



SHIRE
of
DANDARAGAN

MINUTES
of the
ORDINARY COUNCIL MEETING
held at the
COUNCIL CHAMBERS, JURIE BAY
on
THURSDAY 23 AUGUST 2018
COMMENCING AT 11.06AM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 AUGUST 2018

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 11.04am and welcomed those present.

1.2 DISCLAIMER READING

The disclaimer was read aloud as there were 44 members of the public present.

“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 W Gibson	
Councillor K McGlew	
Councillor D Richardson	
Councillor R Shanahun	
Councillor A Eyre	
Councillor J Clarke	
Councillor D Slyns	

Staff

Mr B Bailey	(Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr G Yandle	(Executive Manager Infrastructure)
Ms R Headland	(Council Secretary & Personal Assistant)
Mr R MacKay	(Planning Officer)
Ms A Slyns	(Economic Development Officer)
Ms M Perkins	(Community Development Officer)
Mr T O’Gorman	(Club Development Officer)
Ms B Hearle	(Community Development (Youth) Trainee)

Apologies

Nil

Approved Leave of Absence

Councillor P Scharf

(Deputy President)

Observers

Mr J Astill, Mr M Sheppard, Mrs J Kulisa, Mr C Strugnell, Mr M Knowles, Ms A Goode, Ms L LeCras, Mr A Radford, Mrs B O’Gorman, teachers and students Jurien Bay District High School

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Questions from students of Jurien Bay District High School:

Julian

How long do meetings go for?

The President responded by saying that it depended on how many items were on the agenda as to how long meetings lasted. Meetings can last anywhere from 15 minutes to several hours.

Piper

What are the priorities for spending the money?

The Executive Manager Corporate & Community Services responded by saying that the core business was roads, parks, footpaths, and community buildings, anything that was over the Shire seek community consultation as to what they consider necessary

Claire

What are the most important things in the Shire?

The Chief Executive Officer responded by saying – Local information, local issues, balancing priorities between the agricultural region and the coast, good road networks and good facilities.

Who has the most important job at the Shire and why?

The Chief Executive Officer responded by saying that the front counter staff and our works teams that meet the people and look after our customers are the most important.

Ashlee

How many jobs are in the Shire?

The Chief Executive Officer responded by saying that the Shire currently has 62 employees working for them.

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Sequoia

Who has the power to dismiss employees?

The President responded by saying that the CEO has the authority to dismiss employees but it rarely happens.

Blake

How much money does the Shire have to spend?

The Executive Manager Corporate & Community Services responded by saying that the Shire funds are raised year to year and that the money comes from a lot of sources and could be between \$15 - \$18 million.

Cody

When will the skate park be built?

The Chief Executive Officer responded by saying that the Shire is still finalising planning, funding sources and broad public support prior to the skate park being built.

Ally

What kind of things does the Shire fund?

The CEO responded by saying that the Shire funds community events, community buildings and transport infrastructure and helps local clubs improve their facilities.

Ethan

Do you do things to make the towns more fun?

The Chief Executive Officer responded by saying that the Shire is guided by the Community Strategic Plan to find out what it is the community desires. This process facilitates development of projects such as playgrounds, foreshore developments, recreation infrastructure and events.

Emily

Where is all the Shires money kept?

The Executive Manager of Corporate & Community Services responded by saying that the Shire's money was kept at Bankwest.

5 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

Moved Cr Clarke, seconded Cr Eyre

That the following request for leave of absence be approved:

Cr Gibson – 25 October 2018

Cr Slyns – 24 September 2018 ~ 30 September 2018.

CARRIED 8 / 0

6 CONFIRMATION OF MINUTES**6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 26 JULY 2018****COUNCIL DECISION**

Moved Cr Gibson, seconded Cr Richardson

That the minutes of the Ordinary Meeting of Council held 26 July 2018 be confirmed.

CARRIED 8 / 0

7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

John Astill gave a deputation on reasons why the Cervantes Country Club was viable to the Cervantes town in relation to their application for financial support. He listed a number of upcoming events at the Cervantes Country Club and that it would be detrimental to Cervantes if the club was to close its doors.

Cr Shanhun left the Chambers at 11.38am

Cr Shanhun returned to the Chambers at 11.39am

Ms Headland left the Chambers at 11.39am

Ms Slyns left the Chambers at 11.40am

Ms Headland returned to the Chambers at 11.40am

Ms Slyns returned to the Chambers at 11.41am

Mr Clayton left the Chambers at 11.46am

Mr Clayton returned to the Chambers at 11.48am

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9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 ACCOUNTS FOR PAYMENT – JULY 2018

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	10 August 2018
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To accept the cheque, EFT and direct debit listing for the month of July 2018.

BACKGROUND

As part of the Local Government Act 1995, Financial Management Regulations 1996, a list of expenditure payments is required to be presented to Council.

COMMENT

The cheque, electronic funds transfer (EFT) and direct debit payments for July 2018 totalled \$691,874.06 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the July 2018 Accounts for payment, 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 13 of the Local Government Financial Management Regulations 1997.

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

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and leading local government</i>	
Business as Usual	k) Finance

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 AUGUST 2018

ATTACHMENTS

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

- Cheque, EFT and direct debit listings for July 2018 (Doc Id: 113296)

(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Clarke

That the Municipal Fund cheque and EFT listing for the period ending 30 July 2018 totalling \$691,874.06 for the Municipal Fund be accepted.

CARRIED 8 / 0

9.1.2 JURIEN SPORT AND RECREATION CENTRE PART ELECTRICITY BILL WRITE OFF

Location:	Jurien Bay
Applicant:	Jurien Sport and Recreation Centre
Folder Path:	Business Classification Scheme / Council Properties / Leasing Out / Community Centres
Disclosure of Interest:	Nil
Date:	2 August 2018
Author:	Tony O'Gorman, Club Development Officer
Senior Officer:	Scott Clayton, Executive Manager Corporate and Community Services.

PROPOSAL

To write off a portion of the electricity bill for the Jurien Sport and Recreation Centre for the period 2 March 2018 to 7 May 2018.

BACKGROUND

The Jurien Sport and Recreation Centre is billed through the Shire of Dandaragan for its portion of electricity used in each billing period. Over the billing period in question the Coordinator recognised a much larger than usual bill for the same periods in previous years.

An investigation of the reason for the unusually high bill was conducted. The cause appears to be that a leak in the heating water pipes occurred during the billing period. This leak was not detected for some time and the water heating systems ran continuously for a period of approximately three days over the Easter weekend holiday period.

The leak in the pipework is the responsibility of the Shire under the Management Agreement currently in place with the Recreation Centres. The leak has now been repaired at the Shire's cost.

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COMMENT

The leak occurred over the Easter holiday weekend and therefore it is expected that the electricity bill for the Jurien Sport and Recreation Centre (JSRC) would be larger than in the periods before and after the Easter period.

Information provided by the JSRC shows that the bills for the corresponding periods in 2016 and 2017 are significantly smaller than the current bill.

The centre's management have been monitoring the power usage at the centre and significant reductions have been achieved over the past two years. A comparison spreadsheet of the power usage and bills for the three years 2016 to 2018 has been provided. The power usage bills for the corresponding periods in the previous two years were 2016 \$1,318 and 2017 \$1,152. The current bill is \$1,711.

Considering that the leaking pipe appears to be the cause for the increased costs on the current bill then it reasonable that a figure of the average between the previous two years be considered as the appropriate amount for the current bill.

This would equate to the Shire writing off an amount of \$321.17 from the current bill. This figure has been arrived at by averaging the unit usage over the past two years and then using that average to calculate the current usage using the current unit tariff.

From	Date To	No of Days	Supply Charge	Units used	Use Charges	Bill Amount
27/02/2016	2/05/2016	65	\$14.95	4380	\$ 1,303.53	\$1,318.48
1/03/2017	3/5/82017	64	\$14.72	3705	\$ 1,137.43	\$1,152.15
2/03/2018	7/05/2018	67	\$15.46	5028	\$ 1,726.53	\$1,711.07
			Average units for 2016/2017	4042.5		
			Current Unit Cost	\$ 0.34		
			Average usage cost 2016/2017	\$1,374.45		
			Average usage including Standing Charge			<u>\$1,389.91</u>
			Write Off amount			<u>\$ 321.17</u>

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CONSULTATION

- Chief Executive Officer
- Executive Manager Corporate and Community Services.
- Manager Building Services.
- Coordinator Jurien Sport and Recreation Centre.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.12(c)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

An expense of \$321.71 will not be reimbursed by JSRC if the recommendation is supported.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 2: Healthy Safe and Active Community</i>	
Objectives	How the Shire will contribute
2.4 Provide recreation and community facilities and activities	b) Manage club leases and other community leases

ATTACHMENTS

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

- Jurien Sport and Recreation Centre Spreadsheet (Doc Id: 115716)
- Shire of Dandaragan Invoice Number 29031 (Doc Id: 116069) **(Marked 9.1.2)**

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Gibson

That Council write off an amount of \$321.17 of the March to May 2018 electricity bill of the Jurien Sport and Recreation Centre.

CARRIED BY ABSOLUTE MAJORITY 8 / 0

9.1.3 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 JULY 2018

Location:	Shire of Dandaragan
Applicant:	N/A
Folder:	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	12 June 2018
Author:	Scott Clayton, Executive Manager Corporate and

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Senior Officer:

Community Services
Brent Bailey, Chief Executive Officer

PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 July 2018.

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 2018.

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 [i.e. surplus / (deficit)] position as at the 31 July 2018 was \$1,660,923. 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.

Note 14 of the attached report details any significant variances. Should Councillors wish to raise any issues relating to the 31 July 2018 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)

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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

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and leading local government</i>	
Business as Usual	k) Finance

ATTACHMENTS

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

- Financial statements for the period ending 31 July 2018 (116741)
(Marked 9.1.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Richardson

That the monthly financial statements for the period 31 July 2018 be adopted.

CARRIED 8 / 0

9.1.4 REVIEW OF COMMUNITY GRANT APPLICATIONS

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Grants and Applications / Shire Community Grants
Subsidies /	
Disclosure of Interest:	Nil
Date:	14 August 2018
Author:	Michelle Perkins, Community Development Officer
Senior Officer:	Scott Clayton, Executive Manager Corporate and Services
Community	

Cr Slyns declared an impartiality interest as he is the President of the Jurien Bay Youth Group who applied for a Community Grant and is also on the Grants Committee.

PROPOSAL

The purpose of this report is to authorise the allocation of funds for the Shire of Dandaragan Community Grants for 2018 / 2019.

BACKGROUND

In accordance with the Community Grants Program Policy 1.6, notices were placed in each of the four local community newspapers and by other formats, inviting applications for

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community groups. The objective of the Community Grants is to provide funds to community-based organisations and individuals, to support the promotion and development of social, economic, recreation, art and cultural benefits for the residents of the Shire of Dandaragan.

COMMENT

This year, the funding pool, including a carryover from the previous financial year, is \$28,521. The Grants Program received a total of 14 applications with a total funding request of \$17,820.

ORGANISATION	PROJECT DESCRIPTION	GRANT REQUEST
Advance Dandaragan	Quiet Achievers Dinner	\$500
Badgingarra Community Association	Inspirational Dinner	\$1500
Cervantes Historical Society	Royal WA Historical Society State History Conference Welcome Event	\$1500
Coastal Kids Care	Community Christmas Party and Open Day	\$1500
Dandaragan Community Resource Centre	Dandaragan Christmas Carols Event	\$800
Dandaragan Golf Club	Men & Ladies Open Days	\$1000
Dandaragan Playgroup	Tiny Hearts First Aid Course	\$1020
ICAN - Inspirational Community Arts Network	Art Workshops	\$1500
Jurien Bay Camera Club	2018 Turquoise Coast Photo Competition	\$1500
Jurien Bay District High School P & C	Senior Ball	\$1000
Jurien Bay Interpretive Complex	Feasibility Study, Business Case, MOU & Management / Operational Plan	\$1500
Jurien Bay Youth Group	Basic Survival and First Aid Trek	\$1500
Jurien Sport and Recreation Centre	Country Arts WA 'Show on the Go'	\$1500
Wolba Wolba Heritage Site Management Committee	Aggies Cottage Christmas Pop Up Shop	\$1500
	TOTAL	\$17,820

This will be the tenth consecutive year of the Shire of Dandaragan Community Grants Program. The assistance provided by the Shire is to support community events and is not intended to be the sole source of funding.

The Community Grants Committee met on 8 August 2017 to consider the applications.

The first item of discussion was to consider the eligibility of the applications. All applications were considered eligible.

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Despite being eligible, it was recommended that the following application not be funded:

Applicant: Cervantes Historical Society
 Request: Royal WA Historical Society State History Conference - Welcome Event
 Comment: The applicant was funded through the Shire's annual budget allocation to the value of \$2,500 therefore it was recommended that this application be declined.

The remaining applications were deemed eligible and the working party recommends Council award grants to all remaining groups to the value of \$16,320.50.

CONSULTATION

- Councillor Leslee Holmes
- Councillor Dahlia Richardson
- Councillor Kaye McGlew
- Councillor Darren Slyns

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

In accordance with Shire of Dandaragan's Policy 1.6 Community Grants Program.

FINANCIAL IMPLICATIONS

A budget of \$28,521.45 is available in 2018 / 2019.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 3: Strong and Connected Community</i>	
Objective	How the Shire will contribute
3.4 Support community-led initiatives	a) Provide community grant program, set at a percentage of rates and reviewed four yearly in the Corporate Business Plan

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Eyre

That Council:

1. Fully fund the following grant applications:

ORGANISATION	PROJECT DESCRIPTION	GRANT
Advance Dandaragan	Quiet Achievers Dinner	\$500
Badgingarra Community	Inspirational Dinner	\$1500

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Association		
Coastal Kids Care	Community Christmas Party and Open Day	\$1500
Dandaragan Community Resource Centre	Dandaragan Christmas Carols Event	\$800
Dandaragan Golf Club	Men and Ladies Open Days	\$1000
Dandaragan Playgroup	Tiny Hearts First Aid Course	\$1020
ICAN	Art Workshops	\$1500
Jurien Bay Camera Club	2018 Turquoise Coast Photo Competition	\$1500
Jurien Bay District High School P & C	Senior Ball	\$1000
Jurien Bay Interpretive Complex	Feasibility Study, Business Case, MOU, Management / Operational Plan	\$1500
Jurien Bay Youth Group	Basic Survival and First Aid Trek	\$1500
Jurien Sport and Recreation Centre	Country Arts WA 'Shows on the Go'	\$1500
Wolba Wolba Heritage Site Management Committee	Aggies Cottage Christmas Pop Up Shop	\$1500
	TOTAL	\$16,320

2. Reject the following grant applications:

ORGANISATION	PROJECT DESCRIPTION	GRANT
Cervantes Historical Society	Royal WA Historical Society State History Conference - Welcome Event	\$1500
	TOTAL	\$1,500

CARRIED 8 / 0

9.1.5 REVIEW OF TRONOX GRANT APPLICATIONS 2018 / 19

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Grants and Subsidies / Applications / Tronox Community Grants
Disclosure of Interest:	Nil
Date:	14 August 2018
Author:	Michelle Perkins, Community Development Officer
Senior Officer:	Scott Clayton, Executive Manager Corporate & Services
Community	

Cr Slyns declared an impartiality interest as he is the President of the Jurien Bay RSL who applied for a Tronox Grant.

Cr Shanhun declared an impartiality interest as he is a member of the Cervantes Bowling Club (Inc) who applied for a Tronox Grant.

PROPOSAL

The purpose of this report is to consider the allocation of funds for the Tronox Management Shire of Dandaragan Sporting and Recreation Facilities Fund grant determinations for 2018 / 2019 financial year.

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BACKGROUND

The purpose of this budget item is to allocate a sum of money each year for 'assisting local organisations to provide or improve sporting and recreational facilities and to purchase or improve items of durable equipment'. The funds are allocated by a Committee, made up of two (2) representatives from each community within the Shire of Dandaragan, a Tronox Management representative, Shire President, and Community Development Officer.

Council has allocated an amount of \$15,000 in the 2018 / 2019 Budget for the Sporting and Recreation Facilities Fund, and Tronox has once again contributed to match the funding. In addition, there are carry-over funds from last year's unallocated funds and funds foregone due to incomplete projects. The total funds available is \$38,061.

COMMENT

As indicated in the minutes of the grant committee meeting held 6 August 2018, this year 21 applications were submitted by sporting clubs and community organisations. The sum of all requests was \$83,619. The Committee indicated the process of reviewing and selecting grants would require all to be flexible and understanding, as the pool was again oversubscribed with worthy projects.

There were unspent grants to be carried over from allocations of last year – 2017 / 2018. In past years, when clubs were unable to complete projects, the unspent funding would be brought forward and reallocated.

The Committee agreed to support the following list of 16 projects:

Organisation	Project Description	Project Cost (\$)	Grant (\$)
Badgingarra Community Association	Stage	17,787.00	8,893.50
Cervantes Bowling Club	Bench Seating	2,656.50	1,328.25
Cervantes Community Recreation Centre	Tables and Trolley	3,967.70	1,983.82
Cervantes Community Recreation Centre	Kitchen Equipment	2,278.00	1,139.00
Cervantes Golf Club	Self-Propelled Ride-on Mower	5,379.00	2,689.50
Cervantes Historical Society	Office Equipment	1,568.00	784.00
Dandaragan Community Centre Management Committee	Crockery and Cutlery	6,277.50	3,138.75
Dandaragan Golf Club	Upgrade to Clubhouse and outdoor area	9,059.99	4,530.00

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Organisation	Project Description	Project Cost (\$)	Grant (\$)
ICAN	Laptop and Mobile Printer	1,649.00	824.50
Jurien Bay Motor Cycle Club	Reticulation	2,870.15	1,435.00
Jurien Bay Motor Cycle Club	Fire Extinguisher and Fire Blanket	568.95	284.00
Jurien Bay RSL Sub-Branch	Audio Equipment	1,230.00	615.00
Jurien Sport and Recreation Centre	Stage	21,681.00	3,155.98
Jurien Sport and Recreation Centre	Tables and Trolley	4,011.70	2,000.00
Lions Club of Jurien Bay	PA / Sound System	8,027.80	4,013.90
Wolba Wolba Heritage Site Management Committee	Market Umbrellas	2,492.00	1,246.00
Total		\$91,504.29	\$38,061.20

CONSULTATION

- Badgingarra Community Association
- Cervantes Ratepayers and Progress Association
- Advance Dandaragan
- Jurien Bay Progress Association

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

Shire of Dandaragan Policy 6.6 Sport and Recreation Funding

FINANCIAL IMPLICATIONS

Council has made provision in the budget for \$30,000 expenditure and matching income from Tronox of \$15,000 and general purpose revenue of \$15,000, plus balance brought forward from 2017 / 2018 of \$8,061.20.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 3: Strong and Connected Community</i>	
Objectives	How the Shire will contribute
3.4 Support community-led initiatives	b) Support community self-management of resources where appropriate

ATTACHMENTS

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

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- Minutes of the Tronox Shire of Dandaragan Grant Committee meeting on 6 August 2018 (Doc Id: 116716)
- Tronox & Shire of Dandaragan Sporting and Recreation Facilities Fund Assessment Criteria (Doc Id:100448)
(Marked 9.1.5)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr Eyre, seconded Cr McGlew****That Council:**

1. **receive the minutes from the Tronox Shire of Dandaragan Grant Committee meeting from 6 August 2018;**
2. **approve the following grant applications for the Sporting and Recreation Facilities Fund for the 2018 / 2019 financial year, as recommended at the committee meeting on 6 August 2018;**

Organisation	Project Description	Project Cost (\$)	Grant (\$)
Badgingarra Community Association	Stage	17,787.00	8,893.50
Cervantes Bowling Club	Bench Seating	2,656.50	1,328.25
Cervantes Community Recreation Centre	Tables and Trolley	3,967.70	1,983.82
Cervantes Community Recreation Centre	Kitchen Equipment	2,278.00	1,139.00
Cervantes Golf Club	Self-Propelled Ride-on Mower	5,379.00	2,689.50
Cervantes Historical Society	Office Equipment	1,568.00	784.00
Dandaragan Community Centre Management Committee	Crockery and Cutlery	6,277.50	3,138.75
Dandaragan Golf Club	Upgrade to Clubhouse and outdoor area	9,059.99	4,530.00
ICAN	Laptop and Mobile Printer	1,649.00	824.50
Jurien Bay Motor Cycle Club	Reticulation	2,870.15	1,435.00
Jurien Bay Motor Cycle Club	Fire Extinguisher and Fire Blanket	568.95	284.00
Jurien Bay RSL Sub-Branch	Audio Equipment	1,230.00	615.00
Jurien Sport and Recreation Centre	Stage	21,681.00	3,155.98
Jurien Sport and Recreation Centre	Tables and Trolley	4,011.70	2,000.00

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Organisation	Project Description	Project Cost (\$)	Grant (\$)
Lions Club of Jurien Bay	PA / Sound System	8,027.80	4,013.90
Wolba Wolba Heritage Site Management Committee	Market Umbrellas	2,492.00	1,246.00
TOTAL		\$91,504.29	\$38,061.20

and

3. **reject the following grant applications for the Sporting and Recreation Facilities Fund for the 2018 / 2019 financial year, as recommended at the committee meeting on 6 August 2018;**

Organisation	Project Description	Project Cost (\$)	Grant Request (\$)
Badgingarra Primary School P & C	Sporting Equipment	1,344.50	672.25
Cervantes Cultural Committee	Sculpture	29,200.00	14,600
Coastal Kids Care	Nature Playground	39,884.97	19,942.49
Jurien Bay Progress Association	Aluminium Interpretive Signage	1,409.00	704.50
Jurien Horse Club	Horse Crush	5,080.00	2,540
TOTAL		76,918.47	38,459.24

CARRIED 8 / 0

9.2 INFRASTRUCTURE SERVICES

9.2.1 CERVANTES COMMUNITY CENTRE PLAYGROUND BUDGET AMENDMENT

Location: Aragon Street, Cervantes
 Applicant: Garrick Yandle, Executive Manager Infrastructure
 Folder Path: Business Classification Scheme / Financial Management / Budgeting / Capital Works
 Disclosure of Interest: Nil
 Date: 14 August 2018
 Author: Garrick Yandle, Executive Manager Infrastructure
 Senior Officer: Brent Bailey, Chief Executive Officer

PROPOSAL

That Council endorse a budget amendment to finalise the design and installation of the Cervantes Community Centre Playground.

BACKGROUND

As part of the Cervantes Community Centre (CCC) Redevelopment Project the existing playground associated with

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the building and adjacent recreation reserve was removed. This playground was in a condition such that it was coming to the end of its useful life and could not be relocated in a cost effective manner. Its condition was also such that it was unsafe for use and not in a state reflective of an updated and modern building or recreation precinct.

The playground services the associated users of the CCC recreation precinct. It has predominantly been used by the Cervantes Playgroup, which operates out of the CCC building, children associated with the Cervantes Football Club during the winter sports season, as well as other community events held in the precinct.

A funding amount of \$40,000, was allocated in the 2017 / 18 Council Budget for the procurement and installation of a replacement playground.

In the Shire of Dandaragan Playground Replacement and Management Strategy 2007 - 2012 (Attachment 1 Doc Id: 116887) it is classified under the following playground hierarchy for playground management and budgeting capital renewal purposes:

Class 4 (Controlled use) - playground is fenced, and use is controlled by a committee of management, or similar, and used within limited times, e.g.: kindergarten playgrounds used during kindergarten operating hours.

Class 4 Playground

Funding to be dependent on group fundraising and requirements but could be

Playground	10,000	Including supply and installation
Border	400	Concrete kerbing
Shire Work	1,500	Labour and plant
Softfall Sand	<u>1,600</u>	
	<u>13,500</u>	

COMMENT

During the replacement playground procurement process the hierarchy of the nominated playground was reviewed by Shire officers in consultation with Council. It was indicated that a more appropriate hierarchy classification and budget capital renewal would be:

Class 2 (District) – would be located centrally within the town and as well as providing a multi aged playground it will also be incorporated within a multi-function park.

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Class 2 Playground

Playground	45,000	Including supply and installation
Border	3,500	Limestone blocks
Shire Work	4,000	Labour and plant
Soft fall Sand	7,500	
	60,000	

The reasoning behind the reclassification was:

- The previous playground only catered for a small age group.
- The redevelopment of the CCC building was focused on improving the Cervantes recreation precinct to cater for greater multi-purpose activities and events for varying age demographics.
- It is centrally located in town within a multi-function park.

An example of a similar playground within the Shire that was recently replaced as part of Council's capital renewal process was "Pirate Park Playground" located at Baudin Park in Jurien Bay. The capital cost of this playground renewal in 2016 was \$48,000, which was for the playground components only. The Baudin Park site previously had soft fall and border work installed, which was at an acceptable standard that did not require additional renewal works.

The Shire of Dandaragan Playground Replacement and Management Strategy was published in 2008, it is proposed to be reviewed as part of the upcoming Public Open Space Asset Management Plan review.

CONSULTATION

- Chief Executive Officer
- Community Development Officer
- Manager Building Services
- Council via Council Forum

Cervantes Community Groups

- Cervantes Playground
- Cervantes Community Centre
- Cervantes Men's Shed

Shire officers have engaged closely with various community groups within Cervantes to determine key elements of the replacement playground. This engagement has included onsite meetings and review of proposed concepts. Key outcomes from this engagement included:

1. Theme
 - a. Nature style playground
 - b. Cervantes based theme
2. Construction
 - a. Of adequate materials to last a reasonable amount of time.
 - b. Built to appropriate standards.

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3. Location

- a. Closer enough to the CCC without impeding potential views of the sports oval.
- b. Protected from high traffic areas to provide increased safety for children and peace of mind for parents.
- c. Close to other children's amenities such as the skate park.

Design Consultant

- Nature Playgrounds – Steward Windsor

Shire officers have worked closely with staff from Nature Playgrounds to develop an appropriate concept design based upon the outcomes of the community engagement. Shire officers reviewed previous works undertaken by Nature Playgrounds that were of a similar standard and theme to requirements of the new CCC playground and developed specifications to provide to their representatives. This included the following:

- Concept Brief.
- Indicative Budget.
- Indicative Timeframe.
- Proposed Site Details.

The engagement process with Nature Playgrounds commenced in February 2018. The process has been iterative and entailed a concept sketch being provided to Shire officers to review in May 2018. This concept was reviewed by Shire officers and discussed with various community groups for endorsement. Following this a Request for Proposal was issued to the consultant to provide a design and quote for installation of the proposed playground. This updated documentation was received in early August 2018 (Attachment 2 – Doc Id: 116730).

STATUTORY ENVIRONMENT

- Section 6.8 Local Government Act – 1995

6.8. Expenditure from municipal fund not included in annual budget

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

** Absolute majority required.*

POLICY IMPLICATIONS

Shire of Dandaragan Purchasing Policy and Tender Guide 1.15.

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FINANCIAL IMPLICATIONS

The proposed budget for the CCC Playground in Council's 2018/19 Annual Budget was \$40,000. This was a carryover from the 2017 / 18 Annual Budget, which was based upon estimated design, supply and installation costs.

The proposal received from Nature Playgrounds provided a budget quote as follows:

Nature Playgrounds		
Playground	43,157	Including supply and installation
Soft fall and Landscaping	19,688	Limestone blocks
Shire Work	3,000	Labour and plant
	65,845	

The proposed figure is \$25,845 over the amount budgeted in Council's 2018/19 Annual Budget. It is slightly over the proposed budgetary figure of \$60,000 for Class 2 Playgrounds, but is within 10% of this figure.

Council staff or local contractors could potentially undertake the entire soft fall and landscaping components of this project for less than the proposed \$22,688. This option will be further investigated prior to construction commencing.

A proposed budget amendment of \$25,845 exclusive of GST is requested from Council to continue the progress of this project. This is proposed to be funded from the Infrastructure Renewal Reserve.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 1: Great Place for Residential and Business Development</i>
Objective
1.3 Ensure timely provision of essential and strategic infrastructure
<i>Goal 2: Health, Safe and Active Community</i>
Objective
2.4 Provide Recreation and community facilities and activities

ATTACHMENTS

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

- Shire of Dandaragan Playground Replacement and Management Strategy 2007 - 2012 (Doc Id: 116887)

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- Nature Playgrounds CCC Playground Design 20180717 (Doc Id: 116730)
(Marked 9.2.1)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Richardson

That Council approve a budget amendment of \$25,845 for the procurement of the design and installation of the new Cervantes Community Centre Playground; with the additional funds coming from the Infrastructure Renewal Reserve.

CARRIED BY ABSOLUTE MAJORITY 8 / 0

9.3 DEVELOPMENT SERVICES

9.3.1 NAMING OF RESERVE REQUEST – RESERVE 30824 – LOT 596 ALVA WAY, CERVANTES

Location:	Lot 596 Alva Way, Cervantes
Applicant:	Cervantes Ratepayers & Progress Association Inc.
Folder Path:	Business Classification Scheme / Parks and Reserves / Naming / Sites
Disclosure of Interest:	Nil
Date:	1 August 2018
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager of Development Services

PROPOSAL

To consider a request from the Cervantes Ratepayers and Progress Association (CRPA) to name Reserve No.30824 “Allen Ogden Park” in recognition of the community work the late Mr Ogden had done in Cervantes.

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Location Map

BACKGROUND

The ability to name features, localities and roads is afforded by way of delegated authority from the Minister of Lands to the Geographic Names Committee (GNC) under sections 26 and 26A of the *Land Administration Act 1997*. The procedure for naming reserves and parks is outlined in the *Policies and Standards for Geographical Naming in Western Australia 2017* (PSGN).

Any person, community group, organisation, government department or local authority can request a new name or an amendment to an existing name by contacting the GNC within Landgate. However, consultation with the relevant local authority is required in each case, as the PSGN outlines local governments and State government departments/authorities are required to make submissions to the GNC for any naming proposals within their jurisdiction. To expedite the process, such requests should be put to the relevant local authority for their comment and / or endorsement prior to the submission being sent to the GNC for consideration.

This is what has transpired in this instance. Correspondence (attached to this report) has been received from the CRPA stating two years has passed since the death of Mr Allen Ogden (this was

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the recently amended required time period before an official request can be made to the GNC for the naming of a reserve). Mr Ogden had been the President of CRPA for several years and the numerous community projects he was involved with included work on the subject park. The CRPA request Council's endorsement of the naming proposal in recognition of Mr Ogden's contributions to the community and seek the Shire forward such endorsement (if forthcoming) to the GNC for formal determination in check with the PSGN.

Local governments and other authorities are to ensure that all naming submissions conform to Section 1: General policy and standards as well as all the procedures outlined in Section 5: Local parks and recreational reserves of the PSGN. Notwithstanding these sections, selection of a local park or recreational reserve names must take into consideration the impact the name will have on the wider community.

There is no minimum or maximum size requirement for a proposed named local park or recreational reserve. However, all naming submissions must clearly define the area or extent to which the name shall apply. The same name shall only be applied to contiguous land parcels and shall not be applied to unconnected land parcels. The names shall not bisect a lot and shall only apply to whole cadastral land parcels. This proposal complies with these locational requirements as the submission seeks only the naming of Reserve 30824 – Lot 596 Alva Way, Cervantes (as shown in the location map above). The local park is a uniquely and clearly defined administrative geographical extent. The crown land parcel which has been reserved for public purpose includes infrastructure such as shelters, ablutions and walk paths as shown in the picture below.



Reserve 30824

COMMENT

The local park is currently informally known as Tranquilla Park (which translates to calm, peaceable, quiet); however, this name has never been officially registered with the Geographic Names Committee. Such a name is highly unlikely of being formally approved by the GNC. Reasons for this is as the PSGN states, the use of a unique name may only be considered when the name is

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derived from a historical reference indicating that the name has been in use in the same area for some extended period of time and meets one of the following criteria:

- names from Aboriginal languages formerly identified within the general area;
- names of pioneers who were relevant to the area;
- names of persons who died during war service; or
- names associated with historical events connected with the immediate area.

Further to the above, local park or recreational reserve naming or renaming proposals will not be approved if:

- the proposed name has no relationship to the area or is a made-up name;
- petitions presented in support only represent one point-of-view;
- the proposal is not supported by local government; and
- the renaming proposal does not have strong local community support.

CRPA's 'Allen Ogden Park' proposal satisfies the following in accordance with the PSGN:

- easy to pronounce, spell and write;
- does not exceed more than three words;
- is in Australian English;
- does not use discriminatory, derogatory and inappropriate language;
- does not use the definite article 'The';
- does not use prepositions;
- uses the accepted use of capitalisation;
- does not use hyphens and the word 'and';
- does use the following types of punctuation - period (full stop), comma, colon, semi-colon, quotation marks, exclamation mark, question mark, ellipsis, hyphen, dash, apostrophe and parenthesis;
- does not use symbols and logo grams;
- does not use of nicknames, epithets or informal names;
- does not use initials or abbreviations;
- does not use titles, honorifics and post nominals;
- does not use numbers / numerics;
- consists of a name element (specific) followed by a feature class (generic); and
- use the acceptable feature class 'Park'.

Adding to the correct use of grammar and punctuation of the name proposal is the following in regards to the use of commemorative names for local parks and recreational reserves:

- is posthumously;
- uses the first name and surname of a person (although it is preferred that only the surname is used);
- recognises the outstanding achievement and significant contributions a person has made to the subject community directly;

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- the proposal is in public interest;
- does not commemorate victims of, or mark the location of, accidents or tragedies; and
- a well-established and acceptable name doesn't already exist for the feature.

The local park naming proposal from the CRPA is supported by Shire staff, subject to further advertising to the wider Cervantes community for a period of 30 days and confirmation from the immediate family of the late Allen Ogden that they have no objection to the proposal in accordance with the PSGN.

CONSULTATION

As per the PSGN local governments must ensure that the level and form of consultation undertaken reflects the significance of the naming proposal.

Although the naming proposal has come from the CRPA, the recommendation of this report is to seek further consultation with the affected residents of Cervantes before the proposal is formally endorsed by Council. If authorised, a public notice will be placed in the Pinnacles local paper and on the Shire's Website and Facebook pages to invite submissions for period of 30 days.

The outcomes of this consultation period will then be presented to the next available Council meeting.

STATUTORY ENVIRONMENT

- Land Administration Act 1997

POLICY IMPLICATIONS

Policies and Standards for Geographical Naming in Western Australia 2017

FINANCIAL IMPLICATIONS

The CRPA have agreed to bear all cost involved in the installation of the park signage if the naming application is successful.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 2: Healthy, Safe and Active Community</i>	
Objectives	How the Shire will contribute
2.4 Provide recreation and community facilities and activities	g) Promote local ownership of projects and facilities for community groups
<i>Goal 3: Strong and Connected Community</i>	
3.4 Support community-led initiatives	b) Support community self-management of resources where appropriate
<i>Goal 5: Proactive and Leading Local Government</i>	

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5.3 Ensure the community is well informed and facilitate community engagement in visioning, strategic planning and other significant decisions that affect the community	a) Consult and engage with the community on issues, projects and decision that affect them.
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ATTACHMENTS

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

- Letter from the CRPA (Doc Id: 114084)
(Marked 9.3.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

Moved Cr Shanhun, seconded Cr Gibson

That Council:

1. refuse the name "Allen Ogden Park" as it does not meet the recommended criteria of only using surnames when naming parks, and generally Shire parks only consist of surnames;
2. advertise the naming proposal "Ogden Park" to the wider Cervantes community for a period of 30 days; and
3. authorise Shire staff to contact the immediate family of the late Mr Allen Ogden to ensure they have no objection to the proposal.

COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Gibson

That Council:

1. **refuse the name "Allen Ogden Park" as it does not meet the recommended criteria of only using surnames when naming parks, and generally Shire parks only consist of surnames;**
2. **advertise the naming proposal "Ogden Park" to the wider Cervantes community for a period of 30 days; and**
3. **authorise Shire staff to contact the immediate family of the late Mr Allen Ogden to ensure they have no objection to the proposal.**
4. **subject to the name proposal being supported, erect a plaque within the park recognising contributions Mr Allen Ogden made to the community.**

CARRIED 8 / 0

Note: The Officers Recommendation was not accepted due to the addition of condition no. 4.

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9.3.2 PROPOSED RETAIL NURSERY – LOT 172 VALLEY VIEW, JURIE BAY HEIGHTS

Location:	Lot 172 Valley View, Jurie Bay Heights
Applicant:	GK Auzins
File Ref:	Development Services Apps/ Development Applications/ 2018/ 49
Disclosure of Interest:	Nil
Date:	10 August 2018
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager of Development Services

PROPOSAL

The proponent is seeking planning approval for a small-scale retail nursery on Lot 172 (#101) Valley View, Jurie Bay Heights.



Location Map

BACKGROUND

The subject property is located within Local Planning Scheme No.7's (LPS7) Special Use Area 1 – Rural Development, which is commonly known as Jurie Bay Heights. This estate is divided into three categories with specific LPS7 conditions universal to the whole estate and further conditions specific to each category.

The subject property is within Category 2 of the estate, where the

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proposed land use of a Retail Nursery is an 'A' use. This means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the Deemed Provisions of LPS7. Such special notice has been undertaken for the proposal as detailed in the consultation section below.

The proponent intends to situate the retail nursery in the enclosed area around the existing dwelling, while effectively utilising the two existing 6m x 6m outbuildings, as shown in the attached application and aerial image below. This region of the property is approximately 30m from the front boundary and 80m to the next nearest boundary, the rear boundary, and 140m to the nearest neighbouring dwelling.



The small-scale retail nursery will consist of:

- native and exotic terrestrial plants;
- native and exotic aquatic plants;
- garden supplies including fertilizers, potting mix, mulch and ornaments, and worm farms;
- garden ponds and accessories including pumps, liners and fountains;
- freshwater pond and aquarium fish;
- small aquarium less than 200L and relevant accessories;
- pond and aquarium chemicals; and
- aquaponics and accessories.

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The proponent is also seeking planning approval for a 12m x 6m x 3m shade house to be located adjacent to the existing secluded area proposed for the land use.

The subject property is located over 2km south of the Department of Water and Environmental Regulation's Priority 2 Public Drinking Water Source Area (Jurien Bay Water Reserve). A private bore was installed on the property by the previous landowner with the water table extraction some 90m below natural ground level. The property is also approximately 1.5km from the nearest natural surface waterbody (Hill River). Nonetheless careful assessment of the proposal is required to ensure the land use does not result in an increase of nutrient release into the soil.

Specific guidance on the avoidance of soil and groundwater contamination from the proposed land use is provided in the Department of Water and Environmental Regulation's *Water Quality Protection Note No.32 - Nurseries and Garden Centres* (WQPN32). A number of the officer's recommend conditions of approval have been taken from this document.

Local strategic planning guidance is given in the Shire's *Local Planning Strategy - Rural Land Use and Settlement 2012* and *Draft Local Planning Strategy 2016*. Whereby, both strategies outline the Environmental Protection Authority's *Guidance Statement No.3 - Separation Distances between Industrial and Sensitive Land Uses* (GS3) should be referenced in development applications. These generic separation distances and buffer areas have been developed to complement and assist the implementation of the Western Australian Planning Commission's (WAPC) *Draft State Planning Policy No.4.1 - Industrial Interface*. GS3 is intended to provide an approach to minimise the land use conflict between industry, including rural industries and surrounding sensitive land uses. These buffer distances are not a substitute for taking all necessary measures to contain impacts on-site.

Further to the above, the WAPC's *Rural Planning Guidelines* (RPG) provide direction on the unique characteristics of the rural development estate or what is noted in the document as a Rural Enterprise zone. The RPG states development in such zones need to carefully achieve reasonable separation between the residential and business activities and additionally address amenity. Residents would need to accept some degree of nuisance from business operations therefore careful consideration of permitted land uses and the physical layout of the area should be undertaken. Some relevant considerations the RPG state include:

- the hours of operation that will maintain a reasonable level of amenity for the area;
- the type of roads necessary to address amenity for the residential component and sufficient exposure for the

- businesses onsite;
- the provision of services and roads to cater for heavy vehicles;
- the level of services required for the development, in particular electricity and domestic water provision;
- the requirement for notification on title, to alert prospective owners of existing or future amenity issues;
- provisions to address potential land use conflicts with surrounding areas; and
- provisions to protect the amenity of the area (visual, noise, smell, dust and/or pollution).

COMMENT

The following are comments on the major concerns of the proposed small-scale retail nursery.

Services and Infrastructure

- All roads within Jurien Bay Heights are sealed.
- The applicant will utilise a private bore and four rainwater tanks for service water for the nursery. This is expected to provide adequate quality and quantity of water.
- There is not expected to be a major impact of the land use on the existing power supply to the property.

Land Capability

As shown in the previous aerial image the land denoted for the land use is the most cleared and level region of the property. A condition of approval will ensure a 20m vegetation exclusion zone is implemented around this area to reduce the bushfire threat. There are no further reasons to suggest the site would not be suitable for the intended use if best management practises are undertaken by the proponent.

Soil and Nutrient Management

- The Department of Water and Environmental Regulation (DWER) were consulted for comment on the proposal and at the time of writing had not provided any feedback. Advice from the Department will be forwarded to the proponent if forthcoming in the coming weeks.
- A condition of approval ensures a nutrient and irrigation management plan is submitted and approved by the Shire prior to development taking place, pursuant to the specific conditions of the estate contained in LPS7.
- Further conditions will be enforced from WQPN32 to limit/reduce adverse nutrient impacts and ensure the nursery uses best management practices.

Buffers and Land Use Conflict

- GS3 states nurseries should be at minimum 100m from any sensitive land use. The proposal complies as it is 140m from the dwelling on the neighbouring property, Lot 1171 Ocean View Parade.
- The development should not significantly detract from any scenic landscape and/or conservation attributes of the estate.

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- The proponent has stated there is no intention to utilise substantial machinery as part of the development and does not expect noise generated to be more than what has been generated by the existing residential land use.
- There is potential for land use conflict from things such as spray drift from proposed use, but this is minimal given the small-scale venture and the requirement via conditions of best practice. Additionally, surrounding landowners were aware such ventures could take place in the locality and impinge on their amenity when purchasing the land given the specific LPS7 conditions which layover the Rural Development estate.

Size and Timing of the Operation

The applicant has advised that he aims to trade only on the weekends from 0800 to 1700 with the potential to open on weekdays if the business progresses. A condition of approval will ensure any expansion both in operation and footprint from the current proposed will be subject to written confirmation from the Shire to do so.

Social and Community Benefit

- As provided in the applicant's cover letter the proposal will be a new venture not currently undertaken in Shire and unique from the current business which trade horticulture and will be the first known in aquaculture.
- The proponent has stated he will be looking to employ juniors from the local community, with a target on adolescents who have struggled to find work elsewhere.
- If the business progresses there may be the opportunity for the proponent to offer certificate qualifications in horticulture and aquaculture.
- The applicant would also like to use the business as a retail opportunity hub for community members to promote their brand and sell their variety of unique and upcycled craft products related to plants and gardens.

Given the above information it is the Officer's view that if the site is well managed to the protocols listed, there will be minimal impact to neighbouring properties and the environment in contrast to the positive social and community benefits of the business venture, and is therefore supported with conditions.

CONSULTATION

- Department of Water & Environment Regulation
- Surrounding landowners
- Principal Environmental Health Officer

At the time of writing no submissions were received from the consulted parties. If submissions are received before the Council meeting they will be forwarded to Councillors at the earliest convenience.

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STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- Environmental Protection Act 1986
- Environmental Protection Regulations 1987

POLICY IMPLICATIONS

- Rural Planning Guidelines
- Guidance Statement No.3 - Separation Distances between Industrial and Sensitive Land Uses
- Water Quality Protection Note No.32 - Nurseries and Garden Centres
- There are no local policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The proponent has paid a fee of \$147 for the planning application.

STRATEGIC IMPLICATIONS

- Local Planning Strategy - Rural Land Use and Settlement 2012
- Draft Local Planning Strategy 2016
- 2016 – 2026 Strategic Community Plan:

<i>Goal 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.2 Ensure effective and efficient development and building services	a) Process development applications and undertake building regulation functions and services
<i>Goal 2: Healthy, Safe and Active Community</i>	
2.5 Provide environmental health and safety services	a) Provide inspection and enforcement services to protect environmental and public health and control nuisances
<i>Goal 5: Proactive and Leading Local Government</i>	
5.3 Ensure community is well informed and facilitate community engagement in visioning, strategic planning and other significant decisions that affect the community	a) Consult and engage with the community on issues, projects and decisions that affect them

ATTACHMENTS.

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

- Development Application (Doc Id: 115805)
(Marked 9.3.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Richardson, seconded Cr Slyns

That Council approve the planning application for a retail nursery on Lot 172 Valley View, Jurien Bay Heights subject to the following conditions:

- 1. all development shall be in accordance with the attached plans date stamped 23 August 2018 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 use and development must be substantially commenced within 2 years of the date of this approval.
 3. a 20m vegetation exclusion zone around the building envelope must be maintained.
 4. the use and development must be conducted so that it has minimum impact on the amenity of the area by reason of:
 - I. transportation of materials, goods and commodities to and from the premises;
 - II. appearance of any buildings, works and materials; and
 - III. the emission of noise, odour, vibration, dust, wastewater, waste products or reflected light.
 5. the development should not stock plants that are declared under the *Agriculture and Related Resources Act 1976*, as they are considered environmental weeds. For a current list of declared plants see the Department of Primary Industries and Regional Development's website at www.dpird.wa.gov.au.
 6. pesticides, fertilisers, manures and soil amendment materials should be stored on impermeable surfaces that are weatherproof and exclude stormwater runoff from other areas.
 7. bulk liquid chemical, pesticides, fertilisers and any fuel storage and use should follow the Department of Water and Environmental Regulation's water quality protection notes, *WQPN No.65: Toxic and hazardous substances* and *WQPN No.56: Tanks for elevated ground chemical storage*.
 8. pesticides should be applied in accordance with best management practices (i.e. in accordance with label directions). For more information see the Department of Water's *WQPN No.104: Aerial spraying of crops with pesticides*, brochure: *Liquid chemicals on agricultural land* and the Department of Health's *A guide to the use of pesticides in Western Australia*.
 9. prior to the commencement of the development, a Nutrient and Irrigation Management Plan shall be submitted to the Shire and approved by the Executive Manager of Development Services. Please see *WQPN No.33: Nutrient and irrigation management plans* and *Water Quality Information Sheet No. 4: Nutrient and irrigation management plan checklist* for guidance.
 10. reject soil, discarded green waste, sediment from silt traps and spilt media should be contained in a purpose-built, weatherproof storage container, skip or on an impermeable sheltered surface. This ensures that liquids can be collected and stored pending reuse or disposal.
 11. gravel, rolled limestone or forestry by-products over plastic film should be used for walking paths and under benches. These areas should be well drained (e.g. on a slope using a coarse stone aggregate 10 to 25 mm in

- diameter, and laid more than 75 mm deep).
12. disposal of wastewater to the environment should comply with the Australian and New Zealand *Guidelines for Fresh and Marine Water Quality 2000*.
 13. any chemical spill or contaminated water that escapes containment should immediately be reported to the Department of Water and Environmental Regulation Pollution Watch Hotline, phone 1300 784 782.
 14. aquaculture projects should be operated so that fish or pond plant species, discoloured water, sludge, silt, toxic chemicals and/or unstable organic material are not discharged into waterways or wetlands as a result of pond overflow, cleaning or emptying.
 15. solid aquaculture waste matter such as dead stock, dewatered pond sludge should be composted, then either applied to land as a soil conditioner, exported off site for a useful purpose, or if these options are not viable, disposed of at an approved putrescible waste landfill.
 16. in the event of any adverse environmental conditions caused by the proponent, the Chief Executive Officer may impose conditions to rectify and remediate the environment by and at the cost to the proponent.

Advice Notes:

1. The applicant is advised a building permit is required for the shade house.
2. The applicant is advised to study *WQPN No.32: Nurseries and garden centres*, *WQPN No.2: Aquaculture* and *WQPN No. 39: Ponds for stabilising organic matter*.
3. Water wastage and chemical leaching should be minimised by limiting the space between plant containers as this maximises the water delivery to pots.
4. The applicant is advised to contact the Department of Health for advice on the use of pesticides where they may contact people, food or water supplies. Contact details available at www.health.wa.gov.au.

CARRIED 8 / 0

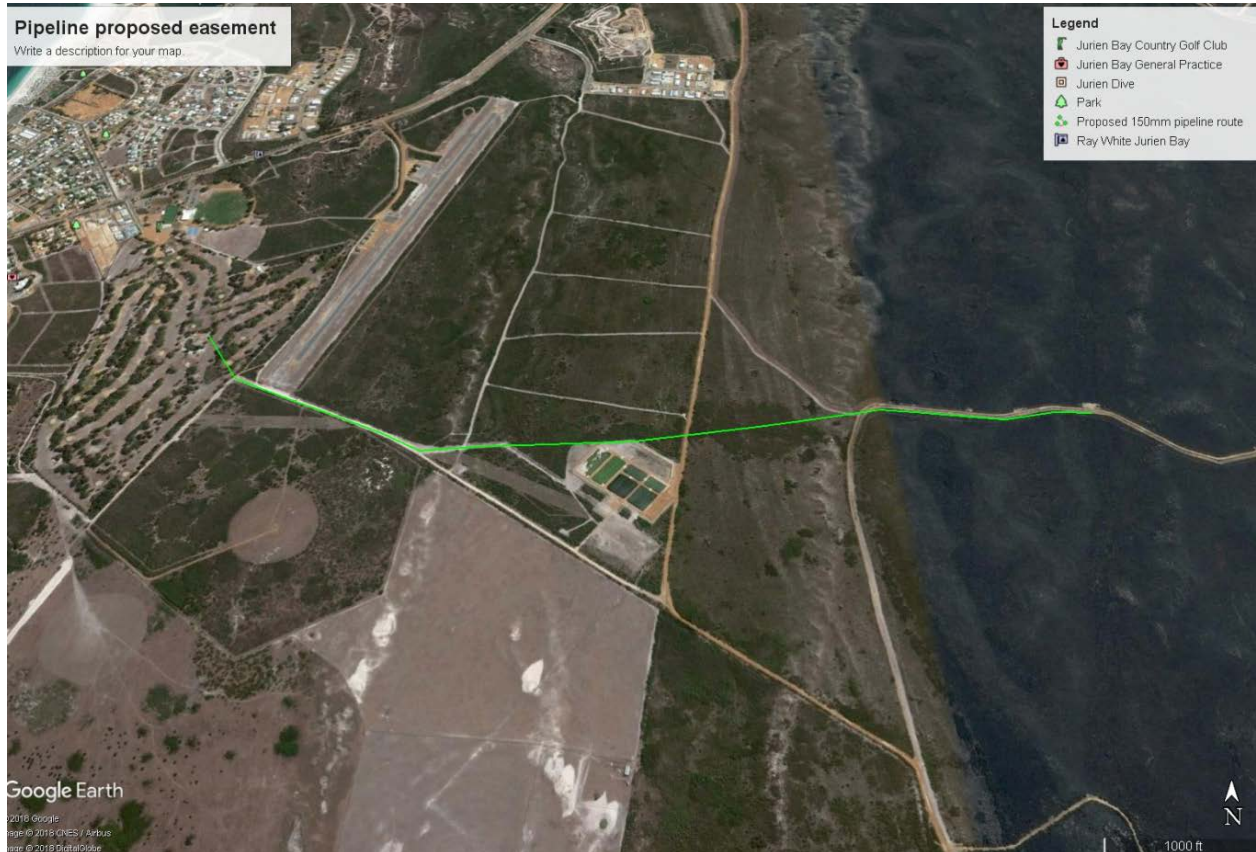
9.3.3 PROPOSED PIPELINE EASEMENT – JURIE BAY GOLF CLUB IRRIGATION PROJECT

Location:	Unmade Airstrip Road Reserve & Unmade / Unnamed Road Reserve, Jurien Bay
Applicant:	Jurien Bay Country Golf Club
File Ref:	Business Classification Scheme / Parks & Reserves / Service Provision / Jurien Bay Country Golf Club
Disclosure of Interest:	Nil
Date:	3 August 2018
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager of Development Services

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PROPOSAL

The proponent is seeking Council's endorsement of an easement over the proposed pipeline route to facilitate the upgrading of irrigation infrastructure to the Jurien Bay Country Golf Course.



BACKGROUND

In 2016 the Jurien Bay Country Golf Club (JBCGC) formally adopted a policy to pursue irrigated fairways as part of its strategic plan. It is proposed that irrigated fairways will increase participation rates in golf year round.

Currently an estimated 4ha of the course is irrigated year round. To cover the entire playing surface a watered area of 25ha is required. A prerequisite for an increase in irrigation is a suitable supply of additional water, which is not available from within the golf course area. Groundwater below the golf course, and immediately to its east is shallow and underlain by saline water. Bores in this area, and throughout the Jurien Bay town-site are limited to an approximate depth of 2m of usable water, and hence have low productivity, usually less than 50kl per day.

Various studies by the Department of Water and Environmental Regulation (DWER) covering the Jurien Bay Groundwater resource reveal that over 26Gl of water per year is available for allocation from a targeted surficial aquifer located at a distance of some 2km to the east of the town-site. The requirement for irrigating 25ha of golf course fairways is estimated to be less than 0.3Gl per year, 1% of the estimated water available.

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To establish this required water supply, a test bore needed to be drilled in the target area, and pumping test results provided to the DWER. Only then would a license be issued by the DWER permitting water extraction. The JBCGC has entered into a lease with Ardross Estates Pty Ltd for a parcel of land where the test bore has been established. The following tasks were undertaken as part of the bore establishment:

- licenses for the test bore and the subsequent water production have been approved by DWER;
- test bore installation completed by a licensed driller; and
- pumping tests undertaken on test bore by a hydrologist with, the requisite report forwarded to the DWER to obtain license to draw water.

Once the DWER issues the license to draw water, the JBCGC proposed to commence the staged irrigation project. This will be accompanied by staged applications for funding from the relevant State and local government authorities.

The first stage covers the establishment of the first two bores, solar power arrays and the 2.7km transmission pipeline from the bore-field to the first collection tank in the golf course centre. As this proposed pipeline runs through an unmade/unnamed road reserve the JBCGC have requested the Shire to apply to the Department of Planning, Lands and Heritage (DPLH) for an easement.

COMMENT

The water pipeline delivery route will run past both, the existing diesel-powered bore used for irrigating the public open space of Beachridge, and the Water Corporation's Jurien Bay Wastewater Treatment Plant (JB WWTP).

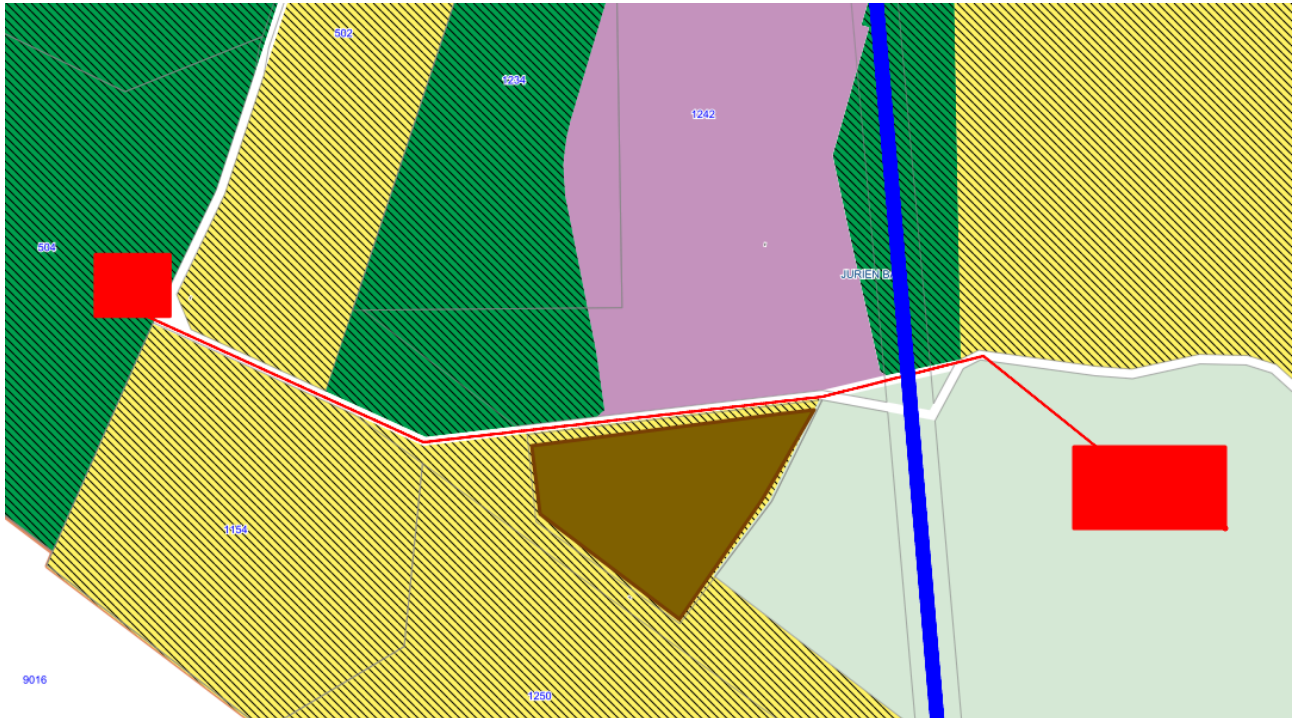
The pipeline has been sized to deliver 100% of the golf club peak demand in 10 hours of pumping, five or six days a week. Additional capacity is available for pumping at night, using wind generators, or eventually electrical bore pumps should the power network be extended to the bore-field. Should the Shire wish to integrate its future public open space irrigation requirements with the proposed JBCGC water supply, the pipeline route lends itself to feeding additional stage pumping tanks at the JBCGC boundary where electrical power currently exists, or could be readily developed further.

Additionally, it is estimated the expanded JB WWTP will not have excess water requiring disposal for at least another ten years. Depending on the growth of Jurien Bay, it is envisaged that eventually there will be sufficient water available for recycling which could feasibly replace the bore water supply being sought by the JBCGC.

An identified constraint to the proposal is that the easement will

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cross over the possible future Jurien Bay bypass as detailed in the Local Planning Scheme No.7 map below. Main Roads WA will be consulted on this matter.



Legend	
Colour	Symbolises
	UNMADE/UNNAMED ROAD RESERVE
	BORE-FIELD & PIPELINE
	POSSIBLE FUTURE BYPASS
	WASTE WATER TREATMENT PLANT
	RESERVED FOR PARKS & RECREATION
	RESERVED FOR PUBLIC PURPOSES
	ZONED INDUSTRIAL

Nonetheless, given the small footprint of the pipeline within the rarely used, unmade/unnamed road reserve, and the seeking of the easement ensures access to the proponent and protects the integrity of the pipeline; the proposal is supported at an officer level subject to further consultation with affected public authorities.

CONSULTATION

- Executive Manager Infrastructure
- Jurien Bay Country Golf Club

The officer's recommendation seeks further consultation from the Water Corporation and Main Roads WA as the proposal affects land under their jurisdiction.

STATUTORY ENVIRONMENT

Land Administration Act 1997

The Land Administration Act 1997 (LAA) is the State's legislation dealing with the disposition of Crown land. The LAA is

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administered by the Minister for Lands, assisted by the DPLH.

Part 8 of the LAA provides for the granting and administration of easements over Crown land. Section 193 of the LAA also provides for the granting of easements over land designated for a public work, while Sections 195 and 196 provide for creation of public access easements. Public access easement may be limited in any way, including, for example:

- (a) limitations on use by vehicles;
- (b) limitations by time, so that the right may only be exercised between particular hours, at particular times of year, or on the occurrence of particular events.

POLICY IMPLICATIONS

There are no policy implications applicable to this matter.

FINANCIAL IMPLICATIONS

There are no immediate financial implications applicable to this matter.

Further to the easement request, Council are requested to note the JBCGC intends to seek future funding assistance from the Shire, as well as State funding, and JBCGC own funding on a 1/3:1/3:1/3 basis as part of a proposed Community Sporting Recreation Facilities Fund (CSRFF) application. Shire support for the overall concept is a prerequisite for CSRFF submission, and such support is also requested, in the required form during funding applications.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan:

<i>Goal 2: Healthy, Safe and Active Community</i>	
Objectives	How the Shire will contribute
2.4 Provide recreation and community facilities and activities	g) Promote local ownership of projects and facilities for community groups
<i>Goal 3: Strong and Connected Community</i>	
3.4 Support community-led initiatives	b) Support community self-management of resources where appropriate

ATTACHMENTS

- JBCGC Irrigation Project Overview (Doc Id: 115816)
(Marked 9.3.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Eyre

That Council:

- 1. endorse the easement proposal from the Jurien Bay**

Country Golf Club;

2. **seek comment on the easement proposal from Main Roads and the Water Corporation; and**
3. **on receipt of the above, request formal approval of the easement from the Department of Planning, Lands and Heritage on behalf of the Jurien Bay Country Golf Club.**

CARRIED 8 / 0

9.3.4 LEASE OF PORTION RESERVE 40711 LOT 850 ARAGON STREET, CERVANTES - CENTRAL WEST MEN'S SHED CERVANTES

Location:	Lot 850 (Parks & Recreation Reserve 40711) Aragon Street, Cervantes
Applicant:	Central West Men's Shed Cervantes
File Path:	Business Classification Scheme / Recreation and Cultural Services / Museum and Galleries / Management
Disclosure of Interest:	Nil
Date:	16 August 2018
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager Development Services

PROPOSAL

The Central West Men's Shed Cervantes (CWMSC) is seeking Council's authorisation to enter into a community lease agreement for a portion of Parks and Recreation Reserve 40711, Lot 850 Aragon Street, Cervantes to accommodate a new men's shed.

BACKGROUND

A community lease is an agreement between the Shire and an external organisation to manage a reserve or facility on behalf of the Shire and for the community. This agreement supports the organisation in conducting their activities/services, and in doing so, provides benefit to the wider community. In many cases this arrangement provides a service to the community that would otherwise not be available or would require significant Shire input.

The Shire of Dandaragan seeks to support community groups in increasing capacity and improving facilities within the Shire that result in strengthening of the community helping to build vibrant, inclusive and healthy communities.

CWMSC have been in discussion with Shire staff and Councillors about obtaining a new larger and more appropriate site as they have reached their extremities and had ongoing neighbouring landowner disputes at their current Cervantes foreshore reserve location of 800m².

The CWMSC's proposed location of the new men's shed is an unused portion of the parks and recreation reserve (R40711) which homes the Cervantes Community Centre, Cervantes

Football Club and borders the Cervantes Golf Club.



Approximate proposed portion of Lot 850

COMMENT

The land is currently a Parks and Recreation reserve comprising an area of 6.2ha. As above the applicant has requested a portion of land that aligns with the existing northeast boundary of the reserve and northwest golf club boundary. This equates to approximately a 3600m² portion of Lot 850. Final details of the exact portion of land will be determined based on the lease agreement and future development application. Concept plans provided by the Men's Shed are attached for reference.

The Shire currently holds a management order over Lot 850, however, as of yet, does not hold the ability to lease the reserve to a third party. Part of the officer's recommendation seeks the ability to lease the reserve from the Department of Planning, Lands and Heritage. It assumed such ability will be forthcoming from this Department in due course. It is further assumed any such lease agreement is to be in counterpart with the classification of the reserve, Parks and Recreation. A men's shed aligns with the recreation classification and therefore can facilitate a lease for such a development, if the ability to lease is granted.

The proposed site is in keeping with the locality being located between existing community recreation infrastructure. This new site will also eliminate the issues the CWMSC is having at their current site.

In accordance with the Shire's Policy 6.5 Reserves the length of the lease will be twenty one (21) years unless otherwise terminated. Section 1 of the Policy 6.5 outlines matters to be included as conditions of the lease agreement. The Council will

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 AUGUST 2018</p>
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reserve the right to terminate the lease if it is not carried out in accordance with these conditions.

Council are requested to endorse the lease proposal and authorise the Chief Executive Officer to execute the lease agreement documentation, subject to the Department of Planning, Lands and Heritage providing the ability to lease the reserve.

CONSULTATION

- Central West Men's Shed Cervantes

STATUTORY ENVIRONMENT

- Local Planning Scheme No. 7
- Land Administration Act 1997
- Government Act 1995

POLICY IMPLICATIONS

- Shire Policy 6.5 Reserves:

1. Lease Provisions - Reserves

Where Council resolves to lease a Reserve Vested in its control or resolves to lease land owned by it to a local sporting or community organisation, the following notes are to form the basis for the lease agreement:

- a) Length of lease to be for twenty-one (21) years unless otherwise terminated. (Maximum permissible under management order).*
- b) Annual rental to be "a peppercorn".*
- c) The Lessee shall not carry out any permanent structural improvements on the reserve without the prior written approval from the Council.*
- d) All structural improvements on the reserve shall be and remain at law, the property of the Shire. The Club shall have the sole use, benefit and enjoyment of the reserve and all structural improvements thereon during the operation of the lease.*
- e) The Lessee shall comply with all Acts of Parliament, Orders, Regulations, Local Laws, etc., that apply to the reserve and structural improvements.*
- f) The Lessee shall keep the Reserve area and all structural improvements in a maintained, clean and tidy condition at all times and shall comply with any directions of the Council that may be issued requiring works to have the Reserve area and structural improvements placed in a maintained, clean and tidy condition.*
- g) The Lessee shall not disturb the surface soil and vegetation in a manner likely to cause erosion. If erosion damage does occur, the Club shall take remedial action as directed by the Council.*
- h) The Lessee shall permit the Shire's officers access to the Reserve and structural improvements at all reasonable times to ensure that the lease conditions are being complied with.*
- i) The lease may be terminated by the Council if the Club fails to comply with provisions of the lease agreement. The Council*

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shall give the Lessee at least thirty (30) days' notice in writing requiring the Club to rectify the breach of lease before taking action to terminate the lease under this provision.

- j) The Lessee shall not assign or part with possession of any Crown lease without prior approval from the Council and the responsible Minister.*
- k) The Lessee shall meet all costs in relation to preparing and stamping the lease document.*
- l) Any leases entered into relating to Council's Reserves are to include a plan completed by a licensed surveyor depicting the area of land to be leased as an attachment to the lease document.*

FINANCIAL IMPLICATIONS

All costs associated with the lease process, including valuation and legal agreements, should be borne by the applicant.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and Leading local Government</i>	
Objectives	How the Shire will contribute
2.4 Provide recreation and community facilities and activities	a) Maintain Civic buildings, community centres and public halls to provide facilities for a range of community activities (note the community centres are run by community organisations)
3.4 Support community-led initiatives e.g. community owned assets and visual art	b) Support community self-management of resources where appropriate

ATTACHMENTS

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

- Email from Central West Men's Shed Cervantes (Doc Id: 116895)
- Concept Plan (Doc Id: 108601)
- Reserve Enquiry (Doc Id: 116877 & 116880)

(Marked 9.3.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Eyre

That Council:

- 1. seek the ability to lease for period up to 21 years portion of Reserve 40711, Lot 850 Aragon Street, Cervantes from the Department of Planning, Heritage and Lands;**
- 2. on receipt of the above, endorse the Central West Men's Shed Cervantes lease agreement proposal; and**
- 3. authorise the Chief Executive Officer to formulate and**

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finalise the lease agreement documentation to be forwarded to the Minister of Lands for final approval.

CARRIED 8 / 0

COUNCIL DECISION

Moved Cr McGlew, seconded Cr Richardson that the meeting adjourn for lunch at 11.55am, to resume at 12.15pm.

CARRIED 8 / 0

COUNCIL DECISION

Moved Cr Richardson, seconded Cr Slyns that the council meeting resume at 12.20pm with all in attendance.

CARRIED 8 / 0

9.3.5 LEASE OF PORTION RESERVE 31884 LOT 503 BASHFORD STREET, JURIEN BAY – JURIEN BAY COMMUNITY MEN'S SHED

Location:	Lot 503 (Parks & Recreation Reserve 31884) Bashford Street, Jurien Bay
Applicant:	Jurien Bay Community Men's Shed
File Path:	Business Classification Scheme / Recreation and Cultural Services / Museum and Galleries / Management
Disclosure of Interest:	Nil
Date:	16 August 2018
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager Development Services

Cr Shanahun declared an impartiality interest as he is a member of the Jurien Bay Community Men's Shed (Inc).

PROPOSAL

The Jurien Bay Community Men's Shed (JBCMS) is seeking Council's authorisation to enter into a lease agreement for a portion of Parks and Recreation Reserve 31884, Lot 503 Bashford Street, Jurien Bay to accommodate a new men's shed.

BACKGROUND

A community lease is an agreement between the Shire and an external organisation to manage a reserve or facility on behalf of the Shire and for the community. This agreement supports the organisation in conducting their activities/services, and in doing so, provides benefit to the wider community. In many cases this arrangement provides a service to the community that would otherwise not be available or would require significant Shire input.

The Shire of Dandaragan seeks to support community groups in increasing capacity and improving facilities within the Shire that

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result in strengthening of the community helping to build vibrant, inclusive and healthy communities.

JBCMS have been in discussion with Shire staff and Councillors about obtaining a new larger and more appropriate site as they have reached their extremities at their current Lot 118 (#9) Doust Street site.

The proposed location of the new men's shed is an unused portion of the Parks and Recreation Reserve (31884) which homes the Jurien Bay Recreation Centre and the number of sporting/community clubs which operate from this venue.



Approximate proposed portion of Lot 503

COMMENT

The land is currently a Parks and Recreation reserve comprising an area of 37.4ha. The applicant has requested a portion of uncleared land in the central north section of the reserve. This equates to approximately a 2500m² portion of Lot 503. The request is for a portion of land within the proposed lease area set aside for the Jurien Bay Interpretive Complex Group (JBICG). Jurien Bay Community Men's Shed were a party to the original Interpretive Group. However due to the Interpretive Group seeking to use the sheds at the Department of Transport Jurien Bay Harbour property in the short term, the JBCMS are seeking a more permanent location. The requested site is within the propose lease area for the JBICG. It is considered by staff that JBCMS new site should be outside of the land set aside for the JBICG to avoid conflicting land uses in the future. An alternate location abutting the proposed location is recommended by staff as detailed in the site plan below.



Approximate Shire proposed portion of Lot 503

The Shire currently holds a management order over Lot 850 with the ability to lease for no longer than 21 years for the purposes of the classification of the reserve, Parks and Recreation. A men's shed aligns with the recreation classification and therefore can facilitate a lease for such a development.

Furthermore, the proposed site is in keeping with the locality being located adjacent existing community recreation infrastructure. This new site will also eliminate the issues the JBCMS is having at their current site.

In accordance with the Shire's Policy 6.5 Reserves the length of the lease will be 21 years unless otherwise terminated. Section 1 of the Policy 6.5 outlines matters to be included as conditions of the lease agreement. The Council will reserve the right to terminate the lease if it is not carried out in accordance with the set conditions.

Council are requested to refuse the requested lease area and approve an area adjoining the JBICG lease area in the same locality and same dimensions as requested.

Council is then requested to authorise the Chief Executive Officer to formulate and finalise the lease agreement documentation for final approval from the Minister of Lands.

CONSULTATION

- Jurien Bay Community Men's Shed

STATUTORY ENVIRONMENT

- Local Planning Scheme No. 7
- Land Administration Act 1997
- Local Government Act 1995

POLICY IMPLICATIONS

▪ Shire Policy 6.5 Reserves

1. Lease Provisions - Reserves

Where Council resolves to lease a Reserve Vested in its control or resolves to lease land owned by it to a local sporting or community organisation, the following notes are to form the basis for the lease agreement:

- a) Length of lease to be for twenty-one (21) years unless otherwise terminated. (Maximum permissible under management order).*
- b) Annual rental to be "a peppercorn".*
- c) The Lessee shall not carry out any permanent structural improvements on the reserve without the prior written approval from the Council.*
- d) All structural improvements on the reserve shall be and remain at law, the property of the Shire. The Club shall have the sole use, benefit and enjoyment of the reserve and all structural improvements thereon during the operation of the lease.*
- e) The Lessee shall comply with all Acts of Parliament, Orders, Regulations, Local Laws, etc., that apply to the reserve and structural improvements.*
- f) The Lessee shall keep the Reserve area and all structural improvements in a maintained, clean and tidy condition at all times and shall comply with any directions of the Council that may be issued requiring works to have the Reserve area and structural improvements placed in a maintained, clean and tidy condition.*
- g) The Lessee shall not disturb the surface soil and vegetation in a manner likely to cause erosion. If erosion damage does occur, the Club shall take remedial action as directed by the Council.*
- h) The Lessee shall permit the Shire's officers access to the Reserve and structural improvements at all reasonable times to ensure that the lease conditions are being complied with.*
- i) The lease may be terminated by the Council if the Club fails to comply with provisions of the lease agreement. The Council shall give the Lessee at least thirty (30) days' notice in writing requiring the Club to rectify the breach of lease before taking action to terminate the lease under this provision.*
- j) The Lessee shall not assign or part with possession of any Crown lease without prior approval from the Council and the responsible Minister.*
- k) The Lessee shall meet all costs in relation to preparing and stamping the lease document.*
- l) Any leases entered into relating to Council's Reserves are to include a plan completed by a licensed surveyor depicting the area of land to be leased as an attachment to the lease document.*

FINANCIAL IMPLICATIONS

All costs associated with the lease process, including valuation and legal agreements, should be borne by the applicant.

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STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and Leading local Government</i>	
Objectives	How the Shire will contribute
2.4 Provide recreation and community facilities and activities	a) Maintain Civic buildings, community centres and public halls to provide facilities for a range of community activities (note the community centres are run by community organisations)
3.4 Support community-led initiatives e.g. community owned assets and visual art	b) Support community self-management of resources where appropriate

ATTACHMENTS

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

- Letter from Jurien Bay Community Men's Shed (Doc Id: 116913)
- Reserve Enquiry (Doc Id: 116879 & 116878)
(Marked 9.3.5)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Clarke

That Council:

- 1. refuse the Jurien Bay Men's Shed's request to use portion of Lot 503 Reserve 31884 for the purposes of a Men's Shed; and**
- 2. authorise the CEO to negotiate an alternative 2500m² site immediately adjacent to the Jurien Bay Interpretive Complex Group site for the purposes of a Men's Shed; and**
- 3. subject to acceptance of the alternate site by the Jurien Bay Community Men's Shed, authorise the Chief Executive Officer to formulate and finalise the lease agreement documentation to be forwarded to the Minister of Lands for final approval.**

CARRIED 8 / 0

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 PROPOSED VERGE BOND POLICY NO 7.8

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Corporate Management / Policy / Policy Register
Disclosure of Interest:	None
Date:	8 August 2018

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Author: David Chidlow, Executive Manger Development Services
Senior Officer: Brent Bailey, Chief Executive Officer

PROPOSAL

To adopt a Verge Bond Policy for the purpose of recouping the cost of repairing verge and footpath damage during construction and providing clear guidance to builders and their contractors.

BACKGROUND

Council resolved at the meeting held on Thursday 26 July 2018 that Council advertise the proposed new Verge Bond Policy – 7.8 on the Shire website and social media for a period of 21 days.

COMMENT

The Verge Bond Policy is designed to provide financial security against damage which occurs during the building construction stages within the residential town sites.

The Policy will outline procedures to be put in place for its implementation. The first step is that the verge bond is accepted at the time of submitting the Building Permit application followed by a pre-construction inspection.

At the site inspection, recording and photographing of the current verge / footpath condition is undertaken. On completion of the building works, the Builder requests the refund of the bond by submitting and Application for Verge Bond Refund along with a BA7 Notice of Completion which will trigger a second site inspection and further photographing and recording.

If no damage is recorded the bond is refunded. If damaged is recorded the builder is given 21 days to rectify otherwise the Shire will repair the damaged asset using the bond monies. Following the rectification works and if any bond funds remain, they will be refunded to the builder.

If the asset damage is above the deposited bond value, an invoice will be forwarded to the builder for the additional works. The builder (applicant) will be required to lodge with the Shire of Dandaragan a security deposit in accordance with the Schedule of Fees & Charges, as determined annually by Council.

It will be the responsibility of the person obtaining a Building Permit to pay the bond. The person obtaining the Building Permit is required to give notification in writing, prior to the commencement of works, of any damage to kerbs or paths that exist before the commencement of works.

If the owner of the property where the work is being undertaken contracts another builder, it is the responsibility of the builder who paid the bond to make sure the other contractor does not damage the kerbs or footpaths.

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CONSULTATION

The proposed Verge Bond Policy 7.8 was advertised on the Shire of Dandaragan Website and Facebook page for a period of 21 days. It was also advertised in the local Craytales.

There were no submissions received.

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

This item proposes the adoption of proposed new policy to be included in the Shire of Dandaragan Policy Manual.

FINANCIAL IMPLICATIONS

The proposed bond is to be set at \$500 which is compatible with adjoining Shire's verge bond charges.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and Leading Local Government</i>	
Objectives	How the Shire will contribute
5.2 High performing Administration	c) compliance with all legislative requirements and functions

ATTACHMENTS

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

- Proposed Verge Bond Policy (Doc Id: 113371)
(Marked 9.4.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Shanhun

That Council adopt the proposed new Verge Bond Policy – 7.8 to be included in the Shire of Dandaragan Policy Manual.

CARRIED 8 / 0

9.4.2 CERVANTES COUNTRY CLUB – REQUEST FOR FINANCIAL SUPPORT AND DEBTOR RELIEF

Location:	Cervantes
Applicant:	Cervantes Country Club
Folder Path:	Business Classification Scheme / Council Properties / Leasing Out / Reserves and Public Land
Disclosure of Interest:	Nil
Date:	13 August 2018
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

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Cr Shanhun declared an impartiality interest as he is a member of the Cervantes Country Club (Inc).

Cr Holmes declared an impartiality interest as she is a member of the Cervantes Country Club (Inc).

PROPOSAL

This item addresses a request from the Cervantes Country Club (The Club) for Council to provide financial support by way of an operational grant (or loan) and moratorium on other debtor obligations to allow the Club to continue to trade in its current format as it aims to return the business to a profit making entity. The recommendation is to decline the request for funding and to provide a 12 month deferral of debtor obligations associated with insurance and self-supporting loan repayment.

BACKGROUND

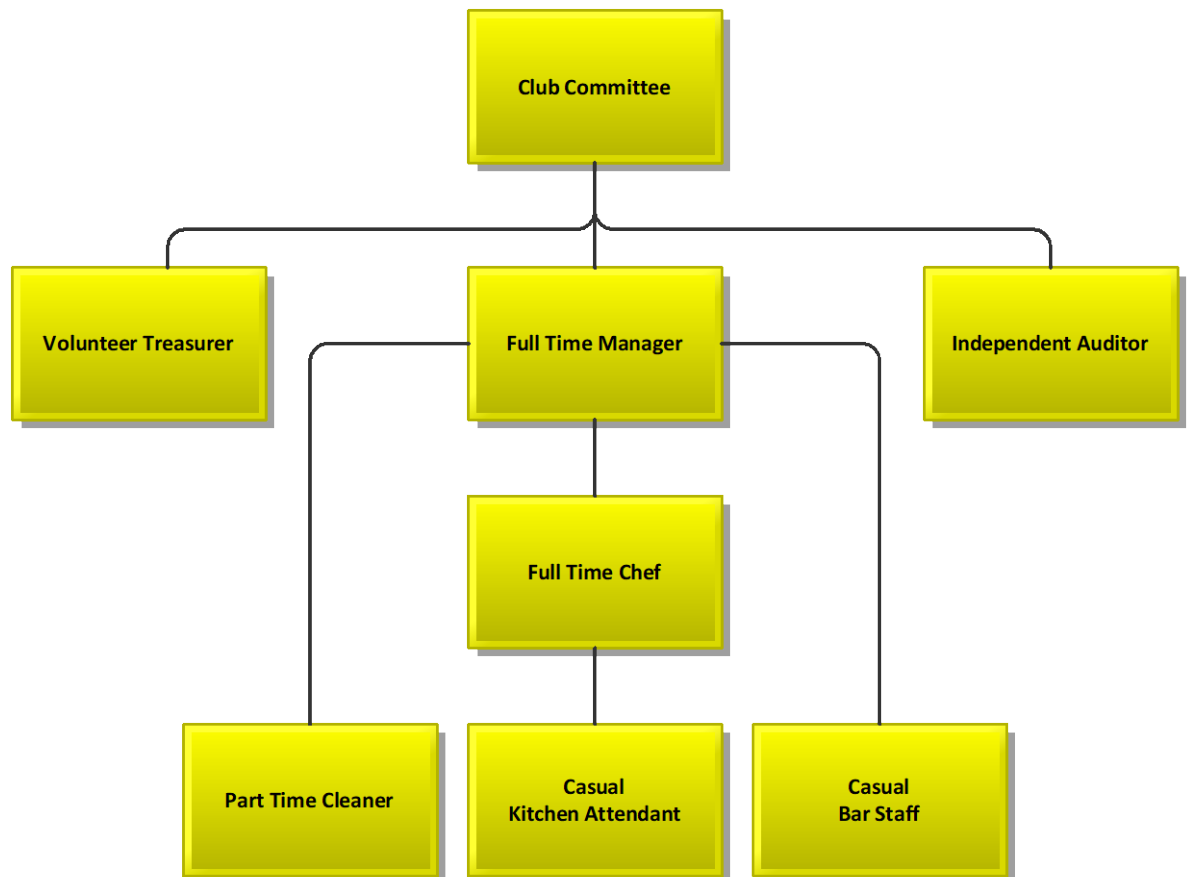
The Club holds the lease over the clubhouse building on reserve 32133. The lease is for a term of 20 years and expires on 1 March 2037. The Club hosts a number of facilities including:

- 1) 18 hole golf course
- 2) 1 Synthetic bowling green
- 3) Clubhouse including bar, kitchen and meeting room facilities.
- 4) Tennis Courts

The Golf, Tennis (in recess) and Bowls Clubs are their own separate entities and utilise the clubrooms for their functions and sporting days. The Club covers the cost of electricity for the outdoor lights over the bowling green. The football club also hosts a number of events and their post-match awards at the Club. The Club itself services the wider community and visitors to Cervantes offering a bar, restaurant, TAB, gaming and other associated product offerings. It is open 7 days a week from 11:00am – 11:30pm and was granted a Tavern License by the Department of Racing Gaming and Liquor in 2017.

The current organisational structure of the Club is demonstrated below:

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Council has previously supported the Club with a self-supporting loan for renovations of the clubhouse and installation of the synthetic bowling green (on behalf of the Cervantes Bowls Club). The Club has endured a number of years of challenging trading conditions which the club has attributed in part to the reopening of the Cervantes Bar and Bistro which has a similar product offering. During this time the Club's liquid assets have been drawn down to meet operating expenses. As a result the Club is currently in a position where net current liabilities exceed net current assets and if trade creditors were to call in their debts the club would need an external source of immediate funding to meet these requirements.

In response to this situation the Committee has approached the Shire requesting the following to continue with the current business model:

- 1) \$40,000 to clear current outstanding accounts
- 2) \$15,000 of cash for working capital
- 3) A moratorium / deferment of current debtor obligations until July 2019.
- 4) These amounts to be provided as either a grant or loan over 7 years.

COMMENT

To fully consider the merits of this request staff have conducted a detailed review of the financials, audit reports and club comments provided. The following analysis provides a summary of the staff

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review.

Current Business Model

The Club notes in its application letter that it considers the current business model and employment structure (shown above in background) as a viable way forward as it expects to return to profit with improving market conditions. It references the valuable contribution its restaurant facility provides to the local tourism market with it recently being awarded a certificate of excellence from Trip Advisor.

The Club has also advised that there has been concerted efforts made over the past financial year to reduce fixed and operational costs however increased costs associated with building and kitchen repairs have offset these cost savings.

Current Financial Position

The following table provides a summary of the Club's current financial position (as at 30 June 2018). It has been restructured and simplified and the loan liabilities to the Shire have been corrected. The Club's audited statements and management letters for the past 2 years are provided as an attachment to this report.

The 30 June 2018 balance sheet reports there is still a substantial amount being carried in unpaid creditors (\$57k) superannuation (\$30k) and tax liabilities (\$23k) which is offset partially by liquid cash assets of (\$31k).

	30 June 2018		
	\$	\$	\$
CURRENT ASSETS			
Cash	31,000		
Stock	21,867		
Other current assets	900	53,768	
NON-CURRENT ASSETS			
Property, plant and equipment	219,084	219,084	
TOTAL ASSETS			272,851
CURRENT LIABILITIES			
Accounts payable	(57,373)		
Employee liabilities	(33,986)		
ATO liabilities	(23,786)		
Dandaragan Shire loan	(17,529)		
Other current liabilities	(10,408)	(143,083)	
NON-CURRENT LIABILITIES			
Dandaragan Shire loan	(9,247)		
Member bonds	(10,000)		

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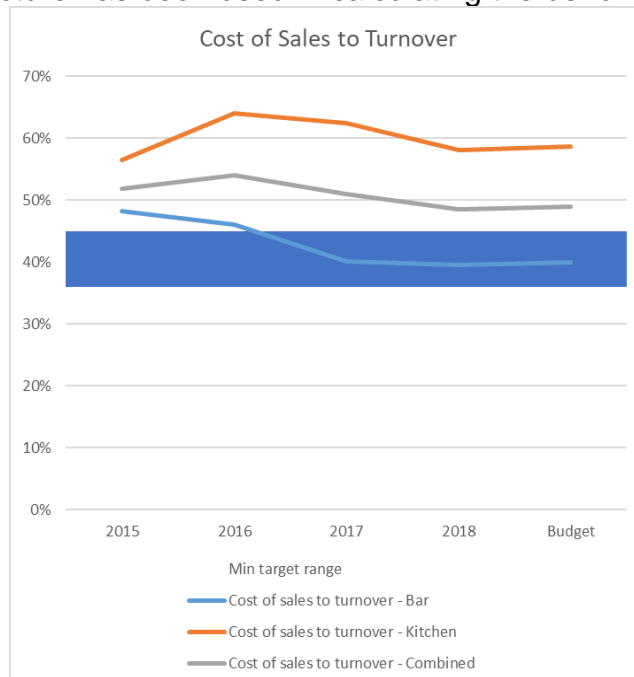
Other non-current liabilities	(11,985)	(31,232)
TOTAL LIABILITIES		(174,315)
NET ASSETS		98,536
EQUITY		
Retained earnings		72,164
Asset Revaluation Reserve		26,372
TOTAL EQUITY		98,536

	Ratios	Score	Target
Current Ratio		38%	>100%
Debt Service Coverage Ratio		(0.41)	Basic >2

Financial Position Benchmarks and Observations

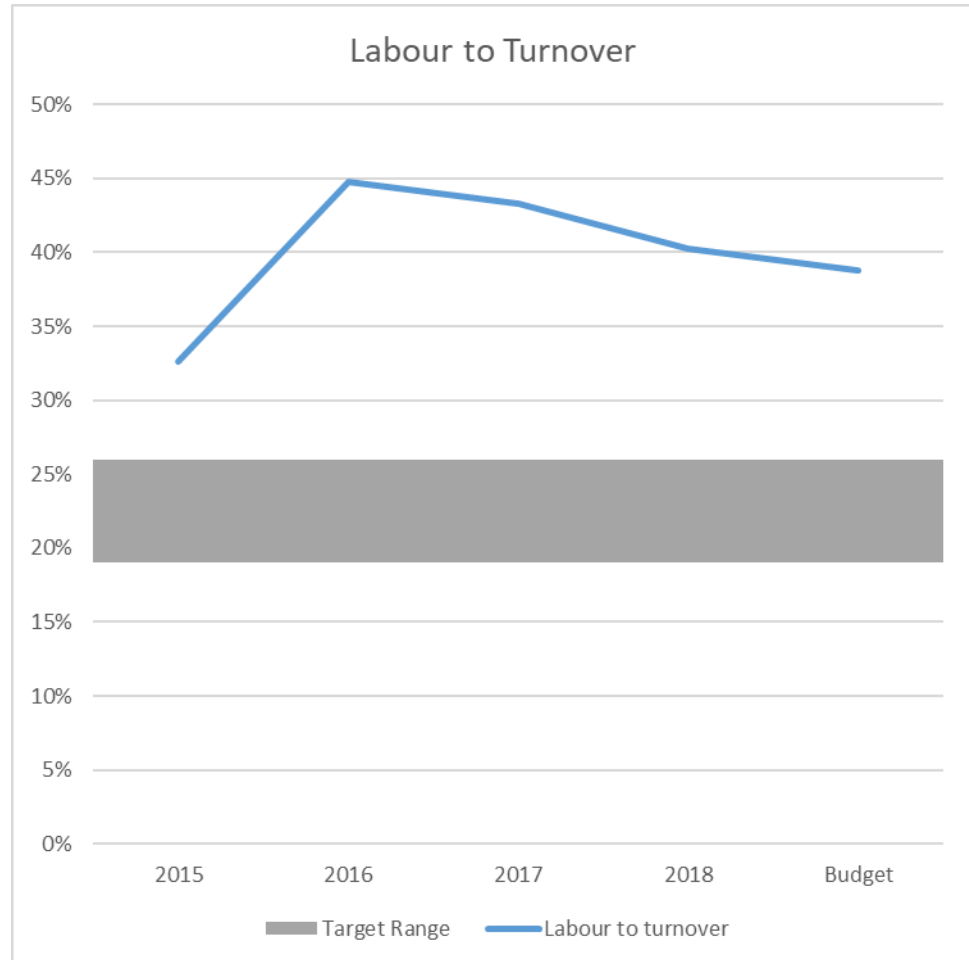
The Australian Tax Office publishes guidance on financial benchmarks for small businesses based on costs and turnover. The current business model falls into the category of “Pubs, Taverns and Bars”. The graphs below provide an overview of the current business model's performance in relation to these benchmarks. While the benchmarks are established for private enterprise (profit seeking) the financial returns to the associated sporting groups in the town and reinvestment in buildings and infrastructure requires a similar albeit lower level profitability from revenue making initiatives at the Club.

The Club has provided an updated Profit and Loss Statement structure classifying the bar and kitchen separately for the year ending 30 June 2018 which also shows 2017 comparative figures. This structure has been used in calculating the benchmark scores.



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From a cost of sales to turnover perspective the operation of the bar is within the benchmark targets however the kitchen / restaurant component of the business is significantly over the recommended standard. Consequently this business unit detracts from the overall performance of the Club making the overall measure of the business as a whole above the benchmark target range. It is important to note that this measure does not consider employee costs within its calculation nor is there recognition that some bar revenue is driven from the kitchen customers.

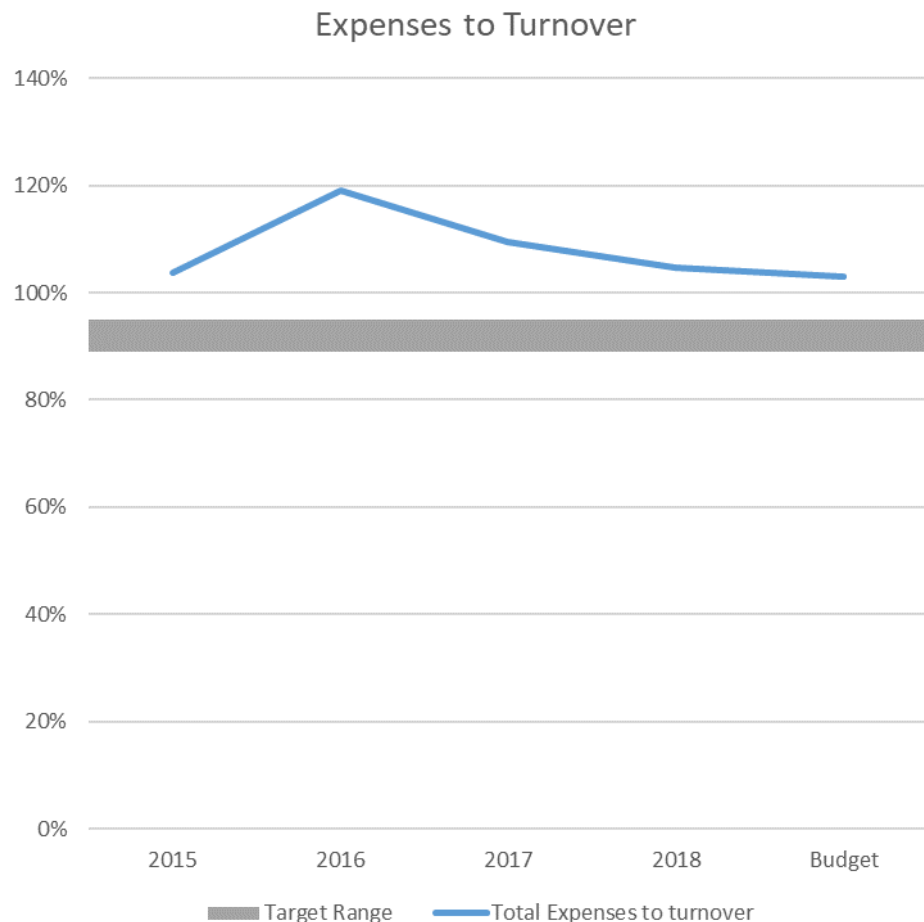


The labour to turnover ratio shows that employee costs are significantly higher than the benchmark target range.

The 2016 management letter from the Club's auditor highlights that the current business model / profitability is impeded by high labour costs relative to revenue.

This can be seen in the "Expenses to Turnover" benchmark measure.

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This benchmark considers all expenses, including employee costs, and shows the improvement over the last few years beginning to plateau above the benchmark targets. This trend is primarily as a result of the high labour costs. The Club notes that its employment of a qualified chef “to better match the service offer of the Bar and Bistro” requires a substantial investment in labour costs which they expected to impact their cost base by “\$20-\$30k”. The competitiveness of this model / service level has been unable to drive profitability with this increased cost of labour.

While the auditor notes an improvement in trading terms in the 2017 management letter the lack of profitability is still observed. This is supported by analysis of the financials against the ATO benchmarks.

On review of the existing structure, benchmarks and comments from the auditor it is evident that ongoing labour costs need to be addressed by the committee. The auditor has provided the Club with recommendations in 2016 to reduce labour units required in the food service process by automating food ordering from a bar Point of Sale (POS) system and through management position adjustments. The Club responded that it didn’t agree with the auditor’s recommendation on a revised food ordering process from a logistical perspective due to the structure of the facility (however it is now reviewing this position subject to affordability), expense

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associated with POS software and the need for a dedicated kitchen hand to also clean up tables and take orders.

Despite the Club disagreeing with the auditor on labour cost savings the matter should still be addressed by the committee. To continue with the current employment structure relies solely on a significant increase in market conditions which is a significant risk for ongoing solvency. The benchmarking of the current performance against ATO guidelines highlights the current labour inputs are significantly above profitable levels. No other clubs within the region have the capacity to employ a full-time non-operational managerial staff member and the current financials indicate that the Club is unable to afford this position as well. It is noted that the Club's budget forecast indicates a small reduction in hours for the managerial position with associated expense reduction of \$6,677.

Current Debtor Obligations to Shire of Dandaragan

At present the Club has the following debtor obligations to the Shire of Dandaragan. The total amount currently outstanding is \$12,007.22 as per the table below.

In addition the bottom of the table demonstrates the additional payments expected to be raised this financial year which are the subject of this agenda item.

Debtor Item	Amount	Due Date
<i>Currently Outstanding (17/18 Financial Year Obligations)</i>		
Loan (17/18 2 nd Payment Balance)	\$2,342.97	21/02/2018
Loan (18/19 1 st Payment)	\$9,571.15	17/08/2018
Government Guarantee Fee (18/19 1 st Payment)	\$93.10	30/07/2018
Total Currently Outstanding	\$12,007.22	
<i>Future Estimates 18/19</i>		
Building Insurance	\$5,284.74	30/09/2018
Loan	\$9,571.15	31/01/2019
Government Guarantee Fee	\$95.00	30/06/2019
Total Projected / Deferral Request	\$14,950.89	

Current Financial Trajectory / Budget Targets

The Club has provided the Shire with a proposed budget for the coming year. The budget shows limited upside capable of meeting its debtor obligations and relies on further cost cutting and increasing monthly revenue by \$4,000 for the whole year. While the Club is of the opinion that the proposed budget is "worst-case" scenario there is significant risk that if the forecast 2% cost savings don't eventuate and revenue doesn't increase 5% then the

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Club will be in even worse financial condition if it manages to trade through the financial year.

The budget submitted includes the assumption that the Shire will provide immediate relief as requested, but should this not occur the budget as structured provides no ability to materially reduce current liabilities including trade creditors and superannuation amounts owing in the short term.

The proposed cash flow budget highlights that the Club is reliant on the Shire deferring the 18/19 debtor obligations. Without this concession the trading position is a further \$8,383 reduction in cash liquidity while trade creditors continue to increase.

The proposed budget is included in the graphs against ATO benchmarks as above and show a stagnant pattern over the coming year.

Alternative Business Models

Currently in the Shire of Dandaragan there are a number of similar sports clubs but with varying degrees of trading activity. The table below shows a basic comparison in services and business models:

	<i>Cervantes</i>	<i>Jurien Bowls Club</i>	<i>Dandaragan Community and Recreation Club</i>	<i>Jurien Golf Club</i>
<i>Open Days</i>	7	Only operates on Bowls days and special events	Wednesday, Friday, Saturday, 1/2 day Sunday.	Only operates on Golf days and special events
<i>Management</i>	<i>Full time manager</i>	Volunteer Management committee, with paid part time bar manager	100% volunteer	100% volunteer
<i>Kitchen Operation</i>	<i>Full time chef and casual kitchen hand</i>	100% volunteer Run various events through the season	Commercial kitchen, Friday night meals by community groups on rotation basis	100% volunteer Run various events through the year
<i>Bar Structure</i>	<i>Tavern License, Casual staff</i>	Club license, part time operational manager, casual and some volunteers	Club Licence Volunteer staff	Club Licence Volunteer staff
<i>Other Services</i>	<i>TAB, gaming</i>	Nil	Nil	Nil
<i>Profitability</i>	<i>As highlighted above</i>	Meeting all commitments and building reserves	Meeting all commitments and building reserves	Meeting all commitments and building reserves

The difference in the business model in Cervantes and other clubs in the Shire is significant. It bears greater resemblance to a commercial operation and accordingly isn't able to leverage a volunteer labour resource to reduce labour costs. It will take a

significant shift in the Club's and community's approach to the operation of the club to implement a similar model to other towns.

Consequences of Default

Given the uncertain financial future of the Club the committee may be forced to consider winding up the current association if additional funding cannot be obtained to continue as an ongoing concern. The process of winding up an insolvent association is complex and would require the appointment of administrators and an application to the Supreme Court. Accordingly the costs of this course of action would leave little if any funds to settle debts to creditors of the Club. There would also be impacts on the current employees whose employment would be terminated if the Club goes into administration.

During any administration period (which would be lengthy) the Club would be required to cease all operations and incur no further debts. This would limit access to the facilities and the Shire would likely be required to manage access to the building until a new entity was established to take on the management of the facility. If there is no caretaking group for an extended period of time there is a risk that the building's condition will deteriorate and also become a potential vandalism target.

There is also the question of the Shire's financial losses if the Club is to go into administration. The Shire would incur costs as insurance expenses (\$5,284) would not be reimbursed and any backlog of building maintenance may ultimately fall to the Shire if no volunteer based association chooses to take on the building's management. The balance of the self-supporting loan (\$19,156) and current debtor obligations of the Club (\$12,007) would also be in question however these could be renegotiated with any future management committee.

Officer's Recommendation and rationale

While it is not the Shire's role to instruct the club on its preferred structure the guidance from the Club's auditor should be considered along with reviewing models of other clubs. The current business structure has been unable to demonstrate ongoing financial viability and its continued operation below the costs of production is likely to be affecting the profitability of other businesses in the same markets within Cervantes.

The current request for \$55,000 is beyond the current budget capacity and would need to be reallocated from an existing project which has been considered and prioritised through the budget process. Alternatively Council would need to draw on reserve funds to provide finance requiring public notice as there are no specific reserve funds applicable to this purpose. It should also be noted that there is no form of security should Council provide the funding as a loan to the Club.

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In light of the analysis above the officer's recommendation is for Council to decline the request for funding. Doing so will require the Club to again review its operations and product offering, address the current levels of employee costs relative to turnover and consider its solvency status. It is recommended that the request for a deferral of the 2018/2019 year's insurance premium and self-supporting loan repayment is approved subject to the provision of a revised Club business model that can demonstrate the 2016 management letter comments being addressed to the satisfaction of the CEO.

CONSULTATION

- Cervantes Country Club

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.8

6.8. Expenditure from municipal fund not included in annual budget

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

** Absolute majority required.*

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The Club's request seeks an operational grant (or loan over 7 years) for \$55,000. There are no current budget provisions for this funding and it would need to be reallocated from an existing budgeted project or drawn from a reserve with associated public disclosure and advertising if Council support the application.

The Club's debtor obligations in the current financial year total \$14,950.89 and this proposal seeks a 12 month deferral of this amount. Acceptance of this proposal would only impact the Shire's cash flow for this financial year assuming the Club will be able to meet the commitments in the future.

The current debtor balances from 17/18 financial year are still expected to be settled this financial year however the cash flow budget provided by the Club only accommodates payments totalling \$3,000.

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STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 2: Healthy Safe and Active Community</i>	
Objectives	How the Shire will contribute
2.4 Provide recreation and community facilities and activities	b) Manage club leases and other community leases

ATTACHMENTS

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

- Club Financial Statements (Doc Id: 116625), Auditors Report 2016 (Doc Id: 116629) Management Letter 2016 (Doc Id: 116630) and Management Letter 2017 (Doc Id: 116628), Minutes (Doc Id: 116624), Signed Auditors Report (Doc Id: 116627)
 - Response to Auditors Report (Doc Id: 116631)
 - Correspondence and Supporting Financial Notes from the Club (Doc Id: 116626 & 116623)
 - Correspondence Cervantes Football Club (Doc Id: 117013)
- (Marked 9.4.2)**

VOTING REQUIREMENT

Simple majority

(Absolute Majority is required if the request for funding is approved)

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Slyns, seconded Cr Clarke

That Council:

- 1. decline the request {Doc Id: 116626} from the Cervantes Country Club for an operational grant of \$55,000**
- 2. subject to the provision of a revised club business model to the satisfaction of the CEO, agree to a 12 month deferral on the following debtor obligations and set the due dates at 31 October 2019.**
 - a) 2018/2019 insurance premium;**
 - b) 2018/2019 self-supporting loan repayment;**

CARRIED 8 / 0

9.4.3 JURIEB BAY INTERPRETIVE COMPLEX LEASE OF PORTION RESERVE 31884 AND LOT 33 JURIEB BAY MARINA

Location:	Jurien Bay Reserve 31844, Lot 33 Jurien Bay Marina
Applicant:	Jurien Bay Interpretative Complex Management Committee
Folder Path:	Business Classification Scheme / Recreation and Cultural Services / Museum and Galleries / Management
Disclosure of Interest:	Club Development Officer is a member of one of the groups.
Date:	17 July 2018

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Author:
Senior Officer:

Tony O'Gorman, Club Development Officer
Scott Clayton, Executive Manager Corporate and
Community Development.

PROPOSAL

To provide a lease on a portion of Jurien Bay Recreation Reserve 31884 to the Jurien Bay Interpretative Complex.

The Shire of Dandaragan to enter into a lease on lot 33 Jurien Bay Marina from the Department of Transport for a period of five years. Once the lease has been secured with the Department, then to sub lease the property to the Jurien Bay Interpretative Complex for a period of five years.

BACKGROUND

The Jurien Bay Interpretative Complex Inc. is a group of four organisations comprising the Jurien Bay Lions Club, the Inspirational Community Arts Network, the Museum Group and the Jurien Bay Community Men's Shed.

The groups have come together to seek a suitable venue from which to operate their particular organisations.

At the July 2014 Council meeting the Council agreed in principle to lease a portion of the Jurien Bay Recreation Reserve 314884 to the group. (*Appendix 1 Minute extract*).

Since that July 2014 meeting the group have become incorporated and have explored a number of other options for accommodation for the group. These options have up until recently been in vain.

The Department of Transport (DoT) have provided an opportunity for the Shire of Dandaragan to lease unused facilities at the Jurien Bay Marina site, lot 33. This opportunity arose following a request from the group to the Department to lease lot 33 to house the group. DoT's preference is to lease the facility to the Shire for a period of five years. The Shire could then sub lease the premises to the group. The cost of the lease to DoT could be offset by making the necessary repairs to the building to make it habitable for their needs.

The DoT opportunity has been presented to the Interpretative Complex Committee and in turn they have presented the option to their respective groups. The outcome is that three of the groups are willing to take the opportunity for the period of five years and remain hopeful that the lease can be extended past that time period. The fourth group (Jurien Bay Community Men's Shed) have decided that the risk is too great that an extended lease will not be provided. Their preferred option is to continue with obtaining a lease through the Interpretative Complex for the Bashford Street site. Council resolved at its meeting on 24 July 2014 to agree in principal to the establishment of the Jurien

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Interpretive Complex on Bashford Street (Reserve 31884) and sought power to lease. In 2015 the Minister for Lands granted Council approval to issue a lease for a maximum period of 21 years over this site.

The Interpretative Complex Committee are happy to proceed with both options.

COMMENT

Council needs to consider whether or not to enter into a five year lease with the Department of Transport on lot 33 Jurien Bay Marina. Then a sub-lease lot 33 to the interpretative complex for the same period could be facilitated. This solution provides a home for three of the groups immediately.

Providing a lease for the portion of land on the Bashford Street site will enable the Interpretative Complex Committee to continue planning for their future permanent home. Having a long term lease on the portion of land will allow the group to seek grant funding for the future development of the site. It can also negotiate synergies with the Men's Shed portion also being determined by Council this month.

CONSULTATION

- Jurien Bay Interpretative Complex,
- Executive Manager Corporate and Community Services.
- Chief Executive Officer
- Shire President
- Shelley Grice, Department of Transport.

STATUTORY ENVIRONMENT

Land Administration Act 1997

POLICY IMPLICATIONS

Policy 6.5 Reserves

OBJECTIVE

To provide guidance regarding the usage and leasing arrangement of Shire Reserves.

FINANCIAL IMPLICATIONS

There are no financial implications attached to this item as all costs for leases are typically borne by the groups applying for the lease.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 2: Healthy Safe and Active Community</i>	
Objectives	How the Shire will contribute
2.3 Enhance vibrancy and community identity through culture and arts	b) Support arts and cultural activities in community precincts

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2.4 Provide recreation and community facilities and activities	b) Manage club leases and other community leases
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ATTACHMENTS

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

- Letter of offer to lease from DoT (Doc Id: 115313)
- Surveyed portion Reserve 31884 Jurien Bay Recreation Reserve (Doc Id: 115129,115130,115131)
- Minute Extract 10.1.1 – 24 July 2014 (Doc Id: 33308)

(Marked 9.4.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

1. authorise the CEO negotiate with DoT to lease Lot 33 Jurien Bay Marina
2. if negotiations are successful in acquiring a lease from DoT authorise a sub-Lease of Lot 33 Jurien Bay Marina to the Jurien Bay Interpretative Complex INC.

COUNCIL DECISION

Moved Cr Shanhun, seconded Cr McGlew

That Council:

- 1. authorise the CEO negotiate a draft lease agreement for Lot 33 Jurien Bay Marina for Council to consider; and**
- 2. request staff to prepare a report for Council addressing any potential financial risks to the Shire associated with the undertaking of the draft lease.**

CARRIED 6 / 2

Note: The Officer Recommendation was not accepted due to Council feeling it required more information on the financial risk to the Shire associated with the lease.

9.4.4 VISITOR CENTRE WORKING GROUP

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Economic Development / Industries / Tourism
Disclosure of Interest:	Nil
Date:	8 August 2018
Author:	Alison Slyns, Economic Development Coordinator
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

For Council to endorse the recommendations of the Turquoise Coast Visitor Centre Working Group (TCVCWG) in regards to their review of the Turquoise Coast Visitor Centre Business Plan (5

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--

Year Plan) 2016-2021 (TCVCBP) and to recommend the TCVCWG be discontinued due to the successful completion of their Terms of Reference tasks.

BACKGROUND

In April 2016 the Turquoise Coast Visitor Centre received a \$17,573 grant from Tourism Western Australia in their 'Regional Visitor Centre Sustainability Grant' through the Royalties for Regions program. The grant funds engaged a tourism consultant to develop a Plan, operating model and governance. At the Council forum on 23 February 2017 Kim Hewson from Economic Transitions presented the draft plan that included five key recommendations to be implemented over the next five years.

At the Council meeting on 23 March 2017 the TCVCBP was received and a motion to create a visitor centre working group was endorsed:

COUNCIL DECISION

Moved Cr Slyn, seconded Cr Kulisa

That Council acknowledge and receive the Turquoise Coast Visitor Centre Business Plan (5 Year Plan) 2016-2021 (Doc ID 79720)

CARRIED 8 / 0

COUNCIL DECISION

Moved Cr Richardson, seconded Cr Sheppard

That Council:

- 1. Agree to establish a Turquoise Coast Visitor Centre Working Group to establish an appropriate Terms of Reference to be presented to Council by 31 May 2017 to further review and develop the Turquoise Coast Visitor Centre Business Plan (5 Year Plan) 2016-2021 to provide support to the Turquoise Coast Visitor Centre service.*
- 2. Agree that the newly established Turquoise Coast Visitor Centre Working Group consist of:*
 - a. 2 x Councillor representatives*
 - b. 2 x community representatives*
 - c. 2 x business representatives*
 - d. 1 x Department of Parks and Wildlife representative*

Request the CEO advertise for the vacant community and business representatives.

CARRIED 8 / 0

The vacancies were advertised in an open call for business and community representatives in April 2017 and in addition to the nominated two Councillors and one Parks and Wildlife representative, there were nominations received from two business representatives, two community representatives and one combined business / community representative applied. It was agreed by Shire staff to accept all nominations and in addition to a

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Shire officer; there was a total of nine persons in the working group.

An informal gathering of the TCVCWG was held in June 2017 and the first official meeting was held on 13 October 2017 where a Terms of Reference was developed and presented to Council at their meeting 26 October 2017:

COUNCIL DECISION

Moved Cr Scharf, seconded Cr McGlew

That Council

- 1. Receive the Turquoise Coast Visitor Centre Working Group meeting minutes from 13 October 2017;*
- 2. Endorse the Turquoise Coast Visitor Centre Working Group Terms of Reference to enable the TCVCWG to provide recommendation to Council regarding the Turquoise Coast Visitor Centre Business Plan (TCVCBP).*

CARRIED 9 / 0

A further seven meetings of the TCVCWG were held in between November 2017 and May 2018 to review the key recommendations of the TCVCBP. Each of these meeting minutes has been received by Council.

COMMENT

After the initial meeting on 13 October 2017 the TCVCWG met a further six times to continue reviewing the TCVCBP. The minutes of each of these meetings has been received by Council.

The TCVCWG recommendations based on a review of the five key recommendations from the TCVCBP are as follows:

TCVCBP Recommendation	Recommendation Details	TCVCWG Recommendation
Introduction of a membership program	To unite local businesses for tourism, create a networking group specifically tourism focused and an additional revenue stream for businesses	Agree to implement a membership program. A draft membership prospectus has been prepared by the working group but the contents of that document would have to be endorsed by the members of the proposed Incorporated Association so this document is being left in its draft state for the time being.
Provision of sub-let opportunities	Lease the southern area of the VC space to potential café operation or similar business activity to drive numbers into the visitor centre	Agree to defer this recommendation unless a suitable commercial opportunity was presented. The current visitor centre staff has capacity to continue running the library so unless it was commercially viable to relocate the library and pay other staff or an external agency to offer library services it would not make sense to move it.
Implementation of an overarching governance	Introduction of a not-for-profit incorporated association providing an	Agree to implement a governance structure with a new Incorporated Association being created. A draft

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structure	additional support network and strategy development for long term sustainability	constitution has been prepared by the working group but as with the draft membership prospectus the final contents of the document would need to be endorsed by the founding members of the Association. Two different governance structures have been prepared by the TCVCWG and will be discussed at Council forum.
Change of name for the visitor centre	To improve identification of the destination of Jurien Bay, change of name from Turquoise Coast Visitor Centre to Jurien Bay Visitor Centre	Agree to defer this item and let the final decision rest with the members of the Incorporated Association. Whoever has operational control of the visitor centre (whether that be Shire of Incorporated Association) should have the authority to retain or change the trading name. Once the governance structure is decided, the decision will rest with the party governing the visitor centre.
Introduction of technology	<ol style="list-style-type: none"> 1. Implementation of booking software package to manage the bookings of accommodation, tours and packages 2. Point of sale software to capture accurate sales of retail product 	Agree to implement all of these recommendations; these items have now been implemented since they were already underway at the time the business plan was being prepared.

Based on the framework from the TCVCWG Terms of Reference the members have now completed the review of the Plan and provide these recommendations to Council.

For many of these items to progress further it will be up to the founding members of the proposed tourism association to become incorporated and then approach Council with the level of involvement or authority the association would have over the visitor centre or other Shire tourism services.

CONSULTATION

- Council via Council forum
- Turquoise Coast Visitor Centre Working Group

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item. However, the Plan may suggest a direction that Council may wish to consider in a policy at a future time.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item. However, the implementation of the TCVCBP may incur financial costs, which would be subject to Budget consideration in the future.

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STRATEGIC IMPLICATIONS

2016-2026 Strategic Community Plan

<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	a) Tourism and marketing with a focus on promotion and product development based on natural assets in partnership with the Department of Parks and Wildlife c) Expand and improve the visitors' centres network

ATTACHMENTS

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

- 20171010 VC Working Group TOR (Doc Id: 99594)
- 20170118 TCVC Business Plan (Doc Id: 116686)

(Marked 9.4.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

Moved Cr Slyn, seconded Cr Gibson

That Council:

1. endorse the recommendations of the Turquoise Coast Visitor Centre Working Group in regards to their review of the Turquoise Coast Visitor Centre Business Plan (5 Year Plan) 2016-2021 as follows:
 - a. Agree with the recommendation of implementing a membership program;
 - b. Defer the recommendation of sub-letting the existing Jurien Bay Public Library tenancy unless a proposal was found to be commercially viable to relocate and re-staff the library;
 - c. Agree with the recommendation of implementing a governance structure including the creation of an incorporated association with local industry and community members representing regional tourism;
 - d. Defer the recommendation of re-naming the visitor centre until such time that the governance structure of the centre is confirmed. The body with operational control of the visitor centre, whether that be Shire or incorporated association, should be responsible for the trading name;
 - e. Agree with the recommendation that the introduction of technology items, including booking and point of sale systems, be implemented.
2. discontinue the Turquoise Coast Visitor Centre Working Group due to the successful completion of their Terms of Reference tasks.

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AMENDMENT

Moved Cr McGlew,

That Council:

1. endorse the recommendations of the Turquoise Coast Visitor Centre Working Group in regards to their review of the Turquoise Coast Visitor Centre Business Plan (5 Year Plan) 2016-2021 as follows:
 - a. Agree with the recommendation of implementing a membership program;
 - b. Defer the recommendation of sub-letting the existing Jurien Bay Public Library tenancy;
 - c. Agree with the recommendation of implementing a governance structure including the creation of an incorporated association with local industry and community members representing regional tourism;
 - d. Defer the recommendation of re-naming the visitor centre until such time that the governance structure of the centre is confirmed. The body with operational control of the visitor centre, whether that be Shire or incorporated association, should be responsible for the trading name;
 - e. Agree with the recommendation that the introduction of technology items, including booking and point of sale systems, be implemented.
2. discontinue the Turquoise Coast Visitor Centre Working Group due to the successful completion of their Terms of Reference tasks.

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OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Slyns, seconded Cr Gibson

That Council:

1. endorse the recommendations of the Turquoise Coast Visitor Centre Working Group in regards to their review of the Turquoise Coast Visitor Centre Business Plan (5 Year Plan) 2016-2021 as follows:
 - a. Agree with the recommendation of implementing a membership program;
 - b. Defer the recommendation of sub-letting the existing Jurien Bay Public Library tenancy unless a proposal was found to be commercially viable to relocate and re-staff the library;
 - c. Agree with the recommendation of implementing a governance structure including the creation of an incorporated association with local industry and community members representing regional tourism;
 - d. Defer the recommendation of re-naming the visitor centre until such time that the governance structure of the centre is confirmed. The body with operational control of the visitor centre, whether that be Shire or incorporated association, should be responsible for the trading name;

- e. Agree with the recommendation that the introduction of technology items, including booking and point of sale systems, be implemented.
2. discontinue the Turquoise Coast Visitor Centre Working Group due to the successful completion of their Terms of Reference tasks.

CARRIED 8 / 0

9.4.5 CONTRACT VARIATION REQUEST – SPECTRUM HEALTH

Location:	Jurien Bay Wellness Centre
Applicant:	Spectrum Health Pty Ltd
Folder Path:	Business Classification Scheme / Community Services / Service Provision / Medical Services
Disclosure of Interest:	Nil
Date:	13 August 2018
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

This item considers a request from Spectrum Health Pty Ltd to provide minor amendments to the contract with the Shire to deliver medical services and operate the Practice at the Jurien Bay Wellness Centre. The recommendation supports the applicant's request.

BACKGROUND

In November 2017 the applicant and the Shire entered into an agreement for the provision of medical services from the Jurien Bay Wellness Centre for a 5 year term with one 5 year option. The contract stipulates a number of minimum services / KPIs which are to be achieved by Spectrum Health Pty Ltd. An extract of the contract listing these services is provided within the attachments.

The contract has been in place for 9 months and there are two items that Spectrum Health would like varied in the contract to reflect the actual operations of the business.

1. Requirement for an on-site practice manager.
2. Requirement to open on public holidays.

The letter from Spectrum Health details the operational justifications for this.

COMMENT

Officer's discussed these two items at the first 6 monthly meeting having observed that there was no resident practice manager and that the clinic was closed on public holidays.

While the contract is silent on the operation of the practice on public holidays, Item 1 (2) requires that the GP's are available for consultations for at least 5.5 days per week, Monday to Saturday.

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Spectrum Health Pty Ltd were asked to formalise these arrangements by requesting Council consent to vary the contract to reflect their preferred operational model. The arrangements in their practical operation have not proven to have an impact on public health nor the substantial performance of the expectations of the contract. Accordingly it is recommended that Council authorise the CEO to modify the contract as requested by the applicant.

The practice GP's are also still to be accredited by WA Country Health Service to be able to fully meet their commitments to provide 24/7 emergency services for the Jurien Bay townsite. This application and accreditation process is currently underway and expected to be completed in the near future.

CONSULTATION

- Spectrum Health Pty Ltd

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 2: Healthy Safe and Active Community</i>	
Objectives	How the Shire will contribute
2.1 Develop health and wellbeing centre and services	a) Health and medical facilities b) Jurien Bay Wellness Centre

ATTACHMENTS

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

- Letter from Spectrum Health (Doc Id: 116727)
 - Schedule Item 1 from the contract. (Doc Id: 116726)
- (Marked 9.4.5)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Gibson

That Council:

- 1. provide consent to the modification of the Contract for the Provision of Medical Services to Jurien Bay to permit the following:**
 - a. Remove the requirement for the practice manager to be based at the Practice.**
 - b. Closure of the Practice on Public Holidays.**

2. authorise the Chief Executive Officer to execute the contract modifications with Spectrum Health Pty Ltd.

CARRIED 8 / 0

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – JULY 2018 COUNCIL STATUS REPORT

Document ID: 115854

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 26 July 2018. **(Marked 9.5.1)**

9.5.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – AUGUST 2018

Document ID: 116745

Attached to the agenda is a copy of the Shire of Dandaragan's Executive Manager Infrastructure Report for August 2018. **(Marked 9.5.2)**

9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JULY 2018

Document ID: 116526

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for July 2018. **(Marked 9.5.3)**

9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JULY 2018

Document ID: 116241

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for July 2018. **(Marked 9.5.4)**

9.5.5 WAPC – LPS 7 – AMENDMENT 29 – REZONING LOTS 5,7,8,9,10 & 362 CATALONIA STREET AND LOT 11 MADRID STREET FROM 'RESIDENTIAL' & 'INDUSTRIAL' TO 'SPECIAL USE 5'

Document ID: 116194

Attached to the agenda is correspondence from WAPC advising the Minister has approved the above amendment in accordance with section 87(2)(a) of the Act. **(Marked 9.5.5)**

9.5.6 WAPC – LPS 7 – AMENDMENT 35 – CITY CENTRE STRATEGY

Document ID: 116196

Attached to the agenda is correspondence from WAPC advising the Minister has approved the above amendment in accordance with section 87(2)(a) of the Act. **(Marked 9.5.6)**

9.5.7 SHIRE OF DANDARAGAN TOURISM / LIBRARY REPORT FOR JULY 2018

Document ID: 116315

Attached to the agenda is monthly report for Tourism / Library for July 2018. **(Marked 9.5.7)**

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 AUGUST 2018

9.5.8 WALGA AGM MINUTES – HELD ON WEDNESDAY 1 AUGUST 2018

Document ID: 116648

The Minutes of the AGM can be located on the WALGA website <https://walga.asn.au/About-WALGA/WALGA-AGM-Agenda-and-Minutes.aspx>

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

The Shire President thanked John Astill from the Cervantes Country Club for his deputation regarding the Cervantes Country Club and expressed how Council was sympathetic to the situation and would continue to provide assistance to the Club.

Cr Shanhun acknowledged the Jurien Bay Golf Club and their running of the State Sands Green Golf tournament over the weekend of 9 – 12 August 2018 which was a very successful weekend with benefits for the whole town.

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

Nil

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13 CLOSURE OF MEETING

The Shire President declared the meeting closed at 12.43pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date