



NOTICE OF AN ORDINARY COUNCIL MEETING

Dear Council Member,

The next Ordinary Meeting of the Dandaragan Shire Council will be held on **Thursday 22 September 2016** at the **Badgingarra Community Centre** commencing at **4.00pm**.

Attached is your copy of the agenda and business papers for the meeting.

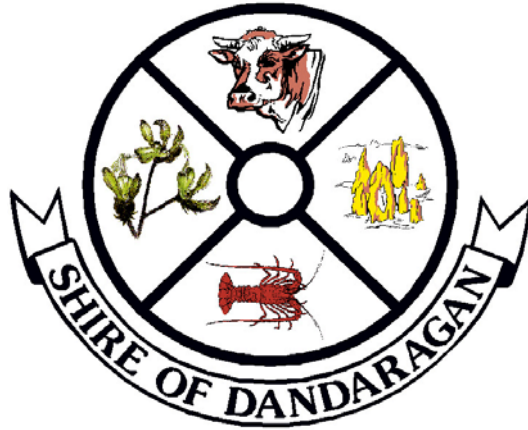
The format for the day is as follows:

- | | |
|---------------|--|
| 2.00pm | Agenda Briefing Session |
| 2.30pm | Councillor Discussion Session |
| 3.00pm | Council Forum <ul style="list-style-type: none">▪ Review of Quarterly Report to Council – Attachment #1▪ Waste Collection Services Contract Review – Attachment #2 |
| 4.00pm | Ordinary Meeting of Council |
| 5.00pm | Public Forum |

A handwritten signature in blue ink, appearing to read "Tony Nottle".

Tony Nottle
CHIEF EXECUTIVE OFFICER

15 September 2016



SHIRE
of
DANDARAGAN

AGENDA AND BUSINESS PAPERS

for the

ORDINARY COUNCIL MEETING

to be held

AT THE BADGINGARRA COMMUNITY CENTRE

on

THURSDAY 22 SEPTEMBER 2016

COMMENCING AT 4.00PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)



ORDINARY COUNCIL MEETING

THURSDAY 22 SEPTEMBER 2016

Welcome to the Ordinary Council Meeting of the Shire of Dandaragan.

Please be advised that the Ordinary Meeting of Council will be held on the following dates, times and venues:

DAY	DATE	TIME	MEETING VENUE
Thurs	22 September 2016	4.00pm	Badgingarra
Thurs	27 October 2016	4.00pm	Jurien Bay
Thurs	24 November 2016	4.00pm	Cervantes
Thurs	15 December 2016	4.00pm	Jurien Bay
Wed	25 January 2017	4.00pm	Cervantes (AGM of Electors - 6.00pm)
Thurs	23 February 2017	4.00pm	Jurien Bay
Thurs	23 March 2017	4.00pm	Jurien Bay
Thurs	27 April 2017	4.00pm	Dandaragan
Thurs	25 May 2017	4.00pm	Jurien Bay
Thurs	22 June 2017	4.00pm	Jurien Bay

Public Forums commence immediately following the closure of the Council Meeting which is generally about 5.00pm.

Members of the public are most welcome to attend both the Council Meetings and the Public Forums.

BY ORDER OF THE COUNCIL

Tony Nottle
CHIEF EXECUTIVE OFFICER



DISCLAIMER

INFORMATION FOR THE PUBLIC ATTENDING A COUNCIL MEETING

Please note:

The recommendations contained in this agenda are Officers Recommendations only and should not be acted upon until Council has considered the recommendations and resolved accordingly.

The resolutions of Council should be confirmed by perusing the Minutes of the Council Meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils Decision.

Tony Nottle
CHIEF EXECUTIVE OFFICER



COUNCIL MEETING INFORMATION NOTES

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time to time Council may form a Committee, Working Party or Steering group to examine subjects and then report to Council.
3. Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
4. Public Question Time. It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Chairman.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and response is included in the Minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.

Council has prepared an appropriate form and Public Question Time Guideline to assist.

5. **Councillors** may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter **trivial, insignificant or in common with a significant number of electors or ratepayers**. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Chairman of the meeting will advise the Officer if he/she is to leave the meeting.

6. Agendas including an Information Bulletin are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item including a recommendation will then be submitted to Council for consideration should it be determined appropriate by the Chief Executive Officer.

The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

7. Agendas for Ordinary Meetings are available in the Shire of Dandaragan Administration Centre and all four libraries as well as on the website www.dandaragan.wa.gov.au seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.
8. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).
9. Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection in the Shire of Dandaragan Libraries and on the website www.dandaragan.wa.gov.au within ten (10) working days after the Meeting.

NOTE:

10.3 Unopposed Business

- (1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it.
- (3) A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.

This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

SHIRE OF DANDARAGAN QUESTIONS FROM THE PUBLIC

The Shire of Dandaragan welcomes community participation during public question time as per the Shire of Dandaragan Standing Orders Local Law.

A member of the public who raises a question during question time is requested to:

- (a) provide a copy of his or her questions at least 15 minutes prior to the commencement of the meeting;
- (b) first state his or her name and address;
- (c) direct the question to the President or the Presiding Member;
- (d) ask the question briefly and concisely;
- (e) limit any preamble to matters directly relevant to the question;
- (f) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question;
- (g) each **member of the public** with a question is **entitled to ask up to 3 questions** before other members of the public will be invited to ask their questions;
- (h) when a member of the public gives written notice of a question, the President or Presiding Member may determine that the question is to be responded to as normal business correspondence.

The following is a summary of procedure and a guide to completion of the required form.

1. This is a “question” time only. Orations, explanations or statements of belief will not be accepted or allowed.
2. Questions must relate to a matter affecting the Shire of Dandaragan.
3. Questions must be appropriate and made in good faith. Those containing defamatory remarks, offensive language or question the competency or personal affairs of council members or employees may be ruled inappropriate by the Mayor or Presiding Member and therefore not considered.
4. Frame your question so that it is both precise and yet fully understood. Long questions covering a multitude of subjects are easily misunderstood and can result in poor replies being given.
5. Write your question down on the attached form, it helps you to express the question clearly and provides staff with an accurate record of exactly what you want to know.
6. When the President or presiding member calls for any questions from the public, stand up and wait until you are acknowledged and invited to speak. Please start by giving your name and address first, then ask the question.
7. Questions to be put to the President or presiding member and answered by the Council. No questions can be put to individual Councillors.
8. The question time will be very early in the meeting. **There is only 15 minutes available for Question Time.** Questions not asked may still be submitted to the meeting and will be responded to by mail.
9. When you have put your question, resume your seat and await the reply. If possible, the President or presiding member will answer directly or invite a staff member with special knowledge to answer in his place. However, it is more likely that the question will have to be researched, in which case the President or presiding member will advise that the question will be received and that an answer will be forwarded in writing. Please note under NO circumstances, will the question be debated or discussed by Council at that meeting.
10. To maximise public participation only three questions per person will initially be considered with a time limit of 2 minutes per person. If there is time after all interested persons have put their questions the President or presiding member will allow further questions, again in limits of two per person.
11. To fill out the form, just enter your name and address in the appropriate areas together with details of any group you are representing, then write out your question.
12. Please ensure your form is submitted to the minutes secretary.

If you have difficulty in or are incapable of writing the question, Shire staff are available on request to assist in this task.

We hope this note assists you in the asking of your question and thank you for your interest and participation in the affairs of our Shire.

SHIRE OF DANDARAGAN

QUESTIONS FROM THE PUBLIC

Any member of the public wishing to participate in Public Question Time during Council or Committee meetings is welcome to do so, however, Council requires your name, address and written questions to be provided to the meeting secretary.

Name: _____ Signature: _____

Address: _____

Contact No: _____ Meeting Date: _____

Council Agenda Item No: _____
(if applicable, see below*)

Name of Organisation Representing: _____
(if applicable)

QUESTION:

Each member of the public is entitled to ask up to 3 questions before other members of the public will be invited to ask their question. 15 Minutes is allotted to Public Question Time at Council Meetings.

Please see notes on Public Question Time overleaf...

- * **Agenda Forums:** Questions can only be addressed where they relate to an Agenda Item.
- * **Council Meetings:** Questions are to relate to a matter affecting the Shire of Dandaragan.



**REGISTER OF FINANCIAL / IMPARTIALITY / PROXIMITY INTEREST
RECORD OF DISCLOSURES MADE**

NAME OF PERSON MAKING DISCLOSURE

Surname: _____

Christian Names: _____

Date of Disclosure: _____

Date of Meeting: _____

Council Meeting: Yes No (Please
Circle)

or

Committee Meeting: Yes No (Please
Circle)

Name of Committee: _____

Agenda Book Page No: _____ Item No: _____

Nature and Extent of Financial Interest:

Signature of Person Making Disclosure:

Signature of Staff Recording Financial Interest:

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

1.2 DISCLAIMER READING

"No responsibility whatsoever is implied or accepted by the Shire of Dandaragan for any act, omission, statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard, and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days."

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor L Holmes	(President)
Councillor D Slyn	(Deputy President)
Councillor W Gibson	
Councillor K McGlew	
Councillor J Kulisa	
Councillor M Sheppard	
Councillor P Scharf	
Councillor D Richardson	

Staff

Mr T Nottle	(Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr D Chidlow	(Manager Planning)

Apologies

Mr Ian Rennie	(Deputy Chief Executive Officer)
Mr Garrick Yandle	(Executive Manager Infrastructure)

Approved Leave of Absence

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

The following question has been received from Mr Lawrie Short.

At the recent Cabinet Meeting in Moora and other conversations around Moora, it concerns me greatly that the State Government is being led to believe that Moora is the Regional Centre for a growing Horticulture Region and Camel Milk Industry, all enthusiastically visited by Cabinet with Moora Shire Council proudly showing off their Growth Area. This is being observed as Dandaragan lacks presence even though the CRC still receives funds, supposedly to help provide a service, right out to our Eastern Boundary?

5 APPLICATIONS FOR LEAVE OF ABSENCE

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE ORDINARY MEETING HELD 25 AUGUST 2016


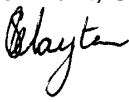
7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 SUNDRY DEBTOR WRITE-OFF

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Debtors / Write-Offs
Disclosure of Interest:	Nil
Date:	23 August 2016
Author:	Christina Low, Debtors Administration Officer
Signature of Author:	
Senior Officer:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Senior Officer:	

PROPOSAL

To seek Council permission to write-off one sundry debtor account.

BACKGROUND

Section 6.12 of the Local Government Act 1995 gives the Local Government the power to write off debts to Council.

- 6.12. *Power to defer, grant discounts, waive or write off debts*
- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government.*

** Absolute majority required.*

COMMENT

Permission to write off a stale Sundry Debtor account is now being sought in accordance with Section 6.12 of the Local Government Act 1995. The details of the account are provided below;

Invoice Numbers:	24434, 24472 & 24668
Date of Invoices:	08/02/13, 01/03/13 & 06/06/13
Details of Invoices:	Tipping Fees from January, February & May 2013
Amount of Invoices:	Totalling \$332.00 inc GST
Amount of Write Off:	\$332.00 inc GST

Comment: The Debtor had previously conducted a satisfactory Debtor's Account whilst using the Waste Disposal Facility for three years prior. The Debtor's company became insolvent and the Debtor left the district failing to pay the outstanding invoices.

Numerous reminder letters have been sent, but unfortunately he has refused to make contact. The amounts have been outstanding for more than three years in the hope that the Debtor would make some contribution or contact.

CONSULTATION

None

STATUTORY ENVIRONMENT

Section 6.12 of the Local Government Act 1995

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The Shire of Dandaragan invoiced the Debtor for the tipping fees in 2013, therefore a decision to write off this debt of \$332.00 will have a negative impact on the 2016/17 budget.

STRATEGIC IMPLICATIONS

Business as usual
5. Proactive and leading local government
k) Finance

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- **Confidential** - Copy of Invoice 24434, 24472 & 24668 (Doc Id: 72171)

(Marked 9.1.1)



VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION

That Council authorise the write off of sundry Debtor Invoices 24434, 24472 & 24668 for the amount of \$332.00 inc GST.

9.1.2 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 JULY 2016

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	7 September 2016
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 July 2016.

BACKGROUND

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 31 July 2016.

COMMENT

Regulation 34 of the Financial Management Regulations (1996) requires the following information to be provided to Council:

1. Net Current Assets

Council's Net Current Assets [ie surplus / (deficit)] position as at the 31 July 2016 was 2,089,411. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves and Restricted Assets. The current position indicates that Council can easily meet its short-term liquidity or solvency.

The Net Current Asset position is reflected on page 8 and reconciled with the Statement of Financial Activity on page 1 of the financial statements.

The amount raised from rates, shown on the Statement of Financial Activity (page 1), reconciles with note 6 (page 9) of the financial statements and provides information to Council on the budget vs actual rates raised.

2. Material Variances

During budget adoption a 10 percent and \$10,000 threshold for these variances to be reported was set.

For the period ended 31 July 2016, there were no material variances.

Should Councillors wish to raise any issues relating to the 31 July 2016 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 34 of the Local Government Financial Management Regulations (1996)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

Business as usual
5. Proactive and leading local government
k) Finance

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Financial statements for the period ending 31 July 2016 (Doc Id: 72838)
(Marked 9.1.2)



VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period 31 July 2016 be adopted.

9.1.3 REQUEST TO PURCHASE FLAME THROWERS

Location:	Shire of Dandaragan
Applicant:	Fire Control Officers
Folder Path:	Business Classification Scheme / Emergency Services / Bush Fire Council / Meetings / Minutes
Disclosure of Interest:	None
Date:	12 September 2016
Author:	Matthew Dadd, Community Emergency Services Coordinator
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

Fire Control Officers request the Shire of Dandaragan purchase a gas fuelled flame thrower for the Shire of Dandaragan Brigades to assist them with fire suppression activities and prevention burning.

BACKGROUND

At the Annual General Meeting of Fire Control Officers (FCO's) 18 February 2015, Chief Bush Fire Control Officer (CBFCO) Mr. Richard Allen mentioned the need for the Dandaragan Bush Fire Brigade to purchase a gas fuelled flame thrower and queried whether the Emergency Services Levy (ESL) could fund this.

It was reported to FCO's that there are no provisions within the ESL to purchase this type of equipment and that other funding would have to be sourced.

At the AGM of FCO's held 18 February 2015 the following motion was resolved:

Mr Richard Brown moved that funding to purchase the flame thrower be investigate, Mr Richard Allen seconded this motion.

At the General Meeting of FCO's 21 October 2015 it was reported that funding to purchase a flame thrower has not been found and that Lotterywest, CBH or Royalties for Regions do not provide for these particular items. Western Power Grants may have been a possibility; however applications for this year have now closed.

FCO Mr. Andrew Kenny stated that due to funding not being available from the Department of Fire and Emergency Services (DFES) and the Local Government Grant Scheme, the FCO's should request the Shire of Dandaragan to purchase two gas fuelled flame throwers to assist FCO's with fire suppression and prevention works. At the meeting it was resolved:

The FCO's should request the Shire of Dandaragan to purchase two gas fuelled flame throwers to assist FCO's with fire

suppression and prevention works within the Shire of Dandaragan.
Moved: Mr Andrew Kenny, **Seconded:** Mr. Richard Brown.

At the Annual General Meeting of Fire Control Officers 30 March 2016, Mr. Matthew Dadd explained that due to assisting with external fires and other priorities this request had not yet been tabled with Council and that this would be presented soon as possible.

COMMENT

Staff have contacted DFES who have advised them that they do not approve of the fitting or carrying of flame throwers on fire vehicles provided under the Local Government Grant Scheme. This is due to a number of incidents relating to jerry cans boiling and causing fire and injury after being exposed to radiant heat.

The vehicles are not designed to allow for fitting of flame throwers and that the vehicles are already operating close to maximum legal operating weights. (See attachment Doc Id: 73123)

For the items to be used, these flame throwers would have to be mounted on a private vehicle.

The CBFCO reported that the Dandaragan Volunteer Bush Fire Brigade have raised their own funds to purchase their own flame thrower.

Therefore the FCO's are only requesting one flame thrower to be purchased by the Shire of Dandaragan.

Cost of purchasing a flame thrower through Accufire is \$2350 and up to \$2500 for the units with retractable arm.

Funding to purchase the flame thrower is available in the 2016/2017 budget due to aerial fire break inspection not being conducted this financial year. This would require Council to approve a budget reallocation.

CONSULTATION

- Chief Bush Fire Control Officer, Shire of Dandaragan.
- Chief Executive Officer, Shire of Dandaragan.
- Department of Fire & Emergency Services.

STATUTORY ENVIRONMENT

Emergency Services Levy Act 2002

Bush Fires Act 1954

POLICY IMPLICATIONS

Council Policy 3.1 refers to administrative matters in relation to bush fire control, suppression and mitigation for the Shire of

Dandaragan.

Council Policy 3.3 and 3.4 also apply in relation to meetings of the FCO's and the appointment of FCO's.

FINANCIAL IMPLICATIONS

Council will be responsible for the costs associated with the purchasing of the item. No funds are included in the 2016-2017 budget.

Council has in its 2016/17 Annual Budget an amount of \$7,200 for aerial firebreak inspections. It was not planned to undertake aerial inspections this year, as they were planned on a bi-annual basis. As such the amount of \$2,500 could be used to purchase the flame thrower equipment.

STRATEGIC IMPLICATIONS

GOAL 2: HEALTHY, SAFE AND ACTIVE COMMUNITY

- | | |
|--|--|
| 2.5 Provide environmental health and safety services | <ul style="list-style-type: none"> d) Emergency management services, including coordination and support to Volunteer Bushfire Brigades e) Firebreak management |
|--|--|

ATTACHMENTS

Attached to the agenda is the following item relevant to this report:

- Email from DFES Area Manager (Doc Id: 73123)
(Marked 9.1.3)

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council:

- 1. agree to purchase a gas and fuel fired flame thrower to assist with fire suppression and prevention works within the Shire of Dandaragan acknowledging that it will be funded from the Shire of Dandaragan Fire Control budget.**
- 2. agree that the flame thrower equipment purchased is not to be fitted to existing Shire of Dandaragan / Department of Fire and Emergency Services funded Bush Fire Brigade Vehicles due to the concerns surrounding:**
 - a. radiant heat effects on existing jerry cans on the vehicle**
 - b. load restrictions and operating weight maximum requirements on existing vehicles.**

9.2 INFRASTRUCTURE SERVICES

9.3 GOVERNANCE & ADMINISTRATION

9.3.1 PROPOSAL TO ACCEPT WASTE FROM WEDGE AND GREY SQUATTER SHACK AREAS

Location:	Shire of Dandaragan
Applicant:	Avon Waste
Folder Path:	Business Classification Scheme / Waste Management / Service Provision / Commercial Waste Services
Disclosure of Interest:	Nil
Date:	12 September 2016
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

Council has been requested to consider accepting household and general waste from the Wedge and Grey squatter shack settlements from Avon Waste.

It is proposed that Council accept the waste at the Jurien Bay Landfill area at a rate of \$50 per cubic metre or part thereof.

BACKGROUND

The Department of Parks and Wildlife (DPaW) are responsible for the management of the reserves incorporating the Wedge and Grey squatter areas. DPaW provide basic refuse removal services and Avon Waste have the current contract to cart the waste from the area.

Avon Waste has previously requested that the waste derived from the squatter shacks be disposed of at the Jurien Bay Waste Facility. Council has refused due to the concern that accepting the waste may give an indication that Council is legitimising the squatters existence and that Council did not want to set such a precedent.

The CEO has received both a phone call and email regarding the possibility of revisiting the notion of accepting Wedge and Grey waste. A copy of the email and responses is attached (Doc Id 72542).

COMMENT

At its August 2016 Ordinary Meeting, Council resolved to adopt the Strategic Community Plan (SCP). One of the key actions outlined in the plan was the aim to maximise income through

alternate means where possible, without burdening the ratepayers of the Shire of Dandaragan.

Waste disposal is a function that the Shire of Dandaragan provides without competing with local business. The Jurien Bay Landfill area already receives commercial waste from both local and surrounding areas and is charged at \$23 per cubic metre.

The concern about legitimising the activities of the Wedge and Grey squatter shack areas has been discussed by Council over many years. This situation however, is purely a commercial arrangement with Avon Waste who wish to deliver to the Jurien Bay site because it is better for their operations logistically. Avon Waste currently operates a large amount of its operations north of Perth from a depot located in Jurien Bay industrial area.

The waste is standard household waste and the Jurien Bay Landfill is licensed to accept this type of waste.

Of concern however, is the fact that the waste is being provided from an area that is non-rateable and does not contribute financially to the Shire of Dandaragan. It is proposed that Council consider an increased fee for accepting the waste to assist with covering the material and the extra costs of digging and preparing the waste site to accept and maintain it once received.

CONSULTATION

- Avon Waste
- Shire of Gingin
- Council via Council Forum

Should Council agree to charge a separate fee for the additional waste, Council would be required to advertise the proposed fee, and the date from when it will be imposed.

STATUTORY ENVIRONMENT

Council is able to accept waste at its Jurien Bay Landfill site as it is operated under a license from the Department of Environmental Regulation. The Shire of Dandaragan is permitted to accept the type of waste being proposed.

In relation to fees and charges, Council is required to consider particular factors when setting the fee or charge. Section 6.17 of the Local Government Act 1995 requires Council to consider the following factors:

- a) the cost to the local government of providing the service or goods; and
- b) the importance of the service or goods to the community; and
- c) the price at which the service or goods could be provided by an alternative provider.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 22 SEPTEMBER 2016

It is justified to consider an increased fee based on the following:

- a) there is extra cost in preparing the site to accept additional waste, site attendance and maintenance;
- b) receiving the waste is important in relation to the income generated from the waste is in line with Council's SCP. This allows Council to better maintain its facilities into the future; and
- c) in comparison, the Shire of Gingin has previously accepted the same waste at the rate of \$50 per cubic metre or part thereof.

POLICY IMPLICATIONS

There are no current policies in relation to this item.

FINANCIAL IMPLICATIONS

Should Council accept this proposal there will be an unbudgeted increase in income for the Shire of Dandaragan 2016/17 Annual Budget.

Avon Waste has advised that they would be disposing of approximately 90m³ per month.

$$90\text{m}^3 \times \$50 \text{ per m}^3 = \$4,500 \text{ per month } (\$54,000 \text{ per annum})$$

Assuming that the arrangement commences in October, there would be an estimated unbudgeted income of \$40,500.

Contaminated waste such as asbestos will be disposed of at Northam as per their current arrangements.

STRATEGIC IMPLICATIONS

Shire of Dandaragan's Strategic Community Plan 2016 - 2026

Goal 5: proactive and leading local government

Objectives	How the Shire will contribute to these objectives
5.5 Implement Integrated Planning and Reporting	c) Maximise grant and alternative income sources to minimise burden on ratepayers

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- email correspondence Avon Waste and CEO (Doc Id: 72542)
(Marked 9.3.1)

VOTING REQUIREMENT



Absolute majority

OFFICER RECOMMENDATION

That Council:

1. agree to accept the household and general waste derived from the Department of Parks and Wildlife managed areas of Wedge and Grey squatter shack settlements;
2. set a fee of \$50 per cubic metre or part thereof for waste derived from the Department of Parks and Wildlife managed areas of Wedge and Grey squatter shack settlements acknowledging that when setting this fee it has considered the requirements of section 6.17 of the Local Government Act 1995; and
3. authorise the Chief Executive Officer to advertise the fee above in accordance with section 6.19(b) of the Local Government Act which will be in effect as of the 1 October 2016.

9.3.2 TURQUOISE COAST VISITOR CENTRE – WEEKEND OPERATION & SALE OF MERCHANDISE

Location:	Turquoise Coast Visitor Centre, 67 Bashford Street, Jurien Bay
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Fees and Charges / Fee Structures
Disclosure of Interest:	Nil
Date:	12 September 2016
Author:	Alison Slynns, Economic Development Coordinator
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

For Council to authorise a budget amendment to cover paid staff on weekends and to adopt new fees and charges for income earned through merchandise sales and commissions at the Turquoise Coast Visitor Centre (TCVC).

BACKGROUND

At its Ordinary Meeting held on the 25 August 2016 Council resolved the following:

That Council:

1. *Not renew the Agreement for the Provision of Services between the Shire of Dandaragan and the Jurien Bay Community Resource Centre following a review in accordance with Section 1.3 of the Agreement;*
2. *Undertake the services outlined in the Provision of Services with Shire of Dandaragan staff following the termination of the Agreement between the Shire of Dandaragan and the Jurien Bay Community Resource Centre, which is to include a sixty-day termination period unless otherwise agreed in writing by both parties;*
3. *Authorise a budget amendment in the 2016/17 financial year, allocating the balance of the \$60,000 service fee remaining at the termination of the Agreement to Shire of Dandaragan wages and salaries.*

The current salaries and wages allocated for the visitor centre and library upon termination of the Agreement for the Provision of Services, are for paid staff coverage from 9am to 5pm Monday to Friday only and do not cover any weekend wages. The TCVC has been opened by volunteers on Saturdays and long weekend Sundays since September 2015 but it has been a limited-service operation with no merchandise sales, bookings, commission sales or library operations available during those opening hours.

In the early negotiations of the Agreement, the former Manager of the Jurien Bay Community Resource Centre (JBCRC) elected to take responsibility for the procurement and sale of merchandise.

Through the termination of the Agreement the JBCRC has elected to retain some merchandise sales through their own tenancy and the remaining items will be transferred to the Shire for sale in the visitor centre. These can include books, souvenirs, maps, tourism passes and tickets and other relevant items. Council approval is required for an amendment to the current Shire Fees and Charges to allow the Shire, through the visitor centre, to earn income from sales and commissions.

To provide a continuity of service for weekend trading, including responsibility for cash floats, merchandise sales and library processing, paid staff would need to be engaged by the Shire for any weekend or public holiday opening hours for these services to be made available.

COMMENT

These proposed amendments to staffing and tasks are not intended to replace the volunteer component of the TCVC but having paid staff would allow the provision of financial transactions during all opening hours of the visitor centre and library on both weekdays and weekends. The breakdown of human resources costs required to cover weekend hours is:

	Rates	Annual Costs
Level 2	\$22.5605	
Hours per day	5	
Number of Saturdays	52	\$5,865.73
Number of Sundays	6	\$676.82
Saturday penalty	1.50	\$2,932.87
Sunday penalty	1.75	\$507.62
Superannuation	9.50%	\$948.39
Other on-costs	5.50%	\$549.07
TOTAL COSTS		\$11,480.50

Under the former Service Agreement any financial transactions on weekdays were carried out at the JBCRC reception desk as required, and there were no financial transactions carried out on weekends since the centre was opened by volunteers, not paid staff. This supports the notion that cash handling, stock control, library transactions and security are beyond the tasks expected of a volunteer position. Having paid staff available during all operating hours not only supports the volunteers by having additional personnel to share tasks, but also allows a wider range of products and services to be available at the TCVC and encourages income streams to be developed.

In researching this item it was discovered that the City of Fremantle recently introduced an amendment to their Fees and Charges for the 2016/17 financial year to provide for the sale of merchandise at festivals and hot drinks at their library. To allow for

the different values that merchandise can sell for, the City proposed to accept a range of sales figures that could be charged per item. This amendment was carried unanimously at the City of Fremantle Ordinary Council Meeting 10 August 2016. It is proposed that a similar system with a range of price points available for the sale of merchandise be introduced for the TCVC and that a commission allowance also be provided for in the instance that consignment or booking commissions are earned. The fees and charges to be introduced are:

Item	Income
Merchandise	\$0.50 - \$100.00
Commission	5% - 100%

CONSULTATION

Council via Council Forum
Jurien Bay Community Resource Centre

STATUTORY ENVIRONMENT

6.19 Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under the Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of –

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

The reason for the ranges provided in the proposed merchandise and commission areas is to allow for discretion to be applied, which is not currently allowable under a strict fees and charges schedule. The amount of commission may depend on the type of items being sold under a commission arrangement.

As merchandise items vary, so will the sale price. This is also the reason for the range provided.

POLICY IMPLICATIONS

There are no policy implications in relation to this item.

FINANCIAL IMPLICATIONS

The proposal will increase the budgeted salaries and wages amount by \$8,610 for the 2016/17 financial year. By increasing the service level at the TCVC to allow for paid staff on weekends as described, an annual cost of \$11,480 will apply.

As selling merchandise through the TCVC is a new venture there are limited projections for the expected budget income per annum at this stage. The setting of the sale and commission amounts as a range allows staff to sell a variety of products from the TCVC

with the purpose of producing a profit while promoting our region at the same time.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Strategic Community Plan 2016-2026

<i>Goal 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.5 Facilitate population and visitor attraction and growth to expand and diversify the regional economy	(c) Expand and improve the visitor centres' network
<i>Goal 2: Healthy, Safe and Active Community</i>	
Objectives	How the Shire will contribute
2.4 Provide recreation and community facilities and activities	(c) Provide a free basic public library service (jointly with the State Library of WA as part of the State-wide network of public libraries)
<i>Goal 5: Proactive and Leading Local Government</i>	
Objectives	How the Shire will contribute
5.4 Provide high standard of customer service	(a) Provide customer service to the community via front counter, telephone and email (b) Respond to service requests and issues
5.5 Implement integrated planning and reporting	(c) Maximise grant and alternative income sources to minimise burden on ratepayers

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute majority



OFFICER RECOMMENDATION

That Council:

- 1. authorise a budget amendment to Shire of Dandaragan 2016/17 Annual Budget to increase salaries and wages by \$8,610; and**
- 2. in accordance with Section 6.19 of the Local Government Act authorise the introduction of new fees and charges effective 23 September 2016 for the sale of merchandise and commission-earning products and services at the Turquoise Coast Visitor Centre as follows:**

Item	Income
Merchandise	\$0.50 - \$100.00
Commission	5% - 100%

9.3.3 APPLICATION OF COMMON SEAL

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Governance / Authorisations / Council Seal
Disclosure of Interest:	None
Date:	12 September 2016
Officer:	Julie Rouse, Executive Secretary
Signature of Officer:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To seek Council's endorsement for the application of the Shire of Dandaragan's Common Seal to Jurien Bay RSL Sub-branch Jurien Bay District High School (JBDHS) Emergency Services Cadet Unit Warrant.

BACKGROUND

The Shire of Dandaragan's Common Seal has been applied in the circumstance where the JBDHS Emergency Services Cadet Unit has changed its name from JBDHS Police Rangers Unit. The original Warrant was signed under the Shire's Common Seal back in March 2002 and the newly amended Warrant needs to reflect this change of name accordingly.

This updated Warrant continues to ensure that the JBDHS Emergency Services Cadet Unit act as Honorary Wardens of the Jurien Bay War Memorial whereby they are appointed with the responsibility for the faithful discharge of such duties assigned to them from time to time.

COMMENT

Application of the Seal in this instance is accompanied by the signature of the Shire President.

A register is maintained to record all occasions on which the seal is applied and in this instance relates to Item 239 within the Shire of Dandaragan's Seal Register.

Generally, the common seal is only applied in circumstances where Council has specifically resolved to enter into an agreement or lease, or the disposal of or acquisition of land. There are however, occasions where the seal is required to be applied urgently and Council's endorsement in this instance is sought retrospectively.

CONSULTATION

Not applicable

STATUTORY ENVIRONMENT

Not applicable

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

Goal 3 (3.2 and 3.5) of the Shire's Strategic Community Plan applies in providing a strong and connected community where volunteers and community leadership are encouraged, and through the support and development of youth.

ATTACHMENTS

- JBDHS Emergency Services Cadet Unit Warrant (Doc Id: 72957).

(Marked 9.3.3)

VOTING REQUIREMENT



Simple majority

OFFICER RECOMMENDATION

That Council authorise the President to execute the relevant documentation and endorse the affixing of the Shire of Dandaragan's Common Seal to the JBDHS Emergency Services Cadet Unit Warrant as requested by the Jurien Bay RSL Sub Branch.

9.4 DEVELOPMENT SERVICES

9.4.1 AMENDMENTS TO PLANNING APPROVAL – WADDI WIND FARM

Location:	Multiple properties - WADDI
Applicant:	Wind Prospect on behalf of Trustpower and Multiple landowners
Folder Path:	Development Services Apps / Development Application / 2011 / 15
Disclosure of Interest:	None
Date:	9 September 2016
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The proponent requests approval for the following amendments to the planning approval for the Waddi Wind Farm:

1. Amend the transmission line route for connection of the wind farm into the transmission network.
2. Amend the location of the on-site substation to a location 900m west of the current permitted location and increase the area of the on-site substation from 4ha up to approximately 12ha.
3. Increase the maximum tip height of the wind turbines (the height from ground level to the highest point of the blade tip of each wind turbine) from 152m to 165m.
4. Minor amendments to the wording of existing planning approval conditions.
5. Amendments to the location of accessways and cable routes.
6. Increase the number of permanent wind monitoring masts from two to three.

BACKGROUND

This application was considered by Council at the Ordinary meeting held 25 August 2016. The decision of Council was as follows:

That the Officers Recommendation not be adopted and to defer Item 9.4.6 pending further information.

The Notation was that Council did not adopt the Officer Recommendation as it wanted to seek further information regarding "noise shadowing".

The matter was further discussed at the Council Forum held 8 September 2016 and further information was distributed to Council at this Forum. Which included:

- *Extract from Senate Enquiry (Doc Id: 72582)*

- *Residents noise info sheet (Doc Id: 72435)*

A planning approval for the Waddi Wind Farm was issued by the Shire of Dandaragan in January 2012. In April 2015 the Shire approved an application to extend the Waddi Wind Farm planning approval until January 2020.

The proposed Waddi Wind Farm is located approximately 15km north-west of the Dandaragan townsite. The proposed new on-site substation and its access corridor are located on land immediately west and adjacent to the current Waddi Wind Farm project site boundary. The proposed new transmission line route extends west from the proposed new on-site substation, crossing the Mullering Brook, before extending south-west to follow the route of an existing Western Power owned distribution (SWER) line across the Brand Highway to the existing Cataby substation.

Amend the route for connection of the wind farm into the transmission network

The original planning approval allowed for a new 19km transmission line route extending south of the project to the Yandin Road before heading west alongside the Mimegarra Road to a purpose built switchyard constructed proximate to the existing transmission network.

It is proposed to amend the transmission line route from the current approved route to an approximately 8 km transmission line route extending west from the project across private and public land to the existing Cataby substation owned by Western Power and located on the west side of the Brand Highway. The proposed route has been designed to follow existing fence lines before extending south-west to follow the route of an existing Western Power owned distribution (SWER) line across the Brand Highway towards the existing Cataby substation. Following fence lines of cleared farming land minimises impacts to farming practices. Following the route of Western Power's existing distribution (SWER) line provides an opportunity to minimise vegetation clearing and other impacts during construction and operation of the proposed transmission line through use of existing accessways created to access and maintain Western Power's existing distribution line and for fire management purposes.

Both the current approved transmission line route and the alternate proposed new transmission line route are shown in the attachments.

It should be noted that the majority of poles for the transmission line will be up to 30m in height, although some poles may be up to 40m in height if required, for example, to minimise impacts at the

crossing of the Mullering Brook or to satisfy Main Roads clearance requirements in relation to crossing of the Brand Highway.

On-site substation - amend the location and area and other details

The on-site substation is a central point of connection of all wind turbines in the wind farm project and where the distribution voltage is transformed to a higher voltage to facilitate connection via a transmission line to the existing transmission network (i.e. the SWIS). The original planning approval allowed for a new on-site substation to be constructed on Lot 101. It is proposed to amend this to a location approximately 900m west of the current permitted location to a site adjacent to the western boundary of the current project site on Lot 105.

The original planning approval allowed for the on-site substation to be '*in the order of 200 x 200m (40,000m²)*' (i.e. 4ha). It is proposed to amend this to allow the on-site substation area to be up to approximately 12ha including an access corridor from the Mullering Road. This amendment is sought to provide additional space to accommodate the proposed uses of the on-site substation area.

It is proposed that permanent components of the 'site compound' referred to in the planning report (i.e. those components associated with ongoing operations and maintenance) would be located within the on-site substation area while those temporary components of the 'site compound' referred to in the planning report (i.e. those components associated with construction) would be located proximate to or within the on-site substation area.

Increase the maximum tip height of the wind turbines from 152m to 165m

Wind turbine technology has been continually advancing since the original planning approval was issued for the Waddi Wind Farm. The latest generation of wind turbines available are increasingly exceeding a tip height of 152m. Raising the maximum allowable tip height of the wind turbines at the Waddi Wind Farm will allow for the most modern turbine models to be installed which are generally more efficient, quieter and cost-effective.

Updates to the wording of the existing planning conditions

Proposed amendments to the wording of existing planning conditions with an explanation for the proposed amendment are detailed in the table below. The existing planning conditions are provided in full in later in this report

Proposed amendments to the wording of existing planning conditions with justification for the proposed amendment.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 22 SEPTEMBER 2016

Approval condition no.	Proposed amendment	Explanation
8	The proponent shall notify property owners with land within 5km of approved wind turbine locations of the potential for interference to TV reception from the wind farm and offer residents with a dwelling located within 5km of a wind turbine a pre-construction and post-construction assessment of television reception. The proponent shall remedy any reception problems attributable to the presence of the wind farm at dwellings located within 5km of approved wind turbine locations as at January 2012.	The term 'nearby' in the current condition is imprecise and open to interpretation. This amendment clarifies the scope of the pre and post construction assessments for television reception and takes into account the switch to digital TV.
13	Add "or background +5dB whichever is the higher" after the words "exceed 45dB(A)".	Depending on the level of background noise, the limit could otherwise be less for noise sensitive premises located within the wind farm boundary compared with those located outside the wind farm boundary.
20	Replace 'Department of Environment Conservation' with 'Department of Parks and Wildlife.	Department of Environment Conservation (DEC) no longer exists. Department of Parks and Wildlife has taken over the relevant functions of DEC.
24	Replace the current condition with "The proponent shall provide an appropriate viewing area and/or information display at appropriate location(s) agreed with Council."	The amendment provides greater flexibility for the Shire to determine what is most appropriate at the time of construction.
25	Add "except where higher security fencing is required for safety and security purposes" after the words "post and wire".	Rural construction fencing is not appropriate for all applications and could lead to unacceptable OHS and security risks at locations such as the on-site substation, operations and maintenance compound and temporary construction compounds.
29	Remove this condition in its entirety	The proposed amendment to the transmission line route would mean no transmission lines are proposed on the applicable land for the Waddi Wind Farm project.

Amendments to the location of accessways and cable routes

Flexibility is sought in relation to the location of accessways and underground cable routes between wind turbine locations and the on-site substation in order to provide for lowest impacts and best environmental outcomes. For example, the accessway and cable route to the cluster of six wind turbines located in the north-east corner of the project may be better served on environmental grounds by an alternative route across the small tributary of the Mullering Brook than is currently provided for in the current planning approval. Flexibility is therefore sought in relation to locating the accessway and cable route to this cluster to accommodate the route that will result in lowest impacts. The best route would be determined at the detailed engineering stage prior to commencement of construction. Such flexibility is sought in relation to all accessways and underground cable routes between wind turbine locations and the on-site substation.

Condition 1 of the original planning approval requires that the land use and development is generally in accordance with the approval plans to the satisfaction of the Chief Executive Officer of the Shire of Dandaragan. The proponent will comply with condition 1 by providing the Shire of Dandaragan with the location of accessways and cable routes for assessment prior to commencement of construction.

Increase the number of permanent wind monitoring masts from two to three

The original planning approval allowed for the construction of two permanent wind monitoring masts. An amendment to the number of permanent monitoring is sought that increases the number of permanent wind monitoring masts from two to three. The field of wind monitoring, wind forecasting and the terms and conditions of wind turbine warranties are evolving and this amendment will ensure that the wind resource monitored at the project site post construction can adequately meet its required functions.

Confirmation of details of the original planning application and approval

If the proposed amendments are approved by the Shire of Dandaragan, the revised wind farm layout would remain indicative only and subject to detailed design within the design parameters of the original planning approval. Condition 1 of the current planning approval requires the land use and development is generally in accordance with the approval plans to the satisfaction of the Chief Executive Officer of the Shire of Dandaragan. Condition 1 will be relied upon by the proponent to achieve the following:

1. Development of the project in stages over a number of years with the timing of each stage dependent on market drivers. In this scenario, the final design for each stage would comply with all planning conditions and to comply with Condition 1 of the

current planning approval, would be provided to the Shire of Dandaragan for review prior to the commencement of construction of each stage of the project.

2. A given stage of construction would occur continuously but may be broken up into distinct work packages such as civil works; construction of the transmission line; construction of the on-site substation; construction of wind turbine towers, nacelles and blades; etc. It is proposed that compliance with relevant planning conditions could be achieved for each distinct work package (i.e., ahead of compliance for other work packages) to allow that work package to proceed separately to other work packages.

COMMENT

The land which is the subject of this application for amendments (which includes all land subject of the original Waddi Wind Farm planning approval) is all zoned as "Rural", with the exception of the following:

1. The Brand Hwy road reserve;
2. Part of Reserve 27216 (Volume LR3141 Folio 872) which has a public purpose of recreation camping and conservation of flora by virtue of E450744;
3. Reserve 41986 (Volume LR3089 Folio 642) which has a public purpose of conservation of flora and fauna by virtue of F148689;
4. Volume LR3161 Folio 986, Lot 306 on Deposited Plan 54549 which is unvested Crown land set aside for public purposes; and
Certificate of Title Volume 1980 and Folio 817, Lot 3906 on plan P170072 is private land zoned as "Rural" but has an additional categorisation of "Bassendean sand special control area" the purpose of which is provided in section 6 of the LPS7 text.

Landscape and Visual Impact Assessment

GHD prepared a *Report for Landscape and Visual Impact Assessment* for the Waddi Wind Farm in September 2010 to support the Environmental Statement that comprised the original planning application. GHD has reviewed this assessment and assessed the potential impacts of the proposed amendments to the planning approval for the Waddi Wind Farm and reported their findings in a statement, a copy of which is provided in the attachments. A summary of their findings is provided below. Wind Prospect Pty Ltd prepared photomontage images and Zone of Visual Influence (ZVI) diagrams to inform the GHD assessment and are included in the GHD report in the attachments.

- The wind turbines would still not be visible from the township of Dandaragan with the proposed increase in tip height of the wind turbines;
- The limited visibility of the wind turbines from the easterly portions of the Badgingarra National Park would have

- perceptible change with the proposed increase to the tip height of the wind turbines;
- The roads within the footprint of the Waddi Wind Farm exposed to high and close quarter visibility of wind turbines would have an imperceptible increase in visibility as a result of the proposed increase in wind turbine tip height;
 - The western edge of the Waddi Wind Farm will be visible from sections of the Brand Highway however the proposed increase to wind turbine tip height would result in a marginal to imperceptible increase in visibility;
 - The proposed transmission line route would result in isolated visual impacts along the Brand Highway;
 - There are limited opportunities to view the proposed transmission line from publicly accessible areas and views of the eastern section of the transmission line would be limited to private agricultural land;
 - Overall there would be project wide net decrease in impacts associated with the proposed transmission line route as the overall length of the route would decrease by approximately 11 km;
 - The overall impacts of the proposed on-site substation relative to the current approved location would be marginally greater due to the increased size.

Noise Assessment

ViPAC prepared a Noise Impact Assessment for the Waddi Wind Farm in December 2010 to support the Environmental Statement that comprised the original planning application. ViPAC has reviewed this assessment and assessed the potential impacts of the proposed amendments to the planning approval for the Waddi Wind Farm and reported their findings in a statement, a copy of which is provided in the attachments. A summary of their findings are provided below.

- The on-site substation at the proposed new location will not have a significant or perceptible noise impact at the nearest residential receivers (i.e. dwellings not located within the project boundary) and will not represent a noticeable change compared to the original proposed location.
- As the proposed transmission line route is not located within 100 metres of any dwellings, corona discharge noise or Aeolian noise is not likely to be an issue.
- The proposed increase in wind turbine tip height is small and will not cause a significant or reasonable increase in the propagation of noise levels. There may be a slight increase in the predicted noise levels at some receiver locations depending on propagation distances and the relative height of topographical features along the line-of-sight between turbines and receivers, possibly up to about 0.5dB(A) or less. Current planning conditions require that the final layout and selected wind turbine model complies with the relevant standards.

- The proposed amendments will not have a significant or perceptible noise impact at the nearest relevant residential receivers and will not represent a noticeable change compared to the original proposal.

Conditions 12 to 18 of the current planning approval relate to noise and require that the final wind farm design meets applicable noise standards and that a post-construction monitoring program be implemented to verify compliance.

Shadow Flicker Assessment

Wind Prospect Pty Ltd prepared a shadow flicker analysis to inform the Environmental Statement that comprised the original planning application in 2011. This shadow flicker analysis was recently repeated by Wind Prospect to assess any potential increased impact of shadow flicker at sensitive receptors such as dwellings resulting from the proposed increase to wind turbine tip height from 152 metres to 165 metres.

Wind Prospect's findings are reported in the attachments which includes an image showing predicted shadow flicker with a wind turbine tip height of 165m.

- In the absence of specific guidelines relating to shadow flicker in WA, the relevant German guidelines were used as a benchmark. These guidelines set a limit of 30 hours of shadow flicker per year and 30 minutes of shadow flicker in any one day at a given shadow flicker receptor.
- No dwellings will receive more than 30 hours of shadow flicker per year or more than 30 minutes of shadow flicker per day.
- Seven of the 24 assessed dwellings are predicted to experience some shadow flicker.
- Predictions for shadow flicker have increased by roughly 1 to 9 hours per year across the seven dwellings compared to previous predictions.

Calculations have been made based on worst case conditions which exclude the effects of clouds, obstacles, and the variability of wind speed and direction, all of which would reduce the amount of shadow flicker experienced in reality relative to the levels predicted in the Shadow Flicker Assessment.

Aviation Assessment

An Aeronautical Impact Assessment and Aerial Applications Assessment were completed by The Ambidji Group Pty Ltd (Ambidji Group) in November 2010 and June 2010 respectively to support the Environmental Statement that comprised the original planning application. Ambidji has reviewed these previous assessments and prepared an Aviation Impact Assessment and Qualitative Risk Assessment which assesses the potential impacts of the proposed amendments to the planning approval for the Waddi Wind Farm. A copy of the Aviation Impact Assessment and

Qualitative Risk Assessment (AIS & QRA) are provided in the attachments and a summary of the assessment is provided below.

The Aviation Impact Statement and Qualitative Risk Assessment completed in 2016 found that the proposed Waddi Wind Farm will not impact upon the following:

- The OLS and PANS OPS surfaces published for any military, registered or certified aerodrome;
- The operation of any Navigation Aids and Communication facilities; or
- Any air route Lowest Safe Altitudes.

But will require further assessment by the Department of Defence in relation to:

- Military low flying area D193; and
- The RAAF radar at Eclipse Hill.

The Aviation Impact Statement and Qualitative Risk Assessment has been provided to the Airservices Australia, the Department of Defence, and the Civil Aviation Safety Authority (CASA) for review as part of a consultation process. Previous engagement with the Department of Defence in relation to these particular matters for a 152 metre tip height concluded that aircraft could operate around the wind farm and that they would not object despite the potential impact on Primary Surveillance Radar. The proposed amendments to the planning approval were detailed in a letter to the Department of Defence on the 9th March 2016 and the Ambidji Group will continue liaison with the Department of Defence on behalf of Waddi Wind Farm Pty Ltd.

Conditions 3 to 6 of the current planning approval relate to aviation, requiring notification of relevant parties of final wind turbine locations and heights.

All of the current conditions of approval are listed below;

Conditions:

1. The land use and development shall be undertaken generally in accordance with the approval plans, in a manner that is deemed to comply, to the satisfaction of the Chief Executive Officer.
2. Following the submission of the development application, if the proponent proposes changes resulting in significant additional environmental impact in the opinion of the Shire of Dandaragan, these changes shall not be undertaken without prior consultation with the Shire of Dandaragan and the Environmental Protection Authority Service Unit.
3. The proponent shall (prior to the erection of wind turbine generators) provide notification to the RAAF Aeronautical Service of the location and height details of the wind turbine generators.

4. The proponent shall (prior to the erection of wind turbine generators) provide notification to Air Services Australia of the location and height details of the wind turbine generators.
5. The proponent shall (prior to the erection of wind turbine generators) provide notification to CASA of the location and height details of the wind turbine generators.
6. The proponent shall (prior to the erection of wind turbine generators) provide notification to Aerial Agricultural Association of Australia of the location and height details of the wind turbine generators.
7. The proponent shall ensure sufficient clearance is maintained from Western Power's existing and planned transmission and distribution lines and associated facilities to the satisfaction of Western Power.
8. The proponent shall offer nearby residents that may be affected by electromagnetic interference a pre-construction and post-construction assessment of television reception and will remedy any reception problems attributable to the presence of the wind farm.
9. The proponent shall provide a Traffic Management Plan to Main Roads WA and the Shire of Dandaragan prior to the commencement of construction. The Traffic Management Plan shall address;
 - details of the selected transportation route;
 - detailed traffic management measures;
 - transportation of materials to the project site;
 - obtaining the necessary written approvals / permits from Main Roads WA Heavy Vehicle Operations Branch; and
 - the transport of all divisible and indivisible loads and acquisition of necessary permits for transport of these loads.
10. The access points onto the subject land and any road works shall be located and constructed to the satisfaction of the Chief Executive Officer and include all necessary drainage and signage. Costs applicable to the construction of the access points onto the site and any related issues shall be borne by the proponent.
11. The proponent in conjunction with the Shire of Dandaragan shall commission a Road Condition Report prepared by a recognised engineer (agreed to by both parties) prior to the commencement of the project. The Road Condition Report shall, at least but not be limited to, identifying the following issues;
 - a) suitability of the existing pavement strength (in wet and dry conditions) to cater for the proposed haulage loads and traffic volumes;
 - b) suitability of the existing horizontal and vertical alignments to cater for the proposed haulage loads and traffic volumes; and

- c) identify and provide plans and costings for any required upgrade works to the existing road network to make it suitable for the proposed haulage loads and traffic volumes.

The costs associated with the preparation of the Road Condition Report and any road works identified in the Road Condition Report shall be undertaken at the cost of the proponent prior to any works commencing onsite.

12. The Wind Farm shall comply, at all times, with the Western Australian Environmental Protection Authority Environmental Protection (Noise) Regulations 1997 revision dated November 2003 and the South Australian Environmental Protection Authority Environmental Noise Guidelines for Wind Farms dated February 2003.
13. Noise from the operational Wind Farm shall not exceed 45dB(A) (using a 10 minutes LAeq), at surrounding noise sensitive premises within the wind farm boundary, unless otherwise agreed with the respective landowner.
14. Noise from the operational Wind Farm shall not exceed 5dB(A) above the background noise level or 35dB(A) (using a 10 minutes LAeq), whichever is the greater, at surrounding noise sensitive premises outside the wind farm boundary.
15. The background noise levels for the proposed development are to be based on the pre-recorded background noise measurements (Refer to Table 16.1 of the development application).
16. The proponent shall develop and implement a post-construction noise monitoring program at the noise sensitive receptors listed in Table 16.3 of the development application to assess compliance of the operational Wind Farm with the noise criteria. The post-construction noise monitoring program shall be conducted at the same time of year as when the background noise measurements were recorded. Results of the program shall be forwarded to the relevant authority.
17. Prior to the commencement of construction, the proponent shall commission third party noise modelling studies to demonstrate the final Wind Farm design complies with the noise limits outlined in this approval. The intended noise modelling methodology shall be discussed with the Department of Environment Regulation, at the appropriate time.
18. In relation to the concerns raised in the letter from the Western Australian Department of Environment and Conservation dated 02 June 2011, the proponent shall, prior to commencement of construction, implement necessary strategies to mitigate any future noise non-compliance that may arise from the construction or operation of the Wind Farm.
19. The proponents are required to obtain a Clearing Permit in accordance with the provisions of the Environmental

- Protection (Clearing of Native Vegetation) Regulations 2004 in the case of any proposal to clear existing remnant native vegetation on the site to the satisfaction of the Department of Environment Regulation.
20. The proponent shall develop and implement an Avian Fauna Collision Monitoring Program, to the satisfaction of the Western Australia Department of Environment and Conservation, to monitor the impact of the Wind Farm on avian fauna in the project area, specifically in respect to the endangered Carnaby's Cockatoo.
 21. Prior to the commencement of construction, the proponent shall commission detailed archaeological and ethnographic surveys, compliant with Aboriginal Heritage Act (1972) dated September 2011, over areas of proposed infrastructure.
 22. Prior to the commencement of construction, the proponent shall make arrangements in consultation with the South West Aboriginal Land & Sea Council for any required Aboriginal heritage monitoring.
 23. Prior to the commencement of construction, the proponent shall provide and implement, a Fire Management Plan that addresses the impacts of the Wind Farm through the construction phase to operation, approved by Council and Department of Fire and Emergency Services.
 24. The proponent shall provide a viewing area in a location approved by the Shire, prior to the operation of the wind farm. The viewing area shall consist of a public viewing platform, a series of interpretative boards and an associated car park.
 25. All fencing shall be of rural construction such as open post and rail or post and wire, to the satisfaction of the Shire.
 26. Prior to the commencement of construction, the proponent will consult with landowners on the location of known weed infestations and will implement measures, as agreed with landowners, and in accordance with any relevant regulation under the Bio-security and Agriculture Management Act 2007 and measures recommended by the Western Australia Department of Food and Agriculture.
 27. The proponent shall provide road signage to the specification and satisfaction of Main Roads WA and the Shire of Dandaragan.
 28. Any leasehold arrangements exceeding 20 years for part lots are to be referred to the Western Australian Planning Commission for approval.
 29. Prior to the commencement of construction of the overhead power line on Lots 4 and 3824, written evidence shall be submitted to the Council that an agreed power line route has been reached with Iluka Resources Limited.
 30. Decommissioning of the above ground plant and equipment (excluding concrete pads; footings; and underground cables) on the subject land will commence within a period of 12 months from termination of operations and be completed

- within a time period of the satisfaction of the Shire of Dandaragan. This will occur following submission by the proponent of a plan outlining the process of decommissioning.
31. Planning consent is granted for a further four years from the expiry of the current planning approval extending the approval to 10 January 2020 during which time the development must be substantially commenced to the satisfaction of the Chief Executive Officer.
 32. The proponent is advised that planning approval is not a building licence. A building licence must be formally applied for and obtained from Building Services before commencement of any site and / or development works.
 33. The extension of the Planning Approval is not valid until the Planning Application Fee is received.
 34. The extension of time to the current planning approval does not alter the conditions of approval nor afford a right of appeal to the State Administrative Tribunal. The decision relates to the period of time upon which construction work must have substantially commenced as determined by the Chief Executive Officer.

Advice Notes:

- In relation to condition 29, the proponent may propose a replacement / alternative overhead power line route outside the indicative site works area, subject to further approval of the Council.

Health impacts of wind farms

This application is for amendments to an approved wind farm development. In February 2015 the National Health and Medical Research Council (NHMRC) came out with the following statement;

Examining whether wind farm emissions may affect human health is complex, as both the character of the emissions and individual perceptions of them are highly variable.

After careful consideration and deliberation of the body of evidence, NHMRC concludes that there is currently no consistent evidence that wind farms cause adverse health effects in humans. Given the poor quality of current direct evidence and the concern expressed by some members of the community, high quality research into possible health effects of wind farms, particularly within 1.5 km is warranted.

There are a couple of dwellings that are within the Windfarm project area (have windfarms on their property by agreement) that are slightly closer than 1.5km, and there are a couple of dwellings outside the project area that are just slightly greater than 1.5km from a wind tower (refer to map on page 15 of volume 1 in the attachments).

The current NMHRC statement means that those properties that have agreements (within 1.5km) may be impacted, but have agreed to the wind turbines, those that have dwellings greater than 1.5km away, based on the current evidence, are unlikely to suffer any negative health effects.

CONSULTATION

In addition to the Shire advertising and consultation process, the applicant undertook an advertising and consultation process and has advised;

Notification of the proposed amendments to the wind farm planning approval inviting comments and further engagement was sent to key stakeholders including approximately 26 state, federal and local government agencies, 14 private sector organisations, 9 community groups, 10 State and Federal members of Parliament and the owners of all properties involved in and proximate to the Waddi Wind Farm project. Further engagement and consultation occurred with many of these stakeholders. The consultation process commenced towards the end of 2015 and is ongoing.

This notification and consultation has consisted of:

- *Letters addressed to specific stakeholders advising of the proposed amendments distributed by email and/or mail;*
- *Newsletter and a fact sheet distributed by email and unaddressed mail to mailboxes at the Badgingarra and Dandaragan post offices;*
- *Face-to-face meetings and discussions with some government agencies and interested neighbouring residents;*
- *Invitations to the Information Days distributed by email, unaddressed mail to mailboxes at the Badgingarra post office and available on the counter at the Dandaragan post office;*
- *Advertising of the Information Days in 4 local publications leading up to the Information Days, posters displayed at 3 prominent community congregation points (Badgingarra and Dandaragan post offices and Shire of Dandaragan Council) and advertised by the Shire of Dandaragan on their website and Facebook page;*
- *The Information Days held at the Dandaragan Community Centre on 14th and 15th April; and*
- *Launching of the updated www.waddiwindfarm.com.au website on the 31st March 2016 which contains information about the Waddi Wind Farm and the proposed amendments to the planning approval.*

Written responses from stakeholders are summarised in the attachments as well as feedback from the sole visitor to the Information Days held at the Dandaragan Community Centre. As recommended in the Environment Protection Bulletin No. 21, consultation has occurred with the Department of Environment

Regulation Noise Regulation Branch and the Department of Parks and Wildlife.

As the Waddi Wind Farm project progresses, engagement with stakeholders will be ongoing using newsletters, letters, emails, meetings and updates to the website.

The Shire of Dandaragan undertook to advertise the proposal to all landowners that had property within 5km of the subject site boundary. This included landowners that had only portion of land within 5km. Advertising commenced on 12 July 2016 until 8 August 2016. A couple of late submissions were accepted as prior notice had been given.

The proposal was also advertised in the local newspapers circulating in the district and to the following government organisations.

- Department of Water;
- Wheatbelt Development Commission;
- Western Power;
- Western Australian Planning Commission
- Royal Australian Air Force Combat Support Unit;
- Main Roads Western Australia;
- Landgate;
- Department of Fire and Emergency Services;
- Environmental Protection Authority;
- Department of Regional Development State Land Services;
- Department of Environment Regulation
- Department of Planning;
- Department of Lands;
- Department of Industries and Resources;
- Department of Health;
- Department of Parks and Wildlife;
- Department of Mines and Petroleum;
- Department of Defence;
- Department of Agriculture and Food;
- Civil Aviation Safety Authority;
- Air Services Australia;
- Shire Officers.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.

POLICY IMPLICATIONS

- SPP 2.5 Land Use Planning in Rural Areas.
- Western Australian Planning Commission's (WAPC) Planning Bulletin No 67- Guidelines for Wind Farm Development.
- There are no local policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid a sum of \$15,675 which is 50% of the full fee as the application is for amendments to an existing approval.

STRATEGIC IMPLICATIONS

The following sections of the Local Planning Strategy support such applications;

Table 4: Actions – service infrastructure

Action - Assess applications for wind farms and other alternative energy infrastructure, having regard to visual landscape issues and other relevant matters set out in Planning Bulletin 67 – Guidelines for Wind Farm Development.

5.4.3 Alternative Energy

There is significant potential for the Jurien Bay region to become an important area for renewable energy production projects. Wind power generation is already proving to be popular within the Jurien Bay hinterland with several projects in operation or planned. The first WA utility scale solar photovoltaic farm is also been developed north of Jurien Bay confirming the potential for solar power in the region.

There is adequate power generation within the region but the key issue for the shire is the transmission and distribution of power. The investment by energy producers in the shire may encourage energy intensive agricultural or other industries that use significant amounts of energy to locate in the area.

ATTACHMENTS.

Circulated with the agenda are the following items relevant to this report:

- Application Volume 1 (Doc Id: 71443) – Previously Distributed
- Application Volume 1 (Doc Id: 71444) – Previously Distributed
- Schedule of Submissions (Doc Id: 71997) – Previously Distributed
- NHMRC doc (Doc Id: 71643) – Previously Distributed
- Extract from Senate Enquiry (Doc Id: 72582) – Previously Distributed
- Residents noise info sheet (Doc Id: 72435) – Previously Distributed

(Marked 9.4.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council

A. Note the submissions received.

- B. Grant the following amendments as set out in Waddi Wind Farm Planning Permit Amendment Application Rev D Volumes 1 and 2 dated 1 June 2016 (Doc IDs 71441, 71442) to the Waddi Wind Farm planning approval granted to Trustpower Australia Holdings Pty Ltd January 2012 and as amended in April 2015 for minor modifications to wind monitoring towers and extension of planning approval for the wind farm project granted until January 2020.**
- 1. Amend the transmission line route for connection of the wind farm into the transmission network.**
 - 2. Amend the location of the on-site substation to a location 900 metres west of the current permitted location and increase the area of the on-site substation from 4 ha up to approximately 12 ha.**
 - 3. Increase the maximum tip height of the wind turbines (the height from ground level to the highest point of the blade tip of each wind turbine) from 152 metres to 165 metres.**
 - 4. Minor amendments to the wording of existing planning approval conditions as follows:**
 - i. Replace Condition 8 with - The proponent shall notify property owners with land within 5km of approved wind turbine locations of the potential for interference to TV reception from the wind farm and offer residents with a dwelling located within 5km of a wind turbine a pre-construction and post-construction assessment of television reception. The proponent shall remedy any reception problems attributable to the presence of the wind farm at dwellings located within 5km of approved wind turbine locations as at January 2012.**
 - ii. Condition 13 Add “or background +5dB whichever is the higher” after the words "exceed 45dB(A)".**
 - iii. Condition 20 Replace ‘Department of Environment Conservation’ with ‘Department of Parks and Wildlife.**
 - iv. Condition 24 Replace the current condition with “The proponent shall provide an appropriate viewing area and/or information display at appropriate location(s) agreed with Council.”**
 - v. Condition 25 Add “except where higher security fencing is required for safety and security purposes” after the words "post and wire".**
 - vi. Condition 29 Remove this condition in its entirety**
 - 5. Amendments to the location of accessways and cable routes.**

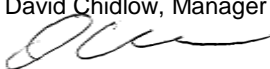

6. Increase the number of permanent wind monitoring masts from two to three.
7. All other conditions of approval granted in January 2012 and April 2015 remain in force.

Advice Note

1. Condition 1 of the current planning approval requires the land use and development is generally in accordance with the approval plans to the satisfaction of the Chief Executive Officer of the Shire of Dandaragan. The applicant shall provide details of any variations to the Chief Executive Officer for approval prior to commencement of any subject works, or to the satisfaction of the Council if in the view of the Chief Executive Officer those works are of significance and/or will detrimentally impact on nearby properties.
2. Should the applicant be aggrieved by this decision, or any conditions imposed, there is a Right to Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of the decision to the

State Administrative Tribunal,
GPO Box U1991,
PERTH WA 6845.

9.4.2 PLANNING APPLICATION – PROPOSED OUTBUILDING WITH REDUCED SETBACKS – LOT 641 HAMELIN AVE, JURIE BAY

Location:	Lot 641 Hamelin Ave, Jurien Bay
Applicant:	Swan Aussie Sheds on behalf of L&C Collins
Folder Path:	Development Services App / Development Application / 2016 / 47
Disclosure of Interest:	None
Date:	12 September 2016
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant seeks approval for a proposed outbuilding with a total area of 12m x 6m (72m²) with reduced side and rear boundary setback for wall of height 3.6m. Lot size is 819m².

BACKGROUND

The proponent has submitted a proposal to construct a 72m² outbuilding with a reduced setbacks.

The proposed setback on the rear boundary is 1.0m. The requirement for a wall height of 3.6m and length of 12m in table 2a of the Residential Design Codes is 1.5m. The proposal does not meet the required setback by 0.5m

The proposed setback on the side boundary is 0.5m. The requirement for a wall height of 3.6m and length of 6m in table 2a of the Residential Design Codes is 1.1m. The proposal does not meet the required setback by 0.6m

In accordance with the Council's Policy where a parapet/ boundary wall is proposed within 750mm of a boundary a maximum wall height of 3m and length of 9m will apply. The Council at its discretion can approve variations to the Policy.

The proposal meets all the other requirements of the policy.

Council has consistently refused applications for outbuildings that do not fully meet the policy requirements.

In support of the application, the plans show that there is minimal space to provide an outbuilding due to the configuration of the existing dwelling. There is minimal access down the side boundary to access the proposed outbuilding. The applicant has provided a 0.5m setback along the side boundary. Any further setback would make manoeuvring a vehicle into the space impossible.

There is also minimal distance between the rear of the dwelling and the rear boundary. The provision of 2m space between the dwelling and proposed outbuilding given the minimal 6m width of outbuilding is reasonable. This only allows a 1.0m setback from the rear boundary.

The provision of the 1.0m and 0.5m setbacks will give some amenity to the neighbours and not result in the 3.6m high walls on the boundary.

Should Council decide to approve the application, the following recommendation is suggested.

That Council grant planning approval for the proposed outbuilding in accordance with the attached approved plans date stamped 12 July 2016 on Lot 641 Hamelin Ave, Jurien Bay subject to:

Conditions:

1. All development shall be in accordance with the attached plans date stamped 12 July 2016 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government;
2. the roof and wall material being of non reflective nature and colour; and
3. the storm water run-off on the property to be managed on site or directed to a suitable disposal system to the satisfaction of the Shire's Manager of Building Services.

ADVICE NOTES:

Note 1: The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development;

Note 2: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.

Note 3: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

Note 4: Council has granted dispensation for this specific application due to problems in accessing the proposed outbuilding down the side boundary and to maintain 2m access between the existing dwelling and the proposed outbuilding for the rear

boundary reduction. Council has also taken into account the provision of 0.5m and 1.0m setbacks.

Note 5: The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

The State Administrative Tribunal
 GPO Box U1991
 PERTH WA 6845”

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period closed on 8 August 2016. One objection was received from an adjoining neighbour stating;

*“Appreciate the additional information. Thanks!
 I am good with the proposal as long as it is within the required boundary setback. Thanks again.”*

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- Residential Design Codes

POLICY IMPLICATIONS

- Local Planning Policy 8.5 – Outbuildings ‘Residential Areas

7. All outbuildings are to otherwise maintain a minimum rear / side setback in accordance with the Residential Design Codes Tables 2a and 2b. Any variation to these setback requirements will require the submission of a Planning Application with adjoining property owner comment for a Council decision.
8. Where a parapet/boundary wall is proposed (i.e. a wall within 750mm of a boundary), a maximum wall height of 3.0m and length of 9m will apply. Any variation to this requires comment from the affected adjoining property owner/s for a Council decision

FINANCIAL IMPLICATIONS

The applicant has paid a standard planning application fee of \$147.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Circulated with the agenda are the following Items relevant to this report:

- Location plan (Doc Id: 73053)
- Plans (Doc Id: 73054)

(Marked 9.4.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council refuse planning approval for the proposed Outbuilding on Lot 641 Hamelin Ave, Jurien Bay for the following reason;



1. the proposed development does not comply with Tables 2a and 2b of the Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not conform to the setback provisions of the Codes;
2. the proposed development detracts from the visual amenity of residents and neighbouring properties; and
3. the proposed development does not comply with orderly and proper planning for the locality.

ADVICE NOTES:

Note 1: The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

**The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845”**

9.4.3 PLANNING APPLICATION – PROPOSED ALTERATIONS TO EXISTING CARPORT WITH REDUCED SETBACKS – LOT 491 WHITLOCK LOOP, JURIE BAY

Location:	Lot 491 Whitlock Loop, Jurie Bay
Applicant:	R & G McGlenn
Folder Path:	Development Services App / Development Application / 2016 / 52
Disclosure of Interest:	None
Date:	12 September 2016
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant seeks approval for alterations to an existing carport attached to the existing dwelling with reduced (nil) setback from the side boundary.

BACKGROUND

The proponent has submitted a proposal to amend the existing carport attached to a dwelling by increasing the height and providing a front wall and door. The proposed amended carport will have a 32m² roofed area (11.85m x 2.674m) at height of 4m with a front wall nil setback.

The applicant has detailed on the plans the roofed area being setback 0.8m and the columns setback 0.1m, the frontage of the carport is enclosed with a wall that extends to the boundary and gives the appearance from the street that the structure is enclosed right up to the side boundary.

The required setback for a wall height of 4m and length of 12m in table 2a of the Residential Design Codes is 1.5m. The proposal does not meet the required setback (roofed area) by 0.7m

Of concern is the appearance of the frontage of the carport which is 4.0m in height and gives the appearance of being enclosed. The existing dwelling roof ridge height is 4.4m. It is noted that the structure has already commenced development.

CONSULTATION

The applicant provided signed copy of no objection from the impacted neighbour. The signed copy stated that they had *no objections subject to it being within the Shire of Dandaragan bylaws*.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- Residential Design Codes

POLICY IMPLICATIONS

- Local Planning Policy 8.5 – Outbuildings 'Residential Areas

Carports and Garages

1. All garages and carports shall not exceed a floor area of 40m², a wall height of 3.0m or a ridge height of 4.5m.
2. The Council may consider applications for carports and garages that exceed the size limitations defined in Part 1, where the following criteria are, in the opinion of Council, satisfactorily addressed;
 - a) the garage or carport is attached to and forms part of the adjoining dwelling;
 - b) the garage or carport is situated under the roof line of the adjoining dwelling;
 - c) the garage or carport is located at least 0.5m behind the dwelling alignment (excluding any porch, verandah or balcony);
 - d) the garage or carport will not have an impact on the streetscape or amenity of the area; and
 - e) the garage or carport complies with any design guidelines adopted by Council.
3. All carports and garages shall be constructed of materials that match or complement the dwelling on the site.
4. The use of zincalume wall cladding in garages and carports will not be permitted.

FINANCIAL IMPLICATIONS

The applicant has paid a standard planning application fee of \$147.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Circulated with the agenda are the following Items relevant to this report:

- Location plan (Doc Id: 73055)
- Plans (Doc Id: 73056)

(Marked 9.4.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council refuse planning approval for the proposed Carport on Lot 491 Whitlock Loop, Jurien Bay for the following reasons;

1. the proposed development does not comply with Tables 2a and 2b of the Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not conform to the setback provisions of the Codes;
2. the proposed development detracts from the visual amenity of the streetscape and amenity of the area; and
3. the proposed development does not comply with orderly and proper planning for the locality.

ADVICE NOTES:

Note 1: The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845”

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – AUGUST 2016 COUNCIL STATUS REPORT

Document ID: 73082

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 25 August 2016. **(Marked 9.5.1)**

9.5.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – SEPTEMBER 2016

Document ID: 73023

Attached to the agenda is a copy of the Shire of Dandaragan's Executive Manager Infrastructure Report for September 2016. **(Marked 9.5.2)**

9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – AUGUST 2016

Document ID: 72577

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for August 2016. **(Marked 9.5.3)**

9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – AUGUST 2016

Document ID: 72392

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for August 2016. **(Marked 9.5.4)**

9.5.5 WALGA – WASTENEWS – 19 AUGUST 2016 – ISSUE 15

Document ID: 72049

In this issue:

- Container Deposit Scheme Commitment
- Get More at Waste & Recycle
- LG Spotlight: Clean Ocean, Clean Catch
- Asbestos Register Health Check
- Waste Safety – Needs Improvement
- New WHS Regulations

9.5.6 WALGA – PROCUREMENT NEWS – AUGUST 2016 – ISSUE 27

Document ID: 72150

In this issue:

- Invitation to Register to the WA Procurement Congress
- Procurement Network Wrap Up
- Drug Laboratory Environmental Health Testing
- eQuotes User Group Meeting
- Accessing Procurement Content on the WALGA Website
- Contract Management Fraud
- Preferred Supplier Update
- Contract Novations
- WALGA Natural Area Management and Environmental Consulting PSA

9.5.7 WALGA – LOCAL GOVERNMENT NEWS – 12 AUGUST 2016 – ISSUE 31

Document ID: 71625

In this issue:

- WA Local Government Convention 2016
- WA Local Government Convention 2016 Photos
- Training
- WALGA Commented on the Report into the Waroona Fires January 2016
- Emergency Management Breakfast / Workshop with Euan Ferguson
- Transport Planning Guidelines – Department of Transport
- Cricket Funding Available for Local Governments
- WA Procurement Congress

Media Release

- Local Government Medal Award to Former Kalgoorlie Mayor
- Coolgardie Heritage a Banner Winner

9.5.8 WALGA – LOCAL GOVERNMENT NEWS – 19 AUGUST 2016 – ISSUE 32

Document ID: 72045

In this issue:

- Emergency Management Breakfast / Workshop with Euan Ferguson
- Container Deposit Scheme Commitment
- Training
- New Water Ways Board Member – Expression of Interest
- Calling for Comments: R-Codes Amendments
- Program Promotes Traineeships

Mailbag

- InfoPage: Local Government Heritage Guidelines Survey
- InfoPage: Local Government Economic Briefing – August

Media Release

- United Position on Refund Scheme Welcomed

9.5.9 GEORGE & HAZEL BEACROFT – CONGRATULATIONS ON DEVELOPMENT AT SANDY CAPE

Document ID: 71734

Attached to the agenda is an email from George and Hazel Beacroft congratulating Council and the caretaker on the development undertaken at Sandy Cape (**Marked 9.5.9**)

9.5.10 LOCAL GOVERNMENT PROFESSIONALS

Document ID: 72115

“The new Federal Government Minister for Local Government and Territories, the Hon Fiona Nash, has indicated a strong interest in local government. We want to ensure that policies relating to smart cities, digital services, regional development initiatives, economic development and job creation programs to improve the

*vitality and livability of communities will directly and positively impact our residents. **To achieve this, you – the local government practitioner working directly with the community – must have a voice in how these policies are applied and implemented.*** To visit forum and put your question or comment go to <http://oursay.org/lgprofaust/first100days>

9.5.11 COUNTRY ARTS WA / CHAMBER OF ARTS & CULTURE – MAPPING ARTS & CULTURE IN REGIONAL WA

Document ID: 72209

Attached to the agenda is a copy of letter received from County Arts WA / Chamber of Arts & Culture in regard to joint research project being undertaken on Mapping Arts & Culture in Regional WA and has been supported by Lotterywest. **(Marked 9.5.11)**

9.5.12 HON TERRY REDMAN MLA – MEDIA STATEMENT - AGEING IN THE BUSH REPORT OFFICIALLY LAUNCHED

Document ID: 72320

- Report outlines care models to address increasing regional aged population
- Is guiding more than \$70 million investment in regional aged care
- Report made possible by the State Government's Royalties for Regions

Attached to the agenda is the full media statement **(Marked 9.5.12)**

9.5.13 HON TONY SIMPSON MLA – MEDIA STATEMENT – IMPROVED AUDIT SCRUTINY OF LOCAL GOVERNMENTS

Document ID: 72321

- Legislation to extend jurisdiction of Auditor General to local governments
- Provide independent oversight of financial and performance audits

The Liberal National Government has introduced legislation into State Parliament providing for the appointment of the Auditor General as the auditor for local governments.

9.5.14 HON COLIN BARNETT MLA – MEDIA STATEMENT – MID-WEST TOURISM TO BENEFIT FROM INVESTMENTS

Document ID: 72328

- Investment to boost local economy and create jobs

“The redevelopment of Jurien Bay Boat Harbour, an extension to a cycle trail from Jurien Bay to Cervantes and upgrades to Mid-West campgrounds will reinvigorate tourism in the region, according to Premier and Tourism Minister Colin Barnett”

Attached to the agenda is full media statement **(Marked 9.5.14)**

9.5.15 COASTAL MANAGEMENT – COASTAL EROSION STUDY

Document ID: 72331

*“The Department of Transport in association with the Department of Planning is undertaking a study to identify **coastal erosion hotspots**. These are areas where ‘significant’ assets are at risk from coastal erosion over the next 25 years. Assets may be considered significant either due to their financial value (e.g. private property, public buildings) or their community value (e.g. highly utilised recreational areas”.*

9.5.16 HON JOE FRANCIS MLA – MEDIA STATEMENT – VERSATILE NEW PATROL VESSEL FOR MID-WEST

Document ID: 72332

- \$934,000 PV Lesueur joins Department of Fisheries patrol fleet
- Patrol vessel designed for shallow water work and at-sea inspections

Attached to the agenda is full media statement (**Marked 9.5.16**)

9.5.17 WALGA – ENVIRONEWS – AUGUST 2016 – ISSUE 17

Document ID: 72227

In this issue:

- Green Bins Cut Greenhouse Gas Emissions
- Heathcote Foreshore Restoration
- Katanning Eco Week
- Bush Skills 4 Youth (BS4Y) – July Holidays Workshop Wrap-up
- Container Deposit Scheme Commitment
- Keep Australia Beautiful Week, in the Bag
- Plastic Free July Making an impact
- WALGA Natural Area Management and Environmental Consulting Preferred Supplier Agreement
- Visit Water Corporation’s Interactive Waterwise Verge Gardens at the Perth Royal Show
- Draft Decision Process for Stormwater Management Released

Events and funding opportunities:

- Upcoming Events
- Funding Opportunities

9.5.18 DEPARTMENT OF HEALTH – CHANGES TO ENVIRONMENTAL HEALTH

Document ID: 72694

“Over the coming months, changes to the Environment Health Directorate (EHD) will be noticeable to our colleagues in local government.

A catalyst for these changes has been the introduction of the Public Health Act 2016 (the Act), which will have a significant impact on how environmental health issues are managed.”

Attached to the agenda is copy of entire correspondence (**Marked 9.5.18**)

9.5.19 WALGA – COUNCIL DIRECT – 1 SEPTEMBER 2016 – ISSUE 34

Document ID: 72449

In this issue:

- Smart Cities and Suburbs Program
- Local Government Appointments to Boards and Committees
- Training
- Obituary – Ian Watts
- Obituary – Annette Knight

Quick Links

- Publications
- Media Releases
- President's Column
- Events
- WALGA Training
- LGIS

9.5.20 HON TERRY REDMAN MLA – MEDIA STATEMENT – REGIONAL COMMUNITY RESOURCE HUBS TO CONTINUE

Document ID: 72480

- \$56 million investment to continue all 106 Community Resource Centre
- Centres provide services and information to regional communities
- Made possible by the Liberal National Government's Royalties for Regions program

Attached to the agenda is the entire media statement (**Marked 9.5.20**)

9.5.21 WALGA – BETTER GOVERNMENT, STRONGER COMMUNITIES: LOCAL GOVERNMENT'S PLAN FOR WA

Document ID: 72636

The following policy priorities are simple and straightforward as well as significant and strategic in nature:

1. The signing of a **Partnership Agreement** with the accompanying **Communication Protocol**.
2. A renewed **Road Funding Agreement** that provided 27 percent of revenue from motor vehicle license fees in WA for Local Government roads.
3. A commitment **not to introduce a cap on rates**.
4. The introduction of a **Container Deposit Scheme**.
5. Continuation of **Restructuring Library Arrangements** through the Public Library Services Working Group.
6. A comprehensive review of the **Local Government Act 1995**.
7. Restoration of the **Community Sporting and Recreation Facilities Fund** to \$20 million per annum beyond 2018-19.
8. The **deregulation of Local Government fees and charges**.
9. Restoration of the **Country Local Government Fund**.

10. Extension of the **poll provisions** relating to Local Government boundary change proposals.

Attached to the agenda is copy of correspondence (**Marked 9.5.21**)

9.5.22 WALGA – LOCAL GOVERNMENT NEWS – 26 AUGUST 2016 – ISSUE 33

Document ID: 72287

In this issue:

- Local Government Amendment (Auditing) Bill 2016
- Workshop for Perth Transport Plan
- Workshops for Building Act Review
- Training
- Community Arts Funding
- National Economic Development Conference
- CEO Announces Retirement

Mailbag

- InfoPage: National Disability Insurance Scheme Discussion Papers

9.5.23 HON TONY SIMPSON MLA – MEDIA STATEMENT – GRANTS SUPPORT FESTIVAL OF YOUTH

Document ID: 72648

- Community organisations encouraged to share in nearly \$80,000
- Grants celebrate young Western Australians during National Youth Week

Attached to the agenda is entire media statement (**Marked 9.5.23**)

9.5.24 WALGA – WASTENEWS – 2 SEPTEMBER 2016 – ISSUE 16

Document ID: 72646

In this issue:

- Stop Press!
- Still time to Register!
- NSW CDS Submission
- LG Spotlight: Donnybrook-Balingup Greens Bins
- WA Thanks You

Events

- Wednesday, 14 – Friday, 16 September: Waste & Recycle Conference

Submissions:

- Friday, 2 September: Waste Authority Community Waste Grants
- Wednesday, 14 September: WALGA submission NSW EPA Container Deposit Scheme
- Wednesday, 21 September: NSW EPA Container Deposit Scheme

9.5.25 LAWRIE SHORT – REPORT TO RURAL WATER COUNCIL

Document ID: 72823

Attached to the agenda to Rural Water Council on meeting with State Government Cabinet Members held on 28 August 2016 at the Moora Performing Arts Centre in Moora (**Marked 9.5.25**)

9.5.26 WALGA – LOCAL GOVERNMENT NEWS – 2 SEPTEMBER 2016 – ISSUE 34

Document ID: 72651

In this issue:

- Local Government Cycling Reference Group Action Plan
- Professional Development Session: Cultural Planning
- Feedback Required: Compliance and Enforcement of Building Act 2011
- Training
- Local Government Appointments to Boards and Committees
- Smart Cities and Suburbs Program

9.5.27 AGEING IN THE BUSH

Document ID: 72714

Attached to the agenda is Ageing in the Bush highlights (**Marked 9.5.27**)

9.5.28 PREMIER OF WESTERN AUSTRALIA – LETTER OF THANK YOU

Document ID: 73045

“I wanted to write and thank you for hosting a number of Members of Parliament and myself at various events recently in Jurien Bay.

Along with Hon. Terry Redman MLA, Minister for Regional Development, I was delighted to open the Mid-West Coastal Nodes Project at Sandy Cape Camping Gound”.

10 NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

Section 5.23 of the Local Government Act 1995 stipulates that all Council Meetings are generally open to the public. Section 5.23 goes on to identify specific situations in which the Council or committee may close to members of the public the meeting, or part of the meeting.

In situations where it is deemed that a meeting or part of a meeting must be closed to the public, Section 5.23 (3) states “A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.”

For a decision to be recorded in the minute a formal motion must be passed by Simple majority clearly stating the reason for the closure in accordance with Section 5.23 of the Local Government Act 1995.

Local Government Act 1995

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees;**
 - (b) the personal affairs of any person;
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the local government’s property; or

- (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
 - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

Local Government (Administration) Regulations 1996

4A. Meeting, or part of meeting, may be closed to public — s. 5.23(2)(h)

The determination by the local government of a price for the sale or purchase of property by the local government, and the discussion of such a matter, are matters prescribed for the purposes of section 5.23(2)(h).


11.1 GOVERNANCE & ADMINISTRATION

OFFICER RECOMMENDATION

That the meeting be closed to members of the public at __:__pm in accordance with Section 5.23 (2)(a) of the Local Government Act 1995 and Regulation 4A of the Local Government (Administration) Regulations 1996 to allow Council to discuss:

- Item 11.1.1 'Chief Executive Officer 2015 / 2016 Performance Review'.

11.1.1 CHIEF EXECUTIVE OFFICER 2015 / 2016 PERFORMANCE REVIEW

Location:	N/A
Applicant:	N/A
Folder Path:	Human Resources / Anthony Nottle
Disclosure of Interest:	Nil
Date:	7 September 2016
Author:	Cr Leslee Holmes, President
Signature of Author:	

The report has been abridged due to the confidential nature of the content that is contained within this report.

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13 CLOSURE OF MEETING