



SHIRE
of
DANDARAGAN

MINUTES - PUBLIC

of the

ORDINARY COUNCIL MEETING

held at the

BADGINGARRA COMMUNITY CENTRE, BADGINGARRA

on

WEDNESDAY 24 APRIL 2019

COMMENCING AT 4.13PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

Table of Contents

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	1
1.1	DECLARATION OF OPENING	1
1.2	DISCLAIMER READING.....	1
2	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE.....	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
4	PUBLIC QUESTION TIME.....	2
5	APPLICATIONS FOR LEAVE OF ABSENCE.....	2
6	CONFIRMATION OF MINUTES	2
6.1	MINUTES OF THE ORDINARY COUNCIL MEETING HELD 28 MARCH 2019.....	2
7	NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	2
8	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	2
9	REPORTS OF COMMITTEES AND OFFICERS	3
9.1	CORPORATE & COMMUNITY SERVICES	3
9.1.1	FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 MARCH 2019.....	3
9.1.2	ACCOUNTS FOR PAYMENT – MARCH 2019	5
9.1.3	RECOGNISE DFES GRANT AND AUTHORISE BUDGET AMENDMENT FOR BUSHFIRE RISK PLANNING COORDINATOR POSITION.....	6
9.2	INFRASTRUCTURE SERVICES.....	8
9.3	DEVELOPMENT SERVICES	8
9.3.1	PROPOSED SINGLE HOUSE – LOT 350 PINETREE CIRCUIT, JURIE BAY.....	8
9.3.2	FINAL ADOPTION – LOCAL PLANNING STRATEGY.....	16
9.4	GOVERNANCE & ADMINISTRATION.....	20
9.4.1	COUNCIL POLICY MANUAL REVIEW	20
9.5	COUNCILLOR INFORMATION BULLETIN	28
9.5.1	SHIRE OF DANDARAGAN – MARCH 2019 COUNCIL STATUS REPORT	28
9.5.2	SHIRE OF DANDARAGAN – INFRASTRUCTURE REPORT – FEBRUARY / MARCH 2019.....	28
9.5.3	SHIRE OF DANDARAGAN – BUILDING STATISTICS – MARCH 2019.....	28
9.5.4	SHIRE OF DANDARAGAN – PLANNING STATISTICS – MARCH 2019	28
9.5.5	SHIRE OF DANDARAGAN TOURISM / LIBRARY REPORT FOR MARCH 2019.....	28
9.5.6	ASTROTOURISM STRATEGIC PLAN FINAL	28

9.5.7	ASTROTOURISM WA REPORT 2018-2019.....	28
9.5.8	JESS HENRIQUES – LETTER OF APPRECIATION	29
10	NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING	29
10.1	GOVERNANCE & ADMINISTRATION	29
10.1.1	COUNCIL MEETING SCHEDULE 2019 / 2020.....	29
11	CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC.....	31
11.1	GOVERNANCE & ADMINISTRATION	33
11.1.1	PRIVATE AND CONFIDENTIAL – CHIEF EXECUTIVE OFFICER 2018 / 2019 PERFORMANCE REVIEW	33
12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	34
13	CLOSURE OF MEETING	34

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 4.13pm and welcomed those present.

1.2 DISCLAIMER READING

The disclaimer was read aloud as there were 5 members of the public present.

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

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

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor J Clarke	
Councillor A Eyre	
Councillor W Gibson	
Councillor K McGlew	
Councillor D Richardson	
Councillor R Shanhun	
Councillor D Slyns	

Staff

Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr D Chidlow	(Executive Manager Development Services)
Mr R Mackay	(Planning Officer)
Ms M Perkins	(Community Development Officer)

Apologies

Nil

Approved Leave of Absence

Nil

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019**Observers**

Mr Richard Brown, Mr Graham Motteram, Mr Jonathan Nelson, Mrs Jillian Nelson, Mrs Gail Motteram

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 CONFIRMATION OF MINUTES**6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 28 MARCH 2019****COUNCIL DECISION**

Moved Cr Gibson, seconded Cr Shanhun

That the minutes of the Ordinary Meeting of Council held 28 March 2019 be confirmed.

CARRIED 9 / 0

7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Presentation by Mr Richard Brown, Bidgerabbie Development Co Pty Ltd., in relation to levy being charged for road maintenance in relation to the gravel extraction licence.

Mr Graham Motteram, as the proponent, will be speaking in relation to Item 9.3.1 – Proposed single house – Lot 350 Pinetree Circuit, Jurien Bay.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 MARCH 2019

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	10 April 2019
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 March 2019.

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 March 2019.

COMMENT

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

1. Net Current Assets

Council's Net Current Assets [i.e. surplus / (deficit)] position as at the 31 March 2019 was \$3,048,154. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves and Restricted Assets. The current position indicates that Council can easily meet its short-term liquidity or solvency.

The Net Current Asset position is reflected on page 12 and reconciled with the Statement of Financial Activity on page 3 of the financial statements.

The amount raised from rates, shown on the Statement of Financial Activity (page 3), reconciles with note 6 (page 13) of the financial statements and provides information to Council on the budget vs actual rates raised.

2. Material Variances

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

Note 13 of the attached report details any significant variances.

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

Should Councillors wish to raise any issues relating to the 31 March 2019 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

2016 – 2026 Strategic Community Plan

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

ATTACHMENTS

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

- Financial statements for the period ending 31 March 2019 (Doc Id: 132136)
(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Clarke, seconded Cr Eyre

That the monthly financial statements for the period 31 March 2019 be adopted.

CARRIED 9 / 0

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

9.1.2 ACCOUNTS FOR PAYMENT – MARCH 2019

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	15 April 2019
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To accept the cheque, EFT and direct debit listing for the month of March 2019.

BACKGROUND

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

COMMENT

The cheque, electronic funds transfer (EFT) and direct debit payments for FEBRUARY 2019 totalled \$1,605,869.77 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the March 2019 Accounts for payment, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting, in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 13 of the Local Government Financial Management Regulations 1997.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

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

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

ATTACHMENTS

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

- Cheque, EFT and direct debit listings for March 2019 (Doc Id: 132344)

(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr McGlew

That the Municipal Fund cheque and EFT listing for the period ending 31 March 2019 totalling \$1,605,869.77 for the Municipal Fund be accepted.

CARRIED 9 / 0

9.1.3 RECOGNISE DFES GRANT AND AUTHORISE BUDGET AMENDMENT FOR BUSHFIRE RISK PLANNING COORDINATOR POSITION

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Business Classification Scheme / Grants and Subsidies / Programs / DFES
Disclosure of Interest:	Nil
Date:	12 April 2019
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

The purpose of this report is for Council to endorse the receipt and subsequent expenditure associated with the Bushfire Risk Planning Coordinator's position.

BACKGROUND

The Government of Western Australia (WA) is implementing the Bushfire Risk Management Planning (BRMP) program across WA. The program is responsible for the development and implementation of 'tenure-blind' whole of Shire Bushfire Risk Management (BRM) Plans. The Shires of Dandaragan, Coorow and Irwin have agreed to participate in this program and have appointed an officer (Mr Paul Dickson) to undertake the role.

BRMP's document the risk to communities from bushfire and outline the required treatments to reduce these risks. The Bushfire Risk Management System is a risk tool that aids the prioritisation of treatment works to help lower the bushfire risk faced by the community and designate accountability for treatment and mitigation works.

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

The role is fully funded through the Department of Fire and Emergency Services via a grant to the host Shire. The previous incumbent was based in the Shire of Irwin and was able to substantially progress their plan. Following the departure of the former staff member the Shire of Dandaragan has opted to host the position for the coming 3½ years which will increase local focus whilst also continuing the development of the BRMPs for the Shires of Irwin and Coorow.

COMMENT

To align Council's resourcing to the new position this item recommends the endorsement of the funding and associated expenditure for the position via budget amendment. The associated vehicle with the role is also to be transferred from the Shire of Irwin to Shire of Dandaragan via purchase at the valued price of \$22,000. This value has been provided independently by Pickles Auctions. The costs of this purchase will be funded through the grant over the coming 3½ years.

The current grant agreement is broken into 2 periods with the first period being for the portion of the current financial year – February 2019 – 30 June 2019. This period includes \$72,950.97 which covers employee costs, vehicle costs and office costs associated with the position. The invoice for this funding has been raised. Future aspects of the funding and expenditure will be included in annual budget processes.

CONSULTATION

- Department of Fire and Emergency Services

STATUTORY ENVIRONMENT

6.8. Expenditure from municipal fund not included in annual budget

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

* *Absolute majority required.*

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no net financial implications associated with this position. All direct costs are funded via the grant from the Department of Fire and Emergency Services.

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

Goal 5 – Proactive and Leading Local Government

Objectives	How the Shire will contribute
5.6 Implement sound corporate governance and risk management	b) Maintain a high standard of governance and accountability. c) Manage Risk

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Slyns, seconded Cr Shanhun

That Council authorise a budget amendment to:

- 1. recognise the Bushfire Risk Planning Coordinator grant to the amount of \$72,950.97;**
- 2. authorise the employee and equipment costs associated with the position totalling \$72,950.97 for the 2018/2019 financial year.**
- 3. authorise the purchase of the 2015 Ford Ranger from the Shire of Irwin for a total of \$22,000 plus transfer costs.**

CARRIED BY ABSOLUTE MAJORITY 9 / 0

9.2 INFRASTRUCTURE SERVICES

9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED SINGLE HOUSE – LOT 350 PINETREE CIRCUIT, JURIEN BAY

Location:	Lot 350 (#24) Pinetree Circuit, Jurien Bay
Applicant:	WA Country Builders on behalf of G J & G E Motteram
File Ref:	Development Services Apps / Development Application / 2019 / 21
Disclosure of Interest:	Nil
Date:	4 April 2019
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager of Development Services

PROPOSAL

The proponent is seeking development approval for a single house with an oversized rear garage on Lot 350 (#24) Pinetree Circuit, Jurien Bay.



Location Map – 24 Pinetree Circuit, Jurien Bay

BACKGROUND

The applicant is seeking development approval to construct a 464m² single house on the 800m² property featuring a 165m² rear garage adjoined to the house via a breezeway. As shown on the attached site plan, the proposed rear garage is sighted 1.5m from the south-west rear property boundary for 16m long wall and built up to the north-west side boundary for 10.4m long parapet wall. Additionally, the proposed front garage of 52m² is to have a zero setback to the south-east boundary for an 8.4m long parapet wall. The single house will have a 3m front setback to Pinetree Circuit. The subject property is zoned 'Residential' under *Local Planning Scheme No.7* with a density code of R12.5. Under the *Residential Design Codes (R-Codes)* for a R12.5 coding; the primary street setback is 7.5m, with a rear boundary setback of 6m.

Further to the variances to the front and rear setbacks the proposed rear garage is oversized in both height and area. Under *Local Planning Policy 8.5 – Outbuildings Residential Areas (LPP8.5)*, the maximum wall height permitted for a garage is 3.6m, with a ridge of 4.5m; this application seeks a 4m wall height and a ridge of 5m. The maximum permitted area for a detached outbuilding is 80m²; this application seeks 165m² for an attached garage.

The minimum open space percentage of the site permitted under the R-Codes is 55%, the applicant falls short of this at 48%; a 7% variation.

The applicant seeks the variances above for storage of a number of recreational vehicles (including a large motorhome) as shown in the attached photos, in addition to still wanting some useable space within the rear garage. It is noted preliminary design

discussions with the applicant began in mid-2018 and the resulting application is best-fit for their needs.

COMMENT

Where a proposal does not meet the deemed-to-comply provisions of R-Codes the decision maker is to exercise its judgement to consider the merits of the proposal in accordance with the design principles of the R-Codes. Support for the variances from Natalie Anderson of Midwest Planning Consulting in the context of each applicable design principle is attached to this item. The following comments are on the major design principles in question for this application.

Regarding R-Codes Clauses 5.1.2, P2.1 & P2.2 Street setback and Clause 5.1.3, P4 Open space, the officer agrees with the comments of Natalie Anderson. These variations to the R-Codes are commonly sought and approved within the Shire under similar circumstances.

Supplementary to R-Codes Clause 5.1.3, P3.1 P3.2 Lot boundary setback, *Local Planning Policy 8.11 Residential Design Codes - Side and Rear Boundary Setbacks* (LPP8.11) applies. This policy permits one parapet wall to an average height of 3.3m up to a length of 9m subject to no objection from the adjoining neighbour. The function of this clause via no neighbour objection permits the parapet wall proposed for the front garage of 2.4m high and 8.4m long. The policy offers no exemption for the parapet wall of the rear garage which is of an average height of 4.7m and is 10.4m long. However, the affected adjoining neighbour for this parapet wall was consulted by the applicant prior to the application being lodged and provided an email in support of the wall design. Comments in support of this parapet wall from Natalie Anderson are also supported.

The variation to the rear setback of 6m to 1.5m is still in question for a 4.2m high and 16m long wall. The denoted rear setbacks in Table 1 of the R-Codes for low density are only applicable up to a density of R15 before rear setbacks are treated the same as side setbacks via the use of Table 2. For this reason, variations to the rear setback taking in account Table 2 setbacks are often accepted. In this instance, the applicable Table 2 setback is 1.7m, with the proposed rear setback being 1.5m, a 12% variation. This variation must be considered collectively with the height and area increases from LPP8.5's standards outlined previously. It is fair to contemplate LPP8.5 policy standards exist to prevent a 16m long, 4.2m high wall from being established in the Residential zones of the Shire. Such building bulk is generally portrayed to a commercial/industrial type building. The reduction of the setback of this wall only exacerbates the impact.

Although the overshadowing of the rear garage on the rear neighbouring property is compliant, it can be argued there is an

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

adverse impact on the use of the outdoor habitable area where the neighbour utilises a hammock and spa by way of lost solar access to this area and visual amenity of the wall which is under 3m away. A picture of this area is shown below. It is assumed the rear neighbour should have expected some of his rear boundary to be taken up by in due course by a rear ancillary building of the neighbour, but not 80% of this boundary.

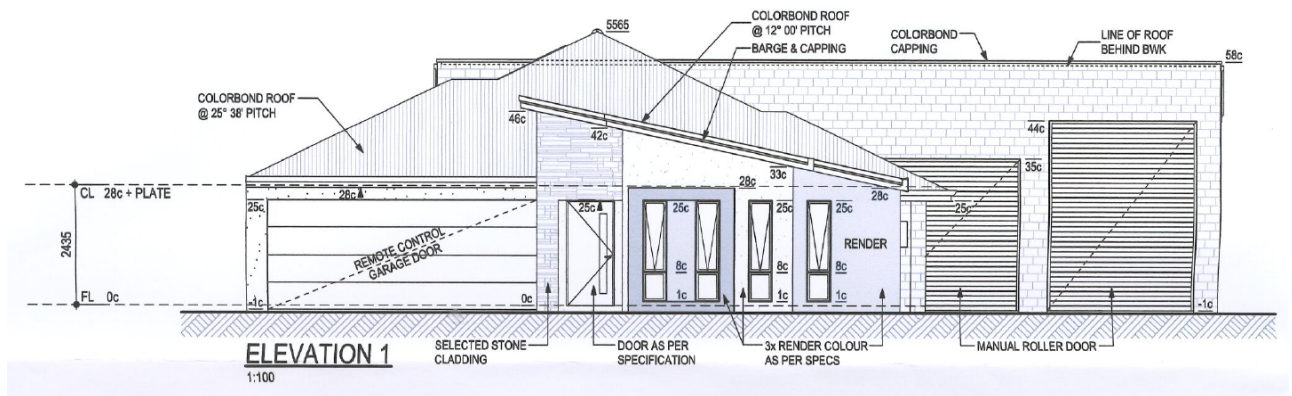


Positive aspects of the rear garage design include:

- the use of a skillion roof tapering to the rear and quality building materials to reduce the appearance and visual impact of the bulk and scale of the development;
- compliance with Clause 5.4.2 Solar access for adjoining sites (overshading) of the R-Codes;
- the whole of the garage being situated behind the dwelling;
- the linking breezeway between the garage and dwelling; and
- clear accessible points from the street frontage for the one whole building.

Conversely, all these positive aspects are undermined by the domination of the rear garage on the dwelling and streetscape as shown below. The front elevation shown does not display the rear garage ancillary to what should be the principle building in a 'Residential' zone, the dwelling.

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019



Liveability for the subject landowners will result from the build, but it will most likely decrease for surrounding landowners based on the impacts to the streetscape and residential amenity. For all the above discussion, the development application is recommended for refusal. However, if Council finds the proposal has merit an alternative officer recommendation is provided below:

Alternative Officer Recommendation

That Council grant development approval for the proposed single house on Lot 350 Pinetree Circuit, Jurien Bay subject to the following conditions and advice notes:

1. *All development shall be in accordance with the attached plans date stamped 24 April 2019 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 building materials being of non-reflective nature and colour consistent with the existing structure and/or predominant colours of the individual site.*
3. *External fixtures integrated into the building design shall not be visually obtrusive when viewed from the street to protect the visual amenity of residents in neighbouring properties.*
4. *Landscaping of the site is to be undertaken with appropriate planting, paving and other landscaping to contribute to the streetscape.*
5. *The 'shed' denoted on the date stamped plans is not be used for commercial purposes.*

Advice Notes:

1. *The applicant is advised this is planning approval only and not a building permit. A building permit must be obtained for this development.*
2. *Stormwater is to be managed on site or directed to a suitable disposal system in accordance with AS3500 Plumbing and Drainage.*
3. *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*

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019</p>
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effect.

4. *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.*
5. *The applicant be advised that "should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:*

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

CONSULTATION

The proponent consulted with the adjoining side landowner of Lot 350 Pinetree Circuit before the lodging the application. This neighbour had no concern with the development, including the proposed parapet wall of the rear garage on his common boundary.

All other neighbouring landowners in two property radii were consulted for their comments. Three submissions were received, with two objecting and one supporting the development. The officer met with the adjoining rear neighbour who objected. Plausible visual and solar adverse impacts from the proposed rear garage were investigated from the neighbour's backyard where an outdoor living area is a utilised space less than a metre from the common boundary with the development.

Responses to each submission are shown in the attached schedule of submissions.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7:
Clause 4.2 of the Scheme outlines *State Planning Policy 3.1 - Residential Design Codes* is to read as part of the Scheme.

POLICY IMPLICATIONS

- Local Planning Policy 8.11 Residential Design Codes - Side and Rear Boundary Setbacks
- Local Planning Policy 8.5 Outbuildings – 'Residential Areas':

Carpports 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;*

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

- 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.*

Outbuildings

- 5. An outbuilding within a Residential area shall be deemed as meeting the design principles criteria of section 5.4.3 P3 of the Residential Design Codes where the following area and height requirements can be achieved:*

Outbuilding External Appearance	Permitted Area of Outbuilding	Permitted Wall Height	Permitted Ridge Height
<i>Reflective Cladding</i>	<i>12m²</i>	<i>2.4m *</i>	<i>4.2m *</i>
Non-Reflective Cladding or Masonry	<i>80m², or 10% of the site area, whichever is the lesser</i>	<i>3.6m *</i>	<i>4.5m or the highest point of the roof cladding of the residence whichever is lesser</i> *
* Note that total wall / ridge heights are measured from the ground level at the closest common boundary			

- 6. When giving consideration to an application for an outbuilding, the Shire of Dandaragan shall have regard to the Design Principles contained in section 5.4.3 P3 of the Residential Design Codes, namely that outbuildings do not detract from the streetscape or the amenity of residents or neighbouring properties.*
- 7. All outbuildings are to otherwise maintain a minimum rear / side setback in accordance with the Residential Design Codes Tables 2a and 2b. Any variation to these setback requirements will require the submission of a Planning Application with adjoining property owner comment for a council decision.*

FINANCIAL IMPLICATIONS

The applicant has paid the required \$147 fee for the development application.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan:

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

<i>Goal 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.2 Ensure effective and efficient development and building services	a) Process development applications and undertake building regulation functions and services

ATTACHMENTS

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

- Submitted Plans (Doc Id: 131847)
- Photos of recreational vehicles to be stored within the development (Doc Id: 131848)
- Support for the variations sought to the R-Codes from Natalie Anderson of Midwest Planning Consulting (Doc Id: 131849)
- Schedule of submissions (Doc Id: 131852)

(Marked 9.3.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr McGlew

That Council refuse development approval for the proposed single house on Lot 350 Pinetree Circuit, Jurien Bay for the following reasons:

- 1. The proposed rear garage does not comply with *Local Planning Policy 8.5 – Outbuildings ‘Residential Areas’* as it exceeds the specified floor area and wall, ridge height maximums for both a garage and outbuilding.**
- 2. The proposed development would detract from the streetscape and the visual amenity of the neighbouring properties.**
- 3. The proposed development does not comply with orderly and proper planning for the locality.**
- 4. Approval of such development would set an undesirable precedent for similar applications in the future in contravention of Council adopted policy.**

Advice:

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 9 / 0

9.3.2 FINAL ADOPTION – LOCAL PLANNING STRATEGY

Location:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Land Use & Town Planning / Planning / Strategic Plans
Disclosure of Interest:	Nil
Date:	25 March 2019
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager of Development Services

PROPOSAL

This report requests final adoption of the *Shire of Dandaragan Local Planning Strategy* (the Strategy).

BACKGROUND

Drafting of the Strategy began in 2013 after the Shire adopted the following interrelated planning documents in 2012:

- Local Planning Strategy – Rural Land Use and Rural Settlement Planning Strategy (which considered the Coastal Hinterland, Rural areas and Rural towns);
- Jurien Bay Growth Plan;
- Jurien Bay City Centre Strategy Plan; and
- Local Tourism Planning Strategy.

The Strategy draws together the planning framework for the whole Shire by considering the coastal settlement area and incorporating the substance of the Rural Land Use and Rural Settlement Strategy into a single document. As such the Local Planning Strategy – Rural Land Use and Rural Settlement will be superseded.

The Jurien Bay City Centre Strategy Plan will be retained as a separate document to guide ongoing development of the City Centre area. The planning elements of the Jurien Bay Growth Plan have been incorporated into the LPS, noting that the purpose of the Growth Plan was to provide an integrated approach to facilitate the development of Jurien Bay as a regional centre.

The Strategy went through a series of drafts in consultation with the Department of Planning, Lands and Heritage before the Western Australian Planning Commission (WAPC) certified public advertisement in 2016. The public advertisement period ran from the 7 February 2017 to 28 April 2017 with submissions only received from State government authorities and MGA Town Planners on behalf of Ardross Estates.

However, with the pending finalisation of State planning agendas for coastal planning, bushfire planning and Wedge and Grey, the Strategy effectively sat in idle for the remainder of 2017 and most of 2018 before being revised.

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

The final version of the Strategy was presented to Councilors at the February Council forum. Minor modifications of the Strategy have taken place based on the feedback received.

COMMENT

The Strategy outlines the Shire's land use directions for next 10-15 years consistent with State, regional and sub-regional planning policy; and local planning characteristics. The Strategy comprises strategies and related actions for:

- The whole of the Shire of Dandaragan;
- Jurien Bay;
- Cervantes;
- Dandaragan; and
- Badgingarra.

The strategies and actions of Part One – The Strategy are supplemented by maps illustrating key elements and Part Two – Background Information and Analysis which provides a detailed explanation for the strategies and/or actions.

The Strategy covers the following key land use planning issues:

1. Settlement pattern
2. Population trends
3. Rural Living
4. Rural land
5. Airport
6. Tourism
7. Protection and use of groundwater
8. Surface Water Protection
9. Coastal processes
10. Biodiversity
11. Landscape protection
12. Townsite consolidation
13. Bushfire risk
14. Local Planning Scheme No. 7
15. Conventional oil and unconventional gas prospects

The Strategy is to be applied for planning decision making by Council and the Western Australian Planning Commission (WAPC). The Strategy will be utilised for amendments of the Scheme or preparation of a new Scheme, structure plans, subdivision applications and development proposals.

The Strategy is designed to provide a vision for anticipated land use and development in the Shire over the next 10 to 15 years. However, new information is likely to come to hand, or land use issues and pressures affecting the Shire will change over time, in which case the Strategy can be reviewed or amended.

If adopted by Council, the Strategy will be forwarded to the WAPC for their consideration (including any required modifications) and endorsement.

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

CONSULTATION

The public advertisement period via online and written channels ran from the 7 February 2017 to 28 April 2017 with submissions only received from State government authorities and MGA Town Planners on behalf of Ardross Estates. At this point in time, further public advertisement is considered unnecessary by staff as the Strategy provides for the logical and consistent land use development of Shire lands.

STATUTORY ENVIRONMENT

Reg. 11 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

A local government must prepare a local planning strategy for each local planning scheme that is approved for land within the district of the local government.

A local planning strategy must —

- a) set out the long-term planning directions for the local government; and
- b) apply any State or regional planning policy that is relevant to the strategy; and
- c) provide the rationale for any zoning or classification of land under the local planning scheme.

POLICY IMPLICATIONS

The Strategy outlines a number of local planning policies which should be drafted and adopted over the Strategy's timeframe.

FINANCIAL IMPLICATIONS

The Shire paid the costs of public advertisement. If endorsed by the WAPC, there will be costs in publishing a notice of such; costs of which are accounted for within the adopted budget.

STRATEGIC IMPLICATIONS

As outlined in the background and comments sections.

2016 – 2026 Strategic Community Plan

<i>Goal 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.1 Ensure planning and land availability provides opportunity for sustainable growth and lifestyle options / choices	<ol style="list-style-type: none"> a) Strategic land use planning across the Shire, with a focus on coastal settlement and town centre strategy b) Strategic projects with a focus on planning and land availability for health precinct and further residential development
1.3 Ensure timely provision of essential and strategic infrastructure	<ol style="list-style-type: none"> q) Actively engage with Federal and State Governments on the Blackspot Program
1.4 Ensure Shire is "open for business" and supports industry and business development	<ol style="list-style-type: none"> b) Identify and engage with future new business and industry c) Realise potential of Council controlled or lazy land assets
1.5 Facilitate population and visitor attraction and growth to expand and	<ol style="list-style-type: none"> a) Tourism and marketing with a focus on promotion and product development based

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

diversify the regional economy	<p>on natural assets in partnership with the Department of Biodiversity, Conservation and Attractions</p> <p>b) Work with developers and communities to coordinate plan for entrance statements with development nodes and town</p> <p>e) Lobby the State Government to implement the Wedge and Grey Masterplan which encouraged the development of sites for low impact, affordable, short term, coastal accommodation</p>
<i>Goal 2: Health, Safe and Active Community</i>	
Objectives	How the Shire will contribute
2.1 Develop health and wellbeing centre and services	c) Support development and provision of allied health services
2.2 Ensure age friendly community	a) Undertake planning for development of the Shire of Dandaragan as an Age Friendly Community
2.4 Provide recreation and community facilities and activities	e) Plan, develop and manage key foreshore locations to focus activity in particular areas
<i>Goal 4: Healthy Natural and Built Environment</i>	
Objectives	How the Shire will contribute
4.1 Maintain integrity and coastal and marine environment	a) Manage pressure on coastal / beach environment from visitation / locals on Shire of Dandaragan reserves
4.5 Clean, safe key water aquifers	a) Lobby for key drinking water protection areas
	b) Advocate the viable use of aquifers in agriculture and horticultural area
<i>Goal 5: Proactive and Leading Local Government</i>	
Objectives	How the Shire will contribute
5.1 High performing Council	a) Ensure the Councillors and Council decision-making processes are well supported
5.2 High performing Administration	a) Ensure the workforce is appropriately skilled, provided with the tools to do the job and high performing

ATTACHMENTS

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

- Local Planning Strategy Part 1 (Doc Id: 127840)
 - Local Planning Strategy Part 2 (Doc Id: 127387)
- (Marked 9.3.2)**

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Shanhun, seconded Cr Scharf

That Council:

1. adopts the *Shire of Dandaragan Local Planning Strategy (Doc Id: 127840, Doc Id: 127387)* as provided as an attachment to this report; and
2. forwards the document to the Western Australia Planning Commission for endorsement.

AMENDMENT

Moved Cr Shanhun, seconded Cr McGlew

That Council:

1. adopts the *Shire of Dandaragan Local Planning Strategy (Doc Id: 127840, Doc Id: 127387)* as provided as an attachment to this report, subject to the removal of references to gas extraction and fracking pending Council adoption of a formal position in regard to gas extraction and fracking within the Shire of Dandaragan; and
2. forwards the document to the Western Australia Planning Commission for endorsement.

CARRIED 9 / 0

THE AMENDMENT BECAME THE MOTION AND WAS CARRIED 9 / 0

Note: The Officers Recommendation was not adopted for the following reason: The document as drafted includes references to Council's position in regard to gas extraction and fracking when Council is yet to consider and adopt a formal policy / position.

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 COUNCIL POLICY MANUAL REVIEW

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Business Classification Scheme / Corporate Management / Policy / Policy Register
Disclosure of Interest:	Nil
Date:	12 April 2019
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

This item addresses the modernisation of the Shire's Policy Manual. The Shire staff have been working with a consultant over the past months to review existing policies and update the policy manual. The recommendation is for Council to adopt the new policy manual.

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

BACKGROUND

The purpose of policy documents is to enable the effective and efficient management of Council resources and to assist staff and Council achieve an equitable decision making process.

The new Policy and Procedure Manual contains both the Policies adopted by Council and their respective Management Procedures established and maintained by the Chief Executive Officer. This provides the following hierarchy:

- Policy provides what can be done;
- Procedures provide for how to do it.

It is important to note that the adopted policies have been made to facilitate:

- Consistency and equity in decision making;
- Promptness in responding to customer needs;
- Operational efficiency;
- To provide guidance to the community on the Council's position regarding a range of issues.

A policy statement is not binding on Council, but provides a guideline for elected members and staff in determining individual applications or requests. Generally, Policies evolve as issues come before Council and should continue to evolve through a process of review and refinement. For this reason, it is important that a review process is in place. It is considered important that the Policy Manual be reviewed approximately every two (2) years to ensure the integrity and relevance of the Policies in place.

This is the first stage of policy manual review with Governance, Finance, Community Amenities, Recreation and Culture, Housing and Employees being updated to the new format. The next stage of the review will consider existing policies within the Law, Order and Public Safety, Health, Education and Welfare and Engineering sections. Economic Services and Development policies will be reviewed by the Development Services department in an ongoing manner.

COMMENT

The following table provides an overview of the evolution of the Shire's Policy Manual.

Number	Section	Title	Established	Last Reviewed	Comment / New Policy
1.1	Governance and Administration	COMMUNITY COMMUNICATION	Apr-05	Jun-15	C-1CE09 – Community Engagement C-1SCCL010 – Shire Corporate Crest / Logo
1.2	Governance and Administration	CUSTOMER SERVICE CHARTER	Apr-05	Mar-15	Recommended to adopt as standalone document with current wording.

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

Number	Section	Title	Established	Last Reviewed	Comment / New Policy
1.3	Governance and Administration	CUSTOMER COMPLAINTS HANDLING	Apr-05	Mar-15	C-1CH014 Complaints Handling
1.4	Governance and Administration	CORPORATE CREDIT CARD	Apr-05	Mar-15	C-3CCC05 – Corporate Credit Card
1.5	Governance and Administration	PUBLICATIONS, REGALIA AND EQUIPMENT - ISSUE TO COUNCILLORS	Apr-05	Mar-15	C-1EME015 Elected Members Entitlements
1.6	Governance and Administration	COMMUNITY GRANTS PROGRAM	Jul-09	Jul-17	C-1CG06 – Community Grants
1.7	Governance and Administration	TRAVELLING EXPENSES - MEMBERS AND NON MEMBER DELEGATES	Apr-05	Mar-15	C-1EME015 Elected Members Entitlements
1.8	Governance and Administration	CONFERENCES, TRAINING AND DEVELOPMENT EXPENSES - MEMBERS	Apr-05	Mar-15	C-1EME015 Elected Members Entitlements
1.9	Governance and Administration	ELECTED MEMBERS' INSURANCE	Apr-05		C-1EME015 Elected Members Entitlements
1.1	Governance and Administration	POLICY DEVELOPMENT AND ADOPTION	Apr-05	Mar-15	Remove as policy. Built into the manual preamble.
1.11	Governance and Administration	PUBLIC FORUM	Apr-05	May-10	C-1MSCP013 – Meeting Structure & Community Participation
1.12	Governance and Administration	LEGAL REPRESENTATION AND COSTS INDEMNIFICATION	Apr-05	May-10	C-1LR04 – Legal Representation
1.13	Governance and Administration	ELECTRONIC MAIL / INTERNET	Apr-05	Mar-15	Removed, covered by Record Keeping Plan and internal HR policies.
1.14	Governance and Administration	HONORARY FREEMAN WITHIN THE SHIRE OF DANDARAGAN	Apr-05	May-10	C-1HFSD08 – Honorary Freeman within the Shire of Dandaragan
1.15	Governance and Administration	SHIRE OF DANDARAGAN PURCHASING POLICY AND TENDER GUIDE	Feb-07	Aug-17	C-1PAT01 – Purchasing and Tender
1.16	Governance and Administration	INCREASING PARTICIPATION OF WOMEN AS EMPLOYEES AND ELECTED MEMBERS OF THE SHIRE OF DANDARAGAN	Jul-09		C-1WLG05 – Women in Local Government
1.17	Governance and Administration	CODE OF CONDUCT	May-13		Recommended to adopt as standalone document

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

Number	Section	Title	Established	Last Reviewed	Comment / New Policy
					with current wording. A new model is currently being development by the Department in line with the LG Act Review.
2.1	Finance and Accounting	INVESTMENT POLICY	Apr-05	Jun-13	C-3I01 – Investments
2.2	Finance and Accounting	SELF SUPPORTING LOANS	Apr-05	May-10	C-3SSL03 – Self-Supporting Loans
2.4	Finance and Accounting	ASSET MANAGEMENT POLICY	Jun-13	May-15	C-3AM04 – Asset Management
	Finance and Accounting	<i>SIGNIFICANT FINANCIAL ACCOUNTING POLICY</i>			C-3SAP02 – Significant Accounting Policy
3.1	Law, Order and Public Safety	BUSH FIRE ACT - ADMINISTRATIVE MATTERS	Apr-05	Jun-15	No changes – (Stage 2 Policy Review)
3.2	Law, Order and Public Safety	FIREBREAK ORDER	Apr-05	Jun-16	No changes except for removal of Bushfire Notice from policy manual which needs to change each year.
3.3	Law, Order and Public Safety	BUSH FIRE ADVISORY COMMITTEE MEETINGS	Apr-05	May-15	No changes – (Stage 2 Policy Review)
3.4	Law, Order and Public Safety	BUSH FIRE CONTROL OFFICER APPOINTMENTS	Apr-05	May-15	No changes – (Stage 2 Policy Review)
4.1	Health, Education and Welfare	FOOD REGULATION COMPLIANCE AND ENFORCEMENT POLICY	Dec-12	May-15	No changes – (Stage 2 Policy Review)
5.1	Housing	STAFF HOUSING	Apr-05	May-15	C-2SH05 – Staff Housing
6.1	Community Amenities, Recreation and Culture	JURIEN BAY INFORMATION BAY	Apr-08		Suggest removal and incorporate into future Signage policy review if required.
6.2	Community Amenities, Recreation and Culture	DISABILITY ACCESS AND INCLUSION	Apr-05		C-1DAI07 – Disability Access and Inclusion
6.3	Community Amenities, Recreation and Culture	WASTE MANAGEMENT AT JURIEN BAY, BADGINGARRA, CERVANTES AND DANDARAGAN	Apr-05	May-15	C-4DWM01 – Domestic Waste Management
6.4	Community Amenities, Recreation and Culture	COMMUNITY CENTRE - MANAGEMENT	Apr-05		C-5PMMCC02 – Provision, Management and Maintenance of Community Centres
6.5	Community Amenities, Recreation and	RESERVES	Apr-05	Sep-15	No changes – (Stage 2 Policy Review)

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

Number	Section	Title	Established	Last Reviewed	Comment / New Policy
	Culture				
6.6	Community Amenities, Recreation and Culture	SPORT AND RECREATION FUNDING	Apr-05	May-15	C-5SRF01 – Sport and Recreation Funding
6.7	Community Amenities, Recreation and Culture	REFURBISHMENT OF COMMUNITY CENTRE KITCHENS	Mar-09		C-5PMMCC02 – Provision, Management and Maintenance of Community Centres
7.1	Engineering	PLANT AND EQUIPMENT	Apr-05	May-10	No changes – (Stage 2 Policy Review
7.2	Engineering	SIGNS	Apr-05	May-10	No changes – (Stage 2 Policy Review
7.3	Engineering	STREETSCAPES - TOWNSITES	Apr-05	May-10	No changes – (Stage 2 Policy Review
7.4	Engineering	TREES - STREETS, ROAD RESERVES AND FORESHORES	Apr-05	May-10	No changes – (Stage 2 Policy Review
7.5	Engineering	RESTRICTED ACCESS VEHICLE ROUTES	Apr-05	Nov-05	No changes – (Stage 2 Policy Review
7.6	Engineering	EXPLORATORY DRILLING ON ROAD RESERVES	Apr-05	May-10	No changes – (Stage 2 Policy Review
7.7	Engineering	DUST MANAGEMENT REQUIREMENTS FOR DEVELOPMENT WORKS WITHIN THE SHIRE OF DANDARAGAN	Apr-08	May-10	No changes – (Stage 2 Policy Review
7.8	Engineering	VERGE BOND POLICY	Apr-05	May-10	No changes – (Stage 2 Policy Review
8.1	Economic Services and Development	RELOCATED DWELLINGS	Apr-05	May-10	No changes these policies independently reviewed by Development Services.
8.2	Economic Services and Development	MINING HORTICULTURAL AND AGRICULTURAL VENTURES – ACCOMMODATION FOR STAFF	Apr-05		Remove – Policy previously rescinded.
8.3	Economic Services and Development	CLEARING OF VEGETATION FROM RESIDENTIAL LOTS	Apr-05		No changes these policies independently reviewed by Development Services.
8.4	Economic Services and	OUTBUILDINGS AND TEMPORARY	Jun-08	Apr-12	No changes these policies independently

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

Number	Section	Title	Established	Last Reviewed	Comment / New Policy
	Development	ACCOMMODATION IN RURAL RESIDENTIAL AND SPECIAL USE- RURAL DEVELOPMENT ZONES			reviewed by Development Services.
8.5	Economic Services and Development	OUTBUILDINGS - 'RESIDENTIAL AREAS'	Jun-08	Sep-11	No changes these policies independently reviewed by Development Services.
8.6	Economic Services and Development	ADVERTISING DEVICES (SIGNAGE) POLICY	Dec-10	Apr-13	No changes these policies independently reviewed by Development Services.
8.7	Economic Services and Development	PLANNING - "CAR PARKING"	Dec-10		No changes these policies independently reviewed by Development Services.
8.8	Economic Services and Development	SHIPPING CONTAINERS	Jan-11		No changes these policies independently reviewed by Development Services.
8.9	Economic Services and Development	HOME BASED BUSINESSES (INCLUDING COTTAGE INDUSTRY)	Jan-11		No changes these policies independently reviewed by Development Services.
8.10	Economic Services and Development	BED AND BREAKFAST ESTABLISHMENT	Jan-11		No changes these policies independently reviewed by Development Services.
8.11	Economic Services and Development	RESIDENTIAL DESIGN CODES - SIDE AND REAR BOUNDARY SETBACKS	Oct-11		No changes these policies independently reviewed by Development Services.
8.12	Economic Services and Development	MOBILE AND ITINERANT VENDORS AND COMMERCIAL ACTIVITIES ON RESERVED LAND (INCLUDING FORESHORE)	Nov-14		No changes these policies independently reviewed by Development Services.
8.13	Economic Services and Development	HOLIDAY HOMES	Oct-18		No changes these policies independently reviewed by Development Services.
8.14	Economic Services and Development	JURIEN BAY FORESHORE COMMERCIAL DEVELOPMENT PLAN	Feb-19		No changes these policies independently reviewed by Development Services.
9.1	Customer Service and Training	CUSTOMER SERVICE TRAINING	Apr-15		Removed, superseded by Workforce Plan and internal HR Policies.
9.2	Customer Service and Training	SAFETY POLICY	Apr-05	Jul-11	C-2OSH03 – Occupational Safety and Health

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

Number	Section	Title	Established	Last Reviewed	Comment / New Policy
9.3	Customer Service and Training	GRATUITY / SEVERANCE PAY			C-2SGP01 – Severance/Gratuity Payment
9.4	Customer Service and Training	MEDICAL EXAMINATION	Apr-05	May-10	Removed – covered by internal HR policy and recruitment procedures.
9.5	Customer Service and Training	EQUAL EMPLOYMENT OPPORTUNITY	Apr-05	May-10	No changes – (Stage 2 Policy Review)
9.6	Customer Service and Training	EDUCATION AND STUDY ASSISTANCE	Apr-05	May-10	C-2SPDCST04 – Staff Professional Development, Conferences & Study Tours
9.7	Customer Service and Training	STAFF BENEFITS	Apr-05	May-13	Removed, superseded by Workforce Plan and internal HR Policies.
9.8	Customer Service and Training	EMPLOYEE CLOTHING ALLOWANCE	Apr-05	May-10	Removed – covered by internal HR policy and recruitment procedures.
9.9	Customer Service and Training	PROTECTIVE CLOTHING	Apr-05	May-10	C-2OSH03 – Occupational Safety and Health
9.10	Customer Service and Training	STAFF APPOINTMENTS AND LEAVE	Apr-05	Jul-17	C-1AACEO012 – Appointment of Acting CEO
9.11	Customer Service and Training	POLICE CLEARANCE FOR STAFF IN RISK AREAS	Apr-05	May-10	Removed – covered by internal HR policy and recruitment procedures.
9.12	Customer Service and Training	STAFF VEHICLE USE	Apr-05	May-10	C-2SUOV06 – Staff Use of Vehicles
9.13	Customer Service and Training	STAFF TRAINING	Apr-05	May-10	C-2SPDCST04 – Staff Professional Development, Conferences & Study Tours

In addition to the table tracking above, there are a number of new policies proposed for adoption. These are:

- 1) C-1PPS02 – Pre-qualified Panels of Suppliers (Separated from previous purchasing policy)
- 2) C-1RPP03 – Regional Price Preference
- 3) C-1PID011 – Public Interest Disclosure (Whistle-blower)
- 4) C-2EAAR02 – Employee Achievement Award and Recognition
- 5) C-6ARMM01 – Acquisition of Road Making Material

These policies are currently in line with existing practices with the exception of the Regional Price Preference.

The Regional Price Preference provides a pricing advantage for local suppliers in relation to all tenders. The regional price

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

preference enables tenders to be evaluated as if the proposed tender bid price were reduced in accordance with permitted price preferences as specified in the policy.

CONSULTATION

- Elected Members
- Executive Management Team

STATUTORY ENVIRONMENT

There are a number of policies which interact with legislation that applies to Local Government within the Policy Manual. Each policy deals with these individually as required.

POLICY IMPLICATIONS

This items provides a review and update of Council's policies.

FINANCIAL IMPLICATIONS

There are no material changes to Council's financial position as a result of the changes proposed within the new policy manual.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5 – Proactive and Leading Local Government</i>	
Objectives	How the Shire will contribute
5.1 High Performing Council	a) Ensure the Councillors and Council decision-making processes are well supported.
5.2 High Performing Administration	c) Compliance in all legislative requirements and functions

ATTACHMENTS

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

- Proposed new policy manual (Doc Id: 131688)
- Shire of Dandaragan Code of Conduct (Doc Id: 132454)
- Shire of Dandaragan Customer Service Charter (Doc Id: 132447)

(Marked 9.4.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Adopt the new Shire of Dandaragan Policy Manual - April 2019
2. Adopt the Shire of Dandaragan Code of Conduct April 2019
3. Adopt the Shire of Dandaragan Customer Service Charter - April 2019

COUNCIL DECISION

Moved Cr McGlew, seconded Cr Shanhun

That Council defer the item to allow further input into policies.

CARRIED 9 / 0

Reason: Council did not adopt the Officer Recommendation as further Council input is required into the development of the new Council policies.

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – MARCH 2019 COUNCIL STATUS REPORT

Document ID: 129426

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 28 March 2019. **(Marked 9.5.1)**

9.5.2 SHIRE OF DANDARAGAN – INFRASTRUCTURE REPORT – FEBURARY / MARCH 2019

Document ID: 132248

Attached to the agenda is a copy of the Shire of Dandaragan's Infrastructure Report for February / March 2019. **(Marked 9.5.2)**

9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – MARCH 2019

Document ID: 132344

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for March 2019. **(Marked 9.5.3)**

9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – MARCH 2019

Document ID: 132331

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for March 2019. **(Marked 9.5.4)**

9.5.5 SHIRE OF DANDARAGAN TOURISM / LIBRARY REPORT FOR MARCH 2019

Document ID: 132069

Attached to the agenda is monthly report for Tourism / Library for March 2019. **(Marked 9.5.5)**

9.5.6 ASTROTOURISM STRATEGIC PLAN FINAL

Document ID: 132306

Attached to the agenda is a copy 2019-2023 Strategic Plan for Astro Tourism WA. **(Marked 9.5.6)**

9.5.7 ASTROTOURISM WA REPORT 2018-2019

Document ID: 132307

Attached to the agenda is the Astro Tourism WA Progress Report January to March 2019 for your information. **(Marked 9.5.7)**

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

9.5.8 JESS HENRIQUES – LETTER OF APPRECIATION

Document ID: 131988

Attached to the agenda is correspondence from Jess Henriques expressing her appreciation and support with regards to her deployment to the Prescribed Fire Training Centre in Tallahassee, Florida. **(Marked 9.5.8)**

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

10.1 GOVERNANCE & ADMINISTRATION

Any new business of an urgent nature requires a resolution of Council in order to be considered.

The following item requires urgent consideration by Council:

To amend the Council meeting schedule for the period 1 July 2019 to 30 June 2020 and to consider start times for Council Meetings as there were some errors in the dates previously adopted by Council Meeting held on 28 March 2019.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Richardson

That the following new business of an urgent nature be considered by Council:

To amend the Council meeting schedule for the period 1 July 2019 to 30 June 2020 and to consider start times for Council Meetings as there were some errors in the dates previously adopted by Council Meeting held on 28 March 2019.

CARRIED 9 / 0

10.1.1 COUNCIL MEETING SCHEDULE 2019 / 2020

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Corporate Management / Meetings / Meetings
Disclosure of Interest:	None
Date:	5 March 2019
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To amend the Council meeting schedule for the period 1 July 2019 to 30 June 2020 and to consider start times for Council Meetings as there were errors in the dates previously adopted by Council Meeting held on 28 March 2019.

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

BACKGROUND

On an annual basis, local governments in Western Australia are required to establish and advertise a schedule of Council meetings. The Shire of Dandaragan's current schedule sets meetings up to 30 June 2019 and as such it is timely to adopt a new schedule.

COMMENT

Currently, Council meets every fourth Thursday of the month, excepting December. Other changes can occur due to public holidays.

In previous years, Council has allocated one Ordinary Meeting of Council to be held in Cervantes, Dandaragan and Badgingarra. The town that holds the Annual General Meeting of Electors also has the Ordinary Meeting of Council held the same day in that location. In this year's situation, the Annual General Meeting of Electors is to be held in Dandaragan. There will be one Ordinary Council Meeting held in Cervantes and Badgingarra. Dandaragan there will be two.

The December meeting is always brought forward one week, because of Christmas.

Since the adoption of the Meeting Schedule at the Council Meeting held on 28 March 2019 it has come to the attention of administration that two dates were listed incorrectly and have since been amended in the table below.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 requires the advertising of a local government's ordinary meetings of Council.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

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

ATTACHMENTS

Nil

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr Shanhun, seconded Cr Scharf****That Council adopt the following meeting schedule for the 2019 / 2020 financial year:**

DAY	DATE	TIME	MEETING VENUE
Thurs	25 July 2019	4.00pm	Jurien Bay
Thurs	22 August 2019	11.00am	Jurien Bay School Visit
Thurs	26 September 2019	4.00pm	Dandaragan
Thurs	24 October 2019	4.00pm	Jurien Bay
Thurs	28 November 2019	4.00pm	Cervantes
Thurs	19 December 2019	4.00pm	Jurien Bay
Thurs	23 January 2020	5.00pm 6.00pm	Dandaragan AGM of Electors
Thurs	27 February 2020	4.00pm	Jurien Bay
Thurs	26 March 2020	4.00pm	Jurien Bay
Thurs	23 April 2020	4.00pm	Badgingarra
Thurs	28 May 2020	4.00pm	Jurien Bay
Thurs	25 June 2020	4.00pm	Jurien Bay

CARRIED 9 / 0**11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC**

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

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

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

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

Local Government Act 1995

5.23. *Meetings generally open to public*

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees;
 - (b) the personal affairs of any person;
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
 - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

Local Government (Administration) Regulations 1996

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

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

11.1 GOVERNANCE & ADMINISTRATION**OFFICER RECOMMENDATION / COUNCIL DECISION****Moved Cr Eyre, seconded Cr Clarke**

That the meeting be closed to members of the public at 4:52pm in accordance with Section 5.23 (2) (a) of the Local Government Act 1995 and Regulation 4A of the Local Government (Administration) Regulations 1996 to allow Council to discuss Item 11.1.1 Private & Confidential – Chief Executive Officer 2018 / 2019 Performance Review.

CARRIED 9 / 0

The Executive Manager Corporate & Community Services, Executive Manager Development Services, Community Development Officer and members of the public left the meeting at 4.52pm

11.1.1 PRIVATE AND CONFIDENTIAL – CHIEF EXECUTIVE OFFICER 2018 / 2019 PERFORMANCE REVIEW

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Human Resources / Brent Bailey
Disclosure of Interest:	Nil
Date:	12 April 2019
Author:	Cr Leslee Holmes, Shire President
Senior Officer:	Not Applicable

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

RECOMMENDATION

That Council:

1. Notes that Mr. Brent Bailey's performance review in his role as Chief Executive Officer for the Shire of Dandaragan for the 2018/19 appraisal period has been undertaken;
2. Endorses Mr. Bailey's overall rating of 'Meets Performance Requirements' (and to a high standard);
3. Schedules the next review of the CEO's performance to be completed by 31 July 2020;
4. Endorses the Key Performance Indicators for the 2019 / 20 appraisal period contained in the Annual Performance Appraisal Report (Doc Id: 132453);
5. Approves variation to the CEO's Total Reward Package from \$219,160 to \$228,606 (base salary \$173,250) effective from 26 March 2019.

COUNCIL DECISION**Moved Cr Eyre, seconded Cr Gibson****That Council:**

1. **Notes that Mr. Brent Bailey's performance review in his role as Chief Executive Officer for the Shire of**

MINUTES OF ORDINARY COUNCIL MEETING HELD WEDNESDAY 24 APRIL 2019

Dandaragan for the 2018/19 appraisal period has been undertaken;

- 2. Endorses Mr. Bailey’s overall rating of ‘Meets Performance Requirements’ (and to a high standard);
- 3. Schedules the next review of the CEO’s performance to be completed by 31 July 2020;
- 4. Approves variation to the CEO’s Total Reward Package from \$219,160 to \$228,606 (base salary \$173,250) effective from 26 March 2019.

CARRIED 9 / 0

Note: The Recommendation was not adopted as Council felt that point 4 required further discussions with the Chief Executive Officer.

COUNCIL DECISION

Moved Cr Scharf, seconded Cr Eyre that the Meeting be reopened to the public at 5.04pm.

CARRIED 9 / 0

Staff and members of the public re-entered the meeting and the President read the motion aloud.

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 5.06pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date