



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 23 AUGUST 2011
(Held at the Waroona Shire – Council Chambers)

TABLE OF CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENTS.....	3
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED	3
3.	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	3
4.1	PUBLIC QUESTION TIME	3
4.2	PUBLIC STATEMENTS	3
5.	APPLICATIONS FOR LEAVE OF ABSENCE.....	3
6.	DISCLOSURES OF MEMBERS’ & OFFICERS’ INTERESTS.....	3
7.	PETITIONS/DEPUTATIONS/PRESENTATIONS	4
8.	CONFIRMATION OF MINUTES	4
8.1	ORDINARY COUNCIL MEETING – 26 JULY 2011	4
8.2	SPECIAL COUNCIL MEETING – 9 AUGUST 2011	4
9.0	REPORTS OF OFFICERS AND COMMITTEES	4
9.1	DIRECTOR TECHNICAL SERVICES.....	4
9.2	DIRECTOR COMMUNITY & PLANNING SERVICES	5
9.2.1	TENDER 2011/02 – LIQUID WASTE FACILITY UPGRADE	5
9.2.2	APPLICATION WITHDRAWN - LOT 1 BAGOT ROAD, LOT 15 BANCELL ROAD, BROCKMAN AND BANCELL ROAD RESERVES, WAROONA - APPLICATION FOR PLANNING CONSENT FOR INSTALLATION OF WATER PIPELINE	7
9.2.3	LOT 72 (NO.6) SURF STREET, PRESTON BEACH - APPLICATION FOR PLANNING CONSENT FOR TWO STOREY HOUSE	8
9.3	DEPUTY CEO/DIRECTOR CORPORATE SERVICES	15
9.3.1	ACCOUNTS FOR PAYMENT	15
9.3.2	MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2011 TO 31 JULY 2011	16
9.3.3	BUSH FIRE CONTROL – FIREBREAK ORDER / POLICY	17
9.3.4	LOCAL GOVERNMENT ELECTIONS 2012 – 2017 INCLUSIVE	19
9.4	CHIEF EXECUTIVE OFFICER.....	21
9.4.1	WAROONA COMMUNITY CENTRE – RECEPTIONIST FUNDING.....	21
9.4.2	BUSINESS INCENTIVE GRANT APPLICATION	24
10.	CONFIDENTIAL REPORTS.....	25
11.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN, OR FOR CONSIDERATION AT NEXT MEETING	25
12.	NEW BUSINESS OF AN URGENT NATURE.....	25
12.1	ELECTED MEMBERS.....	25
12.1.1	CORONATION ROAD – BETWEEN SOMERS & BROCKMAN ROADS.....	25
12.1.2	FUTURE COMPUTER AND IT REQUIREMENTS FOR COUNCIL	26
12.2	OFFICERS	26
13.	CLOSURE OF MEETING	26

1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Chairperson declared the meeting open at 4.00pm and welcomed Councillors and Staff to the meeting.

The Chairperson reminded Councillors and staff that their Annual Financial Returns were due in by next week.

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

Cr M Walmsley	Shire President
Cr L Scott	Deputy Shire President
Cr N Dew	Councillor
Cr J Salerian	Councillor
Cr C Germain	Councillor
Cr L Snell	Councillor
Cr C Wright	Councillor
Mr I Curley	Chief Executive Officer
Ms T Ollson	Manager Finance Services
Mr S Cleaver	Director Community & Planning Services
Mr L Fouché	Manager Planning Services
Mr M Tamblyn	Manager Environmental Health & Building Services
Mrs S Cicolari	Executive Support Officer

APOLOGIES

Nil.

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

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr T Witney Councillor

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.1 PUBLIC QUESTION TIME

Nil.

4.2 PUBLIC STATEMENTS

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

Cr Germain declared an interest affecting impartiality in Item 9.4.1 as she is Chairperson of the Waroona Community Health & Resource Centre Board.



7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 26 JULY 2011

COUNCIL RESOLUTION

OCM11/08/089

MOVED: Cr Wright

SECONDED: Cr Snell

That the Minutes of the Ordinary Council Meeting held 26 July 2011 be confirmed as being a true and correct record of proceedings.

CARRIED 7/0

8.2 SPECIAL COUNCIL MEETING – 9 AUGUST 2011

COUNCIL RESOLUTION

OCM11/08/090

MOVED: Cr Dew

SECONDED: Cr Snell

That the Minutes of the Special Council Meeting held 9 August 2011 be confirmed as being a true and correct record of proceedings.

CARRIED 7/0

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DIRECTOR TECHNICAL SERVICES

Nil.

9.2 DIRECTOR COMMUNITY & PLANNING SERVICES

9.2.1 TENDER 2011/02 – LIQUID WASTE FACILITY UPGRADE	
Reporting Officer / Officer's Interest:	Mark Tamblyn, Manager Environmental Health & Building Services / Nil
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community & Planning Services / Nil
Proponent:	SHIRE OF WAROONA
Landowner:	SHIRE OF WAROONA
Date of Report:	File: 77/18
Previous Reference:	<ul style="list-style-type: none"> • Waste Management Advisory Minutes 23/6/09 & 16/6/08 • OCM11/06/061
Statutory/Policy Implications:	Local Government (Functions & General) Regulations 1996
Strategic Implications:	Shire of Waroona Forward Capital Works Plan 2010/2011 – 2014/2015
Financial Implications:	Royalties for Regions funding
Voting Requirements	Absolute Majority

Proposal

To consider the submitted tender applications for the upgrade of the existing Liquid Waste Facility (LWF) at the Buller Road Landfill site.

Background

The Shires liquid waste facility has been failing for a number of years with a number of improvement notices served on the Shire over the last five years. The current system is operating beyond its design capacity. De-sludging by an excavator may have also resulted in damage to the clay lining. Contractors are often turned away because the facility is full, therefore losing potential income.

The Shires Waste advisory committee engaged IW Projects in 2007 to gain a works approval from the Department of Environment and conservation for upgrade of the existing LWF. A four year works approval was subsequently granted to the Shire in 2009. The system is 'environmentally friendly' as it uses HDPE pond liners to prevent leaching, and uses a biofilter wetland bed. This biofilter utilises vetiver grass to uptake the nutrients, preventing nutrient run-off.

This new upgraded system will cater for annual waste quantity of 750,000 L which is more than adequate for local demand. The system will require some additional maintenance.

Financial Implications

The estimated project cost was expected to not exceed \$150,000 (ex GST). Funding for the project is from the Royalties for regions grant allocation.

Officer's Comments

A total of three (3) tenders were submitted as follows:

1. Yarnell Pty Ltd - \$288,555
2. Advantearing Civil - \$372,163
3. Road Contractors - \$479,245

Tender price is ex GST.

As can be seen the tender price exceeds the estimated cost of \$150,000 quite considerably. The reason of this is varied, and reviewing the breakdown of costs, they seem inconsistent from each tenderer.

The Manager Environmental Health & Building Services met with Ian Watkins from IW Projects to further discuss ways to reduce cost in order keep within the estimated cost.

It was established at this meeting that it would be worthwhile to investigate the proposal that the Shire manage the project and sub-contract the required works, and/or conduct the works internally using Shire assets. IW Projects would be the superintendent of the project. The MEHBS, in conjunction with IW Projects is compiling a quick feasibility study of this proposal.

OFFICER RECOMMENDATION

1. To not award any tender as price exceeds estimated cost of \$150,000
2. To conduct a feasibility study for the Shire to sub-contract works and/or use Shire resources to complete the project.

COUNCIL RESOLUTION

OCM11/08/091

MOVED: Cr Snell

SECONDED: Cr Germain

That the matter of the liquid waste facility upgrade be referred back to the Waste Management Advisory Committee for further consideration, prior to Council making a decision.

CARRIED 7/0

The officer's recommendation was not adopted as the members of the Waste Management Advisory Committee requested to consider the available options.



9.2.2 APPLICATION WITHDRAWN - LOT 1 BAGOT ROAD, LOT 15 BANCELL ROAD, BROCKMAN AND BANCELL ROAD RESERVES, WAROONA - APPLICATION FOR PLANNING CONSENT FOR INSTALLATION OF WATER PIPELINE	
Reporting Officer / Officer's Interest:	Chris Dunlop – Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Manager Planning Services / Nil
Proponent:	South West Irrigation Management Cooperative
Landowner:	Alcoa of Australia & Shire of Waroona
Date of Report: 5 August 2011	File No: TP1431
Previous Reference:	None
Statutory/Policy Implications:	Planning and Development Act 2005 Shire of Waroona Town Planning Scheme No. 7 Local Planning Strategy 2009
Strategic Implications:	Shire of Waroona Strategic Plan 2005 – 2025 Objective 3 – Protect and Conserve Agricultural Lands and Rural Land Uses
Financial Implications:	Nil
Voting Requirements	Simple Majority

The Manager Planning Services advised that the proponents had withdrawn this item from the Council agenda.

9.2.3 LOT 72 (NO.6) SURF STREET, PRESTON BEACH - APPLICATION FOR PLANNING CONSENT FOR TWO STOREY HOUSE	
Reporting Officer / Officer's Interest:	Greg Delahunty – Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Manager Planning Services / Nil
Proponent:	Peter John Eastlake and Nola Janice Eastlake
Landowner:	Peter Eastlake
Date of Report: 15 August 2011	File No: TP1432
Previous Reference:	BL1982058, BL1987030
Statutory/Policy Implications:	Shire of Waroona Town Planning Scheme No. 7 Residential Design Codes Local Planning Strategy Planning Policy 1.0 Community Consultation
Strategic Implications:	Shire of Waroona Strategic Plan 2005 – 2025 Objective 1 - Prepare for Growth
Financial Implications:	Nil
Voting Requirements	Simple majority

Proposal

An application was received for a single house at Lot 72 (No. 6) Surf Street, Preston Beach.

The proposal involves the construction of a two storey house that is 9 metres above natural ground level in certain locations, exceeding the 7.5m height restriction in the Urban 9 - Preston Beach zone. See plans *at APPENDIX 9.2.3a*.

The proposed house will be constructed of brick and Hardies Linea Board. The roof will be constructed from 'custom orb' Zinalume roof sheeting and the guttering and fascia are proposed to be constructed from Zinalume as well.

Background

The lot previously contained a single storey house however this has now been demolished. The lot is currently vacant.

The application site is located to the Western side of Surf Street, Preston Beach. Surf Street has an undulating topography and the subject lot and the adjoining lot to the north (Lot 71) lie in the lowest point on Western side of Surf Street. See photographs showing the topography of the West side of Surf Street and elevations of Lot 71 and Lot 72 *at APPENDIX 9.2.3b*.

Previous Approvals

A search of Council records indicates that Building Licences for a house, veranda and a shed have been issued on the lot.



Statutory Implications

Town Planning Scheme No. 7 (1996)

The subject lot is located within the 'Urban 9 – Preston Beach' zone under the Shire of Waroona Town Planning Scheme No. 7 (TPS) and is therefore subject to Clause 4.13 of the Scheme, which relates specifically to that zoning.

Clause 4.13.1 states that it is Council's objective is to ensure that the Preston Beach Town site develops for residential, holiday accommodation and recreational uses in a manner consistent with protection of the environment and landscape of the area. Council's policies will therefore be to:

- Permit, at the discretion of Council, a range of uses compatible with the character and intent of the zone.
- Require that development be of a scale, construction and appearance which is, in the opinion of Council, appropriate to the area.

Clause 6.2.1 of the Scheme states that unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the R-Codes shall conform to the provisions of those Codes and the Schedules to those Codes.

Clause 6.12.1 of the Scheme states that unless otherwise approved no building shall be erected with the apex of the roof exceeding 9.0 metres in heights above natural ground level **except in the 'Urban 9 Preston Beach Zone where unless otherwise approved no building shall be erected with the apex of the roof exceeding 7.5 metres in heights above natural ground level.**

Clause 6.12.2 states that buildings of a height exceeding maximum heights may only be approved following the advertising and consideration of the application in a manner consistent with clause 8.2 of the scheme and where Council is satisfied that the proposed development-

- a) Will not cause unacceptable impacts to the general amenity of the streetscape or landscapers; and
- b) Will not cause unacceptable impacts to the amenity of adjoining or nearby properties.

Clause 6.13 of the Scheme states that if a development the subject of a Planning Consent does not comply with a standard or requirement prescribed by the Scheme, with respect to that development Council may, notwithstanding that non compliance, approve the application. The powers conferred by this clause may only be exercised if Council is satisfied that:

- a) Approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality.
- b) The non-compliant will not have any adverse effect upon the occupiers or users of the development or the property or the inhabitants of the locality or upon the likely future development of the locality.

- c) The spirit and purpose if the requirement or standard will not be unreasonably departed from thereby.

A house currently listed as a 'P' use under the Zoning Table of the Scheme for the 'Urban 9 – Preston Beach' zone. A 'P' use means the use is permissible.

Strategic Implications

Shire of Waroona Strategic Plan 2005 – 2025

An extract from the Strategic Plan states: "Improved transport links will bring pressure to the coastal areas and there will be a drift of people to the coastal settlements of Preston Beach and Lake Clifton.

Our planning will need to reflect the complexities of the fast-moving urban growth of the Shire."

Strategic Planning Implications

Residential Design Codes

The R-codes serves as a guiding document that aims to ensure appropriate standards of amenity for all dwellings within residential areas. The subject lot has an R-Coding of R15.

Clause 6.3 of the R Codes deals with boundary setbacks. Here the objective is to ensure adequate provision of direct sun and ventilation for all buildings and to ameliorate the impacts of interference with privacy and overshadowing on adjoining properties.

Clause 6.7 deals with building height requirements. It is the objective of the Codes to ensure that the height of buildings is consistent with the desired scale in any given locality.

Clause 6.8 deals with privacy requirements. It is crucial to site and design buildings to meet the user requirements for visual privacy and to also minimise the impact of development on the visual privacy of adjoining residents in their dwellings and private open space.

Clause 6.9 deals with design for climate requirement. It is the objective of the Codes to optimise comfortable living and facilitate sustainable development.

Local Planning Strategy (LPS)

The subject lot is located within the Coastal Precinct of the LPS. It is the Shire's aim to provide for the continued use of the area for a range of agricultural pursuits and low-key tourists establishments.

A single house is a primary use in the Residential Sub-precinct.

Planning Policy1.0 Community Consultation

The objective of this policy is to ensure that an appropriate level of community notification is undertaken to keep any potentially affected ratepayer aware of a



development proposal and to allow them ample opportunity to make a submission to allow their concerns to be considered by Council prior to making a decision on the subject proposal.

The minimum extent of neighbourhood referrals shall be to the owners of each property abutting the subject development site and any property located, fronting a common road, directly opposite the subject site.

In accordance with Policy 1.0 and section 8.2.2 of the TPS, the application for the proposed house was advertised to adjoining landowners for a period of 21 days. Letters were sent to surrounding landowners to make them aware of the application. Within this timeframe four (4) submissions were received. See Schedule of Submission **at APPENDIX 9.2.3c**.

Internal Referral

Upon referral to Environmental Health and Building Services, the Environmental Health / Building Surveyor stated that the development is to comply with the Building Code of Australia 2011 and that an application for a septic system is required (received).

Officer Assessment

Some of the grounds for objection to the proposal are as follows:

- The block is not below road level or in a depression
- 1.5 metres is well above the Town Planning Scheme restriction.
- Concern about this proposal setting a precedent.
- Would nearly conform if roof pitch reduced from 28° to 23°.
- May affect the views of properties on the east side of it (Surf St.)
- Reduce step-up from garage by 200mm (500mm to 300mm) with altered roof pitch and plans would comply with Scheme provisions.

'The block is not below road level or in a depression'

The block is not below road level or in a depression however it is significantly lower than those blocks to the south. The topography of Surf Street varies with undulating slopes on the Western side (which the subject lot is located). The subject lot and that adjoining it to the north lie at the lowest point of Surf St. on this Western side.

'1.5 metres is well above the Town Planning Scheme restriction'

This is true however it is at Councils discretion to approve a building that exceeds the maximum height provisions of the Scheme if it is satisfied that the necessary criteria have been fulfilled.

'Concern about this proposal setting a precedent'

Each planning application must be assessed upon its own merits. If Council were to approve a house that exceeds the height restrictions of the Scheme in Preston Beach this would not automatically indicate that all buildings over the height restriction must be approved. Each proposal must be assessed against the context of the location and development surrounding it.

*'Would nearly conform if roof pitch reduced from 28° to 23°
'Reduce step-up from garage by 200mm (500mm to 300mm) with altered roof pitch and plans would comply with Scheme provisions'*

The general concerns of the submission were put to Lot 72 landowners' designer in order to gauge if a revised design was preferable. The designer acknowledged the submission but decided to progress with the proposal in its original form as he felt that that is the course of action that his client (the landowner) would wish to follow

The building design is considered to be attractive and will enhance the amenity of the streetscape. The pitch of the roof is acceptable as it contributes to the overall design of the building.

'May affect the views of properties on the east side of it (Surf St.)'

The right to a view is not a material planning consideration. However, given the detailed assessment that has been undertaken on this proposal, the inclusion of proposed house into the existing Surf Street streetscape will improve the overall amenity of the streetscape by filling in the existing gap and providing a more complete / balanced outlook. The building design is of a high standard in keeping with the character of the locality and will add to the amenity of the streetscape.

Residential Design Codes

The proposal is compliant with the acceptable development provision (i) of Clause 6.3.1 of the R Codes as the proposed building is setback from boundaries in accordance with tables 1, 2a and 2b.

The proposal does not comply with acceptable development provision (ii) of Clause 6.3.1. This provision states that unenclosed balconies, if elevated 0.5m or more above natural ground level must be setback as though they were major openings to habitable rooms with a wall height of 2.4m above their floor level.

The floor level of the balcony is 3.087m. Therefore the balcony must be treated as a wall with a major opening that is 5.487m high and less than 9m in length. This requires 2.5m setback from the adjoining properties. To the Southern side boundary the setback is 1.6m to the North side boundary the setback is 2.39m. Both landowners, to the North and South, have stated in their submissions that they have no objection to the proposal.

In accordance with clause 6.7.1 of the Codes, the proposal is consistent with category b of table 3. This stipulates a maximum building height of 9m for the top of pitched roof. However this clause also recognises that there may be further restrictions in a local planning policy or equivalent. (which there is in this case)

The proposal is partially consistent with the acceptable development provision of Clause 6.8.1. This clause specifies:

- 4.5m setback in the case of bedrooms and studies;
- 6m setback in the case of habitable rooms other than bedrooms and studies;
- 7.5m setback in the case of unenclosed outdoor active habitable spaces

The windows in the upper floor are designed to face the rear garden of the house. However one window in the living area is facing the property to the South (Lot 73).



The window used here is a high light window located 1.55m from the floor level and are 0.6m in height. This window offers minimal overlooking onto Lot 73. Further to this the adjoining landowner has viewed the plans and stated that she has no objection to the proposal.

The fact that the outdoor balcony is not set back 7.5m from adjoining sites is a cause for concern. This may lead to a decrease in privacy for both the applicant as well as adjoining landowners. The 1m high balustrade, which is currently in place along the balcony, offers little in the way of screening. So, in order to address this concern, condition has been added ensuring that permanent vertical screening is implemented along the balcony in order to offer screening to neighbouring properties.

The proposal is consistent with the acceptable development provisions of Clause 6.9. deals with design for climate requirement. Taking into account natural ground level a shadow cast at midday on 21 June must not exceed 25% onto any other property. The only property that could have a shadow cast over it is that directly to the South (Lot 73) however given the topography of Surf Street, this lot is located much higher than Lot 72 and the overshadowing is calculated at 6.3 %.

The colours and materials of the proposed house are important considerations. The proposed brick and Hardies Linea board with 'custom orb' coloured Zinalume roof sheeting is in keeping with the character of Preston Beach. Zinalume roof sheeting is used extensively in Preston Beach and three of the adjoining sites also use Zinalume roof sheeting. In any case a condition has been added ensuring the colours and materials used are in keeping with the amenity of the area generally.

Stormwater disposal is also a relevant consideration. A condition has been added to ensure all water runoff from the proposed house is disposed of on site or connected to a Council stormwater legal point of discharge in accordance with Statement of Planning Policy 2.1.

Given the above assessment Council may be confident that:

- a) Due to the context and the topography the location, the proposed house will not cause unacceptable impacts to the general amenity of the streetscape.
- b) As a result of the detailed assessment against the provisions of the R-Codes in conjunction with the proposal being advertised in a accordance with Clause 8.2 of the TPS, it can be determined that the proposal will not cause unacceptable impacts to the amenity of adjoining or nearby properties.

Therefore it is considered that the proposal is acceptable and with the conditions that have been imposed, is not likely to detrimentally affect the amenity of the area. There is therefore no reason to refuse the application and it is recommended for approval subject to the conditions and advice notes noted below.

COUNCIL RESOLUTION**OCM11/08/092****MOVED: Cr Scott****SECONDED: Cr Snell**

That Council, with respect to the application for planning consent for a single house at Lot 72 (No. 6) Surf Street, Preston Beach, approve the application subject to the following conditions:

- 1. The house hereby approved shall be constructed in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of Council.**
- 2. All stormwater and drainage run-off to be contained on site to the specification and satisfaction of the Director Technical Services, or connected to a Council stormwater legal point of discharge**
- 3. Building materials are to be of a standard and colour complementing and blending in with the amenity of the area, to the satisfaction of the Manager Planning Services**
- 4. The rear balcony shall be suitably screened so as to limit the extent of overlooking of adjoining properties. Details of screening shall be submitted to the satisfaction of the Manager Planning Services prior to the issue of the building licence. The development shall thereafter be implemented in accordance with the approved details or particulars.**
- 5. The development approved is to be substantially commenced within two (2) years after the date of this determination. The approval lapses if the development has not substantially commenced before the expiry of that period.**

Advice to applicant:

- a. In relation to condition 4, screening may occur in forms such as fences, balustrades, louvers and translucent or opaque glazing. Screening may be perforated to some degree to allow circulation of air. Perforation should constitute no more than 25 percent.**
- b. The applicant is advised that no site works shall commence until a Building Licence has been issued by the Shire of Waroona. This planning approval does not grant consent to commence building works. Furthermore, the house is to comply with the Building Code of Australia;**

CARRIED 7/0

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: 12/8/11	File No.: 1/3
Previous Reference:	N/A
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
Voting Requirements	Simple Majority

APPENDIX 9.3.1

<u>COUNCIL RESOLUTION</u>			
OCM11/08/093			
MOVED: Cr Salerian			
SECONDED: Cr Germain			
That Vouchers numbered:			
<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>AMOUNT \$</u>	<u>TOTAL \$</u>
Municipal	6589-6612	\$30,219.64	\$ 30,219.64
Trust 10986			
EFT 12795	\$1,238.39	\$ 1,238.39	
Electronic Transfers	EFT 12796 - 12888	\$344,483.36	\$344,483.36
Direct Wages	13/07/11 – 27/07/11 inclusive	\$141,850.20	\$141,850.20
TOTAL:		<u>\$517,791.59</u>	
and attached at Appendix 9.3.1 be endorsed.			
			CARRIED 7/0



9.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2011 TO 31 JULY 2011	
Reporting Officer / Officer's Interest:	Tamara Olsson – Manager Financial Services / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 15.08.2011	File No.: 1/1
Previous Reference:	N/A
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
Voting Requirements	Simple Majority

APPENDIX 9.3.2**COUNCIL RESOLUTION****OCM11/08/094****MOVED: Cr Wright****SECONDED: Cr Scott**

That the Monthly Statements of Financial Activity for the period 1 July 2011 to 31 July 2011 Appendix 9.3.2 be received and noted.

CARRIED 7/0

9.3.3 BUSH FIRE CONTROL – FIREBREAK ORDER / POLICY	
Reporting Officer / Officer's Interest:	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Responsible Officer / Officer's Interest	Ian Curley – Chief Executive Officer / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 16/8/11	File No.: 22/1 & 111/1
Previous Reference:	N/A
Statutory/Policy Implications:	Gazettal & Public advertising. The Council is required to gazette the amended firebreak order together with an extensive advertising campaign
Strategic Implications:	N/A
Financial Implications:	N/A
Voting Requirements	Absolute Majority

Proposal

The Council is requested to clarify Council decision OCM11/07/084 adopted at the previous meeting held 26 July 2011.

The clarification relates to part 1 of the resolution in relation to the adoption of a firebreak order policy as follows:

That pursuant to section 33 (1) of the Bush Fires Act 1954 the Council's firebreak order policy be amended as follows:

1. *Item A Rural Land – Amend line 1 from “firebreaks not less than two (2) metres wide” to “firebreaks not less than three (3) metres wide.”*

Item B Rural Residential Zone – Amend Line 3 from “a firebreak not less than two (2) metres wide” to “a firebreak not less than three (3) metres wide.”

Item C Urban Land – Amend part b line 2 – from “must provide firebreaks of at least two (2) metres wide” to “must provide firebreaks of at least three (3) metres wide”.

Although the intent of the report provided that the policy would not commence until 2012/13 financial year this fact was not included in the resolution.

Officers Comments

As advised previously it is unfortunate that the policy cannot be implemented for the forthcoming fire season. It is therefore appropriate that an extensive education campaign be conducted during the interim period.

COUNCIL RESOLUTION

OCM11/08/095

MOVED: Cr Wright

SECONDED: Cr Snell

That it be a recommendation to the Council that:

- 1. Item A Rural Land – Amend line 1 from “firebreaks not less than two (2) metres wide” to “firebreaks not less than three (3) metres wide.”**

Item B Rural Residential Zone – Amend Line 3 from “a firebreak not less than two (2) metres wide” to “a firebreak not less than three (3) metres wide.”

Item C Urban Land – Amend part b line 2 – from “must provide firebreaks of at least two (2) metres wide” to “must provide firebreaks of a last three (3) metres wide”.

- 2. That the order / policy is to commence from the 2012/13 fire season, prior to which the Council will conduct an extensive education/promotional campaign to ensure community awareness of the forthcoming changes.**

CARRIED BY ABSOLUTE MAJORITY 7/0

9.3.4 LOCAL GOVERNMENT ELECTIONS 2012 – 2017 INCLUSIVE	
Reporting Officer / Officer's Interest:	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 16/8/11	File No.: 6/1
Previous Reference:	N/A
Statutory/Policy Implications:	Local Government Act 1995 Local Government Electoral Regulations 1997
Strategic Implications:	Nil
Financial Implications:	Financial estimates are provided by the Commission for each election based on an average scenario and certain assumptions. This amount is used for the purpose of draft budgeting.
Voting Requirements	Absolute Majority

Proposal

The Councils current arrangement with the Electoral Commission to conduct all elections, polls or referendums will expire at the end of 2011.

The Council is therefore requested to consider the re-appointment of the Commission for a further six year period, which will cover 3 electoral cycles, together with any extraordinary elections which may occur.

The re-appointing of the Commission would seem logical given community acceptance of postal voting and the high participation rate of the past.

Community Consultation

N/A.

Officers Comments

Please note that in order for the appointment to be finalised the Council is required to seek written agreement from the Commissioner in accordance with Section 4.20(4) of the Local Government Act 1995.

Following this approval the Council would then publicly declare the Electoral Commissioners appointment followed by a decision (Section 4.61(2)) to conduct subsequent elections as postal.

The following resolution is therefore required to be adopted to enact this proposal.

“That the Council seeks written agreement in accordance with Section 4.20(4) of the Local Government Act 1995 for the Electoral Commission to conduct all elections, polls and referendums until the end of the 2017.”

COUNCIL RESOLUTION

OCM11/08/096

MOVED: Cr Germain

SECONDED: Cr Snell

That the Council seeks written agreement in accordance with Section 4.20(4) of the Local Government Act 1995 for the Electoral Commission to conduct all elections, polls and referendums until the end of the 2017.

CARRIED BY ABSOLUTE MAJORITY 7/0

Cr Germain declared an interest affecting impartiality in Item 9.4.1, as Chairperson of the Board of the Waroona Community Health & Resource Centre.

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 WAROONA COMMUNITY CENTRE – RECEPTIONIST FUNDING	
Reporting Officer / Officer's Interest:	CEO
Proponent:	Waroona Community Centre
Landowner:	Shire of Waroona
Date of Report: 02 January 2009	File No:
Previous Reference:	OCM 06/144 July 2006; OCM 07/012 January 2007 & OCM09/093 June 2009
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	\$52,300 + CPI for 20012/13
Voting Requirements	Simple Majority

Proposal

To continue to provide funding to the Waroona Community Centre Inc (WCC) for the purpose of providing full-time reception service at the Waroona Health & Community Resource Centre.

Background

The Waroona Health & Community Resource Centre opened in October 2004. In January 2007 Council agreed to provide on-going funding to the WCC to enable it to provide full-time receptionist services at the centre from Mondays-Fridays. Council had previously provided partially funded the position since it opened.

Since the implementation of the funding agreement with the WWC it has been providing a valuable and consistent service to residents of the shire and the WWC has consistently met all its obligations under the terms of the agreement. This funding arrangement ceased as of 30 June 2011.

The WWC has written requesting Council consider a continuation of the funding arrangements. (**APPENDIX 9.4.1**).

Council's June 2009 resolution -

COUNCIL RESOLUTION

OCM09/093

MOVED: Cr Snell

SECONDED: Cr Salerian

That Council resolves to continue to provide on-going funding to the equivalent of funding a full-time Reception position at the Waroona Health & Community Resource Centre as per the following conditions:

- a) *Funding to be paid directly to the Waroona Community Centre Inc Board.*
- b) *The amount to be up to \$47,800 per annum (indexed with inflation), including any grants that are obtained to assist the funding of the position.*

- c) *Funding can be utilised by the Board to engage other employees for the Centre, providing that it agrees to provide and maintain full-time reception duties in the Centre either by paid employees, volunteers or other such means as the Board is able to arrange.*
- d) *The current agreement is resigned, with or without modification.*
- e) *This funding commitment is for 2 (two) years commencing 1 July 2009. The Board of Management, during this time, is to continue to make endeavours to have the Reception position self-funded.*

CARRIED 5/0

Council has included the amount of \$52,300 in the 2011/2012 budget to continue the service if it so wishes. Council's budget for the Waroona Community Health Resource Centre for this year is -

Expenditure

General maintenance	\$21,805
Utilities-water power etc (less cont from WWC still to be calculated)	\$13,893
Insurance	\$2,524
Contribution to WWC	\$51,200

Income

Lease charges, Doctor etc	\$30,500
---------------------------	----------

Community Consultation

Nil recommended.

Officer's Comments

Included in Council's agreement with the WWC the following key areas have been agreed to :

The Shire agrees to –

- Not to charge rental to the WWC for its use of the Centre;
- Provide building and contents insurance on the Centre, excluding contents that are in the ownership of the Board and others;
- Pay for the ordinary maintenance of the Centre, garden maintenance, water rates and refuse removal.

The Board agrees to -

- Provide reception duties to the Centre generally between the hours of 9am and 4pm, 5 days per week, excluding public holidays.
- To be responsible for its own occupational health & safety training and management for all staff under its control and invited guests into the building;
- To submit to the Shire, upon request, an annual report on the activities of the Centre.
- Provide the Shire with free use of available areas throughout the Centre. Any additional costs associated with the hire will be paid by the Shire;
- Engage and pay a cleaner for area under its control as defined on annexure 2;



- Pay all utility accounts in relation to the area under control – power, water, telephone etc and charge other building users for portion attributable to them,
- Take bookings and receive and retain money for casual hire of the. This clause excludes the area under agreement with the Department for Child Protection and long-term leases contained in the medical wing of the Centre, unless those areas are available and hired out on a casual basis;
- Provide after hours access for hirers;
- Provide contents insurance cover for equipment owned by the Board;
- Provide public liability insurance cover for activities conducted by the Board.

COUNCIL RESOLUTION**OCM11/08/097****MOVED: Cr Dew****SECONDED: Cr Snell**

That Council resolves to continue to provide on-going funding to the equivalent of funding a full-time Reception position at the Waroona Health & Community Resource Centre as per the following conditions:

- a) Funding to be paid directly to the Waroona Community Centre Inc.**
- b) The amount to be up to \$52,300 per annum (indexed with inflation), including any grants that are obtained to assist the funding of the position.**
- c) Funding can be utilised by the WWC to engage other employees for the Centre, providing that it agrees to provide and maintain full-time reception duties in the Centre either by paid employees, volunteers or other such means as the WWC is able to arrange.**
- d) The current agreement is re-signed, with or without modification.**
- e) This funding commitment is for 2 (two) years commencing 1 July 2011. The WWC, during this time, is to continue to make endeavours to have the Reception position self-funded.**

CARRIED 7/0

9.4.2 BUSINESS INCENTIVE GRANT APPLICATION	
Reporting Officer / Officer's Interest:	Ian Curley Chief Executive Officer Maree Ellis Community Development Officer
Responsible Officer / Officer's Interest	Ian Curley Chief Executive Officer
Proponent:	Luke Cadwell
Landowner:	N/A
Date of Report:	15 th August 2011 File No.: 98/1
Previous Reference:	OCM10/10/165
Statutory/Policy Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	The allocation for Business Enhancement in the 2011/2012 budget is a total of \$16,000. Additional funds of \$7,600 are held in trust.
Voting Requirements	Simple Majority

Proposal

Council is asked to approve a Business Incentive Grant application for Two thousand dollars (\$2,000) from Mr Luke Cadwell from Waroona Computers who has moved a home occupation business into vacant premises on the main street of Waroona at 51A Southwest Highway. The grant is to be used to assist with promotion, marketing and internal shop fit out for the business premise.

Background

The Shire of Waroona established a New Business Incentive Grant Fund in November 2010 to provide small amounts (individual amounts of up to \$2000) of discretionary funds to new or existing commercial business proprietors in the Waroona Central Business District (CBD) to assist with the costs of opening a new business or expansion of an existing business. These funds are designed to encourage new and current business proprietors to make use of existing empty business premises in the Waroona CBD. At the OCM 10/10, Council resolved to provide an amount of Six Thousand Six hundred dollars (\$6,600) remaining from the 2010/11 budget for the Townscape Development Grants Program.

Community Consultation

The grants were advertised locally, copies made available at the Business Sundowner in November 2010 and the program is promoted in the media.

Officer's Comments

The business is deemed to be eligible under the criteria set out in the Guidelines and application form. The following eligible components of the application are recommended for approval: Fixed signage to front of building; advertising; portion of shop fit out including shelving, reception desk & cash register.

COUNCIL RESOLUTION**OCM11/08/098****MOVED: Cr Wright****SECONDED: Cr Snell**

That an amount of two thousand dollars (\$2,000) be granted to Mr Luke Cadwell of Waroona Computers to assist with the establishment of a computer business at 51A Southwest Highway, Waroona from the Business Enhancement grants acc. 7782 as per the 2011/12 budget.

CARRIED 7/0**10. CONFIDENTIAL REPORTS**

Nil.

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

Nil.

12. NEW BUSINESS OF AN URGENT NATURE**12.1 ELECTED MEMBERS**

12.1.1 CORONATION ROAD – BETWEEN SOMERS & BROCKMAN ROADS	
Reporting Officer / Officer's Interest:	Ian Curley, Chief Executive Officer / Nil
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer / Nil
Proponent:	Cr Noel Dew
Landowner:	N/A
Date of Report:	23rd August 2011 File No.: 131/2
Previous Reference:	Nil
Statutory/Policy Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	Nil
Voting Requirements	Simple Majority

COUNCIL RESOLUTION**OCM11/08/099****MOVED: Cr Dew****SECONDED: Cr Wright**

That the Works & Services Committee investigate the condition of the bitumen surface on Coronation Road between Somers Road and Brockman Road.

CARRIED 7/0

12.1.2 FUTURE COMPUTER AND IT REQUIREMENTS FOR COUNCIL	
Reporting Officer / Officer's Interest:	Ian Curley, Chief Executive Officer / Nil
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer / Nil
Proponent:	Cr Noel Dew
Landowner:	N/A
Date of Report:	23rd August 2011 File No.: 43/1
Previous Reference:	Nil
Statutory/Policy Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	Future budget consideration 2012/13
Voting Requirements	Simple Majority

COUNCIL RESOLUTION
OCM11/08/100
MOVED: Cr Dew
SECONDED: Cr Wright

That the Council investigate the cost and feasibility of providing laptop/notebook computers or equivalent to Councillors with the aim of progressing towards a paperless office environment for Council meetings to be implemented in 2012/2013.

CARRIED 7/0

12.2 OFFICERS
 Nil.

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 4.55 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 27 SEPTEMBER 2011 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
 PRESIDING MEMBER

.....
 DATE

