



SHIRE
of
DANDARAGAN

MINUTES
of the
ORDINARY COUNCIL MEETING
held at the
COUNCIL CHAMBERS JURIEN BAY
on
THURSDAY 24 OCTOBER 2013
COMMENCING AT 5.00 PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Chief Executive Officer declared the meeting open at 5.00pm and welcomed those present.

1.2 ELECTION AND DECLARATION OF PRESIDENT AND DEPUTY PRESIDENT

Election for President

The Chief Executive Officer advised that he had received two written nominations, one for Councillor Gibson and one for Councillor McGlew. The Chief Executive Officer then called for nominations from the floor, none were forthcoming therefore the Chief Executive Officer declared the nomination period closed. An election was run by secret ballot and the results were, Councillor Gibson 5 votes, Councillor McGlew 4 votes, resulting in Councillor Gibson being elected to the office of President for a period of two (2) years.

Councillor Gibson then made the declaration in the prescribed form before Councillor Tim Bailey, JP. The forms were duly signed.

Councillor Gibson then assumed the Chair.

Election for Deputy President

The President advised that he had received two written nominations, one for Councillor Slyns and one for Councillor McGlew. The President then called for nominations from the floor, none were forthcoming therefore the President declared the nomination period closed. An election was run by secret ballot and the results were, Councillor McGlew 6 votes, Councillor Slyns 3 votes, resulting in Councillor McGlew being elected to the office of Deputy President for a period of two (2) years.

Councillor McGlew then made the declaration in the prescribed form before Councillor Tim Bailey, JP. The forms were duly signed.

As part of the Shire of Dandaragan's tradition, Councillor Gibson, the Presiding Member congratulated the Deputy President and new Councillors in recognition of their election to the Council. Councillor Gibson also thanked Councillor Tim Bailey, JP, for conducting the ceremonies.

1.3 DISCLAIMER READING

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

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

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

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor W Gibson	(President)
Councillor K McGlew	(Deputy President)
Councillor L Short	
Councillor D Kent	
Councillor T Bailey	
Councillor M Sheppard	
Councillor L Holmes	
Councillor J Kulisa	
Councillor D Slyns	

Staff

Mr T Nottle	(Chief Executive Officer)
Mr I Rennie	(Deputy Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr W George	(Manager Building Services)
Miss D Kerr	(Council Secretary & PA)

Apologies

Mr B Wall	(Executive Manager Infrastructure & Major Projects)
Mr D Chidlow	(Manager Planning)

Approved Leave of Absence

Observers Gemma Richardson, Clinton Strugnell, Michael Russell

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Mr Clinton Strugnell asked with regard to the outbuildings on rural residential policies. Mr Strugnell has noticed a small steady flow of applications to exceed the 300m² maximum limit stated in the Shire Policy. Have Council reviewed its policy on outbuildings recently?

The President advised that Council have had some concerns on this matter

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and it is something that Council will have to look into.

The Chief Executive Officer advised that the policy was reviewed approximately 12 months ago.

5 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

Moved Cr Sheppard, seconded Cr Short

That leave of absence be approved as follows:

- Councillor J Kulisa – Friday 1 November 2013 to Tuesday 3 December 2013 (inclusive)
- Councillor T Bailey – Saturday 9 November 2013 to Monday 25 November 2013 (inclusive)

CARRIED 9 / 0

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF ORDINARY MEETING HELD 26 SEPTEMBER 2013

COUNCIL DECISION

Moved Cr Bailey, seconded Cr Kent

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

CARRIED 9 / 0

7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION AND COUNCIL APPOINTED DELEGATES REPORTS

Cr Short

- | | |
|-------------------|---|
| - 1 October 2013 | Wheatbelt Health MOU |
| - 4 October 2013 | Moore Catchment Council AGM |
| - 8 October 2013 | Meeting with Western Australian Planning Commission Chair, Department of Planning Members |
| - 16 October 2013 | Water Corporation Customer Service Council |
| - 18 October 2013 | Regional Development Awards |

Cr Sheppard

- | | |
|-------------------|---|
| - 2 October 2013 | Jurien Bay Progress Association |
| - 8 October 2013 | Meeting with Western Australian Planning Commission Chair, Department of Planning Members |
| - 14 October 2013 | Local Emergency Management Committee Meeting |

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- 16 October 2013 Jurien Bay Chamber of Commerce

Cr Russell

- 2 October 2013 Cervantes Ratepayers and Progress Association
- 24 October *"I would like to thank the Councillors and Staff for the kindness and friendship they showed me and my family while I was a Councillor myself"*

Cr McGlew

- 8 October 2013 Meeting with Western Australian Planning Commission Chair, Department of Planning Members
- 12 October 2013 LEMC Live Crash Exercise
- 14 October 2013 Roadwise Meet / Defence Presentation – Jurien Bay
- 15 October 2013 Iluka Cataby Project Info Session
- 18 October 2013 Dandaragan Primary School 60th Anniversary
- 18 October 2013 Regional Achievement & Community Awards Event Perth
- 19 October 2013 Local Government Election Evening

COUNCIL DECISION

Moved Cr Bailey, seconded Cr Short

That the delegates' reports to 24 October 2013 as presented be accepted.

CARRIED 9/0



8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 FINANCE

9.1.1 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 31 AUGUST 2013

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	19 September 2013
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To table and adopt the monthly financial statements for the period

ending 31 August 2013.

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 August 2013.

COMMENT

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

1. Net Current Assets

Council's Net Current Assets [ie surplus / (deficit)] position as at the 31 August 2013 was \$8,366,512. 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, Restricted Assets and Trust. 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

The Statement of Financial Activity provides variances to budget by way of percentages. Council's adopted policy states a 10 percent threshold for these variances to be reported. An explanation of these variances is as follows:

Recreation and Culture

Expenditure is at 71% of Y-T-D budget. This is due to less than budgeted expenditure for materials and contracts. The Y-T-D budget evenly distributes materials and contracts evenly across months, however, actual expenditure rarely follows this pattern. As an early indicator it is more likely a timing issue rather than a true variance.

Transport

Expenditure is at 110% of Y-T-D budget and is due to higher than budgeted employee and on costs. The Y-T-D budget evenly distributes maintenance and capital works across months. However, this first month there has been a focus on maintenance over capital works. This should even out as capital works are commenced in future months.

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Should Councillors wish to raise any issues relating to the 31 August 2013 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 31 August 2013 (16707)

(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

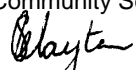

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Sheppard, seconded Cr Short

That the monthly financial statements for the period ending 31 August 2013 be adopted.

CARRIED 9 / 0

9.1.2 ACCOUNTS FOR PAYMENT – AUGUST 2013

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	23 September 2013
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

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PROPOSAL

To accept the cheque and direct debit listing for the month of August 2013.

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 and electronic funds transfer (EFT) listing for August 2013 totalled \$1,197,988.09 for the Municipal Fund.

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

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Cheque and direct debit listings for August 2013 (Doc Id: 16718)

(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Kent, seconded Cr Bailey

That the Municipal Fund cheque and EFT listing for the period ending 31 August 2013 totalling \$1,197,988.09 be accepted.

CARRIED 9 / 0

9.1.3 ACCOUNTS FOR PAYMENT – SEPTEMBER 2013

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None

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Date: 14 October 2013
 Author: Scott Clayton, Executive Manager Corporate and Community Services

Signature of Author:



Senior Officer:

Tony Mottle, Chief Executive Officer

Signature of Senior Officer:



PROPOSAL

To accept the cheque and direct debit listing for the month of September 2013.

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 and electronic funds transfer (EFT) listing for September 2013 totalled \$658,627.49 for the Municipal Fund, and \$3,171.20 for the Trust Fund.

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

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Cheque and direct debit listings for September 2013 (Doc Id: 17479)

(Marked 9.1.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

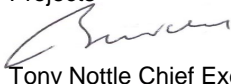

Moved Cr Short, seconded Cr Bailey

That the Municipal Fund cheque and EFT listing for the period ending 30 September 2013 totalling \$658,627.49 for Municipal and \$3,171.20 for Trust be accepted.

CARRIED 9 / 0

9.2 WORKS AND PLANT

9.2.1 TURQUOISE COAST ENTRY SIGNS

Location:	Indian Ocean Drive
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Economic Development / Industries / Tourism
Disclosure of Interest:	N/A
Date:	14 October 2013
Author:	Brian Wall, Executive Manager Infrastructure & Major Projects
Signature of Author:	
Senior Officer:	Tony Nottle Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

Council to formally endorse the installation of Turquoise Coast signage to replace current Shire logo signs to the entrance to the Shire of Dandaragan on Indian Ocean Drive.

BACKGROUND

David Lantzke representing the CCI Alliance of Jurien Bay and Cervantes made a presentation to Council at the Council forum on 26 September 2013. The presentation summarised the scope and direction the Alliance was taking to improve attraction to the coastal strip of the Shire. One of the major projects the Alliance is progressing is to improve the signage along Indian Ocean Drive to reflect the Turquoise Coast and the Towns you are entering.

COMMENT

The current signs identifying the commencement of the Shire of Dandaragan along Indian Drive display the Shire logo, these signs do not reflect the coastal location or towns you will be entering and have no real meaning to where you are. At the Council Forum held 26 September 2013 Council supported the concept to update the signage to include the Turquoise Coast signage along Indian Ocean Drive would assist to communicate to visitors they are on the coastal strip of the Shire of Dandaragan. The changed signage proposed retains the Shire of Dandaragan identification.

CONSULTATION

- CCI Alliance

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this report.

POLICY IMPLICATIONS

There are no policy implications relevant to this report.

FINANCIAL IMPLICATIONS

Signage cost to be accessed from Marketing / Promotions budget.

STRATEGIC IMPLICATIONS

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There are no strategic implications relevant to this report.

ATTACHMENTS

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

- Copies of proposed signage (Doc Id: 17467 & 17468)
(Marked 9.2.1)

VOTING REQUIREMENT

Simple majority

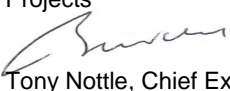

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Holmes, seconded Cr Sheppard

That Council endorse the installation of the Turquoise Coast signage as presented along Indian Ocean Drive.

CARRIED 8 / 1

9.2.2 RECONSTRUCTION OF SANDY CAPE ROAD

Location:	Jurien Bay
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Roads / Maintenance / Roads and Intersections
Disclosure of Interest:	N/A
Date:	9 October 2013
Author:	Brian Wall Executive Manager Infrastructure / Major Projects
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

Council to consider the transferring of R2R funding from Cook Street and York Street to Sandy Cape Road.

BACKGROUND

The condition of Sandy Cape Road has continued to deteriorate over the past few years, whilst minor maintenance has been carried out on a regular basis the surface material and form has deteriorated to a condition that maintenance grading is no longer effective.

The road is heavily used by tourists and is the access road used by CSR to access the Gypsum mine.

R2R have advised identified funded projects can be altered to reflect changed priorities however the approved costs cannot be changed.

COMMENT

An email received from the Local Ambulance sub centre on 6 October 2013 made complaint about the condition of the road after

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attending Sandy Cape for a patient requiring medical attention. As current Ambulances are not designed for these types of roads there is a concern that the current condition of the road may impact on future ambulance operations.

Both Cook Street and York Street are listed for asphalt overlay within this financial years R2R program, however the condition of both roads is very good and works can effectively be delayed without any further deterioration to their condition and be considered in future road programs.

Given the condition of Sandy Cape Road it is the reporting officers' advice that Sandy Cape Road is of higher priority than Cook and York Streets.

Informal discussion with mining operators has been positive and they have offered some assistance with the re-construction of the road.

CONSULTATION

- CSR Mining
- Jurien Bay Ambulance Sub Station

STATUTORY ENVIRONMENT

Local Government Act

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;
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

POLICY IMPLICATIONS

There are no policy implications relevant to this report.

FINANCIAL IMPLICATIONS

Funds to undertake the reconstruction of Sandy Cape Road can be accessed from current R2R roads program, utilising funds allocated to Cook Street and York Street currently allocated in adopted budget.

STRATEGIC IMPLICATIONS

- Shire of Dandaragan Strategic Community Plan 2011 – 2021

5.15.2 GOAL NUMBER TWO: Build a high level of amenity and lifestyle.

OBJECTIVE 3: Develop, deliver and maintain a high quality of community infrastructure that continues to build the amenity and liveability of the communities

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ATTACHMENTS

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

- Email from Jurien Bay Ambulance Sub Station (Doc Id: 17469)
(Marked 9.2.2)

VOTING REQUIREMENT

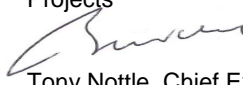

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr McGlew, seconded Cr Short**

That Council authorise a budget amendment to delete projects RTR075 Cook Street – \$102,842.00, and RTR108 York Street – \$70,773.96, from Roads Program 2013 / 2014 and replace with the reconstruction of Sandy Cape Road – \$173,615.96.

CARRIED 9 / 0

9.2.3 PROPOSED COMMUNICATION MICROWAVE LINK TO JURIEN BAY OPERATIONS CENTRE

Location:	Jurien Bay
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Financial Management / Budget
Disclosure of Interest:	N/A
Date:	17 October 2013
Author:	Brian Wall, Executive Manager Infrastructure & Major Projects
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

Council to consider transferring up to \$20,000.00 from the Building Reserve for the installation of a Microwave Link to the Jurien Bay Operations Centre.

BACKGROUND

Data connectivity from the Shire Administration Centre to the Operations Centre is very limited with dial up internet access only, with no connection to Council operating systems, making it impossible for Coordinator Infrastructure Operations and Operations Supervisor (Jurien Bay) being able to undertake effective data recording or access the Council operating systems.

COMMENT

With the Coordinator Infrastructure Operations recently being relocated to the Jurien Bay Operations Centre, data access has become critical for the efficient and effective operation of the Infrastructure Services throughout the Shire. Given the changes in the operations of the Operations Centre some minor building

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modification is also required, to the current office building.

Cost have been estimated at \$20,000.00 to install a Microwave Link from the Administration Centre to the Operations Centre, and an estimate of \$5,000.00 for the building modification. No allocation was made in the current 2013/14 budget for these items.

Changes to technology over the past few years requires all staff to have access to our servers and systems. Both the existing positions of Supervisor and Coordinator Infrastructure Operations do not have full access to these at this stage.

CONSULTATION

- Executive Manager Corporate & Community Services

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Building Reserve has a balance of \$678,082.00. The Microwave Link has been estimated at \$20,000.00, minor building modification \$5,000.00.

STRATEGIC IMPLICATIONS

Local Government Act

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;
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

ATTACHMENTS

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

- Quote from CipherTel Pty Ltd (Doc Id: 17591)
- Quote from Communications & Wireless Services Pty Ltd (Doc Id: 17592)

(Marked 9.2.3)

VOTING REQUIREMENT

Absolute majority

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OFFICER RECOMMENDATION

Moved Cr Bailey, seconded Cr Short

That Council endorse the transfer of \$25,000.00 from Building Reserve for the purpose of installing a Microwave Link from the Bashford Street Shire Administration Centre to the Jurien Bay Operations Centre on Carmella Street and minor modification to the Office building.

AMENDMENT

Moved Cr McGlew, seconded Cr Bailey

That Council endorse, as a budget amendment, the transfer of \$20,000.00 from Building Reserve for the purpose of installing a Microwave Link from the Bashford Street Shire Administration Centre to the Jurien Bay Operations Centre on Carmella Street.

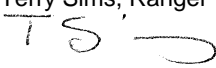

CARRIED 7 / 2

The amendment then became the motion and the motion was put.

CARRIED 8 / 1

The Officer Recommendation was not carried due to Council agreeing that the communications link was important however would like to see plans of the alterations to the Jurien Bay Operations Centre.

9.3 ADMINISTRATION**9.3.1 APPOINTMENT OF AUTHORISED OFFICER – RANGER SERVICES**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path	Business Classification Scheme / Personnel / Authorisations / Gazettals
Disclosure of Interest:	The author is the officer seeking authorisation.
Date:	18 September 2013
Author:	Terry Sims, Ranger
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

This proposal recommends Council authorise persons under relevant Acts as Authorised Persons and Registration Officers.

BACKGROUND

The requirement to ensure that Shire personnel are appropriately authorised to conduct their functions and responsibilities within legislative guidelines.

COMMENT

The Dog Act 1976 does not provide for authority to be delegated to the Chief Executive Officer for the appointment of authorised officers with the exception of section 11(1) and Local Laws adopted by Council.

It is therefore proposed that authority be given to persons listed below under s12A (2), s16, s29 and s44.

Authorised officers, Terrance Sims - Senior Ranger:

Dog Act 1976

- Section 12A (2) allows an authorised person or other person named in a warrant to enter and inspect any premises for any purpose relating to the enforcement of the Dog Act 1976 with the authority of a warrant.
- Section 16 requires persons to be authorised by the local government as registration officers to affect the registration of dogs under the Act.
- Section 29 contains powers allowing an authorised person to exercise powers to enter property, seize and detain dogs.
- Section 44 allows proceedings to be taken under the Act by an employee of the Shire authorised to take proceedings in the name of the Shire.

Cat Act 2011

Section 51

- (1) In the performance of a function under this Act, an authorised person may enter any premises if entry is required for the performance of the function —
 - (a) with the consent of the person who is, or appears to be, the owner or occupier of the premises; or
 - (b) if a notice has been given in accordance with subsection (2) and the period specified in the notice as the period within which objections may be made has elapsed with no objection being made; or
 - (c) under a warrant issued under Subdivision 3.
- (2) An authorised person wishing to enter any premises may give to the owner or occupier of the premises notice in writing
 - (a) stating that the authorised person wishes to enter the premises; and
 - (b) specifying the purpose for which entry is required; and
 - (c) specifying that the owner or occupier may object to the entry and the period (being not less than 24 hours) within which the objection may be made; and

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- (d) specifying how the objection may be made.
- (3) Where a notice has been given under subsection (2) and no objection has been made to the authorised person within the time specified in the notice —
 - (a) the notice continues to have effect until —
 - (i) the purpose for which entry was required has been effected; or
 - (ii) 7 days after the end of the objection period specified in the notice, whichever occurs first; and
 - (b) successive entries for that purpose are to be regarded as entries to which the notice relates.
- (4) The powers of entry under this section are in addition to and not in derogation of any power of entry conferred by any other law.
- (5) Entry under this section may be made with such assistants and equipment as are considered necessary for the purpose for which entry is required.

Control of Vehicles (Off Road Areas) Act 1978

The Control of Vehicles (Off Road Areas) Act 1978 does not provide for authority to be delegated to the Chief Executive Officer for the appointment of authorised officers. It is therefore proposed to appoint Terrance Sims, Senior Ranger as authorised persons under section 5(5) of the Act.

Section 5(5) allows a local government to employ fit and proper persons to be authorised officers for the enforcement of the Act.

Caravan Parks and Camping Grounds Act 1995

The Caravan Parks & Camping Grounds Act 1995 does not provide for authority to be delegated to the Chief Executive Officer for the appointment of authorised officers. It is therefore proposed to appoint persons appointed to the position listed below as authorised persons under section 17(1) of the Act.

Section 17 (1) allows a local government to appoint such persons as the local government considers necessary. It is therefore proposed that Terrance Sims be authorised under the Act.

CONSULTATION

Due to the nature of this application it was felt that further consultation was unnecessary.

STATUTORY ENVIRONMENT

- Dog Act 1976
- Cat Act 2011
- Control of Vehicles (Off-road Areas) Act

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- Caravan Parks & Camping Grounds Act 1995

POLICY IMPLICATIONS

Shire of Dandaragan's policy in relation to delegations.

FINANCIAL IMPLICATIONS

The cost of advertising in the Government Gazette.

STRATEGIC IMPLICATIONS

It shall be the duty of the local government within its district to administer and enforce the provisions of these Acts.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Short

That Council appoint Terrance Sims as authorised registration officer pursuant to section 16 of the Dog Act 1976.

CARRIED 9 / 0

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Holmes

That Council appoint Terrance Sims as authorised registration officer pursuant to section 48 (1) of the Cat Act 2011.

CARRIED 9 / 0

OFFICER RECOMMENDATION 3 / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Short

That Council appoint Terrance Sims as an authorised officer pursuant to section 17 (1) of the Caravan Parks & Camping Grounds Act 1995.

CARRIED 9 / 0

OFFICER RECOMMENDATION 4 / COUNCIL DECISION



Moved Cr Kulisa, seconded Cr Bailey

That Council appoint Terrance Sims as an authorised officer pursuant to section 5 (5) of the Control of Vehicles (Off Road Areas) Act 1978.

CARRIED 9 / 0

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9.3.2 CONFIRMATION OF LAND AMALGAMATION PURCHASE – LOTS 65 AND 1251 WITH LOT 124 – SUPERTOWNS JURIEN BAY CITY CENTRE ENHANCEMENT PROJECT

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Council Properties / Urban Design / Civic Precinct (Associate with Business Classification Scheme / Governance / Authorisations / Council Seal)
Disclosure of Interest:	None
Date:	14 October 2013
Senior Officer:	Brian Wall, Executive Manager Infrastructure & Major Projects
Signature of Senior Officer:	
Authorising Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To confirm the land amalgamation purchase of Lot 65 Bashford Street and Lot 1251 Hamersley Street Jurien Bay being Reserve 28139 with the Shire's Freehold Lot 124 and to seek Council's endorsement for the application of the Shire of Dandaragan's Common Seal to the Letter of Offer and Acceptance: Crown Land Amalgamation document.

BACKGROUND

An item was presented to the Ordinary Council Meeting held 23 May 2013, for Council to consider land tenure options for Lot 65 Bashford Street and Lot 1251 Hamersley Street (Civic Centre Development). At this meeting, Council resolved:

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Holmes, seconded Cr Short

That Council endorse Option 2 as Council's preferred option:

- 1. purchase of Lots 65 and 1251 Jurien Bay amalgamate with Lot 124 - \$300,000; and*
- 2. that a report comes back to Council in June 2013 confirming details of how the purchase of Lots 65 and 1251 will be funded.*

CARRIED BY ABSOLUTE MAJORITY 8 / 0

Following that meeting, an item was subsequently presented to the Ordinary Council Meeting held 25 July 2013 in which Council resolved:

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Holmes

That Council:

- 1. authorise as a budget amendment, the Chief Executive Officer to undertake negotiations and to purchase Lot 65 Bashford Street and Lot 1251 Hamersley Street, Jurien Bay as per the attached plans up to the price of \$300,000;*
- 2. authorise as a budget amendment, a transfer from the SuperTowns reserve to the Shire of Dandaragan's Municipal*

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- Fund equivalent to the purchase price of Lot 65 Bashford Street and Lot 1251 Hamersley Street, Jurien Bay;*
3. *authorise the Chief Executive Officer to seek a variation to the Financial Assistance Agreement "SuperTowns Development Project Fund - Jurien Bay City Centre Enhancement Project" to include the purchase of Lot 65 Bashford Street and Lot 1251 Hamersley Street, Jurien Bay and the addition of an extra drawdown milestone; and*
 4. *request interim approval from the Department of Lands for the works to commence over the land Lot 65 Bashford Street and Lot 1251 Hamersley Street whilst the purchasing process is being finalised.*

CARRIED BY ABSOLUTE MAJORITY 6 / 0

COMMENT

As a result of the negotiations with the Department of Lands, a Letter of Offer and Acceptance: Crown Land Amalgamation documentation has since been received and now requires the Common Seal to be applied.

CONSULTATION

- Department of Lands

STATUTORY IMPLICATIONS

WA Planning and Development Act 2005

Local Government Act 1995

3.59. Commercial enterprises by local governments

- (1) In this section —*
- acquire has a meaning that accords with the meaning of dispose;*
- dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;*
- land transaction means an agreement, or several agreements for a common purpose, under which a local government is to —*
- (a) acquire or dispose of an interest in land; or*
 - (b) develop land;*
- major land transaction means a land transaction other than an exempt land transaction if the total value of —*
- (a) the consideration under the transaction; and*
 - (b) anything done by the local government for achieving the purpose of the transaction,*
- is more, or is worth more, than the amount prescribed for the purposes of this definition;*
- major trading undertaking means a trading undertaking that —*
- (a) in the last completed financial year, involved; or*
 - (b) in the current financial year or the financial year after the current financial year, is likely to involve,*

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expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

trading undertaking means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of land transaction.

- (2) *Before it —*
- (a) *commences a major trading undertaking; or*
 - (b) *enters into a major land transaction; or*
 - (c) *enters into a land transaction that is preparatory to entry into a major land transaction,*
a local government is to prepare a business plan.
- (3) *The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —*
- (a) *its expected effect on the provision of facilities and services by the local government; and*
 - (b) *its expected effect on other persons providing facilities and services in the district; and*
 - (c) *its expected financial effect on the local government; and*
 - (d) *its expected effect on matters referred to in the local government's current plan prepared under section 5.56; and*
 - (e) *the ability of the local government to manage the undertaking or the performance of the transaction; and*
 - (f) *any other matter prescribed for the purposes of this subsection.*
- (4) *The local government is to —*
- (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction; and*
 - (ii) *a copy of the business plan may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and*
 - (b) *make a copy of the business plan available for public inspection in accordance with the notice.*
- (5) *After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or*

so that it is not significantly different from what was proposed.

** Absolute majority required.*

- (5a) *A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.*
- (6) *If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.*
- (7) *The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.*
- (8) *A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.*
- (9) *A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.*
- (10) *For the purposes of this section, regulations may —*
 - (a) *prescribe any land transaction to be an exempt land transaction;*
 - (b) *prescribe any trading undertaking to be an exempt trading undertaking.*

[Section 3.59 amended by No. 1 of 1998 s. 12; No. 64 of 1998 s. 18(1) and (2).]

Local Government (Functions and General) Regulations 1996

Part 3 — Commercial enterprises by local governments (s. 3.59)

7. Term used: major regional centre

- (1) *In this Part —*
 - major regional centre means a local government the district of which —*
 - (a) *is not in the metropolitan area; and*
 - (b) *has more than 20 000 inhabitants.*
- (2) *Section 2.4(6) of the Act applies to determine the number of inhabitants of a district for the purposes of the definition of major regional centre.*

[Regulation 7 inserted in Gazette 27 Sep 2011 p. 3843-4.]

8A. Amount prescribed for major land transactions; exempt land transactions prescribed (Act s. 3.59)

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- (1) *The amount prescribed for the purposes of the definition of major land transaction in section 3.59(1) of the Act is —*
 - (a) *if the land transaction is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —*
 - (i) *\$10 000 000; or*
 - (ii) *10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year;*

or
 - (b) *if the land transaction is entered into by any other local government, the amount that is the lesser of —*
 - (i) *\$2 000 000; or*
 - (ii) *10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.*
- (2) *A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if —*
 - (a) *the total value of —*
 - (i) *the consideration under the transaction; and*
 - (ii) *anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed under subregulation (1); and*
 - (b) *the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which the total value exceeds the amount prescribed under subregulation (1) is not significant taking into account —*
 - (i) *the total value of the transaction; or*
 - (ii) *variations throughout the State in the value of land.*

[Regulation 8A inserted in Gazette 27 Sep 2011 p. 3844.]

8. Exempt land transactions prescribed (Act s. 3.59)

- (1) *A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if the local government enters into it —*
 - (a) *without intending to produce profit to itself; and*
 - (b) *without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.*
- (2) *For the purposes of subregulation (1)(b) a person is given joint use of land if the land is to be jointly used for a common purpose by the local government and that person (whether or not other persons are also given joint use of the land).*
- (3) *A transaction under which a local government*

disposes of a leasehold interest in land is an exempt land transaction for the purposes of section 3.59 of the Act if —

- (a) *all or any of the consideration to be received by the local government under the transaction is by way of an increase in the value of the land due to improvements that are to be made without cost to the local government; and*
- (b) *although the total value referred to in the definition of major land transaction in that section is more, or is worth more, than the amount prescribed for the purposes of that definition, it would not be if the consideration were reduced by the amount of the increase in value mentioned in paragraph (a).*

[Regulation 8 amended in Gazette 29 Aug 1997 p. 4867 8.]

9. *Amount prescribed for major trading undertakings; exempt trading undertakings prescribed (Act s. 3.59)*

- (1) *The amount prescribed for the purposes of the definition of major trading undertaking in section 3.59(1) of the Act is —*
 - (a) *if the trading undertaking is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —*
 - (i) *\$5 000 000; or*
 - (ii) *10% of the lowest operating expenditure described in subregulation (2);*
 - or*
 - (b) *if the trading undertaking is entered into by any other local government, the amount that is the lesser of —*
 - (i) *\$2 000 000; or*
 - (ii) *10% of the lowest operating expenditure described in subregulation (2).*
- (2) *The lowest operating expenditure referred to in subregulation (1) is the lowest of —*
 - (a) *the operating expenditure incurred by the local government from its municipal fund in the last completed financial year; and*
 - (b) *the operating expenditure likely to be incurred by the local government from its municipal fund in the current financial year; and*
 - (c) *the operating expenditure likely to be incurred by the local government from its municipal fund in the financial year after the current financial year.*
- (3) *A trading undertaking is an exempt trading undertaking for the purposes of section 3.59 of the Act if —*
 - (a) *the undertaking —*
 - (i) *in the last completed financial year,*

- involved; or
- (ii) *in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed under subregulation (1); and*
- (b) *the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which expenditure is, or is likely to be, more than the amount prescribed under subregulation (1) is not significant taking into account —*
 - (i) *the total value of the undertaking; or*
 - (ii) *variations throughout the State in the value of land.*

[Regulation 9 amended in Gazette 31 Mar 2005 p. 1054; 27 Sep 2011 p. 3845.]

10. *Business plans for major trading undertaking and major land transaction, content of*

- (1) *If a local government is required to prepare a business plan because of a major trading undertaking or major land transaction that it is to carry on or enter into jointly with another person —*
 - (a) *the business plan is to include details of the whole undertaking or transaction, even though the local government is not the only joint venturer; and*
 - (b) *the business plan is to include details of —*
 - (i) *the identity of each joint venturer other than the local government; and*
 - (ii) *the ownership of, and any other interests in, property that is involved in, or acquired in the course of, the joint venture; and*
 - (iii) *any benefit to which a joint venturer other than the local government may become entitled under or as a result of the joint venture; and*
 - (iv) *anything to which the local government may become liable under or as a result of the joint venture.*
- (2) *In subregulation (1) —*
 - joint venture means the major trading undertaking or major land transaction that is to be jointly carried on or entered into;*
 - joint venturer means the local government or another person with whom the local government is to carry on or enter into the joint venture.*

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

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FINANCIAL IMPLICATIONS

\$300,000 for the purchase has been approved by the Minister for Regional Development and Lands to be accessed from accrued interest from the Shire's SuperTowns project funding. A budget amendment has since been authorised to transfer from the SuperTowns reserve to the Shire of Dandaragan's Municipal Fund equivalent to the purchase price of Lot 65 Bashford Street and Lot 1251 Hamersley Street, Jurien Bay.

STRATEGIC IMPLICATIONS

- Shire of Dandaragan Strategic Community Plan 2011 - 2021

5.15.1 GOAL NUMBER ONE: Strong economic base and enabling infrastructure					
OBJECTIVE 2: Ensure timely provision of essential and strategic infrastructure to ensure investment and growth for the Shire is maximised					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G1-02-A1	Develop civic precinct concept in Jurien Bay.	Town Centre Strategy Plan SuperTowns Growth Plan	Short - Medium	Jurien Bay	CRC DEC Other agencies

ATTACHMENTS

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

- Copy of the Letter of Offer and Acceptance: Crown Land Amalgamation (Doc Id: 16752)
- Copy of Letter from the Minister for Regional Development and Lands approving the purchase (Doc Id: 15169)

(Marked 9.3.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Sheppard

That Council:

1. confirm the land amalgamation purchase for the amount of \$300,267 of Lot 65 Bashford Street and Lot 1251 Hamersley Street Jurien Bay being Reserve 28139 with the Shire's Freehold Lot 124 as outlined in the Letter of Offer and Acceptance: Crown land document; and
2. endorse the Letter of Offer and Acceptance: Crown Land Amalgamation document as part of the SuperTowns Jurien Bay City Centre Enhancement Project and authorise the Shire President and the Chief Executive Officer to sign and affix the Common Seal.

CARRIED 9 / 0

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COUNCIL DECISION

**Moved Cr Bailey, seconded Cr Short
That Council suspend standing orders at 6.14pm.**

CARRIED 9 / 0**COUNCIL DECISION**

**Moved Cr Short, seconded Cr Bailey
That Council resume standing orders 6.43pm.**

CARRIED 9 / 0**9.3.3 ELECTION OF DELEGATES TO VARIOUS COMMITTEES AND ORGANISATIONS**

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Government Relations / Meetings / Representatives
Disclosure of Interest:	None
Date:	14 October 2013
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

PROPOSAL

To elect Council representatives to various committees and organisations.

BACKGROUND

The Shire of Dandaragan provides representation to a range of community organisations as well as its own working groups. Delegates to these organisations are elected immediately following the election of each new Council and effectively serve a term of two years.

COMMENT

Since Council's 2011 elections took place, there has been some changes to committees and working groups. Those changes are:

- Cancellation of the Watheroo – Coomberdale Land Conservation District Committee
- Cancellation of the Northern Agricultural Catchment Council
- Nomination of delegate for the Moora Sub Regional Road Group
- Nomination of delegate for the Rural Water Council / Water Corporation

There may be a need to amend the list of organisations by deletion of those that are no longer required or addition of new organisations that require a Council delegate.

CONSULTATION

N/A

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Elected members representing the Shire of Dandaragan as Council endorsed delegates are eligible to claim travel expenses in accordance with Policy 1.7.

Policy No 1.7	Adopted - April 2005	Amended - 27 May 2010
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1.7 TRAVELLING EXPENSES - MEMBERS AND NON MEMBER DELEGATES

OBJECTIVE

To establish the basis upon which Council will reimburse travel expenses incurred by Councillors and appointed delegates (who are not Council members) in the course of representing the community in cases other than that determined by the Local Government Act 1995.

POLICY STATEMENT

1. All Councillors and Council appointed delegates (who are not Council members) will be paid the Local Government Officers' Award rate per kilometre for all travelling expenses incurred in attending the following:
 - annual and special and general meetings of electors;
 - officially called civic receptions;
 - visits by Ministers of the Crown to the Council or with it;
 - Council inspection tours;
 - Council authorised meetings with government agencies;
 - other Council called meetings of Councillors and staff;
 - committee meetings;
 - official meetings as delegates of Council;
 - ordinary meetings of Council;
 - official Locality Inspections; and
 - Council authorised conferences / seminars / professional development courses.
2. Reimbursement of travel expenses *will not be paid* where members of Council attend:
 - a) social engagements (other Councils' annual dinners, sporting clubs, community groups and other organisations' functions);
 - b) meetings, functions etc where they are not the nominated Council representative; and
 - c) road / locality inspections that have not been convened by a resolution of Council.
3. Where acting as a Council representative, that requires travel outside of the Shire, and travel by motor vehicle is appropriate, travel should be undertaken by Council vehicle where available and appropriate, otherwise private vehicle use is allowed.
4. Costs of vehicle hire, taxi fares and parking which are reasonably required and incurred in attending conferences, seminars, training courses, meetings and functions, will be reimbursed by the Council.
5. Reimbursement of travel expenses are to paid only on receipt of a formal claim from a member of Council or non member delegate and are to be calculated on the number of kilometres between the member's principal place of residence or work within the Shire to the venue and return.

All claims for payment should be received at the Shire office no later than 30 June of each financial year.

A suitable claim form will be provided by the Manager Corporate Services upon request.

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STRATEGIC IMPLICATIONS

A number of the delegate positions relate to working groups or committees that have direct involvement with specific actions within the Shire of Dandaragan Strategic Plan.

ATTACHMENTS

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

- Current list of delegates to outside committees and organisations as at 14 October 2013 (Doc Id: 17464)

(Marked 9.3.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Short

That Council appoint the following delegates for the term of the current Council:


Advance Dandaragan	Cr Short, Cr McGlew (proxy)
Aggies Cottage Management Committee (Wolba Wolba)	Cr Short
Audit Committee (Shire of Dandaragan)	Cr McGlew, Cr Gibson, Cr Short, Cr Kulisa
Avon Midland Zone WALGA	Cr Short (delegate), Cr McGlew (deputy delegate)
Badgingarra Community Centre Management Committee	Cr Bailey, Cr McGlew (proxy)
Badgingarra Community Association	Cr Bailey, Cr McGlew (proxy)
Central Coast Health Advisory Group	Cr Gibson, Cr Kulisa
Cervantes Chamber of Commerce	Cr Holmes, Cr Gibson (proxy)
Cervantes Community Recreation Centre Inc	Cr Holmes, Cr Gibson (proxy)
Cervantes Ratepayers and Progress Association	Cr Gibson
Dandaragan Community Centre Management Committee	Cr McGlew
Dept of Transport - Marine Advisory Committee – Cervantes	Cr Slyns
Dept of Transport - Marine Advisory Committee – Jurien Bay	Cr Slyns
Jurien Bay Chamber of Commerce	Cr Sheppard, Cr Slyns (proxy)
Jurien Bay Community Resource Centre Committee	Cr Kulisa, Cr McGlew (proxy)
Jurien Bay Community Centre Management Committee	Cr Gibson, Cr McGlew (proxy)
Jurien Bay Ratepayers and Progress Association	Cr Sheppard
Lancelin Defence Training Area Management Advisory Committee	Cr Gibson, Cr Bailey (proxy)
Leeuwin Scholarship Panel	Cr Kulisa, Cr Sheppard, Cr Bailey, Cr Kent
Local Emergency Management Committee	Cr Slyns (Chair)
Marketing & Promotions Advisory Committee	Cr Kulisa, Cr McGlew

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Moora Local Health Advisory Group	Cr McGlew
Moore Catchment Council	Cr Short
Moora Sub Regional Road Group	Cr Gibson, Cr Bailey (proxy)
Rural Water Council / Water Corporation	Cr Short
Small Business Centre Central Coast (SBCCC)	Cr Bailey, Cr Holmes (proxy)
West Midlands Group	Cr McGlew
West Koojan - Gillingarra Land Conservation District Committee	Cr Short
Education Working Party	Cr Kulisa, Cr McGlew, Cr Slyns

CARRIED 9 / 0

9.3.4 COASTAL KIDS AFTER SCHOOL CARE – EXTENSION TO TRIAL PERIOD FOR USE OF THE FAMILY RESOURCE CENTRE – LEASE AGREEMENT

Location:	Family Resource Centre, Jurien Bay
Applicant:	Coastal Kids Care Incorporated
Folder Path:	Business Classification Scheme / Council Properties / Leasing Out / Community Centres
Disclosure of Interest:	Nil
Date:	14 October 2013
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

PROPOSAL

For Council to consider entering into a three year lease agreement with Coastal Kids Care (Coastal Kids After School / Vacation Care) for the use of the multi-purpose room at the Family Resource Centre to operate the after school and vacation care service on a peppercorn lease arrangement.

BACKGROUND

The Family Resource Centre (FRC) was constructed in 2002 by the Shire of Dandaragan and Department for Communities (formerly known as Department for Community Development) to advance the well-being of families, individuals and groups within the community; provide and promote preventative community support and assistance to people; and to incorporate a child care centre. In 2002, the Minister agreed that Coastal Kids Care Incorporated has licence to occupy the FRC for the purposes of a child care centre and an agreement was drawn up between the Shire of Dandaragan and Coastal Kids Care to occupy part of the FRC at no charge.

In December 2011, Council received a proposal from Coastal Kids Care requesting use of the multi-purpose room at the FRC free of charge to operate the after school and vacation care service from.

It was agreed by the Chief Executive Officer and the Community Economic Project Officer, at the time, to offer Coastal Kids Care a 12 month free of charge trial period commencing July 2012 under

the following conditions:

- “1. A licence be obtained from Department of Education Employment and Work Place Relations to operate with appropriate staffing and insurance levels.*
- 2. All modifications to the Family Resource Centre, to obtain a licence or otherwise, will be met by the CKC, subject to initially obtaining approval from the Shire’s Manager Building Services.*
- 3. A satisfactory arrangement be mutually reached between CKC and other permanent users of the Family Resource Centre; which currently include HACC services, Playgroup, and Jehovah Witness worship group.*
- 4. Daily cleaning services of the facility to be carried out by CKC.*
- 5. Operating hours Monday to Friday 2:30pm to 5:30pm during school terms.*
- 6. School holiday operating hours Monday to Friday 7:30am to 5:30pm.”*

In that correspondence, Coastal Kids Care was also advised the following:

“At the conclusion of the 12 month rent free trial period, a detailed report will be required by CKC on the program. A formal fair market lease may or may not be entered into, subject to review and approval by Council.”

As a result of the expiry of the trial period correspondence was sent to Coastal Kids Care requesting advice in writing on whether they wish to continue running this service from the FRC.

A letter has since been received from Coastal Kids Care advising that they wish to continue operating this service from the multi-purpose room at the FRC and that Council to consider entering into a three year lease agreement with Coastal Kids After School / Vacation Care either at a discounted rate or into a similar lease agreement that Council already has in place with Coastal Kids Care.

COMMENT

As can be seen by the correspondence received by Coastal Kids Care the After School / Vacation Care program is a well utilised and important service for working families in the region.

The Shire of Dandaragan currently has up to five staff members that access the service for both vacation and after school care hours.

The trial period has been relatively successful during the establishment phase of the service. It is predicted that while fluctuations may occur in numbers, the overall service and usage will increase over time.

A key concern regarding the service however, is the cost to hire

the facility. The current arrangements enable Coastal Kids Care to run the program at an affordable rate for users. The affordability of the service is seen as a key outcome by Council staff.

Council has not budgeted for any income for the use of the facility for the Coastal Kids After School / Vacation Care program so any costs associated would merely be lost opportunity costs.

This service is seen as an essential component of promoting and assisting working families in our region which has a positive effect on local businesses looking to recruit quality skilled and unskilled staff.

CONSULTATION

- Coastal Kids Care Incorporated

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no specific policy implications relevant to this item. However, Council has delegated authority to the Chief Executive Officer to waive hire charges on the Family Resource Centre at his / her discretion. The Delegation (136) reads as follows:

“The Chief Executive Officer is delegated authority at his / her discretion, to waive hire charges on the Family Resource Centre, Jurien Bay.

Any hirer seeking this dispensation is required to put the request for waiver of hire charges in writing to the Chief Executive Officer prior to authorisation of any such waiver, and the application will be assessed by the Chief Executive Officer against the following criteria:

- 1. the hirer is a charitable organisation; or*
- 2. the hirer is a not for profit organisation; or*
- 3. the hirer is a sub-committee of Council; or*
- 4. the hirer is a related business or organisation of Council; or*
- 5. the hirer is a newly formed community organisation with limited funds; or*
- 6. the hirer is a community group undertaking a project for the improvement of the Shire and is a one-off request with infrequent usage of the Family Resource Centre.*

Should the requesting hirer not meet any of the criteria above, then the waiver of hire charges will be brought before Council for determination.”

The 12 month trial was carried out on the basis of point 2 above.

As the request is for a three year term, the Chief Executive Officer has brought this to Council for their consideration.

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FINANCIAL IMPLICATIONS

The current agreement that is in place provides for Coastal Kids Care Incorporated to occupy the property free of charge. The Commonwealth Department for Communities provides an annual maintenance contribution towards the facility as part of the original construction agreement.

The new agreement is proposed to operate on a peppercorn lease arrangement for a period of up to three years.

STRATEGIC IMPLICATIONS

- Shire of Dandaragan Strategic Community Plan 2011 – 2021

5.15.3 GOAL NUMBER THREE: Focus on community					
OBJECTIVE 3: Develop linked and comprehensive Child Care and Development Strategy					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G3-O3-A2	After school care program to be assessed and review use of facility.	Workshops	Short	Jurien Bay	Coastal Kids Care

ATTACHMENTS

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

- Correspondence received from Coastal Kids Care dated 16 September 2013 (Doc Id: 16943)
- Floor plan of FRC with highlighted area proposed for lease (Doc Id: 17506)

(Marked 9.3.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Bailey

That Council:

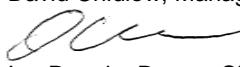
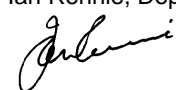
- 1. agree to lease a portion of the Family Resource Centre to Coastal Kids Care Incorporated (as per attached floor plan) for the purposes of operating the Coastal Kids After School / Vacation Care program for a period of up to three (3) years; and**
- 2. that the Chief Executive Officer is authorised to prepare the appropriate documentation and sign on behalf of Council under the following conditions:**
 - a. Agreement is only in place while a current licence held from Department of Education Employment and Work Place Relations to operate with appropriate staffing and insurance levels for the service.**
 - b. Approval be granted from the Shire's Manager Building Services prior to any proposed modifications to the Family Resource Centre, to obtain a licence or otherwise.**

- c. Costs of any approved modifications to the Family Resource Centre will be met by Coastal Kids Care.
- d. A satisfactory arrangement is in place between Coastal Kids Care and other permanent users of the Family Resource Centre; which currently include HACC services, Playgroup, and Jehovah Witness worship group.
- e. Daily cleaning services of the facility to be carried out by Coastal Kids Care.
- f. Operating hours Monday to Friday 2:30pm to 5:30pm during school terms.
- g. School holiday operating hours Monday to Friday 7:30am to 5:30pm.
- h. An annual report on the use and activities of the program be submitted to the Shire of Dandaragan.

CARRIED 9 / 0

9.4 TOWN PLANNING

9.4.1 PLANNING APPROVAL – PROPOSED OUTBUILDING – LOT 39 GERONIMO CRESCENT, ALTA MARE

Location:	Lot 39 Geronimo Crescent, Alta Mare
Applicant:	Swan Aussie Sheds on behalf of A Hogg
Folder Path:	Development Services App / Development Application / 2013 / 57
Disclosure of Interest:	None
Date:	9 October 2013
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for an extension to an existing shed of 89m² making a total shed size of 299m².

BACKGROUND

The subject lot is zoned Rural – Residential. Currently the land has an existing shed of 210m² area. It is proposed to extend the existing shed by 89m².

This application requires Council approval as it is in excess of the permitted floor area for an outbuilding in accordance with the Shire of Dandaragan's Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones Policy.

Under the Policy an outbuilding is permitted to a maximum of floor area of 162m² (if objections received) or 216m² (if no neighbour objections are received). Under the Policy Council may approve

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outbuildings with a floor area up to 300m² in aggregate if justified.

The applicant has submitted an application for a floor area of 299m².

The applicants were requested to provide justification for exceeding the policy and provided the following comments:

“The extension is to house old vehicles that are being restored (hobby) by the owner as well as other vehicles such as a caravan. But mostly to provide storage to cater for the applicants hobby.”

COMMENT

The lot is currently vacant. A condition of approval that the shed not be occupied for human habitation is recommended to be placed on the planning approval.

Given the purposes and the use of the outbuilding and that it is an extension to an existing structure, the application is supported.

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 3 October 2013 and closed on the 18 October 2013. No submission were received at the time of writing this report, should any submissions be received prior to the Council meeting, these will be forwarded by email to Councillors.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

- Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones Policy

The following approval processes apply to the related area and height specifications for outbuildings in Rural Residential and Special Use-Rural Development zones:

EXTERNAL CLADDING	FLOOR AREA (IN AGGREGATE)	WALL HEIGHT	RIDGE HEIGHT	NEIGHBOUR CONSULTATION	DETERMINATION BY COUNCIL
Zincalume, White Colorbond and Off White Colorbond	Up to 12m ²	Up to 2.4m	Up to 4.2m	Not required	Not required
Non- Reflective	Up to 162m ²	Up to 4.0m	Up to 5.5m	Not required	Not required

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EXTERNAL CLADDING	FLOOR AREA (IN AGGREGATE)	WALL HEIGHT	RIDGE HEIGHT	NEIGHBOUR CONSULTATION	DETERMINATION BY COUNCIL
<i>Material</i>	<i>> 162m² – 216m²</i>	<i>> 4.0m – 4.2m</i>	<i>Up to 5.5m</i>	<i>Required</i>	<i>Only required if objections received from adjoining landowners</i>
<i>Non-Reflective Material Hill River Heights</i>	<i>Up to 120m²</i>	<i>Up to 3.6m</i>	<i>Up to 4.5m</i>	<i>Not required</i>	<i>Not required</i>

The Council shall not approve outbuildings with a floor area greater than 300m² in aggregate.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Plans (Doc Id: 17331)
(Marked 9.4.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Sheppard

That Council grant approval to Arthur Hogg for a proposed extension to outbuilding in accordance with the attached approved plans date stamped 23 September 2013 on Lot 39 Geronimo Crescent, Alta Mare subject to the following conditions:

- 1. all development shall be in accordance with the attached plans date stamped 23 September 2013 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government;**
- 2. the roof and wall material being of non reflective nature and colour consistent with the existing structure;**
- 3. the outbuilding not to be used for habitable purposes;**
- 4. any future residence on this property is required to be located a minimum of 1.8m forward of the proposed shed in accordance with Shire of Dandaragan's policy on**

- outbuildings in this area; and
5. any proposed apparatus for wastewater disposal be installed so that the leach drains are a minimum of 100m from a natural permanent watercourse, water body or existing drain and that the base of the leach drains be a minimum 2m above the highest known water table or an approved aerobic treatment unit be installed.

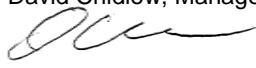

Advice notes:

- The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.
- If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

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

CARRIED 8 / 1

9.4.2 PLANNING APPROVAL – PROPOSED OUTBUILDING – LOT 308 PREMIER DRIVE, ALTA MARE

Location:	Lot 308 Premier Drive, Alta Mare
Applicant:	C Powell
Folder Path:	Development Services App / Development Application / 2013 / 50
Disclosure of Interest:	None
Date:	9 October 2013
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for an extension to an existing shed of 140m² making a total shed size of 337m².

BACKGROUND

The subject lot is zoned Rural – Residential. Currently the land

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has an existing shed of 197m² area. It is proposed to extend the existing shed by 140m².

The existing outbuilding wall height is 4.5m. The addition will be 2.8m high at the join with the existing wall sloping down to 2.6m.

This application requires Council approval as it is in excess of the permitted floor area for an outbuilding in accordance with the Shire of Dandaragan's Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones Policy.

Under the Policy an outbuilding is permitted to a maximum floor area of 162m² (if objections received) or 216m² (if no neighbour objections are received). Under the Policy Council may approve outbuildings with a floor area up to 300m² in aggregate if justified.

The applicant has submitted an application for a floor area of 337m². This is in excess of the policy maximum of 300m².

The applicant was requested to provide justification for the exceeding the policy and provided the following comments:

"Further to you request to provide additional information supporting my application for an additional 140m² shed extension I provide the following

The reason for the shed extension is to allow me to pursue my interest in collecting and restoring early model vintage cars. To date I have restored 5 cars and are currently working on another three, the shed extension is to house the completed vehicles under cover in a secured area...The shed extension is at the rear of the existing shed at a lower profile and is not visible from the road. We have a letter of support for our neighbours indicating that they have no objections to the proposal.

We would like Council to give this application serious consideration as it will enable me to continue my hobby."

COMMENT

In support of the application, the proposed addition will be 2.8m in height where it joins an existing wall height of 4.5m. The addition then slopes down to a wall height of 2.6m. This considerably reduces the impact of bulk and scale of the additional development.

If the addition was of the same bulk and scale as the existing outbuilding, the application for exceeding 300m² would not be supported.

Given the purposes and the use of the outbuilding and that it is a

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lesser extension to an existing structure, the application is supported.

CONSULTATION

The applicant provided a letter of support from the only impacted neighbour stating that they have no objections to the proposed extension.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

- Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones Policy

The following approval processes apply to the related area and height specifications for outbuildings in Rural Residential and Special Use-Rural Development zones:

EXTERNAL CLADDING	FLOOR AREA (IN AGGREGATE)	WALL HEIGHT	RIDGE HEIGHT	NEIGHBOUR CONSULTATION	DETERMINATION BY COUNCIL
<i>Zincalume, White Colorbond and Off White Colorbond</i>	<i>Up to 12m²</i>	<i>Up to 2.4m</i>	<i>Up to 4.2m</i>	<i>Not required</i>	<i>Not required</i>
<i>Non-Reflective Material</i>	<i>Up to 162m²</i>	<i>Up to 4.0m</i>	<i>Up to 5.5m</i>	<i>Not required</i>	<i>Not required</i>
	<i>> 162m² – 216m²</i>	<i>> 4.0m – 4.2m</i>	<i>Up to 5.5m</i>	<i>Required</i>	<i>Only required if objections received from adjoining landowners</i>
<i>Non-Reflective Material Hill River Heights</i>	<i>Up to 120m²</i>	<i>Up to 3.6m</i>	<i>Up to 4.5m</i>	<i>Not required</i>	<i>Not required</i>

The Council shall not approve outbuildings with a floor area greater than 300m² in aggregate.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Plans (Doc Id: 17334)
(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Kent

That Council grant approval to Colleen Powell for a proposed extension to outbuilding in accordance with the attached approved plans date Stamped 27 August 2013 on Lot 308 Premier Drive, Alta Mare subject to the following conditions:

- 1. all development shall be in accordance with the attached plans date stamped 27 August 2013 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government;**
- 2. the roof and wall material being of non reflective nature and colour consistent with the existing structure; and**
- 3. the outbuilding not to be used for habitable purposes.**

Advice notes:

- **The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.**
- **If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.**
- **Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.**
- **The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:**

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



LOST 2 / 7

9.4.3 PLANNING APPROVAL – PROPOSED CARPORT – LOT 314 SHEOAK GROVE, JURIE BAY

Location:

Lot 314 Sheoak Grove, Jurien Bay

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Applicant:	Swan Aussie Sheds on behalf of B Berkshire
Folder Path:	Development Services App / Development Application / 2013 / 51
Disclosure of Interest:	None
Date:	9 October 2013
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for a proposed Carport attached to an outbuilding measuring 10m x 6m (60m²) with a wall height of 3.0m on Lot 314 Sheoak Grove, Jurien Bay in proximity to the boundary fence.

BACKGROUND

The proponent has submitted a proposal to construct a 3.0m high carport 60m² in area attached to an existing outbuilding that has a nil setback from the adjoining side boundary.

The adjoining boundary forms the rear boundary of two properties in Coubrough Place.

In accordance with Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’ (the Policy) a carport in a residential area is permitted to have an area of 40m².

The proposed carport has an area of 60m². It exceeds the policy requirement by 20m².

COMMENT

The proposed development complies with the height requirements of the policy.

The proposal does not comply with the floor area set out in the policy and it does not form “part of” or is attached to the dwelling. However the proposed structure is attached to an outbuilding that is ancillary to the dwelling. It is also located towards the rear of the property and will not impact on the streetscape.

The applicant is requesting a nil setback from the side boundary (the adjoining properties rear boundaries). The existing outbuilding has a nil setback and the proposed carport will continue the same building line as the outbuilding. Issues such as stormwater runoff from the new structure requires to be addressed at building stage, however it is recommended that this be a condition of planning approval. It is also recommended that some form of screening be required above the boundary fence line to ensure that the privacy of the adjoining properties rear yards is protected.

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The

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advertising period was from 3 October 2013 and closed on the 18 October 2013. No submission were received at the time of writing this report, should any submissions be received prior to the Council meeting, these will be forwarded by email to Councillors. The Manager of Planning met with one of the landowners to discuss the proposal and was advised that they may lodge a submission.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- Residential Design Codes

POLICY IMPLICATIONS

- Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’

Carports and Garages

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Development Application (Doc Id:17346)
(Marked 9.4.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Kent

That Council grant planning approval for the proposed Carport in accordance with the attached approved plans date stamped 8 August 2013 on Lot 314 Sheoak Place, Jurien Bay subject to the following conditions:

- 1. all development shall be in accordance with the attached plans date stamped 8 August 2013 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government;**
- 2. the roof and wall material being of non reflective nature and colour consistent with the existing structure;**
- 3. the storm water run-off on the property to be managed on site or directed to a suitable disposal system to the satisfaction of the Shire's Manager of Building Services; and**
- 4. suitable privacy screening to be installed along the fenceline to provide privacy to rear yards adjoining.**

Advice notes:

- The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.**
- If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.**
- Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.**
- The applicant be advised that "should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:**

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


LOST 0 / 9

9.4.4 PLANNING APPROVAL – PROPOSED OUTBUILDING – LOT 315 EMMA COURT, ALTA MARE

Location:
Applicant:

Lot 315 Emma Court, Alta Mare
Highline Sheds on behalf of G & S Elston

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 OCTOBER 2013
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Folder Path:	Development Services App / Development Application / 2013 / 56
Disclosure of Interest:	None
Date:	9 October 2013
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for a 216m² (18m x 12m) outbuilding with wall height of 5.0m and ridge height of 6.03m.

BACKGROUND

The subject lot is zoned Rural – Residential. Currently the land is vacant, there is a proposed site for a future residence nominated on the site plan.

This application requires Council approval as it is in excess of the permitted height and area (subject to any neighbour objections) for an outbuilding in accordance with the Shire of Dandaragan's Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones Policy.

Under the Policy an outbuilding is permitted to a maximum of floor area of 162m² (if objections are received) or 216m² (if no neighbour objections are received) and a maximum wall height of 4.2m and ridge height of 5.5m, anything greater than this requires approval from Council.

The applicant has submitted an application for a floor area of 216m² with a wall height of 5.0m and ridge height of 6.03m exceeding the permitted wall height by 0.8m and ridge height by 0.53m.

The applicants were requested to provide justification for the exceeding the policy and provided the following comments:

“Shed to be built on lower lying land (dip on site).

With roller doors on side of shed around 800mm is taken up by drum so there for lose some height to opening.

Storage of large boat and caravan.”

COMMENT

The lot is currently vacant. A condition of approval that the shed not be occupied for human habitation is recommended to be placed on the planning approval.

The height variation is supported due to the topography of the land and the proposed shed being located in a low point.

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CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 3 October 2013 and closed on 18 October 2013. One submission was received from a neighbour, a copy is provided in the attachments and the main issues raised are reproduced below:

When we purchased our land in 2007, a list of regulations that applied to Alta Mare Estate had to be signed before the sale went through (copy attached) which states the scale of outbuildings shall be of domestic nature such that the rural residential amenity of the locality is not prejudiced. Large industrial type buildings will not be permitted. Our shed was built in 2009 and at that time the maximum area size of any outbuildings was 162m². We have now been informed that this regulation has been relaxed. It is a shame that residents in the estate are not informed of these changes in writing. We fail to see how a building the size of the one proposed on Lot 315 Emma Court could be considered of a domestic nature.

We chose to purchase land, build a house and live in Alta Mare thinking that we would be living in a residential estate. At present from our home we can view at least four large sheds that have no houses built on the same property and are used as holiday homes.

It should also be noted that on Lot 315 Emma Court clearing for the proposed house and shed has already taken place and the pad in preparation for the building of the shed has been completed.

This is very disappointing as the owners do not even have approval for this building. Therefore, due to the wall height and the area size of the shed, we strongly oppose approval be given.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

- Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones Policy

The following approval processes apply to the related area and height specifications for outbuildings in Rural Residential and Special Use-Rural Development zones:

EXTERNAL CLADDING	FLOOR AREA (IN AGGREGATE)	WALL HEIGHT	RIDGE HEIGHT	NEIGHBOUR CONSULTATION	DETERMINATION BY COUNCIL
Zincalume,	Up to 12m ²	Up to	Up to	Not required	Not required

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EXTERNAL CLADDING	FLOOR AREA (IN AGGREGATE)	WALL HEIGHT	RIDGE HEIGHT	NEIGHBOUR CONSULTATION	DETERMINATION BY COUNCIL
<i>White Colorbond and Off White Colorbond</i>		<i>2.4m</i>	<i>4.2m</i>		
<i>Non-Reflective Material</i>	<i>Up to 162m²</i>	<i>Up to 4.0m</i>	<i>Up to 5.5m</i>	<i>Not required</i>	<i>Not required</i>
	<i>> 162m² – 216m²</i>	<i>> 4.0m – 4.2m</i>	<i>Up to 5.5m</i>	<i>Required</i>	<i>Only required if objections received from adjoining landowners</i>
<i>Non-Reflective Material Hill River Heights</i>	<i>Up to 120m²</i>	<i>Up to 3.6m</i>	<i>Up to 4.5m</i>	<i>Not required</i>	<i>Not required</i>

The Council shall not approve outbuildings with a floor area greater than 300m² in aggregate.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Plans (Doc Id: 17324)
- Submission (Doc Id: 17499)

(Marked 9.4.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Sheppard

That Council grant approval to Highline Sheds on behalf of G & S Elston for a proposed outbuilding in accordance with the attached approved plans date stamped 17 September 2013 on Lot 315 Emma Court, Alta Mare subject to the following conditions:

- 1. all development shall be in accordance with the attached plans date stamped 17 September 2013 subject to any modifications required as a consequence of any conditions**

- of this approval and shall not be altered without the prior written approval of the local government;
2. the roof and wall material being of non reflective nature and colour consistent with surrounding vegetation and / or predominant colours of the individual site;
 3. the outbuilding not to be used for habitable purposes;
 4. any future residence on this property is required to be located a minimum of 1.8m forward of the proposed shed in accordance with Shire of Dandaragan's policy on outbuildings in this area; and
 5. any proposed apparatus for wastewater disposal be installed so that the leach drains are a minimum of 100m from a natural permanent watercourse, water body or existing drain and that the base of the leach drains be a minimum 2m above the highest known water table or an approved aerobic treatment unit be installed.

Advice notes:

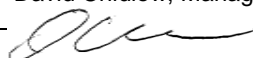
- The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development;
- If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- The applicant be advised that "should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845"

CARRIED 5 / 4

9.4.5 PLANNING APPROVAL – GARAGE PARAPET WALL AND R17.5 DESIGN – STRATA LOT 2 (NO.9B) GRIGSON STREET, JURIE BAY

Location:	Strata Lot 2 (No.9B) Grigson Street, Jurien Bay
Applicant:	G & P Mangelsdorf
Folder Path:	Development Services App / Development Application / 2013 / 48
Disclosure of Interest:	None
Date:	9 October 2013
Author:	David Chidlow, Manager of Planning



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Signature of Author:

Senior Officer:

Ian Rennie, Deputy Chief Executive Officer

Signature of Senior Officer:



PROPOSAL

The applicant seeks planning approval to construct a dwelling with a parapet wall (nil setback) garage and for the development to be approved in accordance with the R17.5 coding for the approved Strata.

BACKGROUND

The applicant proposes a two storey dwelling on Strata Lot 2 Grigson Street, Jurien Bay comprising lot area of 744m². The subject lot is zoned Residential R12.5. However, the lot is part of a Strata that was approved by the Planning Commission at a density of R17.5.

As such the architect has designed the dwelling based on R17.5 with an averaged front boundary setback of 6.0m instead of 7.5m as would be required under the R12.5 zoning.

In addition to the Strata density, the Scheme will permit upcoding development.

5.2.5 For land within the "Residential" zone in the Scheme with a density code of R12.5, the provisions of R17.5 Planning Code may apply to "Grouped" and "Multiple" dwellings where Council is satisfied, in a particular case, that:

(i) existing and proposed dwellings shall be connected to a reticulated sewerage system and/or in accordance with any relevant Government sewerage policy.

AMD 6 GG 30/11/12

The subject property is not connected to a reticulated sewerage scheme, therefore the Government Sewerage Policy applies. The below extracted from is the current Policy. Although it is a draft document, it has been publicly advertised and is considered by Government Agencies as a "seriously entertained" policy.

Government Sewerage Policy – Consultation Draft, Department of Health, December 2011

*9.5 Strata or survey strata development or subdivision
Proposals for strata or survey strata development or subdivision considered under this policy shall comply with the requirements of Section 8 and shall provide for sewage disposal requirements as follows:*

i. n/a

ii. For proposals where on-site sewage disposal is intended on individual strata lots, the developer and subsequent owners shall advise prospective purchasers, as part of the required disclosure statement, that a land application area is required,

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 OCTOBER 2013

the location and size of which must be confirmed at the development stage.

It is noted that there is more than sufficient land available for onsite waste water disposal. The applicants have advised that they will be installing a reticulated waste water disposal system.

Parapet setback

The applicant proposes a 6.13m parapet wall for the rear garage. No objections have been received from the abutting neighbours for the parapet wall.

COMMENT

A submission has been received from a neighbour objecting to the reduced front setback. No objection was received to the proposed parapet wall from the abutting neighbour.

The front boundary setback ranges from 3.0m for the upper storey balcony to 5-8m for the ground floor level. The proposed averaged and upper storey balcony setbacks comply with the Residential Design Codes for R17.5 density.

Parapet wall

The proposal does not meet the “deemed to comply” provisions of the Codes in that it does not abut an existing similar structure:

C3.2 **Walls** may be built up to a **lot boundary** behind the **street setback** (specified in **Table 1** and in accordance with clauses 5.1.2, 5.2.1 and 5.2.2), within the following limits and subject to the overshadowing provisions of clause 5.4.2 and **Figure Series 11**:

i) where the **wall** abuts an existing or simultaneously constructed wall of similar or greater dimension

The proposal meets the “design principles” of the Codes in that it does not have any adverse impact on the amenity of the adjoining property or the streetscape (it is located at the rear of the dwelling) and does not impact on any solar aspects to the neighbouring property. It is also noted that the lot tapers to a smaller width towards the rear making it more difficult for manoeuvring room to the garage. Pushing the garage to the boundary provides more manoeuvring room.

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P3.2 Buildings built up to boundaries (other than the **street boundary**) where this:

- makes more effective use of space for enhanced privacy for the occupant/s or **outdoor living areas**;
- does not compromise the **design principle** contained in clause 5.1.3 P3.1;
- does not have any adverse impact on the amenity of the **adjoining property**;
- ensures direct sun to **major openings** to **habitable rooms** and outdoor living areas for **adjoining properties** is not restricted; and
- positively contributes to the prevailing **development** context and streetscape.

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 29 August 2013 and closed on the 13 September 2013. One submission was received that did not object to the parapet, however concern was expressed about the front setback. A copy of the submission is provided as an attachment.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- Residential Design Codes

POLICY IMPLICATIONS

- Local Planning Policy

FINANCIAL IMPLICATIONS

The applicant has paid a standard planning application fee of \$500.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Development Application and Plans (Doc Id: 17393)
- Submission (Doc Id: 17394)

(Marked 9.4.5)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council grant approval to G & P Mangelsdorf for a proposed dwelling at R17.5 density with a garage parapet wall in accordance with the attached plans dated 9 August 2013 on Strata

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Lot 2 (9B) Grigson Street Jurien Bay subject to the following conditions:

1. all development shall be in accordance with the attached plans date stamped 9 August 2013 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. compliance with the privacy provisions of the Residential Design Codes;
3. sufficient area being provided for any proposed apparatus for wastewater disposal be installed;
4. the developer and subsequent owners shall advise prospective purchasers, as part of the required disclosure statement, that a waste water land application area is required, the location and size of which must be confirmed with the Health Service application.

Advice notes:

- The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.
- If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- The applicant is advised to consult with the Manager Health Services of the Shire for the required waste water disposal system to be installed.
- The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

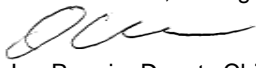

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845”

COUNCIL DECISION

**Moved Cr Bailey, seconded Cr Sheppard
That the item be deferred and be brought back to Council with
further information.**

CARRIED 9 / 0

9.4.6 INDIAN OCEAN DRIVE PLANNING GUIDELINE – SUBMISSION TO DEPARTMENT OF PLANNING

Location:	Indian Ocean Drive
Applicant:	Department of Planning
Folder Path:	Business Classification Scheme / Land Use & Planning / Policy / State Planning Policy
Disclosure of Interest:	None
Date:	11 October 2013
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The Department of Planning are seeking comment on the Draft Indian Ocean Drive Planning Guideline.

BACKGROUND

The construction of IOD has made the coastal areas, from Woodridge in the south to the intersection with Brand Highway in the north, more accessible. Growth of the coastal settlements is anticipated and visitor and commuter traffic along the road is expected to increase. There is a need to provide for this growth while retaining IOD's distinctive attributes to be enjoyed by Western Australians and visitors into the future.

Indian Ocean Drive passes through five local governments - Gingin, Dandaragan, Coorow, Carnamah and Irwin. Draft Guidelines have been prepared by the Department of Planning to provide these local governments and State agencies with an overarching planning framework focused on consistent land use decision making on IOD.

This Guideline sets out broad guidelines for the location, siting and design of various land uses and development in the locality of IOD. It provides an integrated approach to land use decision making across five Shires with the purpose of retaining the rural and natural landscape and enhancing the provision of services and facilities available to all users of this scenic coastal road.

The IOD Planning Guideline supports strategic planning for the Guilderton to Dongara coastal areas. It is classed as an operational policy bringing together State and regional policies that form part of the State Planning Framework and apply to land use and development more generally, such as the State Planning Strategy and Planning and Infrastructure Frameworks for the Mid-West and Wheatbelt.

The draft guideline has been discussed at two Council Forums as well as a presentation to the Council by Department of Planning Staff.

COMMENT

A copy of the submission is provided in the attachments.

Amendments to the submission may be made out of this Council meeting if required/agreed.

CONSULTATION

The Draft document was advertised by the Department of Planning through district newspapers and contact with developers and private landowners impacted by the guideline. Shire staff also advertised in local papers, on the shire website and provided copies at the Shire office/Library and Cervantes library.

STATUTORY ENVIRONMENT

- State Planning Policies
- Local Planning Scheme No 7

POLICY IMPLICATIONS

Council will be expected to adopt a model planning policy to support the guidelines. This is identified within the "Recommendations for Future Investigation" chapter of the draft guideline.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

If the Draft Indian Ocean Drive Planning Guidelines are adopted by the Department of Planning, they will need to be recognised in the Draft Local Planning Strategy. At this stage there is recognition of the Guideline as a draft within the Shire of Dandaragan Draft Local Planning Strategy.

ATTACHMENTS

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

- Draft Indian Ocean Drive Planning Guideline (Doc Id: 17404)
- Submission to the Department of Planning (Doc Id: 17561)

(Marked 9.4.6)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council endorse the submission to the Department of Planning on the Draft Indian Ocean Drive Planning Guideline as per the attachments and authorise the Chief Executive Officer to forward the submission to the Department.


COUNCIL DECISION


Moved Cr Sheppard, seconded Cr Slyns

That Council endorse the submission with amendments to the Department of Planning on the Draft Indian Ocean Drive Planning Guideline as per the attachments and authorise the Chief Executive Officer to forward the submission to the

Department.**CARRIED 9 / 0****9.4.7 WESTERN POWER TRANSFORMER – RESERVE 40657
MURRAY STREET JURIE BAY**

Location: Reserve 40657 Murray Street, Jurie Bay
 Applicant: Stephen Newton and Western Power
 Folder Path: Business Classification Scheme / Energy Supply & Telecommunications / Design & Construct / Substations

Disclosure of Interest: Nil
 Date: 13 October 2013
 Author: David Chidlow, Manager of Planning
 Signature of Author: 

Senior Officer: Ian Rennie, Deputy Chief Executive Officer
 Signature of Senior Officer: 

PROPOSAL

To consider an application by Stephen Newton and Western Power to locate a transformer within drainage Reserve 40657 (Council sump).

BACKGROUND

The developer of the office/cafe development on Lot 915 cnr Murray and Sandpiper Streets has made application and paid for Western Power to upgrade the transformer for the development. The transformer is required to provide sufficient power to the development due to the current pole transformer being not able to provide sufficient and reliable power to the development and the surrounding area. The developer requires 200kVA. Western Power have advised that they will install a 630kVA transformer of which the developer is entitled to 200kVA and the remainder is to service existing and proposed development in the area.

The proposed transformer will be ground mounted and requires a fenced area of 3.7m x 4m.

COMMENT

Western Power do not support having the unit installed on the verge and the developer of Lot 915 does not have sufficient space and setbacks from buildings to locate the unit anywhere practically on the property.

Investigations into whether the unit could be located on Lot 915 were carried out. The transformer and fencing will take up approximately one parking space. It is not desirable to reduce parking unless this is the the only option available.

The developer has advised the following:

Following from our conversation today I confirm that the

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transformer is not for our sole use it is actually to service the whole area for future development.

Western Power will ~~not~~ allocate 200 kilowatts for our use only they will be taking the old one down from the lamp post then placing a 600+kilowatt for future development.

Whether the transformer is located at the front of the development (offices and cafe) or in front of the neighbouring sump is not going to significantly change the amenity of the streetscape.

Should the sump remain as a drainage infrastructure for the long term, then there is little impact from the proposal in having power infrastructure on the same lot. There are no current plans to relocate or amend the sump site.

Western Power will require an easement to access the power infrastructure for servicing.

CONSULTATION

- Stephen Newton – Mickle & Newton Homes Pty Ltd
- Travis Saunders – Western Power

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Location Plan (Doc Id: 17520)
- Plan and Images (Doc Id: 17518)

(Marked 9.4.7)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Kent

That Council approve the installation of a 630kVA transformer by Western Power on Reserve 40657 in accordance with the attached plans dated 21 August 2013.

CARRIED 9 / 0

9.5 HEALTH

9.6 BUILDING

9.7 COUNCILLOR INFORMATION BULLETIN

9.7.1 MOORE CATCHMENT COUNCIL NEWSLETTER – ISSUE 30 WINTER 2013

Document ID: 16624

Inside this issue:

- Carnaby's info workshop report
- Community tree planting
- Candy's bush reserve project
- Nacc programs update
- Guilderton dune project
- Enrich fodder shrub project
- Free trees at Moora show

9.7.2 NORTHERN AGRICULTURAL CATCHMENT COUNCIL – MEDIA RELEASE – GRANTS AVAILABLE TO HELP PROTECT THE REGION'S COAST

Document ID: 16626

Grants of up to \$10,000 will help local organisations improve the management of the Northern Agricultural Region's (NAR) unique coastal environment, through Round Five of the Northern Agricultural Catchments Council (NACC) Coastal Grants program.

Community groups, local governments and other eligible groups such as educational institutions and no-for-profit organisations involved in management of the NAR coastal and marine resources can apply.

Applications close on Monday 4 November 2013.

9.7.3 DEPARTMENT OF TRANSPORT – JURIE BAY MARINA

Document ID: 16674

"The existing Jurie Bay Harbour entrance was designed for optimum navigation and wave protection while also having regard for the need to maintain a good water exchange (flushing) and the Department of Transport is confident that these outcomes have been achieved."

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.3)**

9.7.4 DEPARTMENT OF REGIONAL DEVELOPMENT – SUPERTOWNS MESSAGE AND OUTCOME OF STEERING COMMITTEE

Document ID:

“The main message that was taken away from the meeting is that the SuperTowns program is far from dead – it is alive and healthy. All the hard work and effort in the first phase of the program will continue to be developed and nurtured in the second phase of the Regional Centres program. The initial vision for the SuperTowns program achieved its aim of establishing robust growth plans for the nine Regional Centres which have now all been endorsed by the Western Australian Planning Commission.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.4)**

9.7.5 MINISTERIAL MEDIA STATEMENT – HON JOHN DAY MLA – CHAIR OF STATE PLANNING COMMISSION CONFIRMED

Document ID:

This media statement contains:

- Current WA Planning Commission chair to continue
- New appointment to commence on November 5, 2013
- Recruitment for new Department of Planning Director General to begin

Attached to the agenda is a copy of the above mentioned media statement. **(Marked 9.7.5)**

9.7.6 REGIONAL DEVELOPMENT AUSTRALIA WHEATBELT WA – SEPTEMBER 2013

Document ID:

Inside this issue:

- Digital action plan – working towards a digitally enabled wheatbelt
- RDA Wheatbelt to develop a Wheatbelt Children’s Services Plan
- Small business assist available
- AusIndustry – rural financial counselling service
- E-Resource for small business updated
- From disaster to renewal report
- Run that town strategy game
- National telework week
- Abbott Ministry 16 September 2013 cabinet
- Australian Government apps
- RDA Wheatbelt welcomes new Youth Support Officer
- RDAW youth connections Beverley event
- Photovoice competition – primary health
- Health breakfasts & workshops delivered to students at York District High School
- New alternative learning project
- Cyber strong schools
- Once upon a time workshops
- Community news and information

9.7.7 MINISTERIAL MEDIA STATEMENT – HON TROY BUSWELL MLA – COMMENTS ENCOURAGED FOR AVIATION STRATEGY

Document ID:

Transport Minister Troy Buswell is encouraging public input into the draft State Aviation Strategy, the first of its kind for Western Australia.

To view a copy of the draft State Aviation Strategy go to: <http://www.transport.wa.gov.au/state-aviation-strategy>

The comment period on the draft State Aviation Strategy closes at 5.00pm on Monday 23 December 2013.

9.7.8 MEDICARE LOCAL SOUTH WEST WA – MEETING WITH THE SHIRE OF DANDARAGAN

Document ID: 16878

“Thank you for the opportunity to meet with you on 4 September 2013. The meeting provided both Fiona Hughes and I with the opportunity to discuss relevant primary health related issues in the local area.

As highlighted in the meeting, South West WA Medicare Local (SWWAML) is an observer of the Wheatbelt Health MoU Group and are invited to contribute to this forum. This provides SWWAML the ability to identify issues impacting across the Wheatbelt area and incorporate these into our planning processes.”

Attached is a copy of the above mentioned correspondence. **(Marked 9.7.8)**

9.7.9 SOUTHERN INLAND HEALTH INITIATIVES WA COUNTRY SERVICE – E-NEWSLETTER

Document ID:

Inside this issue:

- The emergency telehealth service (ETS) – a year in review: 1 September 2012 to 31 August 2013
- Growth of the emergency telehealth service
- Monthly activity
- Top 10 ETS Sites
- Patient outcomes

9.7.10 MINISTERIAL MEDIA STATEMENT – HON TROY BUSWELL – MORE THAN \$1M TO HELP PROTECT WA’S COASTLINE

Document ID:

Beach profiling on Perth’s northern beaches, City Beach groyne maintenance and sand replenishment in Busselton are just some of the projects to benefit from a \$1million investment to increase the protection of Western Australia’s coastline.

Ten local government authorities and coastal management groups, from Jurien Bay to Esperance, have successfully secured funding in the 2013-14 Coastal Adaptation and Protection grants round.

Attached to the agenda is a copy of the above mentioned media

statement. *(Marked 9.7.10)*

9.7.11 WESTERN AUSTRALIAN PLANNING COMMISSION – LOCAL PLANNING SCHEME NO.7 – AMENDMENT NO.20

Document ID: 16940

The Minister for Planning has granted final approval to the above amendment on 16 September 2013.

Attached to the agenda is a copy of the above mentioned correspondence. *(Marked 9.7.11)*

9.7.12 ALGA – POLITICAL STRATEGISING AND POLICY DEVELOPMENT KEY TO THIS YEAR'S NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

Document ID: 16981

"With a new Federal Government in place, there is no better time for local government to revisit its roads and transport strategy and capitalise on commitments made during the campaign, including on regional airports and on a long-needed program for bridge renewal."

Attached to the agenda is a copy of the above mentioned correspondence. *(Marked 9.7.12)*

9.7.13 DEPARTMENT OF MINES AND PETROLEUM – AN INTRODUCTION TO THE OIL AND GAS INDUSTRY IN WESTERN AUSTRALIA

Document ID: 16987

A community information package 'An introduction to the oil and gas industry in Western Australia' has recently been published and a copy is on hand.

9.7.14 AUSTRALIA DAY COUNCIL OF WESTERN AUSTRALIA – CITIZENSHIP AWARDS 2014

Document ID: 16988

These awards are an opportunity for you to recognise the individuals and groups making outstanding contributions in the local community. The dedicated service of these people and groups contributes to fostering community pride, making our local communities the great places to live that they are.

Attached to the agenda is a copy of the above mentioned correspondence. *(Marked 9.7.14)*

9.7.15 CENTRAL MIDLANDS SENIOR HIGH SCHOOL – NEWSLETTER NO.8 – 26 SEPTEMBER 2013

Document ID:

Inside this issue:

- From the Principal
- Reasons to celebrate
- NAPLAN
- ERG report update
- Contributions and charges

- Community partnerships
- Finally
- NAIDOC Day
- Dates to remember
- Interschool athletics carnival

9.7.16 STATE EMERGENCY MANAGEMENT COMMITTEE – WESTPLAN COLLAPSE – CONSULTATION DRAFT FOR COMMENT BY COB 21 OCTOBER 2013

Document ID: 16685

A draft version of State Emergency Management Plan (Westplan) Collapse is on hand for review and comment.

Closing date for comment is COB Monday 21 October 2013.

A copy of this correspondence was emailed to Councillors on 9 October 2013.

9.7.17 JOHN DAY – MINISTER FOR PLANNING – PLANNING MAKES IT HAPPEN PHASE TWO

Document ID: 16686

The Minister for Planning has launched *Planning Makes it Happen – Phase Two*. This includes the release of the following three reports for public comment:

- Planning Reform Phase Two Discussion Paper;
- Review of the Planning and Development Act 2005; and
- Review of the Development Assessment Panels.

To review these reports and provide your feedback please visit www.planning.wa.gov.au/planningreform

The closing date for submissions is Friday 13 December 2013.

9.7.18 WALGA – PLANNING & COMMUNITY DEVELOPMENT NEWSLETTER – 20 SEPTEMBER 2013

Document ID: 16719

Inside this issue:

- WA Police funding for prevention and removal of graffiti vandalism
- AWARE 2013 / 14 funding guidelines launched
- Electronic gaming and children seminar
- Positive places POS tool workshop
- Museums Australia State Conference
- Emergency management training programs
- State government cuts the swimming pool operating subsidy
- LG response to DFES request – potential option to transfer bush fire brigades
- International day of older persons
- Westplan air crash
- State Emergency Management Policy (SEMP) 4.1
- Anti-poverty week
- Commission for children and young people – updated publication

- SDERA releases new challenges and choices resources
- Taking steps to advance walking in WA – seminar
- Local government authority land use planning referrals to the Department of Environment Regulation
- Free R-Codes information sessions

9.7.19 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 37.13 – 23 SEPTEMBER 2013

Document ID: 16748

Inside this issue:

- Local government reform implementation toolkit
- Heavy vehicles on local government roads workshop
- Anti-poverty week 13-19 October 2013
- Proposed water / irrigation services exemption
- WA Police funding for prevention and removal of graffiti vandalism
- Vacancies on boards and committees
- WA natural disaster recovery and relief arrangements
- 2013 Roman II Conference – early bird discount rates available
- Disability support worker awards 2014
- Training

9.7.20 WALGA INFOPAGE – VACANCIES ON BOARDS AND COMMITTEES

Document ID: 16749

Key Issues:

- Committee Boards and Panels who have requested a representative from Local Government

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.20)**

9.7.21 WALGA INFOPAGE – SUMMARY OF WATERWISE COUNCILS FORUM

Document ID: 16750

Key Issues:

- The Water Corporation hosted its annual Waterwise Councils Forum on Friday 6 September
- The forum was held to share sustainable water use ideas with Local Governments
- The infopage on hand outlines what was presented at the forum for those Local Governments unable to attend the event

9.7.22 WALGA INFOPAGE – INPUT REQUIRED ON LOCAL GOVERNMENT FEES AND CHARGES

Document ID: 16751

Key Issues:

- A number of Local Government fees and charges are subject to legislative restrictions
- Restrictions on raising income from fees and charges increase Local Governments reliance on rates revenue
- In many cases, all ratepayers are effectively subsidising the activities of some ratepayers

- WALGA staff are meeting with State Government Ministers in October and will be advocating for a full review of legislative restrictions on Local Government fees and charges

9.7.23 METROPOLITAN LOCAL GOVERNMENT REFORM UPDATE – ISSUE 19 – 23 SEPTEMBER 2013

Document ID: 16756

Inside this issue:

- Full steam ahead with local government reforms
- Definitions on local government reform
- Submissions to local government advisory board
- Council elections

9.7.24 WALGA – MINUTES OF THE SPECIAL MEETING OF STATE COUNCIL HELD 25 SEPTEMBER 2013

Document ID: 16834

Attached to the agenda is a copy of the above mentioned minutes.
(Marked 9.7.24)

9.7.25 WALGA INFOPAGE – POLL PROVISIONS

Document ID: 16867

Key Issues:

- State Council rescinded a resolution that outlined the conditions in which amendments to the poll provisions would be supported
- WALGA's position is therefore to oppose any legislation that removes or amends the poll provisions
- State Council also resolved to consult the sector and develop a specific position relevant to any proposal to amend the poll provisions

9.7.26 WALGA – COUNCILLOR DIRECT – ISSUE # 33 – 5 SEPTEMBER 2013

Document ID: 16868

Inside this issue:

- Country Reform Policy Forum
- Metropolitan Reform Implementation Policy Forum
- Staff Profiles

9.7.27 WALGA – PLANNING & COMMUNITY DEVELOPMENT NEWSLETTER – 27 SEPTEMBER 2013

Document ID: 16869

Inside this issue:

- Planning the future of injury prevention in Australia & community based injury prevention
- Disability support worker awards 2014
- Planning makes it happen – phase 2
- The walkability mandate
- Local government reform implementation toolkit
- Goodbye graffiti grants
- WA natural disaster recovery and relief arrangements

9.7.28 METROPOLITAN LOCAL GOVERNMENT REFORM UPDATE – ISSUE 20 – 1 OCTOBER 2013

Document ID: 16896

Inside this issue:

- Letters to Mayors
- Milestone looming
- The case for reform
- Local government advisory board

9.7.29 WALGA – VACANCIES ON BOARDS AND COMMITTEES

Document ID: 16898

Below are the following vacancies:

- Local Health Authorities Analytical Committee (re-advertised)
- Healthway Board
- Swan River Trust
- Graffiti Taskforce

Nominees are required to submit a completed nomination form, statement addressing the selection criteria and short curriculum vitae (2 pages maximum) before the close of nominations which is **5.00pm, Thursday 14 November 2013.**

Nomination forms are available from <http://walga.asn.au/MemberResources/GovernanceStrategy/CurrentCommitteeVacancies.aspx>

9.7.30 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 38.13

Document ID: 16910

Inside this issue:

- WALGA submission: reforming water resource management
- Climate change presentation – synthesis and key learning from NCCARF
- MWAC info bulletin out now
- Vacancies on boards and committees
- IPWEA WA State Conference 2014 – call for papers
- Positive places: public open space tool workshop
- The walkability mandate – a public forum with Jeff Speck
- Bicycle network grants open – funding 2014 / 2015
- Regional Australia Institute – online tool

9.7.31 MUNICIPAL WASTE ADVISORY COUNCIL – INFORMATION BULLETIN – ISSUE 177 – SEPTEMBER 2013

Document ID: 16911

Inside this issue:

- Planners, watch this space
- Bio consultation
- Moving up the hierarchy
- Infinite waste reduction
- Shop til you drop
- Waste to wages
- No straw baby
- Meet the Feds
- Where's climate change
- Happy nappies
- Discarded dinner
- Bin the green

- New cash-for-containers recycling depot
- Waste food world's third biggest carbon source

9.7.32 WALGA INFOPAGE – PLANNING MAKES IT HAPPEN: PHASE TWO

Document ID: 16912

Key Issues:

- Release of the discussion paper “Planning Makes It Happen: Phase Two” Planning Reform Discussion Paper by the Minister for Planning.
- Proposes 18 areas for improvement to the WA planning framework
- WALGA is seeking comments to assist in providing a local government response

Attached to the agenda is a copy of the above mentioned correspondence. (**Marked 9.7.32**)

9.7.33 WALGA – PLANNING & COMMUNITY DEVELOPMENT NEWSLETTER – 4 OCTOBER 2013

Document ID: 16974

Inside this issue:

- Leadership in libraries seminar & breakfast 2013
- Community in emergency management
- Bicycle networks program
- Regional Australian Institute – online tool
- Coastal management plan assistance program
- New water ways speaker series

9.7.34 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 39.13 – 7 OCTOBER 2013

Document ID: 16999

Inside this issue:

- Consultation on resources for waste management planning
- Draft State Aviation Strategy
- National Local Roads And Transport Congress
- Community in emergency management
- Leadership in libraries – seminar and breakfast 2013
- SDERA releases new challenges and choices resources
- Commissioner for children and young people
- Garage sale trail
- E-learning training
- Officer training
- Elected member training

9.7.35 METROPOLITAN LOCAL GOVERNMENT REFORM UPDATE – ISSUE 22 – 14 OCTOBER 2013

Document ID:

Inside this issue:

- New members join LGAB
- Experience, skills on board
- Assessing proposals
- Media interviews

- MetRIC meeting

9.7.36 SHIRE OF DANDARAGAN – AUGUST 2013 COUNCIL STATUS REPORT

Document ID: 17461

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 26 September 2013. **(Marked 9.7.36)**

9.7.37 SHIRE OF DANDARAGAN INFRASTRUCTURE & MAJOR PROJECTS REPORT – SEPTEMBER / OCTOBER 2013

Document ID:

Attached to the agenda is a copy of the Shire of Dandaragan's Infrastructure & Major Projects Report for September / October 2013. **(Marked 9.7.37)**

9.7.38 NORTHERN AGRICULTURAL CATCHMENT COUNCIL – UPDATE ON CHANGES

Document ID: 17420

NACC wrote to the Shire in July regarding the changes that are occurring particularly with regard to infield delivery arrangements and personnel. These changes are now being embedded.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.38)**

9.7.39 SHIRE OF WOODANILLING – STRUCTURAL REFORM

Document ID: 17002

"The Shire of Woodanilling seeks your support and the support of your colleagues in the Western Australian State Parliament to oppose the latest push for forced amalgamations of local governments, and proposed amendments to remove or otherwise circumvent the poll provisions of the Local Government Act 1995."

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.39)**

9.7.40 KEEP AUSTRALIA BEAUTIFUL NATIONAL ASSOCIATION – 2013 AUSTRALIAN SUSTAINABLE CITIES AWARDS COME TO WA

Document ID: 17267

The Australian Sustainable Cities Awards are taking place in WA on Monday 18 November 2013 from 8.30am to 1.15pm at the new Surf Life Saving Club at Coogee Beach.

Registrations close 4 November 2013.

For more information or to book tickets please visit kab.org.au/sustainable-cities/

9.7.41 DEPARTMENT OF AGRICULTURE AND FOOD – WEST MIDLANDS MAPPING AND WATER MANAGEMENT PROJECT

Document ID: 17299

The Department of Agriculture and Food (DAFWA) with the Department of Regional Development and the Department of

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Water will begin a groundwater investigation in the Koojan-Gillingarra area of the West Midlands (West Midlands Project).

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.41)**

9.7.42 WALGA MEDIA RELEASE – RAIL DECISION INCREASES ROAD SAFETY RISKS

Document ID: 17317

“Abandonment of grain freight across Tier 3 Rail lines in the Wheatbelt could increase road safety risks unless significant funding for road upgrades is provided to Local Government.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.42)**

9.7.43 NUSEED PTY LTD – GENETICALLY MODIFIED CANOLA

Document ID: 17351

The Shire of Dandaragan area was identified as one of the potential locations for the genetically modified canola trial to take place.

Should the application for field trials be approved, in the first years particularly, any trial activity will be very small and in only one or two locations.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.43)**

9.7.44 DAVID TEMPLEMAN MLA – MEMBER FOR MANDURAH – BARNETT GOVERNMENT’S LOCAL GOVERNMENT REFORM AGENDA

Document ID: 17402

David Templeman MLA would like to thank the numerous local governments in Western Australia who have written to him over the last few weeks expressing concern about the ongoing local government reform agenda of the Barnett Government.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.44)**

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

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 7.33pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date