



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

**TUESDAY 26 JULY 2011**

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

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**1. DECLARATION OF OPENING/ANNOUNCEMENTS**

The Chairperson declared the meeting open at 4.02pm and welcomed Councillors and Staff to the meeting.

The Manager Planning Services introduced the new Town Planner, Mr Chris Dunlop to the meeting, and he was welcomed by the Council.

**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 T Witney	Councillor
Cr L Snell	Councillor
Mr I Curley	Chief Executive Officer
Mr L Tilbrook	Deputy Chief Executive Officer
Mr S Cleaver	Director Community & Planning Services
Mr L Fouché	Manager Planning Services
Mr M Tamblyn	Manager Environmental Health & Building Services
Mr C Dunlop	Town Planning Officer
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 C Wright

Mr Dunlop left the meeting at 4.07 pm.

**3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

**4.1 PUBLIC QUESTION TIME**

Nil.

**4.2 PUBLIC STATEMENTS**

Nil.

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

**COUNCIL RESOLUTION**

**OCM11/07/073**

**MOVED: Cr Scott**

**SECONDED: Cr Salerian**

**That Leave of Absence is granted to Cr Witney for the Ordinary Council meeting on 23 August 2011.**

**CARRIED 7/0**

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

Nil.

**7. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**8. CONFIRMATION OF MINUTES**

**8.1 ORDINARY COUNCIL MEETING – 28 June 2011**

**COUNCIL RESOLUTION**

**OCM11/07/074**

**MOVED: Cr Dew**

**SECONDED: Cr Snell**

**That the Minutes of the Ordinary Council Meeting held 28 June 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

<b>9.2.1 TENDER 2/2011 – ADMINISTRATION CENTRE REFURBISHMENT</b>	
Reporting Officer / Officer's Interest:	Mark Tamblyn, Manager Health and Building Services
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community and Planning Services
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 18 July 2011	File No. 44/2
Previous Reference:	OCM10/12/201, OCM11/6/061
Statutory/Policy Implications:	Local Government (Functions and General) Regulations 1995
Strategic Implications:	Shire of Waroona Forward Capital Works Plan 2010/2011-2014/2015
Financial Implications:	Expenditure has been approved for funding from the 2011/2012 Country Local Government Fund (Royalties for Regions)
<b>Voting Requirements</b>	<b>Absolute Majority</b>

### Proposal

To award a tender to refurbish the roof and render the old section of the administration centre building.

### Background

At the December 2010 Ordinary Council meeting Council resolved to include replacement of the existing Administration Centre Roof in the forward capital works plan for 2010/2011-2014-2015. At the June Ordinary Council Meeting it was resolved to call for tenders from reputable builders to carry out this work. The matter was advertised state-wide in the West Australian newspaper. The Tender submission period closed on the 18<sup>th</sup> July 2011. At the close of tenders nine submissions were received and are tabled below.

### Financial Implications

The cost of the work to be carried out is funded by the Country Local Government Royalties for Regions allocation for 2011/2012.

### Statutory Implications

Nil

### Strategic Implications

The upgrading of this building will result in lower ongoing maintenance as the existing roof has been overdue for replacement for several years with the building being subject to water ingress. Further to this the scope of work includes matching of the colorbond roof and rendered walls to the additions. Removal of the asbestos eaves and installation of sheet insulation will also make the existing building safer and more energy efficient. It will also improve the amenity of the civic precinct.



The capital works forms part of the Shire of Waroona Forward Capital Works program 2010/2011-2014-2015.

Community Consultation

Nil

Officer's Comments

A total of nine (9) tenders were submitted to the Shire, with a cost range from \$84860 to \$182,166 as per the below table.

Henlyn Constructions offered the lowest price at \$84,860 (ex GST). Henlyn Constructions satisfies all qualitative criteria for tender acceptance and it is recommended that they be awarded the contract to undertake the work.

<b>Tenderer</b>	<b>Tender Amount (ex GST)</b>
Henlyn Construction	\$84,860
Tradesmen Homes	\$89,818
Safeway Building Coy	\$90,500
CPD Group	\$112,145
Barclay Group	\$115, 148
Shelford Constructions	\$118,012
PMC Roofing	\$131,200
Dalcon Construction	\$139,944
Bees Knees Construction	\$182,166

**COUNCIL RESOLUTION**

**OCM11/07/075**

**MOVED: Cr Scott**

**SECONDED: Cr Dew**

1. That the tender from Henlyn Construction of Inglewood for the refurbishment of the Council's existing administration building (tender specifications 2/2011) at a contract price of \$84,860 (ex GST) be accepted.
2. The above expenditure to be included in the 2011/12 budget as approved in the Council's Royalties for Regions funding program.

**CARRIED 7/0**

<b>9.2.2 LOT 19 (NO.3236) OLD COAST ROAD, LAKE CLIFTON - APPLICATION FOR PLANNING CONSENT FOR BREWERY</b>	
Reporting Officer / Officer's Interest:	Greg Delahunty – Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Manager Planning Services / Nil
Proponent:	Starworld Investments PTY LTD
Landowner:	Tony Scolaro Family Trust
Date of Report: 18 July 2011	File No: TP1346
Previous Reference:	None
Statutory/Policy Implications:	Planning and Development Act 2005 Shire of Waroona Town Planning Scheme No. 7 Environmental Protection (Peel Inlet – Harvey Estuary) Policy (1992) Statement of Planning Policy No. 2.1 – the Peel-Harvey Coastal Plain Catchment (SPP 2.1) EPA's 'Guidance Statement No.28 'Protection of the Lake Clifton Catchment' Coastal and Lakelands Planning Strategy' EPA's 'Strategic Environmental Advice on the Dawesville to Binningup Area' Planning Policy 2.0 Lake / Clifton Herron Structure Plan Local Planning Strategy 2009
Strategic Implications:	Shire of Waroona Strategic Plan 2005 – 2025 Objective 2 – Conserve our pristine environment
Financial Implications:	Nil
<b>Voting Requirements</b>	<b>Simple Majority</b>

## **BACKGROUND**

### Proposal:

An application was received for a boutique brewery to be operated from the existing tavern at Lot 19 (No.3236) Old Coast Road, Lake Clifton.

Brew 42 has proposed to expand the Lake Clifton Tavern from a purely retail business to include an “on the premises boutique brewery”. The overall production rate is estimated to be 90 kl per year.

The submitted site plan and an elevation plan are at **APPENDIX 9.2.2a**.

### General:

The original building was constructed in 1970s on approximately a half hectare of degraded grazing land. The existing tavern building is set back approximately 150 m from the minor arterial road Old Coast Road. Other commercial development to the immediate north includes a bakery and a caravan park. To the south is further degraded grazing land currently private owned and used as a lifestyle residence. To the west the property is immediately adjacent to the Yalgorup National Park.



The facility consists of a single room public bar retailing primarily alcoholic beverages to the public. Currently a variety of beers are manufactured remotely and transported to the bar for retail.

In addition to the public bar facilities is a kitchen serving light meals to customers, stock storage facilities and a detached six room motel styled accommodation.

## **STATUTORY IMPLICATIONS**

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

The proposed brewery is located on land zoned Special Use (No.2) in terms of the Shire of Waroona Town Planning Scheme No. 7.

Clause 4.3.1 of the scheme states that land or buildings in a Special Use Zone shall not be used for purposes other than those set against that land in Schedule 3 of the Scheme and subject to compliance with any conditions specified in the Schedule with respect to the land.

Clause 4.3.2 states that development in a Special Use Zone shall be subject to granting of Planning Consent in accordance with any provisions of this Scheme which Council considers to be relevant.

The subject lot is located within the Special Use Zone 2 of the Town Planning Scheme. According to Schedule 3 of the Scheme a tavern is listed as a permitted use within this special use zone.

Clause 8.2.3 states where Council decides to give notice of an application for Planning Consent, Council shall cause one or more of the following to be carried out:

- (b) Notice of the proposed development to be published in a newspaper circulating in the Scheme Area stating that submissions may be made to the Council within twenty – one days from the publication thereof:
- (c) A sign displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b).

Clause 8.7.1 states that if Council has not, within sixty days of the receipt of an application for planning consent, either conveyed a decision or given notice of the application, it may be deemed to have been refused.

However clause 8.7.3 states that notwithstanding that an application for Planning Consent may be deemed to have been refused under Clause 8.7.1, the Council may issue a decision in respect of the application at any time after the expiry of the sixty day period specified in that clause as the case may be.

The application was not determined during the initial 60 day period as a supplementary environmental report was requested of the applicants. Subsequently this report was delayed due to the ERA report being lost in the 2011 Lake Clifton fires. This report has now been received and the application can progress.



## **STRATEGIC IMPLICATIONS**

### **Shire of Waroona Strategic Plan 2005 – 2025**

The Shire of Waroona is committed to strengthening its capacity to tackle the issues of sustainable development and the conservation of our sensitive environment that are increasingly interconnected and interdependent.

## **STRATEGIC PLANNING IMPLICATIONS**

### **Statement of Planning Policy No. 2.1 Peel Harvey Coastal Plain Catchment**

The applicant is advised that the proposal is located within the Peel-Harvey catchment and the provisions of the Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992 and the Statement of Planning Policy No. 2.1 – the Peel-Harvey Coastal Plain Catchment (SPP 2.1) shall apply.

In accordance with provision 5.8 of SPP2.1 Local Government is responsible for the supervision and management of alternative effluent systems, particularly Aerated Treatment Units (ATUs). This has been address with the addition of a condition to this effect.

### **EPA Guidance Statement No. 28 ‘Protection of the Lake Clifton Catchment’**

The purpose of this guidance is to describe the Environmental Protection Authority's (EPA) 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.

4.2 The EPA criteria for the new land use developments in the catchment of Lake Clifton are:

<b>Key environmental factors</b>	<b>Objectives</b>
1. Water Balance	New developments to be managed so that water balance following development is as close to pre-development condition as possible.
2. Nutrient loads	New developments to be managed so that phosphorus and nitrogen export to the lake is negligible. A net reduction at least should be achieved.
3. Regionally significant wetlands	New developments to be managed so that direct impacts of humans and stock do not cause physical damage to the thrombolites, wetland vegetation, fringing wetland vegetation and dryland buffer of Lake Clifton.

### **WAPC's Coastal and Lakelands Planning Strategy (1999)**

This strategy is a structure plan detailing broad land use classifications for the area extending from Dawesville in the north to Binningup in the south. Land use planning to protect water quality and the associated ecological values of the Yalgorup Lakes and other wetlands in the strategy area is a primary objective of this strategy.



Section 5.1.2 of this strategy deals with the Lake Clifton catchment. In view of the conservation values of Lake Clifton and the development pressures likely to be experienced over private land within its catchment, the Environmental Protection Authority has developed a set of environmental criteria to guide new development on private land within the catchment (Environmental Protection Authority, 1997). See *EPA Guidance Statement No. 28 'Protection of the Lake Clifton Catchment'* above.

#### EPA Strategic Environmental Advice on the Dawesville to Binningup Area (2010)

This report provides the Environmental Protection Authority's (EPA) advice to the Minister for Environment under section 16(e) of the Environmental Protection Act 1986 on the significant environmental values of the Dawesville to Binningup area.

One recommendation of this report states that 'development on the eastern side of the Yalgorup lakes system is highly constrained'. This is due to the significance of the Yalgorup lakes system, the Yalgorup National Park and the necessity to maintain the complex hydrological functions which support this important ecosystem.

The EPA's view is based on regional scale information and the EPA may review its position based on the outcome of future detailed environmental investigations for particular proposals.

#### Town Planning Policy No. 2.0 - Lake Clifton / Herron Structure Plan

Lot 19 (No.3236) Old Coast Road is located in the Lake Clifton Precinct and is therefore subject to the Lake Clifton / Herron Structure Plan (Planning Policy 2.0). The objectives and land use proposals of this Policy are reflected in the Local Planning Strategies guide for this precinct.

Further to this recommendation 10 of the structure plan recommends that The City of Mandurah and the Shire of Waroona prepare a tourist development policy that outlines the areas of permitted tourist accommodation and the assessment criteria that require compliance, including:

- Water efficient usage on site;
- Effluent disposal to be contained on site and alternative sewer treatment devices such as ATUs be utilised to avoid leeching of effluent into the ground water system;
- Land clearing to be avoided where possible;
- No tourist development on Vasse Soils;
- A visual impact statement to be prepared by developers to detail any possible impact on the visual amenity of the locality; and

#### Local Planning Strategy (LPS)

The subject lot is located within the Special Uses sub precinct of the Lake Clifton precinct within the Local Planning Strategy. Here it is Council's objective to provide land for the continued development of the Lake Clifton Tourist and Shopping Centre site as the commercial and community centre for the locality.



## **COMMUNITY CONSULTATION**

The advertisement of this application was dealt with under clause 8.2 of the Town Planning Scheme.

A notice was placed in the Harvey Reporter dated 3 August 2010 and a sign displaying a notice of the proposed development was then placed outside the tavern for a period of twenty-one days.

Within this timeframe two (2) submissions were received on the proposal.

Also due to the sensitive nature of this proposal and its proximity to Lake Clifton it was decided that this application should be forwarded to a number of Public Authorities (the Department of Water; the Department of Environment and Conservation as well as Main Roads WA).

The Schedule of Submissions is at **APPENDIX 9.2.2b**.

## **INTERNAL REFERRAL**

Upon referral to the Building/Health Department, the Building / Health Surveyor stated that the septic systems may need to be expanded / upgraded.

## **OFFICER'S COMMENTS**

This application was received by the Shire of Waroona 26 July 2010. Due to the sensitive nature of the Lake Clifton catchment area in which the proposed brewery is located the proposal was then forwarded to the relevant Public Authorities. However, due to the lack of information provided by the proponent initially, the Public Authorities requested a significant amount of supplementary information in order to aid their assessment of the proposal. Unfortunately as a result of the fires in Lake Clifton 2011 the applicant was unable to submit this supplementary information until 29 April 2011. This information, which came in the form of an Environmental Risk Assessment (ERA), provided the detail that was needed in order to make a proper assessment of the proposal. Find ERA attached at **APPENDIX 9.2.2c**.

The ERA describes the brewing process, the cleaning process and it also identifies the environmental risks associated with the brewery. It Risk mitigation strategies that can be utilised are recommended in the ERA. These risk mitigation strategies have been added as conditions of approval. The ERA provides a holistic overview of the process and also answers the issues that were flagged during public advertising.

### **Department of Water (DoW) Comments**

The DoW stated that the septic system should be upgraded to Alternative Treatment Units in order to cope with the new demands that will be placed upon the system and to ensure that there are no detrimental effects upon Lake Clifton. DoW also stated that the buffer distance to Lake Clifton should be adequate to ensure safety in case of a system failure. A condition has been added to this effect stating that the use of Alternative Treatment Units must be in accordance with manufacturer specifications and to the satisfaction of the Department of Health and the Shire of Waroona. These ATU's must also be located at least 150m from the high water mark of the lake, and at least 20 m from the edge of the vasse landform.

DoW also stated that any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer is subject to licensing by the Department of Water. This is not seen as an issue as the proposed abstraction for the tavern and brewery is below the maximum 1500KI level per 5 hectare that is required for a license.

The DoW also voiced concerns as to how chemical waste from the process would be disposed of. There was a discrepancy in the ERA about how the applicant intended to dispose of the chemical waste. A condition has been added that will require the applicant to neutralise and store all chemical waste associated with the process in a bunded waste facility, and for the waste to be disposed of offsite by a controlled waste disposal contractor.

Finally the DoW's stated that if the Shire of Waroona was of the opinion that the proposal was likely to have a significant impact on the environment; it was required to refer the proposal to the EPA under Section 38 of the Environmental Protection Act 1986. After consultation with the Office of the EPA (OEPA) outlining how the Shire of Waroona intended to condition the approval, the OEPA was satisfied that the proposal was not likely to have significant environmental impacts and a referral to the EPA was not required.

#### The Department of Environment and Conservation (DEC) Comments

The DEC noted that production capacity of the brewery is below the level defined to be a prescribed premises under Part V of the Environmental Protection Act 1986 (EP Act), and therefore does not require a licensing under the EP Act.

The DEC acknowledged the Shire of Waroona's intention to add a condition of approval regarding the treatment, storage and disposal of chemical waste. Further to this, an advice note informing the applicant that the Environmental Protection (Unauthorised Discharge) Regulations (2004) and penalties may apply to any discharge of chemicals occurring at the site, was added at the request of the DEC.

The DEC also acknowledged the Shire of Waroona's intention to add a condition of approval requiring the applicant to install approved Alternative Treatment Septic Systems at an appropriate buffer distance to the wetland. DEC also added that the EPA Guidance also requires that septic systems be set back at least 150m from the high water mark of the lake, and at least 20 m from the edge of the Vasse landform. This has also been included in the condition.

Finally, a condition requiring the proponent to demonstrate that a reduction in nutrient exports will be achieved and that nutrient export to the lake will be negligible, has also been added at the request of the DEC.

#### Peel Preservation Group (PPG) / Lake Clifton Herron Progress and Sporting Association Comments

The concerns of the PPG and the LCHPASA echoed the concerns raised by the Public Authorities consulted on this proposal. The PPG however did suggest that an extensive programme of rehabilitation of vegetation be made a condition of any approval of the project. If the removal of vegetation is necessary due to the installation of ATUs the applicant will be required to submit a landscape plan as a condition of approval.



### EPA's 'Guidance Statement No.28 'Protection of the Lake Clifton Catchment'

The addition of the condition requiring the applicant to install approved Alternative Treatment Septic Systems at an appropriate buffer distance to the wetland addresses the EPA criteria for the new land use developments in the catchment of Lake Clifton. These criteria are also echoed in the Coastal and Lakelands Planning Strategy (1999).

### EPA's 'Strategic Environmental Advice on the Dawesville to Binningup Area'

The EPA stated a concern that development on the eastern side of the Yalgorup lakes system is highly constrained due to the significance of the Yalgorup lakes system and complex hydrological functions which support this important ecosystem.

However, after consultation, the OEPA was satisfied that if the planning Consent was conditioned appropriately, they would be satisfied that the proposal was not likely to have significant environmental impacts.

### Planning Policy 2.0 Lake / Clifton Herron Structure Plan

Although to date the City of Mandurah and the Shire of Waroona have not prepared a tourist development policy for this area the provisions of recommendation ten are satisfied in the following ways:

- Alternative sewer treatment devices such as ATUs will be utilised to avoid leeching of effluent into the ground water system;
- Appropriate buffer from the Vasse Soils will be maintained;
- A visual impact statement is not necessary as the external features of the tavern will remain the same.

### Internal Referral

The Building/Health Surveyor's concern that the septic systems may need to be expanded has been addressed with the addition of a condition to this effect. The expected output of the waste water from the brewery is also addressed with this condition.

### Conclusion

The addition of a brewery to the Lake Clifton tavern will reinforce the local area's ability to attract and retain tourism. Lake Clifton and the Yalgorup national park are significant areas of natural beauty that will attract tourism, however it is the supplementary services such as the caravan park, the bakery, local wineries and the tavern that offer tourists a focal point to congregate as well as providing them with food, drink and accommodation that is needed in order to maintain a prolonged stay in an area. There is no doubt that the Lake Clifton catchment area is highly sensitive to human interference and that it should be protected and conserved, however given the above assessment, and the addition of appropriate conditions there is no planning reason to refuse the application and the proposed brewery is therefore recommended for approval.

**COUNCIL RESOLUTION****OCM11/07/076****MOVED: Cr Scott****SECONDED: Cr Dew**

**That Council, with respect to the application for Planning Consent for a Brewery at Lot 19 (No.3236) Old Coast Road, Lake Clifton approve the application subject to the following conditions:**

- 1. The development shall occur 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. The hours of operation shall be limited to 7am to 6pm Monday to Sunday, unless otherwise agreed to in writing by the Shire of Waroona.**
- 3. In accordance with part 8.2.1 of the submitted ERA (received 29 April 2011) Rainwater is to be used in the production of beer and for the kitchen requirements unless otherwise agreed to in writing by and to the satisfaction of the Shire of Waroona.**
- 4. In accordance with part 8.2.2 of the submitted ERA (received 29 April 2011) all Beer kegs to be contained in a bunded area capable of taking the full volume of the bright beer tank.**
- 5. In accordance with part 8.2.3 of the submitted ERA (received 29 April 2011) the equipment used in the production process must be bunded to the satisfaction of the Manager Environmental Health and Building Services.**
- 6. In accordance with part 8.2.4 and 8.2.5 of the submitted ERA (received 29 April 2011) all neat cleaning chemicals should be stored in a segregated bunded area inside the main building away from the weather. Each chemical to be stored in a bunded and segregated facility to the satisfaction of the Manager Environmental Health and Building Services.**
- 7. In accordance with part 8.2.7 of the submitted ERA (received 29 April 2011) all chemical waste to be neutralised and stored in a dedicated and bunded waste facility to the satisfaction of the Manager Environmental Health and Building Services. A licensed Controlled Waste Disposal contractor is to dispose of the chemical waste offsite.**

- 8. In accordance with part 8.2.6 of the submitted ERA (received 29 April 2011) solid waste from brewing activity must not be buried or permanently disposed of on site. Solid waste must be stored in a manner that prevents windblown or waterborne contamination and prevents attraction or harbouring of pests to the satisfaction of the Manager Environmental Health and Building Services. This solid waste must then be removed and disposed of offsite to the satisfaction of the Shire of Waroona Manager of Environmental Health and Building Services.**
- 9. The current septic system being upgraded to a commercial Alternative Treatment Unit in accordance with manufacturer specifications and to the satisfaction of the Manager Environmental Health and Building Services.**
- 10. The commercial Alternative Treatment Unit must be set back at least 150m from the high water mark of the lake, and at least 20 m from the edge of the Vasse landform**
- 11. All washdown and contaminated production water from brewing activity must be discharged to the onsite Alternative Treatment Unit's effluent disposal system.**
- 12. Should the removal of vegetation be necessary due to the installation of ATUs, the applicant is required to submit a landscaping plan the satisfaction of the Manager Planning Services. The landscaping plan, detailing the location and type of vegetation used; must be of a sufficient standard as to restore the lot to the condition that it is in before any clearing takes place.**
- 13. Vegetation shall be implemented on site in accordance with the approved Revegetation Plan within 60 days of practical completion of site works relating to the shed to the satisfaction of the Manager Planning Services. The landscaping being undertaken must consist predominantly of mature plantings with a minimum pot size of 30 litres. The vegetation shall thereafter be maintained to the satisfaction of the Manager Planning Services.**
- 14. 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. Condition 4 pertains to beer kegs that contain liquid only.**
- B. In relation to condition 7 the Environmental Protection (Unauthorised Discharge) Regulations (2004) and penalties may apply to any unauthorised discharge of chemicals occurring at the site.**
- C. In relation to condition 8, it is recommended that solid waste be removed and disposed of offsite by a controlled waste disposal contractor.**
- D. Any changes to the existing effluent disposal systems (including changes to wastewater source and volume) are required to be assessed and approved by the Shire of Waroona.**
- E. In relation to condition 9 a septic application to the Shire of Waroona Environmental Health and Building Department must be made for the upgrading of the current septic system to a commercial ATU.**
- F. Adequate potable hot and cold running water is required onsite for all food handling areas. It is the operator's responsibility to ensure that water of an adequate volume, temperature and quality is readily available at all times to carry out the activities on the site.**
- G. In relation to condition 12 landscaping plans must comply with the West Coastal Soil species list.**
- H. The subject lot is located within the South West Coastal Groundwater Area as proclaimed under the *Rights in Water and Irrigation Act 1914*. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer, is subject to licensing by the Department of Water.**
- I. The owner / operator is responsible for the obtaining of the necessary licences (including Producer's Licence and Tastings – Producer's Licence) from the Director of Liquor Licensing (Department of Racing, Gaming & Liquor) under the Liquor Control Act 1988 and any other relevant legislation.**
- J. The applicant is advised that a Food Business Registration is required for the brewery operations (included in or separate from the current Registration for the existing Tavern). The Shire's Environmental Health and Building Department should be contacted regarding this requirement.**

**CARRIED 7/0**



<b>9.2.3 PRESTON BEACH TOWNSITE STRATEGY</b>	
Reporting Officer / Officer's Interest:	Louis Fouché – Manager Planning Services / Nil.
Responsible Officer / Officer's Interest	Louis Fouché – Manager Planning Services / Nil.
Proponent:	Preston Beach Development Joint Venture Pty Ltd (PBJV).
Landowner:	Preston Beach Development Joint Venture Pty Ltd (PBJV).
Date of Report: 13 July 2011	File No.: TPSP1
Previous Reference:	N.A.
Statutory/Policy Implications:	Local Government Act 1995 Planning and Development Act 2005 Planning and Development Regulations 2009 Peel Region Scheme 2003 Shire of Waroona Town Planning Scheme 1996 State Sustainability Strategy State Planning Policies <ul style="list-style-type: none"> <li>• SPP 1 State Planning Framework</li> <li>• SPP 2 Environment and Natural Resources Policy</li> <li>• SPP 3 Urban Growth and Settlement</li> <li>• SPP 2.5 Agriculture and Rural Land Use</li> <li>• SPP 2.6 State Coastal Planning Policy</li> </ul> WAPC Development Control Policies Planning for Bush Fire Protection Coastal and Lakelands Planning Strategy (1999) Better Urban Water Management (October 2008) Liveable Neighbourhoods (2009) Shire of Waroona Local Planning Strategy (2009) Waroona Foreshore Management Plan (2002) Policy 1.3 - Election of Members and Representatives
Strategic Implications:	Shire of Waroona Strategic Plan 2005-2025 <ul style="list-style-type: none"> <li>• Land Use Planning</li> <li>• Leadership and Governance</li> </ul>
Financial Implications:	Operational costs (Staff etc.) - budgeted. Consultancy costs - recoverable from developers.
<b>Voting Requirements</b>	Absolute majority

### **PROPOSAL**

With the recommencement of the Preston Beach Townsite Strategy by the new Joint Venture owners, it is appropriate that Council reviews the Preston Beach Townsite Strategy Project Brief and Preston Beach Townsite Strategy Steering Committee Terms of Reference. The revised documents are at **APPENDIX 9.2.3a and APPENDIX 9.2.3b.**

Council also needs to consider the membership of the Townsite Strategy Steering Committee.



## **BACKGROUND**

In March 2006, Council approved a Project Brief to set out the objectives, process and scope to guide preparation of the Preston Beach Townsite Strategy in the form of a District Structure Plan. The Project Brief included the establishment of a Steering Committee to oversee the project, supported by the Preston Beach Technical Advisory Group (TAG).

During the previous development stage (2006 – 2009), two land owners held most of private land north and south of the existing townsite, while in early 2010 ownership of the land previously held by the initial two key landowners was transferred to Preston Beach Development Joint Venture Pty Ltd (PBJV). A new joint venture partnership was established, with the original principal landowner remaining part of the PBJV.

Although progress was made with the preparation of the Townsite Strategy in the initial stage, during late 2010 / early 2011, the PBJV engaged new lead consultants while retaining some consultants engaged by the previous owners as part of the new project team. A comprehensive review of previous work was undertaken with the PBJV also continuing active technical investigations, together with scoping new design and sustainability objectives.

The Project Brief includes the re-convening of a Steering Committee to oversee the project, supported by a Preston Beach Technical Advisory Group. The revised Project Brief of June 2011 replaces the July 2006 version.

At the Preston Beach Townsite Strategy Steering Committee Meeting of 4 July 2011, the Committee resolved as follows:

*"That the revised Project Brief and Terms of Reference be accepted and submitted to Council for endorsement."*

The proposed changes to the Project Brief and Terms of Reference are attached in **APPENDIX 9.2.3c and APPENDIX 9.2.3d** in "Track Changes" format in order to indicate the changes made to the documents.

In response to a request from the Preston Beach Joint Venture, a report was referred to Council at its Ordinary Meeting of Council on 24 August 2010 in order to review the membership of the Preston Beach Townsite Strategy Steering Committee. Council resolved as follows:

*"That membership to the Preston Beach Townsite Strategy Steering Committee be amended as follows –*

*Delete –*

- 1 North Preston Landowner representative*
- 1 South Preston Landowner representative*
- 1 North Planning Consultant*
- 1 South Planning Consultant*

*Add -*

- 1 Preston Beach Landowner/Developer representative*
- 1 Preston Beach Landowner/Developer planning consultant"*

## **Community Consultation**

On the 31 March 2007 a Visioning Workshop was held at the Preston Beach Golf Course and was attended by residents and landowners from Preston Beach. The purpose of the workshop was to identify community views and preferences for the development of Preston Beach that would assist to inform and refine the Preston Beach Townsite Strategy.

The new project will require community consultation during each of the following processes:

- The preparation of the Preston Beach Townsite Strategy / Structure Plan.
- The Peel Region Scheme Amendment.
- The Shire of Waroona Town Planning Scheme Amendment.

## **Statutory Implications**

### **Local Government Act 1995**

Section 5.10 applies to the appointment of Committee Members. Subsection 1 (b) requires an absolute majority decision of Council. Section 5.11 prescribes the tenure of Committee Members, which is consistent with the office of the position held by the member unless the committee is disbanded. Subsection 1 (d) provides that tenure is also until the next ordinary election day. Section 5.11A deals with the appointment of Deputy Committee members and makes provision for the appointment of such members at any time.

### **Planning and Development Act 2005**

Part 4 of the Act makes provision for the formulation of Region Planning Schemes and amendments. Part 5 of the Act prescribes the process for the formulation and amendment of Local Planning Schemes.

### **Planning and Development Regulations 2009**

Part 3 of the Regulations covers subdivision and development control while Part 7 covers local government planning charges associated with the project.

### **Peel Region Scheme 2003**

The zoning of the northern and southern portions affected by the project is predominantly Rural, while the existing Preston Beach townsite is predominantly zoned Urban in terms of the Region scheme. An amendment of the Region Scheme is required to rezone Rural zoned land in order for it to be used for Urban purposes.

### **Shire of Waroona Town Planning Scheme 1996**

The zoning of the northern and southern portions affected by the project is predominantly Rural, while the existing Preston Beach townsite is predominantly zoned Urban 9 – Preston Beach in terms of the local Planning Scheme. An amendment of the Town planning Scheme is also required to rezone Rural zoned land in order for it to be used for Urban purposes.

## **Strategic Planning Implications**

### **State Sustainability Strategy**

The Preston Beach Townsite Strategy and associated processes need to comply with the State Sustainability Framework consisting of eleven sustainability principles, six visions for Western Australia and six goals for government in the State Sustainability Strategy.

Sustainability is defined in the Strategy as “...meeting the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.”

### **State Planning Policies**

The following State Planning Policies will be key in the development of the Preston Beach Townsite Strategy:

- SPP 1 - State Planning Framework
- SPP 2 - Environment and Natural Resources Policy
- SPP 3 - Urban Growth and Settlement
- SPP 2.5 - Agriculture and Rural Land Use
- SPP 2.6 - State Coastal Planning Policy

### **Western Australian Planning Commission (WAPC) Development Control Policies**

The Preston Beach Townsite Strategy needs to ensure that proposed future development (i.e. subdivisions) will be able to comply with the various requirements in the relevant WAPC Development Control Policies.

### **Planning for Bush Fire Protection Guidelines**

Given the location of the proposed development in close proximity to the Yalgorup State Forest, it is essential that compliance with the Planning for Bush Fire Protection Guidelines will be achieved.

The guidelines set out a range of matters that need to be addressed at various stages of the planning process, in order to provide for an appropriate level of protection to life and property from bush fires and avoid inappropriately located or designed land use, subdivision and development on land where a bush fire risk is identified.

### **Coastal and Lakelands Planning Strategy (1999)**

The Coastal and Lakelands Planning Strategy provides policy guidelines as well as a resource information base for the management of development along the coast and in the Yalgorup Lakes catchments. The strategy also has an associated structure plan.

### **Waroona Foreshore Management Plan (2002)**

The Waroona Foreshore Management Plan is essentially a Coastal Management Plan for the Preston Beach study area, which includes environmental, coastal and development principles.



### **Better Urban Water Management (October 2008)**

Better Urban Water Management provides guidance on the implementation of *State Planning Policy 2.9 (Water Resources)*, a requirement of the *State Water Strategy for Western Australia*.

### **Liveable Neighbourhoods (2009)**

Liveable Neighbourhoods is a technical guide for developers and approval authorities in the design and assessment of subdivisions and structure plans. It has been prepared to implement the objectives of the State Planning Strategy which aims to guide the sustainable development of Western Australia to 2029. Liveable Neighbourhoods operates as a development control policy, or code, to facilitate the development of sustainable communities.

### **Shire of Waroona Local Planning Strategy (2009)**

The Local Planning Strategy indicates the proposed development areas to the north and south of the existing Preston Beach townsite as “Area Subject to Preston Beach Townsite Strategy”.

### **Officer's Comments**

The Townsite Strategy is a broad land use strategic framework / structure plan that will ensure sustainable, co-ordinated and appropriately integrated development of the area in the future.

### **Key aspects**

The following key aspects are to be considered in the preparation of the Townsite Strategy:

- Extent of townsite expansion and ultimate lot numbers.
- Road hierarchy, access and traffic.
- Provision of services (potable water, sewerage, power, telecommunications).
- Urban water management.
- Environmental limitations and opportunities and sustainability considerations.
- Natural landscape and landform.
- Recreational requirements and location.
- Community purpose requirements and location.
- Town Centre requirements and location.
- Tourist development.
- Urban densities.
- Employment considerations.
- Built form and maintaining character of the settlement.
- Integration of existing and proposed development.
- Bush fire management.
- Cost sharing principles for major infrastructure.
- Regional context for the site.

Should other issues become relevant during the project, such issues will be added at the discretion of the Shire of Waroona and the Steering Committee.



### **Project Process**

The project process is outlined in Part 3 of the Project Brief and is also further illustrated in the Project Schedule.

### **Guiding Sustainability Objectives and Principles**

The key sustainability objectives of the Strategy area:

- Environment: *A thriving natural environment with unique features preserved.*
- Social: *A vibrant, safe community with a great lifestyle.*
- Economic: *Commercial success for all.*

Each sustainability objective is underpinned by a range of sustainability principles.

### **Steering Committee Membership**

In addition to the changes made to the Steering Committee Membership by Council in August 2010, the Preston Beach Joint Venture group requested that they be represented by three consultants on the Steering Committee. These consultants include Arup (Planning / Urban Design Consultants), TME (Planning Consultants) and RPS (Environmental Planning Consultants). The Steering Committee previously included two planning Consultants to represent the Northern and Southern landowners respectively.

The Steering Committee was advised by the Chief Executive Officer that Council amended the Steering Committee membership in August 2010 to appoint one Landowner Representative and one landowner Planning Consultant. The Steering Committee was advised by representatives of the Joint Venture that the Landowner Planning Consultant will be TME (Planning Consultants). Other consultants will attend Steering Committee meetings in an invited capacity as required.

It is also proposed that the Director Community and Planning Services be included in the Steering Committee Membership.

### **Conclusion**

The Preston Beach Townsite Strategy is an essential process towards the future strategic development of the Preston Beach townsite in accordance with the relevant legislation and strategic planning guidelines.

It is recommended that Council adopts the Revised Project Brief and the Steering Committee Terms of Reference. It is further recommended that the membership of the Steering Committee be amended to include the Director Community and Planning Services.

**COUNCIL RESOLUTION**

**OCM11/07/077**

**MOVED: Cr Witney**

**SECONDED: Cr Germain**

**That Council resolves, with respect to the Preston Beach Townsite Strategy to:**

- 1. Adopt the revised Preston Beach Townsite Strategy Project Brief dated July 2011.**
- 2. Adopt the revised Preston Beach Townsite Strategy Steering Committee Terms of Reference dated July 2011.**
- 3. Amend the membership of the Preston Beach Townsite Strategy Steering Committee as follows:**

**Add - Director Community and Planning Services (DCPS).**

**CARRIED BY AN ABSOLUTE MAJORITY 7/0**

<b>9.2.4 LOT 226 (NO.9) CHALET VALE, PRESTON BEACH - APPLICATION FOR PLANNING CONSENT FOR SHORT TERM HOLIDAY ACCOMODATION</b>	
Reporting Officer / Officer's Interest:	Greg Delahunty – Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Manager Planning Services / Nil
Proponent:	Beau David Collins
Landowner:	Beau David Collins
Date of Report: 14 July 2011	File No: TP1421
Previous Reference:	
Statutory/Policy Implications:	Shire of Waroona Town Planning Scheme No. 7 Local Planning Strategy WAPC Holiday Homes Guidelines
Strategic Implications:	Shire of Waroona Strategic Plan 2005 – 2025 Objective 1 - Prepare for Growth
Financial Implications:	Nil
<b>Voting Requirements</b>	<b>Simple majority</b>

### **Proposal**

An application was received for a retrospective planning approval for short term holiday accommodation at Lot 226 (No. 9) Chalet Vale, Preston Beach.

The proposal involves the change of use of a residential home to short term holiday accommodation (Standard Holiday Home). The house will be used infrequently by the owners therefore they wish to make it available to holiday makers for short term use when they are not present. No further building improvements have been proposed as part of the application.

### **Background**

A Preston Beach resident informed Shire officers that the subject lot was being used for short term holiday accommodation without a planning consent. Following correspondence the landowner agreed to submit an application for planning consent.

The site contains a two bedroom, two bathroom, timber pole house. There is capacity for up to four (4) car parking spaces on the lot.

### **Previous Approvals**

A search of Council records indicates that a Building Licence for a house was issued in 1999 on the property.

### **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 Townsite 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.

Clause 6.8.1 of the TPS relates to on site vehicular parking spaces. Parking for 'Other Uses' it is at the discretion of the Council having regard to the requirements of the use.

Holiday accommodation is currently listed as an 'AA' use under the Zoning Table of the Scheme for the 'Urban 9 – Preston Beach' zone. An 'AA' use means the Council may, at its discretion, permit the use.

### **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**

#### **WAPC Holiday Homes Guidelines**

The Holiday Homes Guidelines defines a Holiday home (standard) as a single house (excluding ancillary accommodation), which might also be used for short stay accommodation for no more than six people (but does not include a bed and breakfast, guesthouse, chalet and short stay accommodation unit).

As a guide, holiday homes are most appropriate in areas of high tourism amenity and close proximity to key tourism attractions such as the beach, town centre or rural areas.

The Holiday homes Guideline aims to identify preferred areas for holiday homes in local planning strategies based on sound planning principles. Preston Beach has been identified as a preferable location for tourist accommodation in terms of the Local Planning Strategy.

#### **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.

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



### **Community Consultation**

Under section 8.2.2 of the TPS, the proposed Holiday Home / Accommodation was advertised to adjoining landowners for a period of 21 days. Letters were sent to adjoining landowners to make them aware of the application. Within this timeframe one (1) objection was received. See Schedule of Submission as at **APPENDIX 9.2.4**.

### **Internal Referral**

Upon referral to Environmental Health and Building Services, the Environmental Health / Building Surveyor stated that there were concerns with the proposal.

### **Officer Assessment**

Holiday homes are a component of the short stay accommodation sector in some parts of Western Australia and an important aspect of the overall mix of tourism accommodation, particularly in popular tourist destinations within the State. Over the past decade a growing number of holiday homes have been made commercially available, resulting in an increasing trend to purchase or build homes for holiday home use.

A key concern with respect to the occupation of dwellings as holiday homes is to ensure that any such uses will not adversely impact on residential amenity currently enjoyed by residents in surrounding properties. For this reason the subject proposal was advertised to neighbouring landowners and one submission objecting to the proposal was received.

Some of the grounds for objection are as follows:

- Lot 226 has been used for short term holiday accommodation for a number of years.
- There have been numerous instances of renters of the holiday accommodation using neighbouring driveway to access the property.
- There have been three (3) instances of holiday residents of lot 226 parking their cars in a neighbouring drive.

Although Lot 226 has been operating as short term holiday accommodation without planning approval, the WAPC has recognised that the informal development of this section of the tourist accommodation market has meant that holiday homes have so far operated with minimal regulation

In lieu of this the WAPC recommends that local governments allow owner operators up to 12 months, after a "Short Term Holiday Accommodation" local planning policy has been adopted, to apply for and obtain approval for the operation of existing holiday homes and implement the recommended regulatory measures. Presently the Shire of Waroona has no such planning policy in place but it is still pertinent to have a degree of discretion when dealing with an individual seeking retrospective planning approval of this nature.

In order to address the additional concerns regarding offsite parking and trespassing on neighbouring property, a condition has been added requiring that all parking

associated with the short term holiday accommodation must be contained wholly on site. This condition also stipulates that no verge parking is permitted.

Further to this, any activities that result in a loss of enjoyment by neighbouring properties, for instance, unacceptable levels of noise, will be considered a breach of this approval. In order to regulate this, a condition has been added stating that planning consent for the Holiday Home shall expire at the end of three (3) years from the notice of approval. By doing this any complaints received against the holiday accommodation can be reviewed if the owner wishes to renew the planning consent after a period of three years

However, given that the occupancy of six people is consistent with that of a household, it is not considered that there will be a significant increase in noise emanating from the lot. An advice note has been added ensuring that the owner of the property shall remain responsible for the management of the conduct and behaviour of the occupants of the Holiday Home at all times in order to preserve the amenity of the area

The proposal is consistent with the Council's objectives for the 'Urban 9 Preston Beach' zone. Also, in accordance with WAPC's Holiday Homes Guidelines, the Tourism Strategy within of the Local Planning Strategy seeks to encourage the development tourist accommodation in the Preston Beach area.

Given the above assessment, 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**

**OCM11/07/078**

**MOVED: Cr Witney**

**SECONDED: Cr Snell**

**That Council, with respect to the application for planning consent for short term holiday accommodation at Lot 226 (No. 9) Chalet Vale, Preston Beach, approve the application subject to the following conditions:**

- 1. The Standard Holiday Home hereby approved shall occur 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. No more than six (6) guests are to be accommodated in the Holiday Home at any given time.**
- 3. All parking associated with the Holiday Home shall be contained wholly on site. No verge parking is permitted.**

- 4. 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.**
- 5. The initial Planning Consent for the Holiday Home shall expire at the end of one (1) year from the notice of approval.**

**Advice to applicant:**

- A. Please note that this Planning Consent must be renewed before the one (1) year approval period expires for the Planning Consent to remain valid.**
- B. The proposed accommodation is defined as a Holiday Home (standard), meaning a single house (excluding ancillary accommodation) which may also be used for short stay accommodation for no more than six people (but does not include a bed and breakfast, guesthouse, chalet and short term accommodation unit).**
- C. Any proposed changes to the nature of the Holiday Home or any of the conditions of approval requires the consent of Council.**
- D. Please note that the owner of the property shall remain responsible for the management of the conduct and behaviour of the occupants of the Holiday Home at all times in order to preserve the amenity of the area.**

**CARRIED 7/0**

<b>9.2.5 PROPOSED MANAGEMENT OF RESERVE 15120</b>	
Reporting Officer / Officer's Interest:	Greg Delahunty – Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Manager Planning Services / Nil
Proponent:	Department of Regional Development and Lands
Landowner:	Crown
Date of Report: 15 July 2011	File No.: 87/1
Previous Reference:	Nil
Statutory/Policy Implications:	Land Administration Act 1997 (the Act) Local Planning Scheme No. 7 (LPS7) Local Planning Strategy (LPS)
Strategic Implications:	Objective 3 – Protect and Conserve agricultural lands and rural land uses.
Financial Implications:	Ongoing maintenance costs (not costed).
<b>Voting Requirements</b>	<b>Simple Majority</b>

### **Proposal**

The Shire of Waroona received a letter from the Department of Regional Development and Lands (DRDL) requesting the change of management of reserve 15120. Council's comments are sought in relation to this matter as the Department of Water wish to transfer management of the reserve to the Shire of Waroona.

### **Background**

The subject reserve is located within the Yalup Brook Townsite, approximately six (6) km south of the Waroona Townsite. The Department of Water has advised the DRDL that reserve 15102 is not being managed, has no infrastructure and is surplus to requirements. It is for this reason that the DRDL wishes to cede responsibility of the reserve to Council.

A copy of a site plan showing the location of the reserve is attached at **APPENDIX 9.2.5**.

### **Financial Implications**

Council may incur ongoing maintenance costs should it accept management of this reserve. This has not been costed.

### **Statutory Implications**

#### **Land Administration Act 1997 (the Act)**

Section 46 deals with 'Placing of care, control and management of reserves' and states:

*"The Minister may, with the consent of the management body of a reserve and of the holders of any interests within the reserve, by order vary any condition to which the care, control and management of the reserve is subject"*



Shire of Waroona Town Planning Scheme No. 7

The subject lot is zoned 'Rural 1 – General Farming' zone.

**Strategic Planning Implications**Local Planning Strategy (LPS)

The subject reserve is designated general agriculture within the industrial precinct of the Local Planning Strategy.

**Community Consultation**

The request does not require public advertising.

**Internal Referral**

As reserve 15102 is reserved for the purpose of drainage the proposal was referred to the Shire's Technical Services Directorate. The Shire's consulting Engineer has indicated that no obvious advantage is evident in Council taking on the management responsibility of this reserve.

**Officer's Comments**

The subject reserve is isolated from any other Shire reserve and does not serve any useful function in terms of drainage and any other infrastructure that Council is responsible for or needs to manage in the locality.

Given the above, it is recommended that Council proceeds to notify the Department of Regional Development and Lands that it declines the request to assume responsibility for the management of reserve 15102.

**COUNCIL RESOLUTION****OCM11/07/079****MOVED: Cr Germain****SECONDED: Cr Snell****That Council resolves to:**

- 1. Notify the Department of Regional Development and Lands that Council declines the request to assume responsibility for the management of reserve 15102, Shire of Waroona.**

**CARRIED 7/0**

<b>9.2.6 PROPOSED PEDESTRIAN ACCESS WAY CLOSURES – LOCATED TO THE REAR OF WILLIAMS PLACE, WAROONA</b>	
Reporting Officer / Officer's Interest:	Greg Delahunty – Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Manager Planning Services / Nil
Proponent:	Brent & Elaine Gibson
Landowner:	Department of Regional Development and Lands
Date of Report: 10 March 2011	File No.: 132/1
Previous Reference:	Nil
Statutory/Policy Implications:	Planning & Development Act 2005 Land Administration Act 1997 Shire of Waroona Town Planning Scheme No.7 Liveable Neighbourhoods – Community Design Code Local Planning Strategy (LPS)
Strategic Implications:	Objective 1 – Prepare for Growth
Financial Implications:	2011/2012 Budget (allocation to be quantified)
<b>Voting Requirements</b>	<b>Simple Majority</b>

### **Proposal**

The Shire of Waroona has received a letter from an adjoining landowner requesting the closure of the Pedestrian Access Way (PAW) located at the rear of Williams Place, Waroona. It is requested that the PAW be closed as it serves no useful purpose.

A copy of the location plan of the subject PAW is at **Appendix 9.2.6a** (page 5).

### **Background**

Council is required to follow the formal process of closing the existing PAW as defined by the Land Administration Act 1997 and the associated practice manuals of the Department of Planning (DoP). The general practice for closing a PAW involves consideration of the broader pedestrian/cyclist access and permeability (where relevant) assessment. The assessment (which is attached at **Appendix 9.2.6a**) covers the physical attributes of the proposed PAW to be closed, the connectivity assessment, where the PAW is located in respect to community facilities, research on relevant texts and literature pertaining to PAWs, referrals and consultation with agencies and infrastructure providers and the community, an inspection and assessment of the PAW showing photos and an evaluation of travel distances etc. At the completion of all stages this assessment is to be submitted to Western Australian Planning commission (WAPC) for endorsement.

The Department of Regional Development and Lands will not progress any closure until the Department of Planning (DoP) has consented to the closure and the Council has resolved to close the PAW. In this regard, it should be noted that the Minister for Lands retains the final statutory discretion on the disposal of the PAW under the powers contained in the Land Administration Act 1997.

### **Financial Implications**

Council may need to cover the costs associated with the removal of the 35.5 metres of footpath consisting concrete slabs of the PAWs. Other costs that would be incurred are advertising and officer time. If the Council is to endorse the closure of the PAW it will be necessary to allocate appropriate funds in the 2011/2012 budget to undertake the closure of the PAW.

If the PAW closure is effected Council will no longer be responsible for the ongoing maintenance costs of the PAW.

### **Statutory Implications**

#### **Planning and Development Act 2005**

Section 152 of the Planning and Development Act 2005 deals with 'Certain Land to Vest in the Crown'. In this section pedestrian access ways are noted as being Crown land.

#### **Land Administration Act 1997 (the Act)**

Section 50 of the Act deals with 'Revocation of management orders', and states: *"(1) When a management body (a) agrees that its management order should be revoked, the Minister may by order revoke the management order"*.

Currently there is a management order on this PAW, whereby the Shire of Waroona manages the PAW.

Section 51 of the Act deals with 'Cancellation etc. of reserves generally' and states: *"the Minister may by order cancel, change the purpose of or amend the boundaries of, or the locations or lots comprising, a reserve"*.

The PAW is classed as a Reserve, owned by the Crown, a cancellation of the reserve would need to be undertaken in order to transfer the land after the successful subdivision/amalgamation process, to proceed and the adjoining land owners would then be able to take possession of the land.

Section 74 of the Act provides the Minister with the powers to sell Crown land.

Section 87 deals with 'Minister may convey in fee simple or lease Crown land for subsequent amalgamation with adjoining land' and states that *"if the Minister considers that a parcel of Crown land is unsuitable for retention based on good land use and planning principles, the Minister may, by order amalgamate that parcel with the adjoining land"*.

#### **Shire of Waroona Town Planning Scheme No. 7**

The Lots adjoining the PAW are zoned 'Urban 5 – Special Residential' zone. Here it is Councils objective to permit residential development of suitable land in order to provide for a range of residential opportunities and lot sizes in the Waroona Town site area.



## **Strategic Planning Implications**

### **Liveable Neighbourhoods – Community Design Code**

Element 2 of the Liveable Neighbourhoods deals with the 'Movement Network'. Objective 4 of the movement network is to establish a movement network which provides convenient linkages to activity centres and local facilities.

Objective 9 of the movement network is to provide a safe, convenient and legible movement network to meet the needs of both experienced and less experienced cyclists.

Objective 11 of the movement network is to provide a safe, convenient and legible movement network for pedestrians.

This PAW is not convenient. It serves no purpose to pedestrians or cyclists and it does not serve as a link to community facilities.

### **Local Planning Strategy (LPS)**

The area in which the PAW is situated is indicated as Residential in the LPS and minimum lot size is 2000 m<sup>2</sup>.

## **Community Consultation**

In order to gauge the community reaction to a PAW closure letters were sent to the four (4) landowners whose properties abut the PAW informing them that Council had received a request to close the PAW, enquiring if they had any objection to the proposed closure and finally if they would be willing to purchase all or half the width of the PAW that abuts their property. At this stage no objections were received and one landowner stated the intention to purchase the complete width of the PAW that abuts his property.

If Council resolves to initiate the closure of the PAWs, community consultation will be undertaken in accordance with Section 58 of the Land Administration Act 1997, where adjoining landowners and relevant service providers will be given the opportunity to comment on the proposed closure of the PAWs.

## **Internal Referral**

Upon referral to Technical Services, the Shire's Consulting Engineer stated that there does not appear to be any Shire assets within the subject PAW. If this is the case the Engineering Department has no concerns with the closure and the disposal of the PAW.

## **Officer's Comments**

The PAW in question serves little to no purpose to the residents of Waroona. The PAW runs between two properties in Williams Place and finishes in a dead end at the rear of a property on Lyons Road. The property on Lyons Road that abuts the PAW is currently fenced with four strand wire meaning that the PAW leads nowhere.

There is no antisocial behaviour reported in the PAW. the simple fact is that it serves no purpose as per the pictures in **Appendix 9.2.6a** on (page 11).



The PAW contains 14 concrete slabs approximately 2.5 metres in width lining the 35.5 metres of footpath. It is considered that the formal closure of the PAW would require the removal of the concrete slabs that currently line the PAW.

The adjoining landowners will be given the opportunity to purchase the land by Landgate at a price determined by the Valuer General, with the addition of costs associated with the process such as surveyor costs, land transfer fees, relocation of infrastructure and subdivision/amalgamation fees.

All adjoining landowners will need to be in agreement to purchase the land or alternatively the Shire can decide whether an adjoining owner could purchase all of the land which adjoins their land if the other adjoining land owner is not willing to purchase the land. At this stage the individual who requested the PAW closure has indicated that they will be willing to purchase the full width of the PAW that abuts their property. This entails the entire PAW and is sufficient for closure.

Based on the assessment report (attached at **Appendix 9.2.6a**) this particular PAW serves no useful purpose and it is recommended that Council commence the public advertising of the requested closure of the PAW.

#### **COUNCIL RESOLUTION**

**OCM11/07/080**

**MOVED: Cr Witney**

**SECONDED: Cr Scott**

**Council resolves:**

- 1. To publicly advertise the proposed closures of the PAW located at the rear of Williams Road, Waroona.**
- 2. To write to the affected adjoining landowners to ascertain whether they would support the closure of the PAW and are willing to purchase the PAW land adjoining their properties; and**
- 3. That at the closure of the advertising period a further report be presented, together with any submissions received, at the next available Council meeting.**

**CARRIED 7/0**

**9.3 DEPUTY CEO/DIRECTOR CORPORATE SERVICES**

<b>9.3.1 ACCOUNTS FOR PAYMENT</b>	
Reporting Officer / Officer's Interest:	Joe Dineley – Senior Finance Officer / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 18.07.11	File No.: 1/3
Previous Reference:	N/A
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
<b>Voting Requirements</b>	<b>Simple Majority</b>

**APPENDIX 9.3.1**

<b><u>COUNCIL RESOLUTION</u></b>			
<b>OCM11/07/081</b>			
<b>MOVED: Cr Witney</b>			
<b>SECONDED: Cr Snell</b>			
<b>That Vouchers numbered:</b>			
<b><u>ACCOUNT</u></b>	<b><u>CHEQUE NOS.</u></b>	<b><u>AMOUNT \$</u></b>	<b><u>TOTAL \$</u></b>
<b>Municipal Trust</b>	<b>6544 - 6588</b>	<b>\$46,351.63</b>	<b>\$46,351.63</b>
	<b>*10980 - 10985</b>	<b>\$27,260.42</b>	<b>\$27,260.42</b>
	<b>EFT 12601 &amp; 12725</b>		
<b>Electronic Transfers</b>	<b>EFT 12602 - 12793</b>	<b>\$583,591.35</b>	<b>\$583,591.35</b>
<b>Direct Wages</b>	<b>04/05/11 – 18/05/11 inclusive</b>	<b>\$129,337.80</b>	<b>\$129,337.80</b>
	<b>TOTAL:</b>		<b><u>\$786,541.20</u></b>
<b>and attached at Appendix 9.3.1 be endorsed.</b>			
			<b>CARRIED 7/0</b>

<b>9.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2010 TO 30 JUNE 2011</b>	
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: 19.07.2011	File No.: 1/1
Previous Reference:	N/A
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
<b>Voting Requirements</b>	<b>Simple Majority</b>

**APPENDIX 9.3.2****COUNCIL RESOLUTION****OCM11/07/082****MOVED: Cr Dew****SECONDED: Cr Snell**

**That the Monthly Statements of Financial Activity for the period 1 July 2010 to 30 June 2011 Appendix 9.3.2 be received and noted.**

**CARRIED 7/0**

*The meeting agreed to have a Finance Committee on Tuesday 2 August 2011 at 4.00 pm, all Councillors invited to attend and a Special Council Meeting to consider and adopt the budget will be held on Tuesday 9<sup>th</sup> August 2011 at 9.00 am.*



<b>9.3.3 APPOINTMENT OF DEPUTY CHIEF BUSH FIRE CONTROL OFFICER</b>	
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:	18 July 2011
	File No.: 24/1
Previous Reference:	OCM11/2/10 – Res10/015
Statutory/Policy Implications:	Gazettal
Strategic Implications:	N/A
Financial Implications:	N/A
<b>Voting Requirements</b>	<b>Simple Majority</b>

### Proposal

In accordance with Section 38(1) of the Bush fires Act 1954 the Council is to appoint a Bush Fire Control Officer to act as its Deputy Chief Bush Fire Control Officer

### Background

The appointment is necessary due to the resignation of Mr Gareth Davies (from the Lake Clifton Fire Brigade). The position will assist Mr John Twaddle in his role as Chief Bush Fire Control Officer

### Statutory/Policy Implications

The appointment is made pursuant to the Bush Fires Act 1954 and is responsible for implementation of the Act, its regulations and Council policies in relation to the Fire Control. The appointment requires gazettal before taking effect.

### Financial Implications

Nil to minimal

### Community Consultation

Not Applicable

### Officer Comments

Mr Brian Beales of the Preston Beach Fire Brigade was previously the Deputy Chief Bush Fire Control Officer, but had resigned due to leaving Preston Beach. He has now returned and has agreed to being reappointed.

**COUNCIL RESOLUTION**

**OCM11/07/083**

**MOVED: Cr Dew**

**SECONDED: Cr Scott**

**That in accordance with Section 38(1) of the Bush Fires Act 1954 Mr Brian Beales of the Preston Beach Fire Brigade be appointed as Deputy Chief Bush Fire Control Officer to the Shire of Waroona.**

**CARRIED 7/0**

The Council requested a letter be written to Mr Gareth Davies, thanking him for his service as Deputy Chief Bush Fire Control Officer.

<b>9.3.4 BUSH FIRE CONTROL – FIRE BREAK ORDER / POLICY</b>	
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:	18 July 2011
	File No.: 22/1 & 111/1
Previous Reference:	N/A
Statutory/Policy Implications:	Gazettal & Public Advertising
Strategic Implications:	N/A
Financial Implications:	N/A
<b>Voting Requirements</b>	<b>Simple Majority</b>

### Proposal

The Council has received a request from the Bushfire Advisory Committee to consider amendments to the Council's fire break requirements being:

1. An increase in the width of firebreaks from 2m to 3 m.
2. The introduction of a 4m vertical height requirement for firebreaks.
3. The introduction of a building protection zone where "all hazardous/flammable material must be cleared for 20 metres from all dwellings and/or outbuildings. No trees to overhang any buildings.

### Background

The Council's firebreak order is issued pursuant to Section 33 of the Bush Fires Act 1954. A copy of the current order is attached at **APPENDIX 9.3.4a** for information.

### Proposal

The following notes support the brigades proposal:

#### Fire Break Width & Height

With the introduction of new fire appliances, Waroona Urban 2.4 and Rural 3.4, Lake Clifton Broadacre 2.4 and proposed new appliance (Urban 2.4) for Preston Beach, the average width of these vehicles is 2.4 metres. To ensure access for all fire appliances in bush areas the firebreak needs to be increased to a width of three (3) metres, with a four (4) metre vertical height.

Building Protection Zone OR "Circle of Safety" is a 20 metre area of reduced ground fuels, scrub and tree limbs immediately surrounding all buildings.

This involves clearing of all rubbish, long dry grass, dense scrub, pruning lower branches (up to two metres off the ground) and all tree limbs that hang over buildings. Reduced fuel levels will lower the fire intensity and reduce the spread of fire (flame contact and/or radiant heat transfer) threatening any building.



### Strategic/Policy Implications

The Council is required to gazette the amended firebreak order together with an extensive advertising campaign.

### Officer's Comments

Unfortunately the proposed changes can not be implemented for the forthcoming fire season. It would therefore be appropriate to conduct an education campaign with a view to an enforcement process the subsequent fire season.

Extra attention to promotion will be required in an effort to avoid confusion from landowners, as summary information contained with rate notices has already been printed. It may therefore be necessary to contact (by mail out) all landowners at the time of publication of the complete detailed fire break order (October).

Please note that the proposed 4m vertical height firebreak requirement is already in force and no further changes are necessary (adopted May 2003 Ordinary Council Meeting).

Attached at **APPENDIX 9.3.4b** is a graphical definition of the proposed order/policy amendments.

### OFFICER'S RECOMMENDATION

*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”.*

2. *The introduction of an additional order/policy applicable to all Part A Rural Land, Part B Rural Residential Zone and Part C Urban Land as follows:*

*Bushfire Protection Zone – All hazardous/flammable material must be cleared for a minimum of 20 metres from all dwellings and/or outbuildings. No tree branches are to overhang any buildings.*



**COUNCIL RESOLUTION**

**OCM11/07/084**

**MOVED: Cr Dew**

**SECONDED: Cr Scott**

**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 a last three (3) metres wide”.**

**CARRIED 7/0**

Note: The Council resolution differed from the Officer recommendation as the Council did not support the implementation of part 2 of the Officer Recommendation.

<b>9.3.5 BUSH FIRE CONTROL – TRAINING POLICY</b>	
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:	19 July 2011
	File No.: 22/1 & 111/1
Previous Reference:	N/A
Statutory/Policy Implications:	Amendments to Policy Manual
Strategic Implications:	N/A
Financial Implications:	N/A
<b>Voting Requirements</b>	<b>Simple Majority</b>

### Proposal

The Council has received a request from the Bushfire Advisory Committee to consider the adoption of a policy in relation to volunteer bushfire training.

### Statutory/Policy Implications

The policy if adopted would be incorporated into the Council's "Policy Manual Review" due in October 2011.

### Officer's Comments

The intent of the policy is to ensure that a consistent minimum level of formal training is achieved for all fire fighters and to provide all firefighters with the necessary skills and knowledge to undertake their role within their brigade.

The recommended policy is attached at **APPENDIX 9.3.5** and would be incorporated into the Council's policy manual at item 9.7.

### **COUNCIL RESOLUTION**

**OCM11/07/085**

**MOVED: Cr Scott**

**SECONDED: Cr Germain**

**That the Council adopt the "Volunteer Bush Fire Training Policy" as appended for incorporation as an official policy of the Council at Item 9.7.**

**CARRIED 7/0**

## 9.4 CHIEF EXECUTIVE OFFICER

9.4.1 COMMUNITY STRATEGIC PLAN	
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:	19 July 2011
	File No.: 38/1
Previous Reference:	N/A
Statutory/Policy Implications:	See heading below
Strategic Implications:	See below
Financial Implications:	See heading below
<b>Voting Requirements</b>	<b>Absolute Majority</b>

### Proposal

The Council is to appoint a consultant to prepare and present its Community Strategic Plan for a 20 year period.

### Background

As Councillors would be aware the plan will be the cornerstone of the Council's integrated planning framework and is to be prepared in accordance with the May 2011 "Consultants Brief" of which all Councillors and interested consultants received a copy.

### Statutory/Policy Implications

The Council will be required to be fully compliant with the integrated planning framework by 1<sup>st</sup> July 2013. All documents including the yet to be developed Corporate Business Plan (and subsequent budgets) will be required to be linked to the Community Strategic Plan.

### Financial Implications

The actual cost of preparing the Community Strategic Plan is expected to be in the vicinity of \$40 - \$50,000, however the Council will be required to allocate funding over a 2 year period for ongoing expenditure in relation to Integrated Planning.

An essential component of the process, being Asset Management is being carried out as a Resource Sharing Initiative with the Shire of Murray.

### Officer's Comments

A total of 10 submissions were received. Many are extensive in detail and have been received from both large and small organisations.

An analysis of the submissions has been carried out and is attached at **APPENDIX 9.4.1**.

Due to the large volume of material copies have not been submitted with this report but have been made available for inspection by Councillors.

It is recommended by Executive Staff that the Council accepts the submission and quotation provided by Sustainable Development Facilitation of Barragup (proposal enclosed with agenda).

**COUNCIL RESOLUTION**

**OCM11/07/086**

**MOVED: Cr Germain**

**SECONDED: Cr Snell**

**That the Council accepts the proposal and quotation of \$25,690 ex GST submitted by Sustainable Development Facilitation of Barragup to prepare its Community Strategic Plan in accordance with the consultants brief dated May 2011.**

**CARRIED BY ABSOLUTE MAJORITY 7/0**

<b>9.4.2 ASSET MANAGEMENT – POLICY ADOPTION</b>	
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:	19 July 2011
	File No.: 111/1
Previous Reference:	N/A
Statutory/Policy Implications:	See heading below
Strategic Implications:	See below
Financial Implications:	See heading below
<b>Voting Requirements</b>	<b>Absolute Majority</b>

### Proposal

The Council is requested to consider and endorse the draft Asset Management Policy. The policy if adopted will be incorporated into the Council's Policy Manual review due in October 2011.

### Background

Asset Management requires a commitment from the Council to ensure a strategic approach in relation to decision making around infrastructure assets.

An important element in the successful implementation of Asset Management principles within an organisation is an overarching and Council endorsed Policy. Such a policy assists the Council in ensuring that relevant levels of service are established and adhered to, resource limitation and prioritisation of work is clearly articulated and that the necessary resources to support asset management practices are allocated. The Asset Management Policy is designed to set the broad framework for undertaking asset management in a structured and coordinated way.

The draft policy incorporates the following principles:

- Defines the Council's vision and service delivery objectives for Asset Management
- Has a direct linkage with Council's Strategic documents
- Requires the adoption of Asset Management Plans informed by community consultation and local government financial reporting frameworks
- Defines asset management roles, responsibilities and reporting framework
- Provides a reasonable basis for long term integrated decision making by the Council and for participative decision making by the community and subsequent accountability to the community about the activities of the Council.
- Clearly articulates the principles and financial implications upon which decision relating to assets and their performance will be based such as
  - Whole of life costs
  - Renew before new
  - Impact on long term financial plan

### Statutory/Policy Implications

The Policy defines and commits to the requirements that ensure infrastructure is used in the most effective and efficient way to support the delivery of the Strategic Plan. Good asset management is crucial to providing high quality and cost effective services and is a key component to ensuring best value.

In addition the Policy provides a mechanism to ensure that community expectations and needs are identified. This includes consultation requirements and the development of Levels of Service through the analysis and prioritisation of available resources.

Asset Management is a core function of managing the Districts infrastructure assets which meets the objectives of section 2.7 of the Local Government Act 1995.

### Officers Comment

Development of an Asset Management Policy is the first step towards ensuring the organisation is adhering to best practice, and taking an active approach in the optimisation of infrastructure management.

The Asset Management Policy recommended, outlines a framework for the management of assets to deliver the Shire's vision. It summarises the responsibilities of Council and staff, and includes the key principles that will be used to make informed decisions in relation to infrastructure assets.

This policy is needed to demonstrate a strong commitment to care for Council's assets for present and future communities. This will be achieved by supporting sustainable innovative services, making socially responsible decisions and demonstrating good governance.

### **COUNCIL RESOLUTION**

**OCM11/07/087**

**MOVED: Cr Scott**

**SECONDED: Cr Germain**

**That the Council adopts the "Asset Management Policy" at Appendix 9.4.2 for incorporation as an official policy of the Council at Item 2.50 of the policy manual.**

**CARRIED BY ABSOLUTE MAJORITY 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**

Nil.

Mr Tilbrook left the meeting, the time being 6.11 pm.

Mr Cleaver left the meeting at 6.18 pm and returned at 6.21 pm.

**12.2 OFFICERS**

Nil.

**13. CLOSURE OF MEETING**

There being no further business the Chairperson closed the meeting the time being 6.28 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 23 AUGUST 2011 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....  
PRESIDING MEMBER

.....  
DATE

