



MINUTES

EMERGENCY SPECIAL COUNCIL MEETING

TUESDAY 3 FEBRUARY 2015
(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 6.00 pm and thanked staff and Councillors for their weekend and after hours assistance during the recent fire.

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 John Mason	Councillor
Cr Craig Wright	Councillor
Cr Lina Look	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Deputy CEO/Director Corporate Services
Mr Patrick Steinbacher	Director Technical Services
Mr Louis Fouche	Director Development Services

APOLOGIES

Cr Noel Dew	Councillor
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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.



7. REPORTS OF OFFICERS AND COMMITTEES

7.1 DIRECTOR DEVELOPMENT SERVICES

7.1.1 WAROONA BUSHFIRES – COUNCIL ASSISTANCE TO AFFECTED RESIDENTS	
Reporting Officers / Officers' Interest:	Laurie Tilbrook - Deputy CEO / Nil Louis Fouché - Director Development Services / Nil Patrick Steinbacher - Director Technical Services / Nil
Responsible Officer / Officer's Interest	Ian Curley – CEO / Nil
Proponent:	Not Applicable
Landowner:	Various.
Date of Report: 3 February 2015	File No.: 51/2
Previous Reference:	Not Applicable
Policy Implications:	Not Applicable.
Statutory Implications:	Local Government Act 1995
Strategic Implications:	N/A
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 4 "<i>Society / Community Wellbeing</i>"	

PROPOSAL SUMMARY

Council is to consider the various means of assistance to affected property owners including:

1. waiving of Building Permit application fees and Town Planning application fees.
2. waiving of applicable Buller Road Refuse Site waste disposal fees.
3. verge side rubbish collection.
4. replacement of 240 litre household rubbish and recycling bins.

The above will require an appropriate budget amendment to cover respective costs.

BACKGROUND / INITIAL COMMENTS

The available Damage Assessment Reports from the Department of Fire and Emergency Services indicate that a number of buildings have been damaged / destroyed in the Waroona Fires. Replacement of these buildings may require landowners to submit Building Permit and Planning Applications that are generally subject to Council's adopted fees and charges.

At the Ordinary Meeting of Council in February 2011, Council resolved to waive Building Licence and Planning Application fees related to properties affected by the Lake Clifton fires. Other fees and charges could be waived, should Council resolve to do so.

PLANNING – STRATEGIC IMPLICATIONS

Nil



REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number No. 4 “Society / Community Wellbeing”.

FINANCIAL ISSUES / IMPLICATIONS

The effect of the resolution will be to increase out of budget expenditure of the 14/15 budget by up to \$50,000. Currently staff are conducting a statutory full budget review to be presented to the February Ordinary Council meeting. The overall effect of this amendment can be determined at this review or subsequent reviews prior to the end of financial year.

POLICY ISSUES / IMPLICATIONS

Nil

STATUTORY ISSUES

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

** Absolute majority required.*

LEGAL ISSUES / IMPLICATIONS

See Statutory Issues.

COMMUNITY CONSULTATION

Nil



OFFICER'S FINAL COMMENTS / CONCLUSIONS

Other than Council's decision in relation to the Lake Clifton Fires, similar Local Government gestures of waiving fees were made in the instances from the Toodyay and Dwellingup fires.

According to the latest reports, the recent Waroona fires only affected a limited number of buildings. To date the loss of one dwelling has been recorded, while the number of damaged houses and losses of other buildings have not been confirmed to date. The waiving of planning and building fees are however not considered to have a substantial impact on the budget.

It does need to be noted that the Building Levy and Building Construction and Training Fund Levy collected on behalf of the State Government cannot be waived as they are State charges. A request will be made to these agencies to also waive these fees.

In order not to have to amend the fees and charges it is recommended that the standard fees be charged and this expenditure be offset by in essence providing a grant for the fire affected owners to the value of the fees.

It is proposed to waive the Buller Road Refuse Site gate fees for fire damaged waste items received at the site that have been sourced from the fire effected properties. The Site will only accept the waste that is permitted under the current licence conditions for the site and proof of residence shall be presented to the gate attendant. It is proposed that the fee exemption remain in place until 31 January 2016.

It is also proposed that Council provide a 'one off' verge side waste collection for fire effected properties to collect fire damaged green waste and other fire damaged items that are now considered to be waste. Similar to Councils regular verge side waste collection, the one off collection will operate under (but not necessarily limited to) the following stipulations:

- No waste other than fire damaged items shall be collected
- All waste for collection shall be deposited neatly on the verge
- Waste items shall comply with the licence conditions of the Buller Road Refuse Site
- No hazardous waste products shall be placed on the verge, or will be collected
- Collection shall not take place within private property
- Greenwaste shall be deposited separately to other waste products

Additionally, it is proposed that the volume of the waste collected at each property (greenwaste and other waste) shall be no greater than that which will form a full load into one of Council's larger trucks, and advice to this end will be communicated to the effected residents.

It is also proposed that all Council supplied 240 litre rubbish and recycling bins that were destroyed or damaged beyond repair by the fire within the fire effected areas shall be replaced free of charge, commensurate with the number of bins applicable to those properties as per Council's records.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

SCM15/02/01

MOVED: CR WRIGHT

SECONDED: CR WITNEY

1. That in relation to properties with affected by the Waroona fires of 29 January – 1 February 2015 Council resolves to provide the following assistance to residents expiring 31 January 2016:
 - a. Waiving of Building Permit Application fees, Town Planning Application and Septic Tank fees in relation to the like for like replacement of burnt and buildings damage during the fire only.
 - b. Waiving of applicable Buller Road Refuse Site waste disposal fees.
 - c. Providing replacement 240 litre domestic household rubbish and recycling bins.
 - d. Verge hard waste collection of fire damaged material only.
 - e. Residents in the affected area who are solely reliant on water tanks for potable water are entitled to refill their existing or new tank (if required), from a Council standpipe free of charge.
2. That in accordance with section 6.8 (1) of the Local Government Act 1995, Council authorises up to \$50,000 expenditure which was not included in the 2014/15 budget for the expenses in direct relation to the Waroona fire as well as associated recovery costs.
3. That the CEO be delegated authority to develop necessary criteria to support the implementation of the aforementioned relief initiatives and be authorised to provide any additional support that is deemed appropriate or necessary after consultation with the Shire President/Disaster Recovery Chairperson.

CARRIED BY ABSOLUTE MAJORITY 7/0

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

Nil



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

9.1 ELECTED MEMBERS

9.1.1 FEBRUARY ORDINARY COUNCIL MEETING

COUNCIL RESOLUTION

SCM15/02/02

MOVED: CR SCOTT

SECONDED: CR WITNEY

That the February Ordinary Council meeting be moved from Tuesday 17 February to Tuesday 24 February 2015 at 4.00pm.

CARRIED 7/0

9.1.2 APPLICATION FOR LEAVE OF ABSENCE

COUNCIL RESOLUTION

SCM15/02/03

MOVED: CR SCOTT

SECONDED: CR WITNEY

That Cr Mason be granted leave of absence for the February Ordinary Council meeting on Tuesday 24 February 2015 at 4.00pm.

CARRIED 7/0

9.2 OFFICERS

Nil

10. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 6.18 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 24 FEBRUARY 2015 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE

