



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 20 DECEMBER 2016
(Held at the Shire of Waroona Council Chambers)

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1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Shire President declared the meeting open at 4.07 pm and welcomed Councillors and Staff present.

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

Cr Noel Dew	Shire President
Cr Christine Germain	Councillor
Cr John Mason	Councillor
Cr Trish Witney	Councillor
Cr John Salerian	Councillor
Cr Craig Wright	Councillor
Cr Laurie Snell	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Deputy Chief Executive Officer / Director Corporate Services
Mr Louis Fouche	Director Development Services
Mr Patrick Steinbacher	Director Technical Services
Mr Leonard Long	Manager Development Services
Mrs Sue Cicolari	Executive Support Officer

APOLOGIES

Nil.

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

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr Larry Scott Deputy Shire President

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**

OCM16/12/130

MOVED: CR GERMAIN

SECONDED: CR SALERIAN

That Leave of Absence be granted to Cr John Mason for the period 10 - 29 February 2017 inclusive and Cr Trish Witney for the month of January 2017.

CARRIED 7/0



6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

Nil

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

7.1 PETITION – GRANT PAGE - 4 YALGORUP COURT, PRESTON BEACH

COUNCIL RESOLUTION

OCM16/12/131

MOVED: CR WITNEY

SECONDED: CR SNELL

That the petition, attached at Appendix 7.1, submitted by Grant Page of 4 Yalgorup Court, Preston Beach be accepted and the CEO be requested to respond to the issues raised, and send a copy of the response to the Preston Beach Progress Association for dissemination to its members.

CARRIED 7/0

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 22 NOVEMBER 2016

COUNCIL RESOLUTION

OCM16/12/132

MOVED: CR WRIGHT

SECONDED: CR MASON

That the Minutes of the Ordinary Council Meeting held 22 November 2016 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

9.1.1 PROPOSED AMENDMENT TO 2016/17 ADOPTED BUDGET	
Reporting Officer / Officer's Interest:	Mychelle Jeffery, Environmental Technical Officer; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, Director Technical Services; No Interest
Proponent:	NIL
Landowner:	NIL
Date of Report: 29/11/2016	File No.: 1/7
Previous Reference:	2016/2017 Adopted Budget
Policy Implications:	<i>See Below</i>
Statutory Implications:	<i>See Below</i>
Strategic Implications:	<i>See Below</i>
Financial Implications:	<i>See Below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): E, No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	

PROPOSAL SUMMARY

The Council is requested to authorise the following amendment to the 2016/17 adopted budget as described below.

BACKGROUND/INITIAL COMMENTS

A Coastwest grant has been received to maintain and protect the Preston Beach coastline and dune system from natural environmental influences and to prevent further impact caused by vehicles and pedestrians. Careful management of the coastal environment is important to ensure coastal dunes are protected particularly in areas where vegetation is poorly established and there is a risk of sand blowouts and erosion causing movement of the dunes.

Dune brushing has proved to be an effective way of managing this problem to prevent further erosion and to stabilise these areas so revegetation can occur.

Landscaping and revegetation of areas now protected by fencing has been recommended by the Aboriginal elders. Weeds and invasive species of vegetation have also been identified in the revegetation area and need to be re sprayed.

This project is supported by the Waroona Coastal Management Plan by working towards the management, protection, preservation and rehabilitation of the coastal areas.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 6 "Active Civic Leadership, Good Governance, & Excellence in Management".



FINANCIAL ISSUES/IMPLICATIONS

Simple amendment to the 2016/17 adopted budget as per recommendation below

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Budget Amendments are required to be authorised by an absolute majority

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

That the following budget amendment be approved to account for the grant income and corresponding expenditure.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM16/12/133

MOVED: CR GERMAIN

SECONDED: CR MASON

1. That it be recommended to the Council that the 2016/17 adopted budget accounts be amended as follows;

120720 – Dune Stabilisation Project Account be increased by \$8,980

121030 – Contributions to Protection of the Environment be increased by \$8,980

CARRIED BY ABSOLUTE MAJORITY 7/0



9.1.2 ONE WAY STREET PROPOSAL HILL STREET, PRESTON BEACH	
Reporting Officer / Officer's Interest:	Murry Bracknell Manager of Works and Services; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, Director Technical Services; No Interest
Proponent:	Shire of Waroona
Landowner:	n/a
Date of Report: 6/12/2016	File No.: 46/1
Previous Reference:	Nil
Policy Implications:	See heading below
Statutory Implications:	See heading below
Strategic Implications:	See heading below
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 5 "Assets, Resources, Financial Management & Sustainability"	

PROPOSAL SUMMARY

Hill Street in Preston Beach has a significant crest which is a safety concern for motorists. The purpose of this item is to present to Council a proposal to convert the street to one way traffic to reduce the risk of conflict between vehicles travelling in opposite directions.

BACKGROUND/INITIAL COMMENTS

As part of the Lake View Road construction program the Shire approached Coates Civil Consulting with a proposal to design Hill Street as a one way road. Officers are concerned that the current road design does not comply with the AustRoads Guide to Road Design and could potentially be a collision risk due to the narrow crest.

The proposal appended (**APPENDIX 9.1.2**) is an aerial image of Hill Street, Preston Beach which shows part of the current layout of the southern section of Preston Beach.

Some major design factors that were taken into consideration as part of the proposal were:

Crest Vertical Curve

The road has a vertical curve/crest mid-block which severely restricts sight distance for vehicles approaching from both directions. Current sight distance between two oncoming vehicles approaching the crest from each side is approximately 30 metres. Stopping sight distance requirements for a 50km/h speed environment are of the order of 50 metres (*Austrroads Guide to Road Design - Part 3 : Geometric Design, Table 5.4*). It is therefore evident that the minimum sight distance for two approaching vehicles at the crest cannot be attained, which, with the narrow nature of the existing sealed road width, leads to increased probability of head-on collision at the road crest.

Road Width

The Main Roads WA Supplement to *AustRoads Guide to Road Design* states that a two lane road should be between 6.2m wide and 7m wide depending on the design traffic. Hill Street has a width of 4.6m which means it falls below the standards set by Main Roads. Widening of Hill Street is not a cost effective solution due to the large amount of earthworks required and possible impact on adjacent services/ utilities.

Given that the road does not comply with the crest vertical curve and road width as recommended by AustRoads and Main Roads WA, it was recommended by Coates Civil Consulting to introduce one way traffic flow with traffic entering off Mitchell Road and heading towards Lake View Road, i.e in a Southbound direction. This will reduce the potential collisions on the narrow crest and comply with the Guidelines.

Land Owners Affected

The total amount of properties within the southern area is 86 with 65 of them having structures on them (either dwellings and or sheds).

Daily Vehicle Counts

A general rule is 10 movements per day per house. The Southern area of Preston Beach has 65 properties with dwellings/ shed located on them. This would mean the daily vehicle allowance would be 650 vehicles. There are potentially 85% of landowners that either use their property as holiday homes and or rentals. Given this the total movements of 650 vehicles per day would be an over allocation but due to the popularity of this area in holiday season the estimate would be appropriate.

Officers are concerned that if the road is left as is there is a high risk of collision due to the road not complying with the recommended road width and the crest specifications.

Exit Route

The exit from the old section of Preston Beach would therefore be via Styles Road.

Main Roads WA Policy

Main Roads WA has a policy (*Procedural Guidelines; One Way Traffic Flow; Application Process*) that dictates the process whereby a road can be changed from two way to one way traffic. In order to apply for this approval a Local Government must address the following criteria:

- Reasons for the changed traffic flow
 - The reasoning for the changes are set out above and will be provided to Main Roads WA
- A traffic impact assessment/ report showing that a conversion will not have an adverse impact on Main Roads network.
 - This will not apply in this case as Hill Street is not connected to the Main Roads WA network
- Evidence of public consultation
 - Public consultation is the next step in the process should the proposal meet with Council approval
- Copy of the appropriate Council meeting motion indication approval.

- This matter will return to Council in early 2017 with the results of the public consultation process and an appropriate recommendation based on the results of the public consultation
- Detailed drawings showing road markings and signage at the proposed entry and exit and additional pavement arrows to be installed in the road indicating the direction of traffic flow in accordance with AS1742 and Main Roads requirements.
 - Coates Civil Consulting will be engaged to complete the drawings should the proposal be supported

Given these guidelines officers will send letters to the landowners and residents in the Southern area of Preston Beach i.e. those that own properties on the following thoroughfares;

- Hill Street
- Lake View Road
- Styles Road
- Ocean View Road
- Southern Road and
- Surf Street

Feedback from the public consultation and finalisation of the required documentation will be provided to Council for final approval as requested by Main Roads WA.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

FINANCIAL ISSUES/IMPLICATIONS

The estimated cost for signage, line marking and labour is \$2000.00 Should the one way traffic flow be approved by Council and Main Roads WA the funds will be funded from the construction job RR25 Lake View Road.

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Main Roads WA has a policy that deals with the conversion of two way roads to one way and this policy will be complied with should the proposal meet with Council approval.



LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil at this stage. Should the proposal meet with Council approval and progress, community consultation is part of the process set down by the Main Roads WA policy.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

Hill Street has long been considered a dangerous situation by officers and residents of Preston Beach alike and that moves to convert it to a one way street are warranted in terms of road user safety combined with the fact that the cost of works to widen the seal and lower the crest would be prohibitive. Although the conversion does represent a relatively significant change to the local network, officers feel that the alternative exit via Styles Road is not onerous when balanced against the benefits in road safety that the proposal represents.

In any case, the consultation process will gauge community sentiment and will guide the decision of officers in deciding in a future report whether to recommend to progress the proposal to completion and implementation. Therefore at this time officers are comfortable to recommend that the proposal be supported in principle and move on to community consultation.

Appendices Attached: Yes	Appendices Numbers: 9.1.2
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM16/12/134

MOVED: CR SNELL

SECONDED: CR MASON

That Council support in principle a proposal to convert the entire length of Hill Street, Preston Beach from two way traffic to one way only traffic in the Southbound direction, and that the proposal proceed to public consultation with the matter to be brought back to Council at a later meeting with the results of the public consultation and a final recommendation.

That the Council proceed to undertake a trial, as soon as possible, of the one-way traffic proposal on Hill Street, Preston Beach whilst public consultation is being undertaken.

CARRIED 7/0



9.1.3 SHIRE OF MURRAY HARDWASTE DISPOSAL AT BULLER ROAD WASTE FACILITY	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Director Technical Services; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, Director Technical Services; No Interest
Proponent:	Shire of Waroona
Landowner:	Various
Date of Report:	File No.: 77/3
Previous Reference:	OCM14/12/151
Policy Implications:	Nil
Statutory Implications:	See heading below
Strategic Implications:	See heading below
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): objective number 4 and 5	

PROPOSAL SUMMARY

To present to Council a proposal to accept hardwaste from the Shire of Murray's annual verge collection and to set a fee for this service for 2016/17.

BACKGROUND/INITIAL COMMENTS

The Shire of Murray has approached the DTS with a request that they again be permitted access to the Buller Road Waste Facility in order to dispose of waste products generated by their annual verge collection.

The waste products sent to Buller Road by the Shire of Murray under this proposal are only those remaining after all other items that can be recycled or otherwise diverted have been dealt with. The Shire of Murray has indicated that they do not collect items such as:

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

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

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil at this stage.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS



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

FINANCIAL ISSUES/IMPLICATIONS

The Shire of Murray has offered to again pay \$53.40 per tonne as was the case last year. The Shire of Murray deposited 278 tonnes in 2015/16 and has indicated that this year’s total tonnage will likely be similar although they have asked to reserve the right to deposit up to 400 tonnes. This relates to a total income figure of approximately \$20,000 which has been anticipated within the total waste management budget.

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

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

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The Shire of Murray waste does not significantly impact the operations of the Buller Road site, and the income that it represents is included in the overall waste budget. Therefore officers are comfortable to recommend that the waste again be accepted.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM16/12/135

MOVED: CR WITNEY

SECONDED: CR MASON

That Council:

- 1. Agree to accept waste generated by the Shire of Murray’s 2016/17 verge side hardwaste collection in the order of 400 tonnes only;**
- 2. Set a rate of \$53.40 per tonne**

CARRIED BY ABSOLUTE MAJORITY 7/0



9.2 DIRECTOR DEVELOPMENT SERVICES

9.2.1 PROPOSED AMENDMENT TO LOCAL PLANNING POLICY 27 – WAROONA EAST HILLS DEVELOPMENT	
Reporting Officer / Officer's Interest:	Sarah Park, Town Planner; No Interest
Responsible Officer / Officer's Interest	Leonard Long, Manager Development Services; No Interest
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 09/12/2016	File No.: LPP27
Previous Reference:	OCM13/3/023 OCM12/15/151
Policy Implications:	State Planning Policy 2.5 – Agricultural and Rural Land Use Planning 2013 State Planning Policy 2.9 – Water Resources 2006 State Planning Policy 3.0 – Urban Settlement and Growth 2006 State Planning Policy 3.4 – Natural Disasters and Hazards 2006 State Planning Policy 3.7 – Planning in Bushfire Prone Areas 2015 Development Control Policy 3.4 – Subdivision of Rural Land 2012 Local Planning Policy 27 – Waroona East Hills Development 2013
Statutory Implications:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 Peel Region Scheme 2003 Shire of Waroona Town Planning Scheme No.7, 1996
Strategic Implications:	State Planning Strategy 2050 Draft Peel and Peel @ 3.5 million Draft South Metropolitan Peel Sub-Regional Planning Framework Draft Perth and Peel Green Growth Plan for 3.5 Million Shire of Waroona Local Planning Strategy 2009 Shire of Waroona Strategic Community Plan 2014/15-2023/24
Financial Implications:	Advertising costs (incorporated in operational budget)
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): Theme 3: Responsible Land Use Planning and Protecting Rural Land	

PROPOSAL SUMMARY

Council is requested to adopt the amended version of Local Planning Policy 27 – Waroona East Hills Development (LPP27).



BACKGROUND/INITIAL COMMENTS

The current version of LPP27 was adopted by Council at its Ordinary Meeting of 26 March 2013. Since that time LPP27 has been applied in the assessment of development applications, scheme amendments, subdivision applications and other relevant planning and land use considerations.

The policy is proposed to be amended to address issues and inconsistencies that have arisen in the day to day application of the policy.

Changes proposed to the policy include;

- Updated formatting to be consistent with the reviewed policy suite of the Shire of Waroona;
- Correcting inconsistencies with and references to the Town Planning Scheme and *Planning and Development (Local Planning Schemes) Regulations 2015*;
- Deleting obsolete provisions that have been superseded by updates to the state planning framework; and
- Allowing for greater flexibility in considering development that does not impact on the amenity of the Darling Scarp.

At the Ordinary Council Meeting of 22 December 2015 Council adopted the revised draft of LPP27 for advertising purposes. Since that time community consultation has been undertaken with no submissions being received.

Once the community consultation period was completed a further review of the policy was undertaken with further changes being made as follows:

- Review of the policy objectives and provisions to ensure that the visual amenity of the policy area is protected from all aspects rather than just the coastal plain.
- Review of Appendix 1 to the policy to update terminology and address the updated planning framework including the Planning and Development (Local Planning Schemes) Regulations 2015, State Planning Strategy 2050 and State Planning Policy 3.7 – Planning in Bushfire Prone Areas.

A copy of the revised policy is at **Appendix 9.2.1**. Changes are indicated by deleted text being struck through and new text included being highlighted.

PLANNING – STRATEGIC IMPLICATIONS

State Planning Strategy 2050

The State Planning Strategy 2050 is the Government's strategic planning response to the challenges Western Australia is likely to face. It contemplates a future in which high standards of living, improved public health and an excellent quality of life are enjoyed by present and future generations of Western Australians.

The Strategy proposes that diversity, liveability, connectedness and collaboration must be central to the vision of sustained growth and prosperity.



Draft Peel and Peel @ 3.5 million

The draft Perth and Peel@3.5million suite of strategic land use planning documents aim to accommodate 3.5 million people by 2050.

The four draft planning frameworks for the Central, North-West, North-East and South Metropolitan Peel sub-regions were released for public comment in May 2015.

Draft South Metropolitan Peel Sub-Regional Planning Framework

The South Metropolitan Peel sub-region comprises the cities of Armadale, Cockburn, Gosnells, Kwinana, Mandurah and Rockingham and the shires of Murray, Serpentine-Jarrahdale and Waroona and covers an area of almost 5000 square kilometres.

The draft framework considers where future homes and jobs will be located; what community and social infrastructure will be required; better integrated use of existing infrastructure; protection of important environmental assets and critical services; and staging and sequencing of future development.

The policy area of LPP27 is designated as Rural under the draft framework.

Draft Perth and Peel Green Growth Plan for 3.5 Million

The Green Growth Plan delivers a comprehensive environmental program for the protection of both Commonwealth matters of national environmental significance and State environmental values.

The suite of draft Green Growth Plan documents provides a comprehensive approach to the avoidance and mitigation of environmental impacts and a committed Conservation Program that will deliver significant improvements to the protection and management of the environment as the Perth and Peel regions grow to a population of 3.5 million people.

The policy area is designated as Rural under the Green Growth Plan.

Local Planning Strategy 2009 (LPS)

The subject area is identified under the LPS as a combination of Special Residential, Rural Residential and Hills Landscape Protection. Lots sizes prescribed in the policy area by the LPS vary from 2000m² for the Special Residential classification to a minimum of 10 Ha for the Hills Landscape Protection classification. LPP 27 aims to facilitate the development of the policy area in accordance with the LPS while maintaining the natural amenity derived from the area and providing for well-connected sustainable development.

REFERRALS

The draft policy has been referred to internal departments, prior to being referred to Council for final adoption. No issues were raised by internal departments upon referral



STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

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

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

FINANCIAL ISSUES/IMPLICATIONS

Cost of Advertising the Policy within the budget (incorporated into Council's existing advertising expenses associated with the Sea to Scarp publication).

POLICY ISSUES/IMPLICATIONS

State Planning Policy 2.5 – Agricultural and Rural Land Use Planning 2013 (SPP 2.5)

SPP 2.5 aims to protect productive agricultural land while allowing for the well planned expansion of urban areas. The area subject to the draft local planning policy is identified by SPP 2.5 as existing agricultural land, however due to the topography of the land is considered unsuitable for intensive agriculture.

Where agricultural land is to be developed for more intensive uses, SPP 2.5 requires that supporting existing communities and access to services and facilities be considered.

State Planning Policy 2.9 – Water Resources 2006 (SPP 2.9)

SPP 2.9 aims to protect water resources identified as having social, economic, cultural and environmental value. The area subject to the draft local planning policy forms a large portion of the catchment of the Drakesbrook Weir. The weir is considered to be a valuable local water resource and provides an element of amenity to the local community. LPP 27 aims to protect the water quality and amenity of the weir in accordance with SPP 2.9.

State Planning Policy 3.0 – Urban Settlement and Growth 2006 (SPP 3.0)

SPP 3.0 provides the basis for the consideration of the expansion of urban areas into surrounding rural land. SPP 3.0 identifies rural residential development as an important supporting structure to urban developments, but requires that expansion of these areas to occur in a proper and orderly planned manner.

State Planning Policy 3.4 – Natural Disasters and Hazards 2006 (SPP 3.4)

SPP 3.4 requires that due consideration is given to the potential impacts of natural disasters during the planning process. Given the topography and vegetation of the policy area and its proximity to the state forest, bushfires are an important consideration in the formulation of the policy.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas 2015 (SPP3.7)

SPP 3.7 sets out provisions for the assessment and justification of rezoning, subdivision and development proposals in bushfire prone areas. SPP 3.7 requires the comprehensive consideration of bushfire risk and is intended to implement effective,

risk based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.

Development Control Policy 3.4 – Subdivision of Rural Land 2012 (DCP 3.4)

DCP 3.4 supports the objective of SPP 2.5 and SPP 3.0 and provides greater detail to be considered in the planning of subdivision of rural land. DCP 3.4 also requires that the subdivision of rural land for non-agricultural purposes be carefully planned and implemented through the appropriate channels, including the Local Planning Scheme, prior to subdivision.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Planning and Development Act 2005

The Planning and Development Act 2005 provides for the preparation of Region and Local Planning Schemes and Section 162 specifies that where required in a planning scheme, development is not to commence without approval of a development application.

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 of the Regulations sets out deemed provisions for Local Planning Schemes that are to be read as part of the Local Planning Scheme.

Clause 4 of Schedule 2 sets out the procedure for making a local planning policy.

(1) If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —

- (a) publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of —*
 - (i) the subject and nature of the proposed policy; and*
 - (ii) the objectives of the proposed policy; and*
 - (iii) where the proposed policy may be inspected; and*
 - (iv) to whom, in what form and during what period submissions in relation to the proposed policy may be made;*
- (b) if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;*
- (c) give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.*

(2) The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published under subclause (1)(a).

3) After the expiry of the period within which submissions may be made, the local government must —

- (a) review the proposed policy in the light of any submissions made; and*
- (b) resolve to —*
 - (i) proceed with the policy without modification; or*
 - (ii) proceed with the policy with modification; or*
 - (iii) not to proceed with the policy.*

(4) If the local government resolves to proceed with the policy, the local government must publish notice of the policy in a newspaper circulating in the Scheme area.

(5) A policy has effect on publication of a notice under subclause (4).

(6) The local government —

(a) must ensure that an up-to-date copy of each local planning policy made under this Scheme is kept and made available for public inspection during business hours at the offices of the local government; and

(b) may publish a copy of each of those local planning policies on the website of the local government.

Clause 5 of Schedule 2 prescribes the procedure for amending a local planning policy.

Clause 6 of Schedule 2 to the Regulations states:

A local planning policy may be revoked —

(a) by a subsequent local planning policy that —

(i) is prepared in accordance with this Part; and

(ii) expressly revokes the local planning policy;

or

(b) by a notice of revocation —

(i) prepared by the local government; and

(ii) published in a newspaper circulating in the Scheme area.

Peel Region Scheme 2003 (PRS)

The area subject to LPP27 is zoned Rural under the PRS. The objective of the Rural zone of the PRS is to:

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

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

Lots within the policy area have varied zonings under the TPS including Rural 1 – General Farming, Rural 4 – Hills Face, Rural 5 – Darling Range and Rural 6 – Rural Residential.

Clause 2.4 provides for the preparation of Town Planning Scheme Policies relating to parts or all of the scheme.

In terms of Clause 2.4 of the TPS, once a Draft Town Planning Scheme Policy has been developed, Council needs to resolve to adopt the draft policy and then advertise the policy for a minimum period of 21 days. All submissions to the draft policy need to be considered by Council and then Council can resolve to adopt the policy, amend it or not proceed with the policy.

Although a Town Planning Scheme policy does not bind Council, it shall have regard for the policy when making a decision.



LEGAL ISSUES/IMPLICATIONS

See Statutory Issues.

COMMUNITY CONSULTATION

Clause 4(1) of the Regulations require a draft Planning Policy to be advertised in a local newspaper, allowing a minimum of 21 days for submissions. Council must consider submissions received on the draft policy and subsequently decide to adopt or not proceed with the Policy.

The draft LPP27 adopted for advertising purposes has been advertised in accordance with the requirements of Clause 4(1) of the Regulations. No submissions were received during the consultation period.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The addressing of the day to day operational issues of LPP27 forms part of the Shire's ongoing review of its Local Planning Policy Manual. The regular review of local planning policies plays an important role in ensuring that all policies are clear, up to date with current best practice and are achieving their objectives.

LPP 27 consists of:

- Policy Document
- Policy Area Map (Fig. 1)
- Road Connections Map (Fig. 2)
- Skyline Diagram (Fig. 3)
- Policy Reference Document (Appendix 1)

As LPP27 is a relatively new local planning policy, the issues identified with its operation are minimal, however they require addressing to ensure clarity of policy provisions and consistency with the wider planning framework.

The updating of the format of LPP27 will ensure its consistency with the Shire's Planning Policy Manual, as part of the ongoing review being undertaken by the Planning Department.

The removal of provisions that are inconsistent with the TPS and state planning framework will alleviate any issues that may arise as a result of the existing inconsistencies.

The inclusion of the ability to consider earthworks in excess of 1m where no impact on the amenity of the Darling Scarp will result, is considered to provide greater flexibility for property owners while maintaining the policy objective of protecting the amenity of the scarp.

Changes proposed to the policy post consultation are considered to be minor in nature and able to be considered by Council without the need for further consultation.

Conclusion

Overall the changes to LPP27 are not expected to result in substantial alterations to its implementation, rather an increased level of efficiency and consistency should result. It is therefore recommended that Council adopt the draft Local Planning Policy 27 – Waroona East Hills Development.



Appendices Attached:	Yes	Appendices Numbers:	9.2.1
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION**OCM16/12/136****MOVED: CR GERMAIN****SECONDED: CR MASON**

1. That in relation to Local Planning Policy 27.0 – Waroona East Hills Development, Council resolves to adopt the amended policy in accordance with APPENDIX 9.2.1 pursuant to Schedule 2 of Part 2, Clause 5 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

CARRIED BY ABSOLUTE MAJORITY 7/0

9.3 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.3.1 ACCOUNTS FOR PAYMENT	
Reporting Officer / Officer's Interest:	Kathy Simpson, Finance Officer / Nil
Responsible Officer / Officer's Interest	Ashleigh Nuttall – Manager Financial Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 12/12/16	File No.: 1/3
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	
Voting Requirements	Simple Majority

Appendices Attached:	Yes	Appendices Numbers: 9.3.1
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COUNCIL RESOLUTION**OCM16/12/137****MOVED: CR WITNEY****SECONDED: CR SNELL****That Vouchers numbered:**

<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 8437 - 8461	\$27,385.96
Trust (Cheque/EFTs)	EFT 11105-11107 Chq: 23943, 23944, 23946	\$4,174.63
Electronic Transfers Municipal Fund	EFT 23817 to 24003	\$509,570.93
Direct Wages	01/11/2016 – 30/11/2016 inclusive	\$182,903.60
Direct Debits	01/11/16 – 30/11/16	\$1,875.72
GRAND TOTAL:		<u>\$725,910.84</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 2016 TO 30 NOVEMBER 2016	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall – Manager Financial Services / Nil
Responsible Officer / Officer's Interest	Ashleigh Nuttall – Manager Financial Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 12/12/16	File No.: 1/1
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	
Voting Requirements	Simple Majority

Appendices Attached:	Yes	Appendices Numbers:	9.3.2
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<p><u>COUNCIL RESOLUTION</u> OCM16/12/138 MOVED: CR SNELL SECONDED: SALERIAN</p> <p>That the Monthly Statements of Financial Activity for the period 1 July 2016 to 30 November 2016 be received and noted.</p> <p style="text-align: right;">CARRIED 7/0</p>
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9.3.3 STRATEGIC COMMUNITY PLAN REVIEW	
Reporting Officer / Officer's Interest:	John Crothers, Co-Ordinator Corporate Planning; No Interest
Responsible Officer / Officer's Interest	Laurie Tilbrook, Deputy Chief Executive Officer; No Interest
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 30 November 2016	File No.: 11/1
Previous Reference:	Report 9.4.4 of 24 June 2014
Policy Implications:	None
Statutory Implications:	None
Strategic Implications:	See detailed note
Financial Implications:	None
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): All, but in particular No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	

PROPOSAL SUMMARY

As per the statutory requirements, a full review has been carried out on Council's Strategic Community Plan, with no major changes recommended to the version that was updated and adopted in June 2014.

A full review must also involve a community consultation process and this occurred in October 2016. An independent firm (SDF Global) was engaged to undertake the consultations. The main items raised were Economic Development items, such as Town Centre upgrades/improvements, and Town Promotions, Tourism activities, and actions to support local businesses.

BACKGROUND/INITIAL COMMENTS

As per the statutory requirements, the Shire of Waroona prepared and adopted a 'desk top' review of the Strategic Community Plan a little over 2 years ago, and a Full Review, as well as Community Consultation is required in the 2016 year. In 2012, and again in 2014, Council's adopted 6 major themes, and these are as follows:

1. Local Economy: Managing Our Future;
2. Environment: Conserving Our Unique Environment;
3. Land Use: Responsible Land Use Planning, and Protecting Rural Land Use;
4. Society: Maintain strong sense of Community; Effective Community Wellbeing;
5. Assets, Resources, Financial Management & Sustainability;
6. Good Governance: Active Civic Leadership, & Excellence in Management

The above are still considered appropriate themes/areas to pursue.

As Councillors are aware, following on from the above stated themes/areas are proposed specific projects contained within the 4-5 year Corporate Business Plan [CBP], with the biggest challenge being to renew/replace existing assets. Over recent years the main challenge has been the Recreation Centre. Future major items will be improving the attractiveness of the CBDs of Waroona and Preston Beach.

While the community consultation survey was on the items listed within the Strategic Community Plan, it was inevitable that people would make comments relating to



specific projects that they believe should be included in Council's CBP considerations and/or simple operational issues.

It is worth noting that 341 survey submissions were received, which a little over 10% of the number of electors of the Shire, which is a good a response as some other Councils have received. Conversely, that also indicates that 90% of the electors did not participate, which must indicate a level of satisfaction with the services provided.

Also of interest is that while the same 'face-to-face' contact meetings were undertaken, the vast majority (275) of survey submissions were completed via Council's website.

Of the 341 submissions, 229 were from people living in Waroona, with the next highest being 58 from people living in Preston Beach. Of the latter group there were 22 submitted in a hard copy format, which is 38% of those received.

PLANNING – STRATEGIC IMPLICATIONS

None Applicable

REFERRALS

None Applicable

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The most relevant Strategic Community Plan issue area is number 6 "Active Civic Leadership, Good Governance, & Excellence in Management".

FINANCIAL ISSUES/IMPLICATIONS

As stated elsewhere in this report, the responses from the recent survey have put forward a number of new projects, some of which are beyond Council's areas of responsibilities, as well as quite a number being beyond Council's financial capacity.

As has been stated in many prior reports, it remains crucial that Council continues to place emphasis on renewal and replacement of Assets before any consideration of pursuing any new assets or new services.

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Review of a Strategic Community Plan is a statutory requirement, with a 'desk-top' review being required at not less than every 2nd year, and a full review to occur every 4th year, with the latter being the case on this occasion.

Once the final version is adopted it will be advertised that a new Plan applies, as per the statutory requirements.

LEGAL ISSUES/IMPLICATIONS

Nil



COMMUNITY CONSULTATION

An independent consultancy firm (SDF Global) was engaged to undertake community consultations, and this was carried out in October 2016. Their report has been analysed, but there are too many specific items raised to be summarised, at this time. Many responses proposed that Council embark on new projects, but some are beyond a Council's areas of responsibilities, while others are obviously unaffordable, particularly in the light of the reduction in state government grants.

Some of the more practical items could be considered for inclusion in Council's next Corporate Business Plan.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

A wide variety of projects and issues were raised by people when completing their survey, with many relating to new assets or services. As previous reports have stated, the biggest challenge before Council is to maintain and renew/replace existing assets, rather than taking on more assets or increasing services.

Some items may be worthy for consideration for inclusion in the next 5 year Corporate Business Plan.

Appendices Attached:	Yes	Appendices Numbers: 9.3.3
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM16/12/139

MOVED: CR GERMAIN

SECONDED: CR MASON

1. That the latest version of the Strategic Community Plan, being for the 2016/17 to 2025/26 years and attached at Appendix 9.3.3, be adopted.

CARRIED 7/0



9.4 CHIEF EXECUTIVE OFFICER
Nil.

COUNCIL RESOLUTION

OCM16/12/140

MOVED: CR WITNEY

SECONDED: CR GERMAIN

That the meeting be closed to members of the public to consider items of a confidential nature, the time being 4.28 pm.

CARRIED 7/0

10. CONFIDENTIAL REPORTS – REPORT PROVIDED UNDER SEPARATE COVER

10.1 CONFIDENTIAL ITEM - MATERIALS IN ROAD RESERVE ABUTTING LOTS 13 & 14 RICHARDSON ROAD, WAROONA	
Reporting Officer / Officer's Interest:	Chris Dunlop, Senior Town Planner; No Interest
Responsible Officer / Officer's Interest	Leonard Long, Manager Development Services; No Interest
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 12 December 2016	File No.: 14/1 : A462
Previous Reference:	OCM05/11 of 8 February 2005 OCM14/07/079 of 22 July 2014 OCM14/11/143 of 25 November 2014
Policy Implications:	<i>Type Info here Or See heading below</i>
Statutory Implications:	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996
Strategic Implications:	<i>See heading below</i>
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): E, No. 6 "<i>Active Civic Leadership, Good Governance, & Excellence in Management</i>"	

COUNCIL RESOLUTION

OCM16/12/141

MOVED: CR WITNEY

SECONDED: CR GERMAIN

That in relation to the gates / fencing erected as well as the sea container, rubbish and disused materials deposited on a portion of the road reserve abutting Lots 13 and 14 Richardson Road, Waroona, Council resolves:

- 1. That should the gates / fencing as well as the sea container, rubbish and disused materials not be removed from the road reserve by 9 January 2017, Council's solicitors be instructed to initiate further legal proceedings against Mr G P Scally, the owner of Lot 14 Richardson Road, Waroona.**

CARRIED 7/0



10.2 CONFIDENTIAL ITEM - FOREST EDGE RECREATION CAMP DRY SKI SLOPE PROJECT	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, DTS; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, DTS; No Interest
Proponent:	Forest Edge Recreation Camp
Landowner:	Tasgo Nominees Pty Ltd
Date of Report: 16/12/2016	File No.: 131/2
Previous Reference:	OCM16/11/120
Policy Implications:	Nil
Statutory Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): 5.20 Services – Other	

COUNCIL RESOLUTION**OCM16/12/142****MOVED: CR SNELL****SECONDED: CR MASON**

That Council offer to provide assistance towards the construction of the major tourist attraction, Forest Edge Recreation Camp Dry Ski Slope, project by way of the following –

- **To provide bitumen and/or asphalt seal for the dry ski slope carpark on an 'at cost to Council' basis;**
- **To assist with the earthworks requirements in preparation for the dry ski slope building, limited to the use of Council's existing plant, equipment and labour;**
- **To provide blue metal for the construction of the ski slope on an 'at cost to Council' basis;**
- **To waive all planning and building fees applicable to the dry ski slope and buildings related to the project, with the exception of any fee that is charged by the Council that is collected on behalf of another entity;**
- **The Chief Executive Officer be authorised to determine the scope of any assistance offered by Council and to provide other minor assistance that he deems appropriate for the success of the project.**

CARRIED BY AN ABSOLUTE MAJORITY 7/0**COUNCIL RESOLUTION****OCM16/12/143****MOVED: CR WITNEY****SECONDED: CR GERMAIN**

That the meeting proceed in public, the time being 4.35 pm.

CARRIED 7/0

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

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

12.1 ELECTED MEMBERS
Nil

12.2 OFFICERS
Nil

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 4.59 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 28 FEBRUARY 2017 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

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

