresses the buffer requirements of the following industrial categories (existing and new industry)—

- Extractive industry;

Section 1.3 Implementation of a Statement of Planning Policy

Section 5AA of the Town Planning and Development Act outlines the criteria for the preparation of a Statement of Planning Policy, and sets down the role for local government as—

7 Preparation of schemes

- (5) *Every local authority in preparing or amending a town planning scheme*
- (a) *shall have due regard to any approved statement of planning policy prepared under section 5AA which affects its district;*

This means that whenever a local government amends or reviews a scheme or prepares a new district scheme it must pay due regard to this statement of planning policy. Obviously the WA Planning Commission will be aware of the inclusion or otherwise of buffer areas in new schemes, and will assess them accordingly.

In addition, the Environmental Protection Authority (EPA) will also be assessing schemes under the most recent planning legislation amendments. This Policy will fit in with the new legislation which has the following key features—

- statutory plans are now subject to formal environmental assessment by the EPA. Acceptable buffer areas in accordance with this Policy will be part of that assessment.
- agencies responsible for preparing and amending statutory plans now have equivalent status to proponents under the environmental assessment system. A local government will have to notify the EPA about its intention to prepare or amend a scheme, so that the EPA can determine if a formal assessment is needed.
- preparation of an environmental review of a scheme may be required by the EPA prior to formal advertising.
- submissions received during formal advertising which contain environmental issues must be referred to the EPA.
- the EPA may recommend conditions which shall be incorporated in statutory plans before consideration for final approval by the WAPC.

The Department of Environmental Protection is in the course of preparing a Generic Industrial Buffer Distance Review, which will form the primary guide to the need for buffers, along with appendices to this Policy.

State Industrial Buffer Policy 3

- Local government would prepare, or have prepared by a proponent, an environmental review and receive clearance from the EPA before the scheme is advertised for public comment.
- Once this clearance is received, approval from the WAPC to advertise is sought, and the scheme is advertised and treated as any other scheme.
- Any submissions that relate to environmental matters, (the submissions commenting on buffer areas could be considered of this nature,) would be referred to the EPA. The EPA will report to the Minister for the Environment on any environmental factors which should be incorporated into the scheme.
- The scheme with resolutions on the submissions and the advice from the Minister for the Environment is then referred to the WAPC for final approval.

EPA Guidance Note 3 – Separation Distances between Industrial and Sensitive Land Uses

The guidance note specifically addresses generic separation distances between industrial and sensitive land uses to avoid conflicts between these land uses. It takes into account protection of the environment as defined by the *Environmental Protection Act 1986* (EP Act) with a focus on protecting sensitive land uses from unacceptable impacts on amenity that may result from industrial activities, emissions and infrastructure.

Section 2.1 - Types of industrial land uses

For the purposes of this Guidance Statement, “industrial land use” is used in a general way to encompass a range of industrial, commercial and rural activities, and infrastructure, associated with off-site emissions that may affect adversely the amenity of sensitive land uses.

The term includes:

- Extractive Industry.

Section – 6.1 EPA responsibilities

The EPA will apply this Guidance Statement to proposals and schemes that are subject to the EIA process under Part IV of the EP Act.

Appendix 1: Separation Distances between Industrial and Sensitive Land Uses, identifies that the buffer distance in metres and qualifying notes is to be determined on a case by case basis for the extraction of soft rock where crushing and grinding is taking place.

COMMUNITY CONSULTATION

Community consultation is not required at this stage although it will be required in subsequent stages should Council decide to initiate the amendment.

EXTERNAL REFERRAL

Should the amendment be initiated, the EPA and all relevant Government departments would be consulted.

INTERNAL COMMENTS

Upon referral to the Building Department, the Manager of Environmental Health and Building Services stated that there were no major concerns at this stage.

Upon referral to Environmental Health Services, the Manager of Environmental Health and Building Services stated that the effluent requirements were to be addressed in due course.

Upon referral to the Shire's Technical Services Directorate, the Director of Technical Services required that road reserve needs to be the same width as the existing road reserve for Haub Road, being 15m; the applicant amended the Subdivision Guide Plan to clear this requirement.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

Locality

The areas in which the subject land is located is characterised by rural small holding lots running parallel to Old Coast Road, backing onto the Lake Clifton Reserve. The landscape is categorized flat cleared land the west of Old Coast Road, with the lots in the area having remnant vegetation to the rear (west) adjoining the lake.

To the east of the subject lot is a limestone extractive industry and state forest.

The landscape and environmental values of the locality are considered to be high.

Fire Management

The applicant has provided a Fire Risk Assessment and associated mapping. See **APPENDIX 9.2.1B**.

In accordance with SPP3.7, the applicant has undertaken a hazard assessment. This assessment indicates that fire risk associated with the proposed lots is low on the majority of the lots.

The areas in which the proposed building envelopes and the existing development are located are identified as low risk. The building envelopes and existing development are located over 100m from vegetation listed as bushfire-prone vegetation.

For the reasons listed above the proponents have not provided a fire management plan., The advice from the Department of Fire and Emergency Services will be obtained in this regard.

Access



The subject lot currently gains access via Haub Road, which runs parallel to Old Coast Road and provides access to lots to the north. The applicant proposes to extend Haub Road to the south to provide access to the proposed lots. The Haub Road extension has been proposed as a 15m road reserve on the sub division guide plan, which is the same size as the existing road reserve.

Lot Areas

The Subdivision Guide Plan proposes to split the subject lot into 3 lots varying in size between 5.2 hectares and 5.6 hectares. The proposed lots meet the lot size requirements within the TPS, LPS and the CLPS.

The proposed minimum 5ha lot size is considered appropriate given the context of the subject land. The 5ha lot size allows for adequate separation of land use and allows for continuation of smallholding lots that offer agriculture, lifestyle and tourist opportunities. The density of subdivision also means the landscape values are protected.

Effluent Disposal

The Shire's TPS requires alternative treatment units where the setback is less than 100 metres from a watercourse or wetland and/or the vertical separation to the highest known ground water level is less than 2 metres.

In accordance with the EPA Guidance Note No.28 'Protection of the Lake Clifton Catchment', and the Shire's LPS, alternative treatment units are required for the proposed lots.

The Manager of Environmental Health and Building Services stated that the effluent requirements are to be addressed in due course.

Building Envelopes and setbacks

The proposed building envelopes and setback requirements are shown on the Subdivision Guide Plan and prescribed on the proposed Schedule IV provisions, these meet the requirements of Clause 4.16.6 of the Shire's TPS. Further to this they also meet the requirements of the EPA Guidance Note No.28, the CLPS, SPP3.7 and the LPS.

Setback from Extractive Industry

The subject lot is located adjacent to a limestone extractive industry located at Lot 1, Old Coast Road, Lake Clifton in which the crushing and grinding of limestone does take place. In accordance with SPP 4.1 and EPA Guidance Note 3 – the amendment will be referred to the EPA to for comments prior to the amendment being advertised for public comment.

The approved extractive industry on Lot 1 (TP1575), submitted a Noise Assessment with the Development application and a dust assessment was required as a condition of the approval. The noise assessment identified that the proposed noise levels comply with the allowable noise levels prescribed by the Environmental Protection (Noise) Regulations 1997. If the noise levels are breached, the Department of Environmental Regulation can enforce the Regulations.

As the proposed lots and building envelopes are located further away than the closest receptor to the site, it is not envisaged that a further noise assessment or dust assessment is required for the amendment; however the proposal will be referred to the EPA following initiation.

Conclusion

Council's LPS outlines a zoning of "Rural Smallholdings" for the subject land, therefore the proposed scheme amendment to rezone the land is in accordance with the Shire's strategic intent for the area.

It is considered that the proposed amendment with the principles of proper and orderly planning. Council's long term land use strategies support the use of the land for this on the provision that environmental matters are fully explored.

It is therefore recommended that Council initiate this amendment to Town Planning Scheme No. 7.

Appendices Attached:	Yes	Appendices Numbers: 9.2.1A, B, C
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM14/12/154

MOVED: CR MASON

SECONDED: CR WRIGHT

That, in relation to the proposed Amendment 36 to Town Planning Scheme No. 7 1996 and pursuant to Part 5 of the Planning and Development Act 2005, Council Resolves to:

- A. Initiate the Amendment to Town Planning Scheme No. 7 in accordance with *Appendix 9.2.1A*.**
- B. Refer the above Amendment to Town Planning Scheme No.7 to the Environmental Protection Authority (EPA) pursuant to section 81 of the *Planning and Development Act 2005*. Should the EPA advise that the amendment does not require assessment, advertise the amendment in accordance with the Town Planning Regulations 1967.**
- C. Authorise the Shire President and the Chief Executive Officer to execute the Amendment documents.**
- D. Forward a copy of the amendment to the Western Australian Planning Commission for information.**

CARRIED 8/0



9.2.2 PART OF LOT 16 JOHNSTON ROAD (MYALUP STATE FOREST), MCLARTY EXPLOSIVES RESERVE FACILITY – GREATER BUNBURY REGIONAL SCHEME AND PEEL REGIONAL SCHEME AMENDMENTS	
Reporting Officer / Officer's Interest:	Lucy Lyster – Town Planner / Nil
Responsible Officer / Officer's Interest:	Louis Fouché – Director Development Services / Nil
Proponent:	Western Australian Planning Commission
Landowner:	State of Western Australia (Crown) - State Forrest
Date of Report: 8 Dec 2014	File No.: 122/11
Previous Reference:	OCM14/07/081
Policy Implications:	WAPC Development Control Policy 1:9: Amendment to Regional Schemes Statement of Planning Policy No. 2.7 – Public Drinking Water Source Policy (2003)
Statutory Implications:	Mining Act 1978 Planning and Development Act 2005 Heritage of Western Australia Act 1990 Peel Region Scheme 2003 Greater Bunbury Region Scheme 2007 Shire of Waroona Town Planning Scheme No. 7 1996
Strategic Implications:	Local Planning Strategy 2009 Shire of Waroona Strategic Community Plan 2014/15-2023/24
Financial Implications:	See report.
LINKED TO STRATEGIC THEME NUMBER	
Strategy 1 – Manage the Shire of Waroona's future growth	
Strategy 5 – Encourage a dynamic local economy.	

PROPOSAL SUMMARY

The Shire of Waroona received correspondence regarding the proposed amendment of the Greater Bunbury Region Scheme (GBRS) and Peel Regional Scheme (PRS) to facilitate the relocation of the State Explosives Reserve from Baldivis to a parcel of land forming part of State Forest 16 fronting Johnston Road in the locality of McLarty. See the location plan and proposed amendment plans at **APPENDIX 9.2.2A and B**.

The purpose of the amendments is to reserve approximately 230 hectares of land for an explosives manufacturing and storage facility.

The proposed amendments will transfer approximately 230 hectares of land from the 'State Forest' reservation to the 'Public Purposes' reservation within both the GBRS and the PRS.

Of the 230 hectares affected by the proposed amendments, approximately 200 hectares is located within the Greater Bunbury Region and approximately 30 hectares is located within the Peel Region.

The access to the proposed facility will be obtained from Johnston Road to the north of the subject site, which is located within the Peel Region and within the Shire of Waroona.



Council is requested to consider its position regarding the amendment to the Region Schemes.

BACKGROUND / INITIAL COMMENTS

The establishment of the McLarty Explosives Reserve Facility (MERF) arises following the State Government and Cabinet's decision to relocate the existing Baldivis Explosives Reserve Facility (BERF) from the Perth Metropolitan region to another site outside the metropolitan area.

Explosives facilities require special separation distances based on Australian Standards and Department of Mines and Petroleum requirements. A regional geographic information system analysis was used to identify possible locations that satisfy the project criteria. As a result of this analysis the McLarty site was shortlisted and decided upon.

The McLarty site was selected due to the following advantages over other alternative sites:

1. The current reservation as State Forests and the existing pine forest which currently occupies the land would minimise land use conflicts over both the short and long term;
2. The MERF site is located within a significant area of land which is (predominantly) controlled by the State Government, thus ensuring the buffer requirements are able to be implemented and adjusted if necessary over the long term;
3. Permanent road access is available;
4. Long term planning for the area does not envisage land use conflict with the proposed MERF and there is scope for expansion if necessary;
5. The proximity of services and facilities mean that the site is capable of being used as an explosives reserve facility;
6. Environmental investigations indicate there are no fatal flaws that would prevent the operation of the proposed MERF.
7. The MERF site achieves appropriate separation from protected works, critical infrastructure and vulnerable facilities.

It has been previously noted that prior to / during the relocation of the explosives reserve, it is proposed that sand be extracted from the site. The Shire has been made aware in a letter dated 2 Jul 2014 that the Department of Mines and Petroleum (DMP) will be calling for expressions of interest for sand extraction using authority provided under section 19 of the Mining Act 1978.

Previous Applications

An item was referred to Council on the 22 July 2014 for the excision of land in State Forrest 16 and proposed new reservation of “Explosives Magazine and Manufacture and Storage of Explosives and Storage of Security Risk Substances”. Council resolution number OCM14/07/081.

STATUTORY IMPLICATIONS

Planning and Development Act 2005 (P&D Act)

Division 4 — Minor amendments to region planning scheme

Section 57 – Minor amendment, procedure for approval of etc.

- (1) If a proposed amendment does not, in the opinion of the Commission, constitute a substantial alteration to a region planning scheme, that amendment —
 - (a) is not required to be submitted and approved in accordance with the procedure prescribed in Division 3; and
 - (b) instead, may be submitted and approved in accordance with the procedure prescribed in this Division.

Part 9 – Relationship between planning schemes, planning control provisions and written laws

Section 126 – Local planning scheme, amendment of due to region planning scheme

- (1) If a region planning scheme delineates land comprised in a local planning scheme as a reserve for any public purpose, then the local planning scheme, in so far as it operates in relation to that land, is, by force of this section and without any further action under this Act, amended to such extent (if any) as is necessary to give effect to the reservation under the region planning scheme.
- (2) Notice of any amendment effected under subsection (1) is to be published in the Gazette.

Peel Region Scheme 2003

It is the purpose of the Peel Region Scheme (PRS) to provide for zoning of land for living, working and rural uses.

Part 3, Clause 9 refers to Reserves. The lands shown as Reserved Lands on the Scheme Map are reserved under the Scheme for the public purposes shown on the Scheme Map.

Land is reserved under the Scheme for a range of public purposes including:

- f) State Forests – to recognise State Forests.
- g) Other Public Purposes - to provide for other public purposes as denoted on the Scheme Map.



Greater Bunbury Region Scheme 2007

It is the purpose of the Greater Bunbury Region Scheme (GBRS) to provide for zoning of land for living, working and rural uses.

Part 3, Clause 9 refers to Reserves. The lands shown as Reserved Lands on the Scheme Map are reserved under the Scheme for the public purposes shown on the Scheme Map.

Land is reserved under the Scheme for the following public purposes including –

- (g) State Forests – to recognise State Forests; and
- (h) Other Public Purposes - to provide for other public purposes as denoted on the Scheme Map.

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

The subject lot is zoned as a State Forrest Reserve within the TPS.

Part III – Reserves

Clause 3.1 refers to Scheme Reserves:

The land shown as Reserves on the Scheme Maps, and the legend thereon, are lands reserved under the Scheme for the purposes shown on the Scheme Maps.

The Reserves include:

- State Forest
- Public Purposes

STRATEGIC PLANNING IMPLICATIONS

Statement of Planning Policy No. 2.7 – Public Drinking Water Source Policy (2003)

Fresh water is one of the most important natural resources of Western Australia. The community expects that public drinking water quality be maintained to a suitable standard and that there be a sufficient supply sources to meet current and future consumer requirements.

The Water and Rivers Commission (WRC) (now Department of Water (DoW)) is responsible for managing and protecting water resources.

The WRC previously identified the following priority classification for PDWSAs:

Priority 1 (P1) source protection areas are defined and managed to ensure there is no degradation of the water resource in these areas. This is the highest level of protection for the water source and normally will apply to land owned by the State, and that is characterized by low-intensity and low-risk land use, such as forestry. Protection of the public water supply outweighs virtually all other considerations in respect to the use of this land. P1 source protection areas are managed in accordance with the principle of risk avoidance.



Section 4. – Objective

The objective of this policy is to ensure that land use and development within PDWSAs is compatible with the protection and long-term management of water resources for public water supply.

Section 5. – Policy Measures

5.1 Local and regional planning strategies should identify PDWSAs based on advice from the WRC (now DoW). Priority 1 and 2 source protection areas should be included in the Water Catchments reservation, or the Rural Water Protection zone respectively, or covered by a special control area for water protection in the MRS and corresponding town planning scheme.

Acceptable land uses in source protection areas are those which are compatible with, or can be managed to be compatible with, the sustainable use of the water resource and the retention of environmental values associated with that resource.

Section 6. – Implementation

The purpose of this policy is to inform local governments and the Town Planning Appeal Tribunal (Now State Administrative Tribunal) of those aspects of State-level planning policy concerning the protection of PDWSAs which should be taken into account in planning decision-making.

The policy will also guide the WAPC in undertaking its planning responsibilities, and in integrating and co-ordinating activities of State agencies which influence the use, development and management of land contained in PDWSAs.

Implementation will be through the preparation of strategic plans, regional and local statutory schemes, conservation and management strategies, and other relevant plans or guidelines, as well as through the day to day process of decision-making on subdivision and development applications, and the actions of other State agencies in carrying out their responsibilities. Local governments and State agencies should take account of this policy to ensure integrated decision-making.

Development Control Policy 1.9: Amendment to Regional Schemes

This document sets out the procedures and practices for major and minor regional scheme amendments.

Section 4 – Procedures for processing minor amendments:

- 4.1 If the WAPC decides an amendment does not constitute a substantial alteration to a region scheme, the WAPC sends a copy of the amendment to the Minister and arranges a notice in the Government Gazette and newspapers.
- 4.2 If the WAPC resolves to initiate a minor amendment to a region scheme, it also requires referral to the EPA for a decision as to whether an environmental assessment of the amendment is required. If the EPA assesses the amendment under section 48A Environmental Protection Act 1986, similar procedures follow to those outlined in paragraph 3.2.

- 4.3 The WAPC will make reasonable endeavours to notify landowners directly affected by the amendment within seven days. Any person may make a submission to the Minister on any provision of the amendment within the period specified in the notice (being a period of not less than 60 days after publication of the notice).
- 4.4 Under the PD Act submissions are lodged with the WAPC which considers, reports and recommends to the Minister on those submissions.
- 4.5 On receiving a report and recommendations, the Minister may approve the amendment, with or without modifications. The Minister may also refuse to approve the amendment.
- 4.6 When the Minister has approved an amendment, the WAPC publishes a notice to that effect in the Government Gazette. The amendment has effect from that date.

Shire of Waroona Strategic Community Plan 2014/15-2023/24

This item contributes towards achieving Theme number 3: Land Use – Responsible Land Use Planning and Protecting Rural Land.

Shire of Waroona Local Planning Strategy 2009 (LPS)

Section 2.6 – Statement of Planning Policy No. 2.7 (SPP 2.7) – Public Drinking Water Source Policy (2003)

SPP 2.7 applies to areas proclaimed as ‘Public Drinking Water Supply Areas (PDWSA’s) pursuant to either the Metropolitan Water Supply, Sewerage and Drainage Act 1909 or the Country Areas Water Supply Act 1947.

PDWSA’s in the municipality are proclaimed to ensure the provision of a ‘safe, good quality drinking water supply’ to protect public health now and in the future. Drinking Water Source Protection Plans (DWSPP) are completed for PDWSA’s to define the boundaries, identify existing and potential threats and provide risk management strategies and programs for the ongoing management/protection of the PDWSA.

Land within the PDWSA’s may be classified as ‘Priority 1’ (P1), Priority 2 (P2) or Priority 3 (P3) classifications. A P1 classification will generally apply over public land, a P2 over rural land and a P3 over urban land.

In the Shire the following five areas are proclaimed or proposed PDWSA’s:

3. An area of State Forest and pine plantation north of Johnston Road in Lake Clifton is part of the Preston Beach water reserve and has a P1 classification. A DWSPP has been completed for the Preston Beach water reserve.

Figure 3 – Public Drinking Water Source Areas, identifies that the subject lot is located within a Priority 1 drinking area.

The site is earmarked as State Forest within the LPS.

EXTERNAL REFERRAL



In accordance with the P & D Act the WAPC has referred the proposed scheme amendments to external agencies for comment. As the subject lot is partially located within the Shire of Waroona, Council has the opportunity to comment on the proposal.

INTERNAL REFERRALS

Upon referral to the Building Department, the Manager of Environmental Health and Building Services stated that there are no issues with the proposed amendments.

Upon referral to Environmental Health Services, the Manager of Environmental Health and Building Services stated that there were no issues with the proposed amendments.

Upon referral to the Shire's Technical Services Directorate, the Director of Technical Services, stated that assuming that Johnston Road remains under the care and control of the Shire of Waroona, Technical Services will be seeking to enter into an agreement with the eventual proponent(s) of the extraction activities such that the proponents contribute via a process to be developed so that the costs of damage and loss of life of the Shire's road network can be recovered. Additionally, some initial road upgrades (such as the intersection of the eventual access road and Johnston Road) will likely be required. The extraction activities will also attract typical heavy haulage conditions plus any additional conditions as warranted.

FINANCIAL ISSUES / IMPLICATIONS

Nil at this stage. Johnston Road upgrades expected to be made by the proponent although the Shire does not have direct control over this aspect. Maintenance period could decrease. Not costed or programmed.

COMMUNITY CONSULTATION

The GBRS Amendment 0035/57 and PRS Amendment 038/57 in accordance with the Planning and Development Act 2005 are currently displayed for public consultation and comment until Friday 9 January 2015.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

Planning and Development Act 2005

In accordance with the Act, the Western Australian Planning Commission is following the outlined procedure at this stage by seeking comments on the amendments.

Shire of Waroona Community Strategic Plan 2014/15-2023/24

In accordance with the Shire of Waroona Community Strategic Plan 2014/15-2023/24 the long-term sustainability of the Shire is paramount. The proposal will create opportunities for business development. The proposed future facility and potential sand mining may generate employment opportunities resulting in economic benefits and industrial diversity.

Peel Region Scheme 2003, Greater Bunbury Region Scheme 2007, Town Planning Scheme No. 7 1996 (TPS)

In accordance with the Planning and Development Act 2005, the PRS, GBRS and TPS are undergoing the amendment process. The TPS will be amended in accordance with Section 126 of the Act upon completion of the PRS amendment.

Internal Referrals

With regard to the internal comments, there is concern in relation to the impact that the potential sand extraction and state explosives reserve could potentially cause within the Shire and its infrastructure network.

These concerns relate in particular to the potential impact on the Shire's road network. It is expected that both parties will work through these issues and the matter be resolved accordingly. The Technical Services Directorate's referral comments have been outlined in the officer's recommendation. This aspect predominantly relates to the proposed mining of sand from the site.

Land use impacts

The area proposed to be excised from State Forest and reserved for "Explosives Magazine and Manufacture and Storage of Explosives and Storage of Security Risk Substances" is in an area that is predominantly used for forestry.

The sand extraction proposed from the reserve is expected to have impacts on Johnston Road and its intersection with the Forest Highway as indicated by the Director Technical Services. Given its isolation from residential properties, typical future noise and dust emissions are not expected to be substantial. Community safety and bushfire related concerns related to the State Explosive Reserve will have to be addressed through the Scheme Amendment processes.

The proposed site is located within a Priority 1, PDWSA, which is part of the Preston Beach water reserve. In accordance with SPP 2.7 and the LPS a condition has been added requiring that the relevant protection of this PDWSA is met.

From briefings with relevant government agencies, it was noted that the Explosives Reserve itself is proposed to be located within the Shire of Harvey, while the access, gate and administrative offices are proposed to be located within the Shire of Waroona.

Conclusion

Given the assessment above, the proposed amendments to the PRS and GBRS are acknowledged.

Although future land development will be conducted under separate legislation, it is recommended that the WAPC be advised of the Shire's concerns regarding the potential impact of development as reflected in the Officer's Recommendation.

Appendices Attached:	Yes	Appendices Numbers: 9.2.2A & B
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VOTING REQUIREMENTS

Simple Majority



COUNCIL RESOLUTION**OCM14/12/155****MOVED: CR SCOTT****SECONDED: CR MASON**

That with respect to the proposed Greater Bunbury Region Scheme Amendment 0035/57 and Peel Region Scheme Amendment 038/57 for the McLarty Explosives Reserve Facility, Council responds to the Western Australian Planning Commission advising that:

1. Council acknowledges the proposed amendments to change the reservation of Part of Lot 16, Johnston Road (Myalup State Forest) from a State Forest reservation to the Public Purposes reservation for the future McLarty Explosives Reserve Facility.
2. Council requires the following in relation to future development of the site:
 - a. Appropriate agreements to be reached with the Shire of Waroona such that the proponents contribute via a process to be developed so that the costs of damage and loss of life of the Shire's road network can be recovered.
 - b. Suitable road upgrades (such as the intersection of the eventual access road and Johnson Road).
 - c. Suitable upgrade to the intersection of Johnston Road with the Forrest Highway to the satisfaction of Main Roads Western Australia and the Shire of Waroona.
 - d. Should the necessary agreements not be reached in relation to a-c above, Johnston Road is to revert to the care, control and management of the State Government (Main Roads Western Australia).
 - e. The appropriate amendment of the Shire of Waroona Town Planning Scheme No. 7 of 1996 in order to allow for the use of land for the proposed purposes.
 - f. The appropriate protection of the Preston Beach Water reserve in the Johnston Road locality with reference to the Public Water Source Area and the relevant Drinking Water Source Protection Plan.
 - g. That the State Government undertakes adequate consultation with the community in relation with the proposed land uses of the reserve.

CARRIED 8/0

9.2.3 APPLICATION TO KEEP THREE DOGS LOT131 (No.3) WILLIAMS PLACE WAROONA	
Reporting Officer / Officer's Interest:	Sarah Cope – Shire Ranger/Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services /Nil
Proponent:	Jenny Brady
Landowner:	Jenny Brady
Date of Report: 18 th November 2014	File No: 45/2
Previous Reference:	Nil
Policy Implications:	Shire of Waroona Dogs Local Law
Statutory Implications:	Dog Act 1976 Dog Amendment Regulations 2014
Strategic Implications:	Nil
Financial Implications:	Nil
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): Theme 6: Good Governance	

PROPOSAL SUMMARY

An application has been made requesting the keeping of 3 dogs at 3 Williams Place, Waroona.

BACKGROUND/INITIAL COMMENTS

The property owner has made an application for the keeping of a third dog at the aforementioned property. Currently two dogs are registered at the property; both dogs are German Shepherds which are sterilised and micro chipped. The two German Shepherds are aged 4 and 7 years. The third dog is a Silky Terrier cross, male aged 8 years. The Silky Terrier cross is owned by the landowners daughter, who lives at the property also.

REFERRALS

N/A

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

One of the key strategies of the Strategic Community Plan (SCP) is THEME 6: GOOD GOVERNANCE. A core element of Council functioning is legislative compliance. Breaches of relevant dog legislation can consume considerable quantities of officer resources. By ensuring property owners take the necessary steps and actions to maintain compliance with legislation is necessary, to allow for good outcomes.

FINANCIAL ISSUES/IMPLICATIONS

N/A

POLICY ISSUES/IMPLICATIONS

There are no inherent policy implications with the proposal, Council Policy 2.21 allows for alleged breaches of the Dog Act 1976 to be investigated by authorised officers.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Part 5 of the Dog Act 1976 states:

Part V — The keeping of dogs

26. Limitation as to numbers
- (1) A local government may, by a local law under this Act —
 - (a) limit the number of dogs that have reached 3 months of age that can be kept in or at premises in the local government's district; or
 - (b) limit the number of dogs of a breed specified in the local law that can be kept in or at premises in the local government's district.
 - (2) A local law mentioned in subsection (1) —
 - (a) may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only; and
 - (b) cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age; and
 - (c) cannot apply to dogs kept at premises that are licensed under section 27 as an approved kennel establishment; and
 - (d) cannot apply to dangerous dogs (declared) or dangerous dogs (restricted breed).
 - (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —
 - (a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and
 - (b) cannot authorise the keeping in or at those premises of —
 - (i) more than 6 dogs that have reached 3 months of age; or
 - (ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption;and
 - (c) may be revoked or varied at any time.
 - (4) A person must not keep in or at any premises, not being licensed under section 27 as an approved kennel establishment —
 - (a) in the case of dogs that have reached 3 months of age, other than dangerous dogs (declared) or dangerous dogs (restricted breed), more than the number of dogs than the limit imposed under —
 - (i) a local law mentioned in subsection (1); or
 - (ii) an exemption granted under subsection (3);or
 - (b) more than —
 - (i) 2 dangerous dogs (declared); or
 - (ii) 2 dangerous dogs (restricted breed); or
 - (iii) one of each of those kinds of dangerous dogs,

- (c) that have reached 3 months of age; or
 (c) any pup, of a dangerous dog (restricted breed), that is under 3 months of age.

LEGAL ISSUES/IMPLICATIONS

There are no inherent legal implications with this proposal.

COMMUNITY CONSULTATION

Seven neighbours were consulted, spoken to individually by the Shire Ranger. Of the seven, five neighbours have no objection to the third dog and two neighbouring property owners objected.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Whilst there has been a complaint earlier in the year with regard to dogs barking, the owners took immediate steps to alleviate this and no subsequent complaints have been received.

The dogs are well cared for and the property is sufficient for the dogs to exercise and is secure. Council has in the past granted approval for property owners in similar circumstances to have three dogs.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM14/12/156

MOVED: CR WRIGHT

SECONDED: CR MASON

Council resolve that the application to keep three (3) dogs at No.3 Williams Place Waroona be approved, subject to the following conditions:

- 1. All dogs at the property being sterilised and registered;**
- 2. Permission applies only to the dogs specified;**
- 3. A review being conducted after each twelve (12) month period;**
- 4. The owners notified Council retains the right to revoke or vary the approval at any time.**

CARRIED 8/0



9.3 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.3.1 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: 4/12/14	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:	9.3.1
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COUNCIL RESOLUTION

OCM14/12/157

MOVED: CR DEW

SECONDED: CR SALERIAN

That Vouchers numbered:

<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 7900 - 7928	\$41,957.54
Trust (Cheque/EFTs)	EFT 11042 & 11043 Cheque 11041	\$1,926.90
Electronic Transfers Municipal Fund	EFT 19317 to 19498	\$355,468.56
Direct Wages	01/11/2014 – 30/11/2014 inclusive	\$164,923.73
GRAND TOTAL:		<u>\$564,276.73</u>

and attached at Appendix 9.3.1 be endorsed.

CARRIED 8/0



9.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2014 TO 30 NOVEMBER 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: 9/12/14	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:	9.3.2
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<p><u>COUNCIL RESOLUTION</u> OCM14/12/158 MOVED: CR LOOK SECONDED: CR SALERIAN</p> <p>That the Monthly Statements of Financial Activity for the period 1 July 2014 to 30 November 2014 2014 at Appendix 9.3.2 be received and noted.</p> <p style="text-align: right;">CARRIED 8/0</p>

9.4 CHIEF EXECUTIVE OFFICER

Nil.

10. CONFIDENTIAL REPORTS

Nil.

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

Nil.

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

12.1 ELECTED MEMBERS

Nil.

12.2 OFFICERS

Nil

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 4.58 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 17 FEBRUARY 2015 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

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

