



## NOTICE OF AN ORDINARY COUNCIL MEETING

Dear Council Member,

The next Ordinary Meeting of the Dandaragan Shire Council will be held on **Thursday 23 August 2012** at the **Council Chambers Jurien Bay** commencing at **11.00am**.

**Jurien Bay District High School Year 7 Students will be attending.**

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

*The format for the day is as follows:*

- |                |   |
|----------------|---|
| <b>10.40am</b> | <b>Year 7 Students arrive and have a tour of the office</b>   |
| <b>11.00am</b> | <b>Ordinary Meeting of Council</b>  |
| <b>12.00pm</b> | <b>Lunch with the Year 7 Students</b>   |
| <b>12.30pm</b> | <b>Continue on with Ordinary Meeting of Council</b>   |
| <b>1.30pm</b>  | <b>Tim Shackleton – Southern Inland Health Initiative</b>   |
| <b>2.30pm</b>  | <b>Presentation by Opus International – Asset Management Plans (see attached advice behind this cover page)</b> |
| <b>TBA</b>     | <b>Councillor Discussion Session</b>  |
| <b>TBA</b>     | <b>Corporate Discussion Session</b>   |

.....  
**Tony Nottle**  
**CHIEF EXECUTIVE OFFICER**

15 August 2012



**SHIRE**  
*of*  
**DANDARAGAN**

**AGENDA AND BUSINESS PAPERS**

for the

**ORDINARY COUNCIL MEETING**

to be held

**AT THE COUNCIL CHAMBERS, JURIEN BAY**

on

**THURSDAY 23 AUGUST 2012**

**COMMENCING AT 11.00AM**

*(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)*

# Table of Contents

<b>1</b>	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS .....</b>	<b>1</b>
1.1	DECLARATION OF OPENING.....	1
1.2	DISCLAIMER READING .....	1
<b>2</b>	<b>RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE.....</b>	<b>1</b>
<b>3</b>	<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>	<b>1</b>
<b>4</b>	<b>PUBLIC QUESTION TIME.....</b>	<b>1</b>
<b>5</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE.....</b>	<b>1</b>
<b>6</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>2</b>
6.1	MINUTES OF THE ORDINARY MEETING HELD 26 JULY 2012.....	2
6.2	MINUTES OF THE SPECIAL COUNCIL MEETING HELD 8 AUGUST 2012 .....	2
<b>7</b>	<b>NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION, AND COUNCIL APPOINTED DELEGATES REPORTS.....</b>	<b>2</b>
<b>8</b>	<b>PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS .....</b>	<b>2</b>
<b>9</b>	<b>REPORTS OF COMMITTEES AND OFFICERS .....</b>	<b>2</b>
<b>9.1</b>	<b>FINANCE.....</b>	<b>3</b>
9.1.1	ACCOUNTS FOR PAYMENT – JULY 2012 .....	3
9.1.2	FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 JULY 2012 .....	5
9.1.3	REVIEW OF COMMUNITY GRANT APPLICATIONS 2012 / 2013 .....	8
9.1.4	SHIRE OF DANDARAGAN AND TRONOX COMMUNITY SPORTING AND RECREATION FACILITIES FUND COMMITTEE GRANT DETERMINATIONS FOR THE 2012 / 2013 FINANCIAL YEAR .....	13
<b>9.2</b>	<b>WORKS AND PLANT.....</b>	<b>17</b>
<b>9.3</b>	<b>ADMINISTRATION.....</b>	<b>17</b>
9.3.1	APPLICATION OF COMMON SEAL.....	17
<b>9.4</b>	<b>TOWN PLANNING .....</b>	<b>19</b>
9.4.1	LOCAL TOURISM PLANNING STRATEGY (JANUARY 2011).....	19
9.4.2	APPLICATION FOR PLANNING APPROVAL – AGRIFRESH – PACKING FACILITY.....	22
9.4.3	APPLICATION FOR PLANNING APPROVAL – WEST HILLS WIND FARM – AMENDMENT TO CONDITIONS.....	25

9.4.4	APPLICATION FOR PLANNING APPROVAL – CALTEX SERVICE STATION – JURIEB BAY .....	29
<b>9.5</b>	<b>HEALTH .....</b>	<b>34</b>
<b>9.6</b>	<b>BUILDING.....</b>	<b>34</b>
9.6.1	MR & MRS G AND V BOUCHER, LOT 784 ADRIANA PARADE, BEACHRIDGE ESTATE, JURIEB BAY – PROPOSED R-CODE VARIATION FOR NIL SIDE AND REAR BOUNDARY SETBACKS .....	34
9.6.2	MR B BERKSHIRE, LOT 314 (13) SHEOAK GROVE, JURIEB BAY – PROPOSED R-CODE VARIATION FOR NIL SIDE AND REAR SETBACKS.....	37
<b>9.7</b>	<b>COUNCILLOR INFORMATION BULLETIN.....</b>	<b>41</b>
9.7.1	AUSTRALIA DAY COUNCIL OF SOUTH AUSTRALIA – INAUGURAL “AWARD FOR MUSLIM & NON – MUSLIM UNDERSTANDING” .....	41
9.7.2	LOCAL GOVERNMENT NEWS – ISSUE NO.28.12 – 16 JULY 2012.....	41
9.7.3	SALARIES AND ALLOWANCES TRIBUNAL – REPORT ON REMUNERATION OF LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS.....	41
9.7.4	JURIEB BAY CHAMBER OF COMMERCE – SUPER TOWN FUNDING.....	42
9.7.5	DEPARTMENT OF LOCAL GOVERNMENT – GAZETAL OF LOCAL GOVERNMENT (ADMINISTRATION) AMENDMENT REGULATIONS 2012.....	42
9.7.6	AUSTRALIA LOGISTICS COUNCIL – INTRODUCTION TO AUSTRALIAN LOGISTICS COUNCIL .....	42
9.7.7	WALGA – PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER – 20 JULY 2012 – EDITION 72 .....	42
9.7.8	WALGA INFOPAGE – BETTER URBAN WATER MANAGEMENT GUIDANCE NOTE SERIES .....	43
9.7.9	WALGA INFOPAGE – EMERGENCY MANAGEMENT ACT REVIEW GREEN PAPER.....	43
9.7.10	WALGA INFOPAGE – NATIONAL FOOD PLAN GREEN PAPER.....	43
9.7.11	WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO. 29.12 – 23 JULY 2012.....	43
9.7.12	DISABILITY SERVICES COMMISSION – DISABILITY ACCESS AND INCLUSION PLAN PROGRESS .....	44
9.7.13	TROY BUSWELL – MINISTERIAL MEDIA STATEMENT – BIG BOOST FOR SAFER WHEATBELT ROADS .....	44
9.7.14	LANCELIN MANAGEMENT ADVISORY COMMITTEE MINUTES, LANCELIN DEFENCE TRAINING AREA RANGE BOOKINGS AND LANCELIN DEFENCE TRAINING AREA MANAGEMENT COMMITTEE TERMS OF REFERENCE.....	44
9.7.15	RAC RESPONSE TO THE WESTERN AUSTRALIAN BICYCLE NETWORK PLAN.....	44

9.7.16	AUSTRALIA'S CORAL COAST – MEMBERSHIP 2012 / 2013.....	45
9.7.17	EXECUTIVE DIRECTOR – DEPARTMENT OF HOUSING – AFFORDABLE HOUSING OPPORTUNITIES WITHIN THE SHIRE OF DANDARAGAN .....	45
9.7.18	DEPARTMENT OF PLANNING – REVIEW OF PLANNING BULLETIN 83: PLANNING FOR TOURISM.....	45
9.7.19	WESTERN ROCK LOBSTER COUNCIL INC. – ONELIFE STATE SUICIDE PREVENTION STRATEGY .....	45
9.7.20	SHIRE OF GINGIN – INDIAN OCEAN DRIVE – LACK OF TOILET FACILITIES.....	46
9.7.21	LETTER OF THANKS AND APPRECIATION FOR COUNCILLOR FUNCTION – KAYE WILKINS.....	46
9.7.22	MUNICIPAL WASTE ADVISORY COUNCIL INFORMATION BULLETIN – ISSUE 163 – JULY 2012 .....	46
9.7.23	WALGA INFOPAGE – RETAIL TRADING HOURS .....	47
9.7.24	WHEATBELT NORTHAM – WHEATBELT TOWNS SAVING WATER FOR COMMUNITY IMPROVEMENTS .....	47
9.7.25	LOCAL GOVERNMENT NEWS – ISSUE NO 30.12 – 30 JULY 2012.....	47
9.7.26	DOWERIN MACHINERY FIELD DAYS – 29 & 30 AUGUST 2012.....	47
9.7.27	ALIGNING REGIONAL & STATE PLANNING ACROSS WA – 20 & 21 NOVEMBER 2012 .....	48
9.7.28	MAIN ROADS WESTERN AUSTRALIA – INDIAN OCEAN DRIVE – LACK OF TOILET FACILITIES.....	48
9.7.29	LOCAL GOVERNMENT NEWS – ISSUE NO 31.12 – 6 AUGUST 2012.....	48
9.7.30	WEST KOOJAN-GILLINGARRA – MINUTES OF OGM HELD 5 JUNE 2012.....	48
9.7.31	JURIEN BAY HERBARIUM GROUP – INVASIVE WEED GROWING IN SAND DUNES .....	49
9.7.32	C Y O'CONNOR EDUCATION WORKING PARTY MINUTES & ACTION AND DECISION SHEET – JURIEN BAY – 27 JULY 2012 .....	49

**10 NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING .....50**

**11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC.....50**

**12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....50**

**13 CLOSURE OF MEETING .....50**

## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

### 1.1 DECLARATION OF OPENING

### 1.2 DISCLAIMER READING

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

*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

<b>Members</b>	Councillor S Love	(President)
	Councillor L Short	(Deputy President)
	Councillor M Russell	
	Councillor L Holmes	
	Councillor W Gibson	
	Councillor T Bailey	
	Councillor K McGlew	
	Councillor M Sheppard	

<b>Staff</b>	Mr T Nottle	(Chief Executive Officer)
	Mr I Rennie	(Deputy Chief Executive Officer)
	Mr R Pepper	(Manager Technical Services and Works)
	Mr W George	(Manager Building Services)
	Mr S Clayton	(Manager Corporate Services)
	Mr D Gillam	(Acting Manager Environmental Health)
	Mr B Bower	(Integrated Planning & Strategic Projects Officer)

### Apologies

**Approved Leave of Absence** Councillor D Kent

## 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

## 4 PUBLIC QUESTION TIME

## 5 APPLICATIONS FOR LEAVE OF ABSENCE

**6 CONFIRMATION OF MINUTES**

**6.1 MINUTES OF THE ORDINARY MEETING HELD 26 JULY 2012**

**6.2 MINUTES OF THE SPECIAL COUNCIL MEETING HELD 8 AUGUST 2012**

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

**8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

**9 REPORTS OF COMMITTEES AND OFFICERS**

## 9.1 FINANCE

### 9.1.1 ACCOUNTS FOR PAYMENT – JULY 2012

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	13 August 2012
Author:	Scott Clayton, Manager Corporate Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To accept the cheque and direct debit listing for the month of July 2012

#### 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 July 2012 totalled \$1,965,127.11 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 July 2012 (Doc Id: 7645)  
**(Marked 9.1.1)**

#### VOTING REQUIREMENT

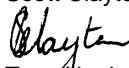

Simple majority



**OFFICER RECOMMENDATION**

**That the municipal fund cheque and EFT listing for the period ending 30 June 2012 totalling \$1,965,127.11 be accepted.**

## 9.1.2 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 JULY 2012

Location:	Shire of Dandaragan
Applicant:	N/A
Folder:	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	13 August 2012
Author:	Scott Clayton, Manager Corporate Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

### PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 July 2012.

### BACKGROUND

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 31 July 2012.

### COMMENT

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

#### 1. Net Current Assets

Council's Net Current Assets [ie surplus / (deficit)] position as at the 31 July 2012 was \$2,617,783. 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:

##### *General Purpose Funding*

Income is at 286.0% of Y-T-D budget and is due to interest

earned on SuperTowns funds. The SuperTowns funds are held in a separate reserve and were excluded from the budget as at the time of adoption there was insufficient information available on how the funds would be expended and over what time frame. This has now been rectified as a result of a budget amendment made by Council at the Special Meeting of Council held 8 August. This item recognised additional interest income of \$330,000. This variance will continue to appear until the budget review is adopted.

It is important to note that as part of the SuperTowns funding agreement any interest earned must be retained for the purpose of SuperTown and therefore, the interest does not represent addition untied cash.

#### *Health*

Expenditure is at 64.2% of Y-T-D budget and is due to doctor servicing invoices not yet received.

#### *Community Amenities*

Expenditure is at 78.8% of Y-T-D budget and is due to Avon Waste invoices not yet received.

#### *Recreation and Culture*

Expenditure is at 68.0% of Y-T-D budget. This is due to salaries and materials and contracts being less than budgeted. Advice from the Manager of Technical Services and Works is that this variance is as a result of parks and gardens staff being redirected to road works including patching, verge maintenance, carpark construction and footpath maintenance.

This redirection is expected and is being monitored by the Manager of Technical Services and Works.

#### *Transport*

Expenditure is at 116.50% of Y-T-D budget. This is due to redirection of Parks and Gardens staff as identified above.

This redirection is expected and is being monitored by the Manager of Technical Services and Works.

#### *Economic Services*

Expenditure is at 71.8% of Y-T-D budget. This is due to less than budgeted expenditure related to tourism as well as leave being taken by the Building Maintenance staff.

#### *Other Property and Services*

Expenditure is at 75.4% of Y-T-D budget and is due to less than budgeted expenditure of vehicle operating and maintenance costs.

Should Councillors wish to raise any issues relating to the 31 July 2012 financial statements, please do not hesitate to contact the Manager Corporate 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 July 2012 (Doc Id: 7667)

***(Marked 9.1.2)***

#### VOTING REQUIREMENT



Simple majority

#### **OFFICER RECOMMENDATION**

**That the monthly financial statements for the period ending 31 July 2012 be adopted.**

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 AUGUST 2012**

**9.1.3 REVIEW OF COMMUNITY GRANT APPLICATIONS 2012 / 2013**

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Grants and Subsidise / Applications / Community Grants
Disclosure of Interest:	Nil
Date:	12 August 2012
Author:	Bob Bower, Coordinator of Integrated Planning
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

The purpose of this report is to consider the allocation of funds for the Shire of Dandaragan Community Grant allocations for the 2012 / 2013 Financial Year and consider proposed additions to the grant guidelines for 2013 / 2014.

**BACKGROUND**

In accordance with the Community Grants Program policy 1.7, advertisements were placed in the four local papers in late April 2012, inviting written applications for community grants that would close by 5.00pm 29 June 2012. The objective of the Community Grants is to provide funds to community based organisations and individuals, to support the promotion and development of social, economic, recreational, art and cultural benefits for the residents of the Shire of Dandaragan.

**COMMENT**

This year eighteen applications were submitted by community organisations. The sum of all requests was \$25,305. All applications have been listed in the table below.

<b>Organisation</b>	<b>Project Description</b>	<b>Grant Requested (\$)</b>
Cervantes Cultural Committee	Art workshops for children	\$ 1,500
Inspirational Community Arts Network	Art workshops with historical focus on crayfish industry	\$ 1,500
Jurien Bay Community Festival Association	Host 2012 Easter Festival in Jurien Bay	\$ 1,500
Dandaragan Long Table Lunch (Cervantes Committee)	Administrative costs associated with hosting the Long Table fund raiser event.	\$ 1,500
Cervantes Scripture Union	Host summer holiday activities for young people in Cervantes	\$ 780
West Midlands Group	Host forum Women, Wellbeing & Wine	\$ 1,500

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 AUGUST 2012**

Organisation	Project Description	Grant Requested (\$)
Cervantes Easter Gala	Host Easter Gala in Cervantes	\$ 1,500
Jurien Bay Beach Mission	Summer Beach Mission for young people in Jurien Bay	\$ 1,325
Jurien Bay Youth Group	Host three youth focused events over the next 12 months	\$ 1,500
Lions Club of Jurien Bay	Youth focused entertainment in conjunction with Sunday Markets	\$ 1,500
Jurien Bay Youthcare District Council	Host a Family Fun Day and a Movie Night.	\$ 1,200
St Anne's Church Dandaragan	Celebrate 50 <sup>th</sup> anniversary of church serves at St Anne's Church	\$ 1,500
Jurien Bay Men's Shed (Jurien Bay Progress)	Opening celebrations and guest speakers	\$ 1,000
Jurien Bay Playgroup	Music incursion for young kids aged 0-4	\$ 1,500
Redgum Reports	Computer and Software	\$ 1,500
Coastal Kids Care	Soft-fall for playground	\$ 1,500
Wolba Wolba Heritage Site Management Committee	Business management plan	\$ 1,500
Cervantes Historical Society	Book launch celebrations and art work for book cover	\$ 1,500
	<b>TOTAL FUNDS REQUESTED</b>	<b>\$ 25,305</b>

This will be the 4<sup>th</sup> year of the community grant and approximately 30% of the applications are requesting a grant for the 3rd and now 4th year in a row.

The assistance provided by the Shire is to support the community event and is not intended to be the sole source of funding. After a number of years, staff believe a combination of entry fees or the likes of a gold coin donation and savings from prior year activities can be sufficient to host an event, independent of Shire funds. New applications and those that have not received back to back funding each year should be given a higher priority than organisations that have already received multiple rounds of funding.

A number of applications are requesting assistance to acquire assets of a durable nature. These applications have been deemed ineligible as they fall outside the purpose of the grant.

Applicants that did not include contributions from the community group itself to carry out the event were also considered to be not

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 AUGUST 2012**

entitled to funding. The grant is provided to assist with hosting a community event and the Shire is not intended to be the sole source of funding for the project.

Several applications are considered to be worthwhile projects that do not necessarily fit within the policy guidelines. For example, there is latitude to fund youth specific programs directly from budget allocations under the Youth Program for this period.

As the grant program has been operating for several years, staff are proposing various minor changes to the guidelines to guide community groups who apply in future on what are acceptable projects. This will help to refine what are genuine community driven proposals and reduce false expectations from arising. These proposed changes for 2013 / 2014 should also assist staff and Councillors with the evaluation process.

**CONSULTATION**

- Chief Executive Officer
- Manager Corporate Services
- Admin Officer – Payroll / Records

**STATUTORY ENVIRONMENT**

Local Government (Functions and General Regulations) 1996

**POLICY IMPLICATIONS**

In accordance with Shire of Dandaragan's Policy 1.7 – Community Grants Program.

**FINANCIAL IMPLICATIONS**

Council has made provision in the budget for up to \$15,809 expenditure under the Community Grants Program.

**STRATEGIC IMPLICATIONS**

Shire Strategic Community Plan (July 2012)

GOAL 3: Focus on Community

OBJECTIVE 4: Develop connected communities through communication, engagement and targeted support.

CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G3-04-A2	Set community grant program at % of rates and review every 4 years when developing new Corporate Business Plan	Corporate Business Plan	Ongoing	District	Community groups

**ATTACHMENTS**

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

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 AUGUST 2012**

- Extract of Shire Policy 1.7 Community Grants Program. (Doc Id: 7672)  
**(Marked 9.1.3)**

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**That Council approve;**

1. **the following Community grant applications, for the 2012 / 2013 financial year;**



Organisation	Project Description	Grant (\$)
<b>Cervantes Cultural Committee</b>	<b>Art workshops for children</b>	<b>\$ 1,500</b>
<b>Inspirational Community Arts Network</b>	<b>Art workshops with historical focus on crayfish industry</b>	<b>\$ 1,500</b>
<b>Jurien Bay Community Festival Association</b>	<b>Host 2012 Easter Festival in Jurien Bay</b>	<b>\$ 1,500</b>
<b>Cervantes Scripture Union</b>	<b>Host summer holiday activities for young people in Cervantes</b>	<b>\$ 780</b>
<b>West Midlands Group</b>	<b>Host forum Women, Wellbeing &amp; Wine</b>	<b>\$ 1,500</b>
<b>Cervantes Easter Gala</b>	<b>Host Easter Gala in Cervantes</b>	<b>\$ 1,500</b>
<b>Jurien Bay Beach Mission</b>	<b>Summer Beach Mission for young people in Jurien Bay</b>	<b>\$ 1,325</b>
<b>Jurien Bay Youthcare District Council</b>	<b>Host a Family Fun Day and a Movie Night for the community.</b>	<b>\$ 1,200</b>
<b>St Anne's Church Dandaragan (Advance Dandaragan)</b>	<b>Celebrate 50<sup>th</sup> anniversary of church serves at St Anne's Church</b>	<b>\$ 1,500</b>
<b>Jurien Bay Men's Shed (Jurien Bay Progress)</b>	<b>Opening celebrations and guest speakers</b>	<b>\$ 1,000</b>
	<b>TOTAL GRANTS AWARDED</b>	<b>\$ 13,305</b>

2. **the Jurien Bay Youth Group be awarded funding of \$1,500 from the Youth Services budget allocation;**
3. **the Wolba Wolba Heritage Site Management Committee be awarded funding of \$1,500 from the building maintenance and heritage budget allocation;**
4. **the Guidelines for the Community Grants Program including the following additions:**
  - a. **no funding is available for events delivered by structured sporting clubs and community organisations, that are consistent within the primary purpose of that club/organization;**



- b. no funding is available for the openings or celebration of new community groups or premises;
  - c. no funding is available for applicants seeking to host an event for the specific purpose of raising funds for redistribution to other none profit community groups/clubs or charitable causes;
  - d. no funding is available for applicants to carry out forward planning strategies of sporting clubs and community organisations; and
  - e. priority will be given to eligible applicants who have not received funding in previous years;
5. A working party of four Councillors to be established to assist with the evaluation process for the next 2013 / 2014 Community Grants.

#### 9.1.4 SHIRE OF DANDARAGAN AND TRONOX COMMUNITY SPORTING AND RECREATION FACILITIES FUND COMMITTEE GRANT DETERMINATIONS FOR THE 2012 / 2013 FINANCIAL YEAR

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Grants and Subsidise / Applications / Tronox Community Grants
Disclosure of Interest:	Nil
Date:	9 August 2012
Author:	Bob Bower, Coordinator of Integrated Planning
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

The purpose of this report is to consider the allocation of funds for the Tronox (formerly Tiwest Joint Venture) – Shire of Dandaragan, Community Sporting and Recreation Facilities Fund grant determinations for 2012 / 2013 Financial Year.

#### BACKGROUND

Council has allocated an amount of \$15,000 on the 2012 / 2013 Budget for the Community Sporting and Recreation Facilities Fund and Tronox has once again contributed to match the funding, for total funds available of \$30,000. The Council may allocate a sum of money each year for the purpose of the fund is to: 'Assist local organisations to provide or improve sporting and recreational facilities and to purchase or improve items of durable equipment.'

The funds are allocated by a Committee, made up of two (2) representatives from each community within the Shire of Dandaragan.

#### COMMENT

This year nineteen applications were submitted by sporting clubs and community organisations. The total grant available is \$30,000 and the sum of all requests was \$36,064.20. The Committee indicated the process of reviewing and selecting grants would require all to be flexible and understanding, as the pool was again oversubscribed with worthy projects.

There were no unspent grants to be carried over from allocations of last year – 2011 / 2012. In past years, when clubs were unable to complete projects, the unspent funding would be brought forward and reallocated.

The exclusion of GST has been considered in the total grant process. Two clubs are registered for GST and the grant requested has been factored back accordingly.

The Committee agreed to fund the following list of 18 projects:

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 AUGUST 2012**

<b>Organisation</b>	<b>Project Description</b>	<b>Project Cost (\$)</b>	<b>Grant (\$)</b>
Cervantes Bowling Club Inc	Sail shade	\$ 2,950.00	\$ 1,400.00
Cervantes CWA	Two metal sculptures	\$ 1,000.00	\$ 500.00
Cervantes Craft Circle	Two folding tables	\$ 450.00	\$ 225.00
Cervantes Cultural Committee	Two marquee's / shelters and seven PVC pipes to display the street banners	\$ 4,961.20	\$ 2,480.60
Cervantes Golf Club	upgrade Toro mower (comprising updated cutting reels and bed knife)	\$ 2,267.40	\$ 1,133.70
Cervantes Primary School P&C (1st pref)	Revitalisation of sporting facilities including improving existing soccer goals with new netting, basketball with new backboards and rings and netball with new netball rings	\$ 1,339.30	\$ 669.65
Cervantes Primary School P&C (2nd pref)	Revitalisation of the two cricket pitches in the cricket training nets	\$ 1,666.50	\$ 662.75
Dandaragan Bears Cricket Club	Synthetic cricket	\$ 2,139.50	\$ 1,069.75
Dandaragan Golf Club	Upgrade of 34 synthetic turf golf tee boxes	\$ 28,638.50	\$ 8,445.80
Redgum Reports	Kyocera printer, & Stella electric stapler	\$ 3,000.00	\$ 1,059.50
St Anne's Church Dandaragan	Upgrade of toilet facilities	\$ 2,695.00	\$ 1,345.00
Coastal Kids Care Incorporated	Playground equipment in the outdoor play areas	\$ 4,545.45	\$ 2,000.00
Jurien Community Centre (1st pref)	Electronic scoreboard	\$ 4,202.00	\$ 2,101.00
Jurien Community Centre (2nd pref)	Drinking fountain	\$ 2,744.50	\$ 1,372.25
Jurien Bay Country Golf Club	Boundary fence	\$ 3,080.00	\$ 1,000.00
Jurien Bay Football Club	Training equipment, new football goal posts pads and new oval marker	\$ 5,046.40	\$ 1,960.00
Jurien Bay Playgroup	Purchase of child size chairs and toys	\$ 1,000.00	\$ 500.00
Jurien Bay Youth Group	Chairs, four plastic folding trestle tables, window treatments and brochure rack	\$ 4,151.70	\$ 2,075.00
	<b>TOTAL</b>	<b>\$ 79,577.45</b>	<b>\$ 30,000</b>

**CONSULTATION**

- Advance Dandaragan
- Badgingarra Community Association

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 AUGUST 2012**

- Cervantes Ratepayers & Progress Association
- Jurien Bay Progress Association

**STATUTORY ENVIRONMENT**

Local Government (Functions and General Regulations) 1996.

**POLICY IMPLICATIONS**

Council Policy 1.15 applies in relation to purchasing.

**FINANCIAL IMPLICATIONS**

Council has made provision in the budget for \$30,000 expenditure and matching income from Tronox of \$15,000 and general purpose revenue of \$15,000.

**STRATEGIC IMPLICATIONS**

There are no strategic implications relevant to this item.

**ATTACHMENTS**

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

- Minutes of the Committee meeting on 9 August 2012 (Doc Id: 7694)  
**(Marked 9.1.4)**

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**That the following grant applications for the Community Sporting and Recreation Facilities Fund, as recommended at the committee meeting on 9 August 2012, be approved by Council for the 2012 / 2013 financial year;**

Organisation	Project Description	Project Cost (\$)	Grant (\$)
Cervantes Bowling Club Inc	Sail shade	\$ 2,950.00	\$ 1,400.00
Cervantes CWA	Two metal sculptures	\$ 1,000.00	\$ 500.00
Cervantes Craft Circle	Two folding tables	\$ 450.00	\$ 225.00
Cervantes Cultural Committee	Two marquee's / shelters and seven PVC pipes to display the street banners	\$ 4,961.20	\$ 2,480.60
Cervantes Golf Club	upgrade Toro mower (comprising updated cutting reels and bed knife)	\$ 2,267.40	\$ 1,133.70
Cervantes Primary School P&C (1st pref)	Revitalisation of sporting facilities including improving existing soccer goals with new netting, basketball with new	\$ 1,339.30	\$ 669.65


**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 AUGUST 2012**

<b>Organisation</b>	<b>Project Description</b>	<b>Project Cost (\$)</b>	<b>Grant (\$)</b>
	backboards and rings and netball with new netball rings		
<b>Cervantes Primary School P&amp;C (2nd pref)</b>	<b>Revitalisation of the two cricket pitches in the cricket training nets</b>	<b>\$ 1,666.50</b>	<b>\$ 662.75</b>
<b>Dandaragan Bears Cricket Club</b>	<b>Synthetic cricket</b>	<b>\$ 2,139.50</b>	<b>\$ 1,069.75</b>
<b>Dandaragan Golf Club</b>	<b>Upgrade of 34 synthetic turf golf tee boxes</b>	<b>\$ 28,638.50</b>	<b>\$ 8,445.80</b>
<b>Redgum Reports</b>	<b>Kyocera printer, &amp; Stella electric stapler</b>	<b>\$ 3,000.00</b>	<b>\$ 1,059.50</b>
<b>St Anne's Church Dandaragan</b>	<b>Upgrade of toilet facilities</b>	<b>\$ 2,695.00</b>	<b>\$ 1,345.00</b>
<b>Coastal Kids Care Incorporated</b>	<b>Playground equipment in the outdoor play areas</b>	<b>\$ 4,545.45</b>	<b>\$ 2,000.00</b>
<b>Jurien Community Centre (1st pref)</b>	<b>Electronic scoreboard</b>	<b>\$ 4,202.00</b>	<b>\$ 2,101.00</b>
<b>Jurien Community Centre (2nd pref)</b>	<b>Drinking fountain</b>	<b>\$ 2,744.50</b>	<b>\$ 1,372.25</b>
<b>Jurien Bay Country Golf Club</b>	<b>Boundary fence</b>	<b>\$ 3,080.00</b>	<b>\$ 1,000.00</b>
<b>Jurien Bay Football Club</b>	<b>Training equipment, new football goal posts pads and new oval marker</b>	<b>\$ 5,046.40</b>	<b>\$ 1,960.00</b>
<b>Jurien Bay Playgroup</b>	<b>Purchase of child size chairs and toys</b>	<b>\$ 1,000.00</b>	<b>\$ 500.00</b>
<b>Jurien Bay Youth Group</b>	<b>Chairs, four plastic folding trestle tables, window treatments and brochure rack</b>	<b>\$ 4,151.70</b>	<b>\$ 2,075.00</b>
	<b>TOTAL</b>	<b>\$ 79,577.45</b>	<b>\$ 30,000</b>

## 9.2 WORKS AND PLANT

## 9.3 ADMINISTRATION

### 9.3.1 APPLICATION OF COMMON SEAL

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Governance / Authorisations / Common Seal
Disclosure of Interest:	None
Date:	9 August 2012
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To seek Council's endorsement for the application of the Shire of Dandaragan's common seal to the following documents:

- Shire of Dandaragan - Groundwater Operating Strategy (Jurien Bay, Cervantes and Badgingarra);
- Local Planning Scheme No 7, Amendment No 19;
- Licence to Occupy Crown Land - Section 91 of the Land Administration Act 1997 - Lic 00110\_2009\_A2204190 (Extension to Cervantes Recreation Deserve);
- Jurien Bay City Centre Strategy Plan (Local Planning Strategy);
- Mortgage of Lease: Cervantes Pinnacles Caravan Park (letter for McLeods); and
- Agreement for Provision of Waste Collection Services between the Shire of Dandaragan and Trumara Pty Ltd.

#### BACKGROUND

The Shire of Dandaragan's common seal is applied in circumstances where the Shire enters into a legal agreement, lease or undertakes the disposal or acquisition of land.

Application of the Seal is accompanied by the signatures of the President and Chief Executive Officer.

A register is maintained to record all occasions on which the Seal is applied.

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

#### COMMENT

Not applicable

#### CONSULTATION

Not applicable

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

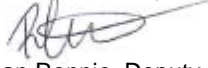

**OFFICER RECOMMENDATION**

**That Council endorse the affixing of the Shire of Dandaragan's common seal to the following documents:**

- **Shire of Dandaragan - Groundwater Operating Strategy (Jurien Bay, Cervantes and Badgingarra);**
- **Local Planning Scheme No 7, Amendment No 19;**
- **Licence to Occupy Crown Land - Section 91 of the Land Administration Act 1997 - Lic 00110\_2009\_A2204190 (Extension to Cervantes Recreation Deserve);**
- **Jurien Bay City Centre Strategy Plan (Local Planning Strategy);**
- **Mortgage of Lease: Cervantes Pinnacles Caravan Park (letter for McLeods); and**
- **Agreement for Provision of Waste Collection Services between the Shire of Dandaragan and Trumara Pty Ltd.**

## 9.4 TOWN PLANNING

### 9.4.1 LOCAL TOURISM PLANNING STRATEGY (JANUARY 2011)

Location:	Whole of Shire
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Land Use and Planning / Planning / Strategic Plans
Disclosure of Interest:	None
Date:	31 July 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

For Council to endorse the Shire of Dandaragan Local Tourism Planning Strategy 2010 (the Strategy), last modified in January 2011.

#### BACKGROUND

For some time the Council of the Shire of Dandaragan (the Shire) has been working towards finalising the Strategy. On the 27<sup>th</sup> of January 2011, Council resolved to adopt the Draft Strategy and proceed to advertise the document in the local media seeking comment.

Following this, a number of issues were raised concerning the future growth of tourism as the Strategy is perceived to be too restrictive. Of major concern is the Strategy's position on Holiday Homes, interpreting the strategy to prevent the use, as well as preventing the development of holiday establishments within the Shire. This has brought to light that there is a weakness in the allocation of varied accommodation styles and standards.

There needs to be clear and precise objectives in the 'Key Tourism Planning Issues' communicated in the Strategy to prevent detracting potential investors and tourists as well as future development growth and opportunities.

#### COMMENT

In the interest of progressing the Strategy in a timely manner, Shire officers have worked with Landvision and Tourism Western Australia to work towards resolution of the issues.

In preparing the Strategy, it has the intention to address the current short comings of the local planning scheme by offering guidance to amend the scheme in order to:

- Preserve a number of significant tourist sites in the Shire;
- Introduce a Caravan Park Zone for greater clarity & protection of specific sites;
- Amend zoning of a number of other sites to reflect their present or potential land use;
- Include broader range of land use definitions for ease of



interpretation;

- Insert additional use classes & amend permissibility provisions in support of a broader range of tourist opportunities;
- Afford guidance on building heights in the interest of preserving amenity & protecting local character; and
- Offer guidance for building on specific sites of notable tourist significance.

Many of the submissions included comments and suggestions believing the Shire is proposing to ban Holiday Homes. This is not the case. Other issues raised involved the need to update information and include modifications to the report. Further submissions were received objecting to the zoning pursuits in the Strategy, reserving land for holiday accommodation with no permanent residential component, as well as objections to the boundaries of these proposed zones, were also raised.

Subsequent to closing of the advertising period for the Strategy, five (5) objectives have been identified to better facilitate tourism growth with a proposed path forward to improve the identification and allocation of land uses outlined in the Strategy. These five objectives are as follows:

- 1) Encourage and provide various tourism growth opportunities.
- 2) Identify new caravan park site(s) in Jurien Bay.
- 3) Discuss how improvements could be made without compromising quality tourism outcomes.
- 4) Delete reference to 'restricting the location of holiday homes around Jurien Bay and Cervantes'; and
- 5) Draft local planning policy on holiday homes.

Tourism is vital to the sustainability and growth of Jurien Bay and the Shire of Dandaragan (the Shire), with its new status as a SuperTown and only 2 hours travel from Perth. It is imperative the Shire have a tourism framework in place to assist in the future growth and development guidelines associated with the Local Planning Scheme No.7 (the Scheme).

It is important, subsequent to the adoption of the Strategy, further work take place to address issues raised, mentioned above, without causing undue delay to finalisation of the Strategy.

### CONSULTATION

Council resolved to adopt the Strategy at the Ordinary Council Meeting on 27<sup>th</sup> January 2011, and proceeded to advertise the document in the local media seeking public comment. The public comment period was for not less than 42 days, where it received a total of 31 submissions. Many included comments and suggestions which have been recognised in Council's responses in the Schedule of Submissions.

### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

### POLICY IMPLICATIONS

A number of Local Planning Policies have been recommended to be prepared to assist in guiding the establishment of commercial holiday homes and a range of rural tourist uses.

### FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

### STRATEGIC IMPLICATIONS

The Shire currently does not have a tourism strategy in place and with tourism an emerging industry, it is important the local tourism sector evolves in line with a clear strategic vision and direction set by Council and accepted by the local tourist industry.

It is imperative that a strategy be adopted in the short term and subsequently progressed and developed on, post adoption, as required. The Strategy is a council document and therefore can be modified as required without approvals from other organisations.

### ATTACHMENTS

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

- Local Tourism Planning Strategy – *Previously distributed to Council in January 2011* (Doc Id: 7487)
- Report to Council Forum 12 July 2012 (Doc Id: 6506)
- Schedule of Submissions (Doc Id: 7505)

**(Marked 9.4.1)**

### VOTING REQUIREMENT

Simple majority

### **OFFICER RECOMMENDATION**



**That Council adopt the Shire of Dandaragan Local Tourism Planning Strategy 2010 (modified January 2011) as advertised.**

#### **Advice:**

**That Council undertake the following initiatives:**

- **Consider other ways to encourage and provide for tourism growth.**
- **Identify new caravan park site(s) in Jurien Bay.**
- **Consult stakeholders, including owners of identified tourist sites, to discuss recommendations for tourist sites and whether policy settings could be improved without compromising the intent of achieving quality tourism outcomes.**
- **Delete reference to restricting the location of holiday homes around Jurien Bay and Cervantes.**
- **Commence preparation of a draft local planning policy on holiday homes.**

## 9.4.2 APPLICATION FOR PLANNING APPROVAL – AGRIFRESH – PACKING FACILITY

Location:	Lot 3680 Coomberdale West Road, Badgingarra
Applicant:	Daniel Ying on behalf of Agrifresh
Folder Path:	Development Services Apps / Development Application / 2012 / 41
Disclosure of Interest:	None
Date:	9 August 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

### PROPOSAL

The proponent seeks to develop a packing facility on Lot 3680 Coomberdale West Road, Badgingarra, covering an area of 2368.08m<sup>2</sup>.

### BACKGROUND

Agrifresh have been in the citrus industry for 8 years with their first plantation in March 2007 and staged planting through 2007 to 2011 seeing the area of planting grow to approximately 195ha.

The proponent believes they are at their next stage of development, being a packing facility. The facility will be located on the same site as the citrus plantings. Operating hours Monday to Saturday from 7am to 5pm, and if required, Sunday from 7am to 5pm also.

The packing facility will incorporate the packing line pump shed, storage and associated packing equipment; carton erectors and cool rooms. The main operation office will be included as part of the facility, along with lunch rooms, meeting rooms and toilet facilities.

Access to the site will not be changed with access via Agaton Road. Car parking will be located onsite with no formal bays being allocated as the site is not for retail use.

Some councillors and staff had visited the site on 11 May 2012.

### COMMENT

The subject land is in the Rural Zone and is Agriculture – Intensive use. The use, defined in the Local Planning Scheme No.7 (the Scheme), means the premises is used for trade or commercial purposes, including outbuildings and earthworks, associated with the production of fruit and the establishment and operation of fruit nurseries. The packing facility is a use to be approved with discretion, under the Part 4 of the Scheme in the Zoning Table.

The incorporation of the packing facility will result in a permanent increase in the number of employees, with temporary workforce during the construction phase, both impacting on the nature of

local traffic, especially at the intersection of Coomberdale West Road and Agaton Road. It would be as a safety measure that signage be erected 150m to 500m prior to the intersection of Agaton Road, along Coomberdale West Road, to warn traffic of the potentially slowing traffic on the rural road, as well as at the entry/exit point on Agaton Road.

The packing facility is proposed to include cleaning facilities, a conveyor belt to facilitate the packaging line, cool room and associated packing equipment. An office will also be included as part of the facility together with lunch rooms, meeting rooms and toilet amenities, which will have to conform to Building Codes and Regulations.

Department of Water (DoW) have provided comment regarding the development. Agrifresh have a license to take up to 2.36 GL each year for the 215 ha citrus orchard at Lot 3608. If Agrifresh require more water to operate the packing facility an application to amend their groundwater licence is required. DoW has notified the Shire of Dandaragan (the Shire) that it is unlikely the packing facility will have an impact on the groundwater quality therefore has no objection to the proposal.

The proposed development is to be located on already cleared land, opposite the dam on the north site of the access road.

#### CONSULTATION

Correspondence with the DoW regarding the Schemes reference to have due regard to the potential impact on groundwater quality, DoW have stated that the subject site is not within a Public Drinking Water Reserve.

#### STATUTORY ENVIRONMENT

*Local Planning Scheme No.7*

##### *Schedule 1 – Land use definitions*

**“agriculture – intensive”** means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following –

- a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- b) the establishment and operation of plant or fruit nurseries;
- c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or
- d) aquaculture.

#### POLICY IMPLICATIONS

There are no policy implications for this item

#### FINANCIAL IMPLICATIONS

The applicant has paid a fee for planning approval to the value of

\$1,600.

An approximate cost of \$500,000 is budgeted for the proposed development.

#### STRATEGIC IMPLICATIONS

There are no strategic implications for this item.

#### ATTACHMENTS

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

- Development Application (Doc Id: 7320)  
**(Marked 9.4.2)**

#### VOTING REQUIREMENT

Simple majority

#### **OFFICER RECOMMENDATION**

**That Council grant planning approval for the development of a packing facility on Lot 3608 Coomberdale West Road, Badgingarra on the following:**

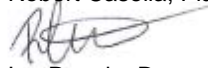

**Conditions;**

- 1. signage be erected by the Shire 150m to 500m prior to the intersection of Agaton Road along Coomberdale West Road to warn drivers of potentially slowing traffic for an upcoming intersection, at the expense of the proponent; and**
- 2. appropriate signage be erected North and South of the entry / exit point on Agaton Road, at the expense of the applicant.**

**Advice:**

- **This is planning approval only and not a building licence. A building licence must be obtained for this development.**
- **Development must comply with Council's Firebreak Order.**
- **Installation of fire hydrants, fire hoses and fire extinguishers be installed in accordance with relevant building codes and requirements.**

### 9.4.3 APPLICATION FOR PLANNING APPROVAL – WEST HILLS WIND FARM – AMENDMENT TO CONDITIONS

Location: Lot 3909 Nilgen Road, Lancelin  
 Applicant: Lisa Tana  
 File Ref: Development Services Apps / Development Applications / 2012 / 25  
 Disclosure of Interest: None  
 Date: 23 August 2012  
 Author: Robert Casella, Planning Officer  
 Signature of Author:   
 Senior Officer: Ian Rennie, Deputy Chief Executive Officer  
 Signature of Senior Officer: 

#### PROPOSAL

The proponent wishes to have two conditions amended from the planning approval dated 27 July 2012.

#### BACKGROUND

At the Ordinary Council Meeting dated 26 July 2012, an application for the installation of five additional wind turbines was approved for West Hills Farm, located on Lot 3909 Nilgen Road, Lancelin. The following was approved by Council:

*That Council grant planning approval for the extension of the Wind Farm (5 Wind Turbines) on lot 3909 Nilgen Road, Lancelin, subject to the following:*

*Conditions;*

1. *All development shall be in accordance with the attached approved plan(s) dated 15 May 2012 and subject to any modifications required as a consequence of any conditions (s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*
2. *Prior the issue of a building license, the proponent shall lodge with the Shire, the Royal Australian Air Force (RAAF) Base Pearce, RAAF Aeronautical Information Services in Melbourne, and Australian Air Services specifications of the wind monitoring mast and turbines, and a detailed site plan of the wind farm development drawn to a scale of 1:500 showing:*
  - a. *The location of all existing lot boundaries relevant to the whole of the wind farm.*
  - b. *The required setbacks required, as detailed in conditions 6 and 7 of this approval.*
  - c. *The 5 metre contour lines across the site.*
  - d. *The location of all buildings and infrastructure associated with the development including towers, fencing, internal access roads, power cables and transmission lines.*
3. *The wind turbines shall be fitted with high visibility obstacle markings in accordance with Civil Aviation Safety Authority Part 139 Manual Standards (CASA Part 139 MOS).*

4. *Prior to the issue of a building licence, the proponent shall undertake a geo-technical assessment for each wind turbine site and provide corresponding footing details endorsed by a certified structural engineer to the satisfaction of the local government.*
5. *The wind farm development shall comply with the assigned sound levels specified in the EPA Guidance Statement No.8 where by the noise shall not exceed 5dB(A) above the background sound level or 35dB(A) using a 10-minute LAeq, whichever is the greater at a noise sensitive premises (ie residence) either on or off farm.*
6. *The wind turbines shall not be sited within a 500-metre radius of an existing residence.*
7. *The wind turbines shall be setback a minimum of 75 metres from vegetated areas to the west and north of the wind farm site, unless otherwise determined by the Local Government*
8. *In determining the exact location of each wind turbine, the proponent shall avoid areas requiring considerable cut and fill to minimise drainage and erosion problems within the site.*
9. *All internal roads within the wind farm site shall use existing access tracks where possible, and be constructed to a compacted gravel or limestone standard to a minimum width of 3.5 metres to the satisfaction of the local government.*
10. *In the event of interference being caused to RAAF radio communications during or after construction of the wind turbines the operation of the wind farm activities shall cease at the written direction of the local government. Operations shall not recommence until the matter has been resolved through co-operation between the proponent and Department of Defence.*

*Advice;*

- *The applicant is advised that prior to the clearing of any remnant vegetation within the wind farm site and/or power line corridor/s a clearing permit must first be obtained from the Department of Environment and Conservation.*
- *The applicant is advised that during construction and maintenance of the wind turbines and associated infrastructure all work must accord with Worksafe Regulations 3.64 – Guidelines for Work in the Vicinity of Overhead Power Lines.*
- *A grant of planning approval is not a building license. A Building license must be obtained for this development*
- *Prior to lodging an application for building licence it is requested the applicant liaise with the Manager of Building in regard to a geotechnical assessment of site conditions and footing design standards in accordance with the BCA.*
- *The applicant should be aware that no further applications for wind turbines shall be considered unless evidence*

*shows that clustering has not, and will not further impact on the visual amenity experienced when travelling along Indian Ocean Drive.*

The proponent seeks to amend conditions 3 and 7 of the planning approval, requesting that condition 3 be entirely removed from the conditions. Condition 7 be reduced to a boundary setback of 25m instead of 75m, due to the confined space and lack of infrastructure on the other side of the West and North of the boundary that would be inadvertently impacted.

#### COMMENT

In review of the development application (DA) and conditions of approval for five additional wind turbines at West Hills Farm on Lot 3909 Nilgen Road, Lancelin, Council has been made aware that condition 3 of the approval is irrelevant to the proposed development. The Civil Aviation Safety Authority Part 139 of the Manual of Standards (CASA Part 139 MOS) requires "A structure must be marked when more than 150m higher than the surrounding terrain. Surrounding terrain means the area within 400m of the structure. Structures above 90m may need to be marked, and inconspicuous structures 75m above ground level should also be marked." The proposed structures are to be a maximum of 65m above the surrounding terrain, 65m being the top of the swept area of the turbine, below the height at which the structure require markings under all conditions outlined in CASA Part 139 MOS.

Condition 7 of the planning approval was conformed on the initial application to allow one turbine to be within the 75m setback, which was approved. The 75m setback is a way of protecting neighbouring properties in the case of a wind turbine falling over. The neighbouring property, being Crown Land is unlikely to be impacted on in a worst case scenario, as well as the surrounding land uses are highly unlikely to be developed on to incorporate dwellings in such close proximity considering the land is zoned rural and adjoining land is unallocated Crown Land.

The proponent also provided information that if the Shire is to impose the 75m setback, it will reduce the efficiency of the wind farm with turbines on lower ground and closer together.

Therefore the proponent requests that Condition 3 be removed from the conditions and Condition 7 be amended to state:

"The wind turbines shall be setback a minimum of 25 metres from vegetated areas to the west and north of the wind farm site, unless otherwise determined by the Local Government."

#### CONSULTATION

Mr Matthew Rosser from Blair Fox Pty Ltd visited the shire and discussed with Planning Officer and Deputy Chief Executive



Officer the conditions and justification for the conditions.

Mr Rosser notified Officers that Condition 3 was not relevant as the size of the wind turbines did not impose on the requirements of the CASA Manual of Standards 139 to have high visibility obstacle markings. Also the condition to provide a 75m setback from vegetated areas to the West and North be reduced to 25m.

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil



VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION**

**That Council modify Condition 7 of planning approval granted 26 July 2012 of the West Hills Wind Farm located on Lot 3909 Nilgen Road, Lancelin to read “The wind turbines shall be setback a minimum of 25 metres from vegetated areas to the west and north of the wind farm site, unless otherwise determined by the CEO”.**

#### 9.4.4 APPLICATION FOR PLANNING APPROVAL – CALTEX SERVICE STATION – JURIEBAY

Location: 121 Bashford Street, Jurien Bay  
 Applicant: Wade Brian Clatworthy  
 Folder Path: Development Services Apps / Development Applications / 2012 / 38  
 Disclosure of Interest: None  
 Date: 13 August 2012  
 Author: Robert Casella, Planning Officer  
 Signature of Author:   
 Senior Officer: Ian Rennie, Deputy Chief Executive Officer  
 Signature of Senior Officer: 

#### PROPOSAL

The applicant is seeking planning approval for the redevelopment of the Caltex Service Station on lot 121 Bashford Street, Jurien Bay.

#### BACKGROUND

The subject site is currently used and approved for the use of a service station. The applicant proposes to redevelop the whole site to upgrade facilities and accommodate the projected growth in population and tourist visits.

The proposal intends to demolish the existing retail building and the existing dwelling to the rear of the lot and relocate closer to the boundaries of the lot towards the west. Upgrading of the existing canopy with new pumps and spreaders is also proposed with the relocation of the existing LPG bullet storage towards the north boundary to provide space for the proposed development.

Adequate parking is provided with 12 bays including a disabled bay situated on the corner frontages (east & south) of the proposed retail building.

The new development will incorporate an array of upgraded signage that is to replace the existing signs and promotions.

#### COMMENT

The proposed use is already an approved use for a 'Service Station'. The proponent is seeking to redevelop the land to provide a convenience store including petrol bowsers, gas bowsers and floor space area for sales, storage, office, kitchen and ablutions. The proposal also includes car parking access and egress, a service yard and associated signage.

The proposed signage plan does not conform to the Shire of Dandaragan's (the Shire) Local Planning Policy 8.7 – Planning 'Signage' (LPP8.7). In particular the proposed ID sign is an overall 21.12m<sup>2</sup> in area and 9.6m in height. The requirements of pylon signs for services stations, section 2.13.1 (a), requires an area of less than 20m<sup>2</sup> and a height less than eight (8) metres. In providing the recommendations through the use of the Shire's

LPP8.7 and Local Planning Scheme No.7 (the Scheme) it is up to Council to determine whether the proposed dimensions of the Sign are to be approved or are to conform to the Shire's design requirements. This is a means of protecting the amenities of the locality, current and future, with regards to its location, height, scale, design and nature of proposal.

In considering the proposed signage plan, the proponent has informed that the only justification for the dimensions of the signage is that it is the standard dimensions of the Caltex brand and should therefore be accepted as part of the development.

The following concerns were raised following comments received from the Shires internal management services; Building Services, Environmental Health, Community Emergency Services and Technical Services and Works.

The canopy over the fuel bowsers currently aligns with the title boundary fronting Bashford Street. The existing canopy is to be retained and will continue to require over height vehicles to refuel from the road reserve side of the boundary.

The existing tyre pumping and water tap is well out into the road reserve. Following a discussion with the proponent the tyre pump and water tap station is proposed to be cut off and relocated in the north-east corner of the lot, near the auto gas tank facility.

Water Corporation have informed the Shire about the disposal of effluent and liquid waste, requiring the proposed development to be connected to an established sewage system if within 90 metres of a sewer main.

### CONSULTATION

Comments from the internal departments of the Shire were sought for recommendations and consideration in approving this development application, and are as follows:

#### Building Services

1. The line of the existing fuel bowser canopy aligns with the title boundary fronting to Bashford Street. The newly configured fuel stations will retain the existing canopy, and will continue to require over height vehicles (Western Power trucks for example) to refuel from the road reserve side of the boundary (as occurs currently).
2. The existing tyre pumping station and water tap is well out into the road reserve.
3. The proponent informs Staff that the 'drive-thru' facility is unlikely to be installed due to site restrictions for manoeuvrability and conflict with space to install septic tanks and leach drains, if required.
4. A deep sewer private pressure main exists in Murray Street, for the benefit of the health centre in Whitfield Street.

5. A water corporation gravity sewer main exists near the corner of Murray street and Andrews Street
6. The reconfiguration of the fuel bowser stations will create strategic difficulties for the proponent in that fuel supplies to the community will be affected whilst the fuel bowser works are undertaken.
7. Turning templates for cars towing caravans and boats do not appear to have been applied to the design layout for the vehicle manouvering diagrams. The “drive-thru” facility will be a problem area for these types of common vehicles.
8. During peak patron periods the queues of vehicles overflow into Murray Street creating traffic movement obstacles to general traffic movements.

Manager of Technical Works and Services has no objection, although raised the issue of the location of the fuel pumps bordering the road reserve. If the road reserve was to be developed, the pumps may be too close to the boundary for access, entry and exit.

The Community Emergency Services Coordinator voiced no objection to the proposed Caltex retail development.

Manager of Environmental Health requires the kitchen to comply with the Food Act 2008 and the disposal of wastewater to comply with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.

**STATUTORY ENVIRONMENT**  
*Local Planning Scheme No.7*

Schedule 1: Definitions

“Service Station” means premises used for –

- a) The retail sale of petroleum products, motor vehicle accessories and goods of an incidental/convenience retail nature; and
- b) The carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles

But does not include premises used for a transport depot, panel beating, spray painting, major repairs or wrecking.

*Local Planning Scheme No. 7*

Part 5 – General Development Requirements

The Development Table (Table 2 of the Scheme) sets out the site development requirements for various land uses.

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 AUGUST 2012**

	<i>Min Boundary Setback (MBS) (Front)</i>	<i>MBS (Rear)</i>	<i>Min Landscape Area %</i>	<i>Min. No. of Car Parking Bays</i>
Service Station	7.5	7.5	5	1 for every working bay, plus 1 for each person employed on site

**POLICY IMPLICATIONS**

*Local Planning Policy 8.7 – Planning ‘Signage’*

**2.13 Service Station Signs**

2.13.1 The Shire may approve the following signs on land used for the purpose of a Service Station:

- a) One Pylon Sign:
  - i. With an area of less than 20.0 square metres;
  - ii. With a height of less than 8.0 metres above the level of the site immediately under the sign;
  - iii. That does not project beyond any site boundary; and
  - iv. That is located in a position that does not conflict with sight line distances at corners of intersecting streets, rights-of-way of driveways.
- b) One sign indicating the price of petrol or gas with an area of less than 3.0 square metres.
- c) One sign advertising products or services available at the Service Station with an area of less than 3.0 square metres.
- d) The Shire may approve a multi-faced pylon sign.
- e) The Shire may approve more than one sign of each kind.

**FINANCIAL IMPLICATIONS**

A financial payment has been receipted to the applicant for a Development Application Fee of \$4,941 for the Caltex Retail Project.

**STRATEGIC IMPLICATIONS**

The increased traffic volumes travelling through Jurien Bay poses implications as to the supply of fuel to the community during the construction phase, although, the proposal is preparing to accommodate future growth and demand.

**ATTACHMENTS**

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

- Development Application (Doc Id: 6505)
- Sewer Main Location (Doc Id: 7737)

***(Marked 9.4.4)***

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

That Council grant planning approval for the Development of the Caltex Retail project on lot 121 Bashford Street, Jurien Bay, in accordance with drawings numbered 55063 on the following;


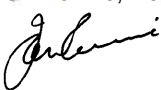
**Conditions:**

1. the development approval must be carried out generally in accordance with the plans and specifications submitted with the application and shall not be altered and or modified unless specifically mentioned within the conditions of approval or without prior knowledge and written consent of Council;
2. the area allocated for the parking of vehicles shall be design and constructed to the satisfaction of the Manager Technical Services and Works;
3. connection of the proposed development to the sewage main located along Murray Street and Andrews Street;
4. that the developer be required to dispose of storm water runoff from any building and parking area on the lot;
5. an air and water facility is made available within the boundaries of the allotment;
6. all deliveries / collection points and rubbish storage areas are to be designed and located to minimise noise, odour, visual intrusion and or other factors potentially adversely affecting the character and or amenity of properties in the vicinity;
7. each bin store area must be curbed to prevent entry of surface storm water or ground water and is required to be roofed if over 17m<sup>2</sup> in area;
8. a contribution towards the landscaping of the road reserve, in the form of planting and landscaping of the area to compensate for the required 5% landscaped area under Table 2: Site and Development Requirements Table under the Local Planning Scheme No.7;
9. a landscaping plan is to be developed and endorsed by the Chief Executive Officer to satisfy the requirements set out in Condition 8 and completed prior to occupation or use of the new building;
10. the kitchen is to comply with the Food Act 2008;
11. this approval shall expire if the development has not been substantially commenced within two years of the date of the approval;
12. this grant of planning approval is not a building licence. A building licence must be obtained for this development; and
13. A demolition licence must be obtained from Building Services, prior to any demolition works being undertaken on the site.

## 9.5 HEALTH

## 9.6 BUILDING

### 9.6.1 MR & MRS G AND V BOUCHER, LOT 784 ADRIANA PARADE, BEACHRIDGE ESTATE, JURIE BAY – PROPOSED R-CODE VARIATION FOR NIL SIDE AND REAR BOUNDARY SETBACKS

Location:	Lot 784 Adriana Parade, Beachridge
Applicant:	G and V Boucher
Folder Path:	Development Services Apps / Development Applications / 2012 / 35
Disclosure of Interest:	Nil
Date:	10 August 2012
Author:	Will George, Manager Building Services
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

The applicant, Swan Aussie Sheds, seeks Council approval on behalf of its clients, G and V Boucher, to construct a steel framed colorbond clad “L” shaped shed of 59.21m<sup>2</sup> floor area and an eaves wall height of 3.6m in the south-west corner of Lot 784 Adriana Parade in Beachridge Estate, with nil side and rear setbacks to the western and southern lot boundaries inside the existing colorbond fences.

The attached site plan showing the location of the existing dwelling demonstrates the limited space available for a shed of the floor area sought by the property owners.

#### BACKGROUND

The owners of Lot 784 Adriana Parade wish to locate the proposed new outbuilding in the south-west corner of Lot 784 Adriana Parade as shown on the attached Intra Maps aerial site plan. The size of the lot and the existing dwelling create limited space to construct a shed of the size desired by the applicants without using as much of the available site as possible. The proposed outbuilding (shed) requires the “L” shaped configuration to achieve the desired floor area and consists of two structures from the standard range of Swan Aussie Sheds combined to create the desired floor area. One section of the shed measures 10m x 4.5m and an eaves wall height of 3.6m, while the smaller area of the total shed measures 3.86m x 3.74m and an eaves wall height of 3.6m. The combined floor area of the two standard range sheds to create the desired shed floor area is 59.11m<sup>2</sup>.

#### COMMENT

The subject lot 784 Adriana Parade in Beachridge Estate is zoned R15 Development Density according to the Scheme map. The lot

is 703m<sup>2</sup> in area. The Beachridge Estate Design Guidelines specify that zero lot line construction will not be permitted by the Shire for sheds or outbuildings, unless constructed in materials and colours to match the corresponding components of the residence.

In relation to setbacks, the Beachridge Estate Design Guidelines specify that all boundary setbacks other than the primary street setback, will be in accordance with the R-Codes (Residential Design Codes).

Table 2a of the Residential Design Codes (R-Codes) specifies that for a wall length greater than 9.0m, and a wall height up to 4.0m, with no major openings the required boundary setback is 1.5m.

For the wall length proposed of 8.3m parallel to the western boundary of the subject lot, and an eaves wall height of 3.6m, the required setback is 1.1m. The available vacant lot space to achieve the required boundary setbacks for a shed of the requested floor area is insufficient for the construction of a building with the required boundary setbacks. It is for this reason that the applicant requests approval from Council for a suitably sized shed with reduced boundary setbacks.

The Residential Design Codes (R-Codes) performance criteria of Design Elements 6.3 relating to boundary setback requirements to achieve light and ventilation for the subject building and buildings on adjacent properties appear to be achievable in the case of this proposal.

The Shire of Dandaragan Policy relating to Outbuildings is not outspoken against this proposal as the proposed shed is below the maximum allowable floor area and roof height.

#### CONSULTATION

The neighbour consultation process with adjoining property owners was undertaken by staff who received no objections from the adjoining property owners.

#### STATUTORY ENVIRONMENT

- Shire of Dandaragan Local Planning Scheme No7
- Residential Design Codes (R-Codes)
- Shire of Dandaragan Policy relating to Outbuildings
- Beachridge Estate Design Guidelines

#### POLICY IMPLICATIONS

Council Policy may require revision to include guidelines to cater for the growing trend for locating outbuildings within rear setbacks closer to lot boundaries to reduce the loss of land space resulting from outbuildings set back clear of lot boundaries, in cases where the reduced setback satisfies the performance criteria of the Residential Design Codes (R-Codes).



### FINANCIAL IMPLICATIONS

The applicant has paid a planning application fee of \$139.00

### STRATEGIC IMPLICATIONS

There are no strategic implications applicable to this item.

### ATTACHMENTS

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

- The proposed site plan (Doc Id: 7693)
- The floor plans for the "L" shaped shed components (Doc Id: 7687 and 7688)
- Copy of the Intra Maps aerial site view (Doc Id: 7691)

**(Marked 9.6.1)**

### VOTING REQUIREMENT

Simple majority

### **OFFICER RECOMMENDATION**

**That Council grants planning approval for the construction of the proposed 59.11m<sup>2</sup> colorbond "L" shaped shed with nil boundary setback to the western and southern lot boundaries as outlined in the body of this report, for a steel framed outbuilding (shed) of 10.0m boundary length to the western boundary, and a southern boundary wall length of 8.3m, and a maximum eaves wall height of 3.6m, on Lot 784 Adriana Parade, Beachridge Estate, subject to the following:**

**Conditions;**


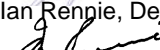
- 1. all development shall be in accordance with the attached approved plans submitted with the application and subject to any modifications required as a consequence of any conditions of this approval;**
- 2. the materials and colours for the proposed shed are to match the materials and colours of the corresponding components of the existing residence; and**
- 3. the endorsed approved plans shall not be altered without the prior written approval of the local government.**

### **Advice**

- **The applicant is advised that this is a planning approval only and not a building permit.**
- **The applicant is advised that should he be aggrieved by this decision of the Council there is a right of review under the Planning Development Act 2005. An application for review must be submitted in accordance with part XIV of the Planning Development Act 2005 within 28 days of this decision to:**

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

### 9.6.2 MR B BERKSHIRE, LOT 314 (13) SHEOAK GROVE, JURIEN BAY – PROPOSED R-CODE VARIATION FOR NIL SIDE AND REAR SETBACKS

Location: Lot 314 Sheoak Grove, Jurien Bay  
 Applicant: Swan Aussie Sheds  
 Folder Path: Development Services Apps / Development Applications / 2012 / 36  
 Disclosure of Interest: Nil  
 Date: 10 August 2012  
 Author: Will George, Manager Building Services  
 Signature of Author:   
 Senior Officer: Ian Rengie, Deputy Chief Executive Officer  
 Signature of Senior Officer: 

#### PROPOSAL

The applicant, Swan Aussie Sheds, seeks Council's approval on behalf of his client, Mr B Berkshire, to construct a colorbond clad steel framed shed of 46.17m<sup>2</sup> floor area in the rear (northerly corner) of Lot 314 Sheoak Grove with nil boundary setbacks to the north-east and north-west boundaries of the subject lot, and inside of the existing colorbond 1.8m high boundary fence.

#### BACKGROUND

The owner of Lot 314 Sheoak Grove wishes to locate the proposed new outbuilding into the best convenient corner of his lot to maximise the use of the existing rear setback. The existing configuration of the dwelling and the available access way to the rear of the lot has pre-determined the side of the lot onto which the outbuilding would be best suited.

The proposed outbuilding (shed) measures 7.67m long x 6.02m wide x 3.6m high to the eaves. The resultant floor area of 46.17m<sup>2</sup> is considerably less than the maximum 80m<sup>2</sup> permitted by Council's Policy relating to the scale of outbuildings.

A copy of the proposed site plan is attached to this item for reference.

#### COMMENT

The subject lot has the long axis in a north-westerly direction and the rear setback of the lot has a northerly aspect. The adjacent property owners having frontage to Coudbrough Place share the common north-easterly and north-westerly boundaries of the subject lot 314, relative to the corner of the proposed shed site, as rear lot boundaries.

The proposed outbuilding subject of this application will be located to the rear lot boundaries of the adjoining properties in a south-westerly direction to the adjoining lots, as result of the lot configurations in this location.

The existing dwelling has a south-westerly aspect towards Sheoak Grove. The shape of the existing cul-de-sac which terminates

Sheoak Grove as the frontage to the lot also creates the best access to the existing rear setback of the dwelling to the side of the lot as shown on the attached site plan.

Lot 314 Sheoak Grove is zoned R12.5 development density on the Scheme map. The Residential Design Codes (R-Codes) in Table 2a specify that for a wall on a side boundary with a length up to 9m in length, and a height of 4.0m or less, the required side boundary setback is 1.1m. The same Table 2a for the 6.02m shed wall to the rear boundary requires a boundary setback of 1.1m. The narrow corridor of empty space surrounding the shed is proving to be a concern for a number of applicants in that the resultant space is virtually wasted and difficult to maintain or grow plants and gardens within.

In certain cases the performance criteria of Design Elements 6.3 (Boundary setback requirements) of the Residential Design Codes (R-Codes) are still achieved even with a nil boundary setback:

- The adequacy of direct sun and ventilation to the subject building is not affected.
- Adequate direct sunlight and ventilation to adjoining properties is not affected as the proposed shed is well below the solar path by being to the southerly aspect of the adjoining lots.
- The direct sun access to buildings and appurtenant spaces is similarly unaffected because of the aspect of the proposed building in relation to existing surrounding buildings.
- The building bulk at boundaries is ameliorated by virtue of the existing 1.8m high colorbond fences remaining intact, and the proposed shed is located to the rear setbacks of existing dwellings, and the dwelling on the subject lot.
- The privacy between adjoining properties is not compromised because the wall proposed adjacent to the relative lot boundaries is a blank wall without any openings, and remains behind the existing 1.8m high colorbond fence.

The Shire of Dandaragan's Policy Relating to Outbuildings is not outspoken against this proposal. Evidence accrues that property owners considering the construction of outbuildings (sheds) are more favoured to locating the sheds so that the resultant narrow corridors around the sheds do not create the "dead-spots" of wasted space.

A precedent exists with other applications of a similar nature where nil boundary setbacks have been considered and approved by Council.

#### CONSULTATION

The neighbour consultation process with adjoining property owners was undertaken by staff with one (1) objection being received. The owner of 15 Coubrough Place has returned an email response which is attached to this item for reference.

There were no responses from the remainder of the adjoining property owners.

#### STATUTORY ENVIRONMENT

- Shire of Dandaragan Local Planning Scheme No 7
- Residential Design Codes (R-Codes)
- Shire of Dandaragan Policy Relating to Outbuildings

#### POLICY IMPLICATIONS

Council Policy may have to be re-visited to address details to cater for a growing trend for locating outbuildings within rear setbacks closer to lot boundaries to reduce the loss of land space resulting from outbuildings set back clear of lot boundaries, in cases where the reduced setback satisfies the performance criteria of the Residential Design Codes (R-Codes).

#### FINANCIAL IMPLICATIONS

The applicant has paid a planning application fee of \$139.00.

#### STRATEGIC IMPLICATIONS

There are no strategic implications applicable to this item.

#### ATTACHMENTS

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

- Site Plan (Doc Id: 7692)
- Shed floor plan (Doc Id: 7686)
- Copy of objection from adjoining property owner (Doc Id: 7689)
- Copy of Intra Maps aerial site view (Doc Id: 7690)

**(Marked 9.6.2)**

#### VOTING REQUIREMENT

Simple majority

#### **OFFICER RECOMMENDATION**

**That Council grants planning approval for the construction of the proposed 46.17m<sup>2</sup> colorbond shed with nil boundary setbacks as outlined, for a steel framed outbuilding (shed) of 7.67m side boundary length, 6.02m rear boundary length, and an eaves wall height of 3.6m, on Lot 314 (13) Sheoak Grove, Jurien Bay subject to the following:**

**Conditions;**

- 1. All development shall be in accordance with the attached approved plans submitted with the application and subject to any modifications required as a consequence of any conditions of this approval.**
- 2. The endorsed plans shall not be altered without the prior written approval of the local government.**

#### **Advice**

- **The applicant be advised that this is a planning approval only and not a building permit.**

- **The applicant is advised that should he be aggrieved by this decision of Council there is a right of review under the Planning Development Act 2005. An application for review must be submitted in accordance with part XIV of the Planning Development Act 2005 within 28 days of this decision to:**

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

## 9.7 COUNCILLOR INFORMATION BULLETIN

### 9.7.1 AUSTRALIA DAY COUNCIL OF SOUTH AUSTRALIA – INAUGURAL “AWARD FOR MUSLIM & NON – MUSLIM UNDERSTANDING”

Document ID: 6926

The University of South Australia will be hosting the inaugural award for Muslim understanding in Australia.

The award, called the “Award for Muslim & non – Muslim Understanding”, will be presented to the person or organisation that has contributed the most to furthering understanding between Muslims and non-Muslims within Australia.

Nominations close 5pm Friday 31 August 2012.

More information is on hand.

### 9.7.2 LOCAL GOVERNMENT NEWS – ISSUE NO.28.12 – 16 JULY 2012

Document ID: 6922

Inside this issue:

- Proposed Changes to Road Classification Assessment Guidelines
- Standard Drawing for Approved Children’s Crossing
- Local Government Emergency Management Regional Workshops
- WALGA LED Luminaires Panel
- Officer Training
- Elected Member Training
- ALGWA AGM & Breakfast
- Sustainable Energy Study Tour
- Local Government Energy Efficiency Program (LGEEP) Proposed

### 9.7.3 SALARIES AND ALLOWANCES TRIBUNAL – REPORT ON REMUNERATION OF LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS

Document ID: 6980

*“Thank you for your submission on 2 May 2012 to the Salaries and Allowances Tribunal’s inquiry into the remuneration of local government Chief Executive Officer’s (CEO’s).*

*The Tribunal has considered the information you provided and your case for reviewing the remuneration band of the Shire of Dandaragan’s CEO.*

*Taking into consideration the information you provided together with a range of other data, the Tribunal has determined an increase in the remuneration band of the CEO position from Band 3 to Band 4 in terms of its 2011 report.”*

More information is on hand.

**9.7.4 JURIEB BAY CHAMBER OF COMMERCE – SUPER TOWN FUNDING**

Document ID: 6984

*“On behalf of the Chamber’s membership, I would like to heartily congratulate you, the Shire President, Dandaragan Council and your Staff, for the Jurieb Bay funding outcome announced by the Member for Moore, Mr Grant Woodhams MLA, in Jurieb Bay on 31 May 2012.”*

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

**9.7.5 DEPARTMENT OF LOCAL GOVERNMENT – GAZETAL OF LOCAL GOVERNMENT (ADMINISTRATION) AMENDMENT REGULATIONS 2012**

Document ID: 6802

*“On 12 April 2012, all local governments were sent Ministerial Circular 01-2012 advising that the Local Government Amendment Act 2012 (the Amendment Act) had received Royal Assent.*

*The circular also stated that amendments would be made to the Local Government (Administration) Regulations 1996 in order to give effect to the provisions of the Amendment Act.”*

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

**9.7.6 AUSTRALIA LOGISTICS COUNCIL – INTRODUCTION TO AUSTRALIAN LOGISTICS COUNCIL**

Document ID: 6987

The Australian Logistics Council (ALC) seeks to open up a dialogue with the Shire of Dandaragan and other local government bodies due to the key role in the national freight logistics regulation, safety and infrastructure policy debate.

*“ALC plays an integral role in highlighting the interests of industry across a wide range of policy areas, including nationally consistent regulation, logistics safety and national infrastructure requirements. ALC does this against the backdrop of a large and growing national freight task, which is predicted to double by 2030 and triple by 2050.”*

More information is on hand.

**9.7.7 WALGA – PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER – 20 JULY 2012 – EDITION 72**

Document ID: 7116

Inside this issue:

- Building Approvals Hotline
- Local Government and Emergency Management Discussion Paper
- Regional Emergency Management Workshops
- Emergency Management Act Review Green Paper

- WALGA Survey: Review of Development Assessment Panels & Performance
- Media Guidelines for Responsible Reporting of Graffiti Vandalism
- NBN Local Training Services
- Youth Panel Registrations
- Guidelines for Preparation of Integrated Transport Plans
- Upcoming Events and Conferences
- WALGA Training Courses
- Reminders

**9.7.8 WALGA INFOPAGE – BETTER URBAN WATER MANAGEMENT GUIDANCE NOTE SERIES**

Document ID: 7135

Key Issues:

- Draft Better Urban Water Management Guidance Notes have been prepared by the Department of Water to assist with their requirements.
- The Department of Water is seeking feedback on the Guidance Notes before 2 October 2012

**9.7.9 WALGA INFOPAGE – EMERGENCY MANAGEMENT ACT REVIEW GREEN PAPER**

Document ID: 7136

Key Issues:

- The Emergency Management Act has undergone a complete review as required under Section 103.
- The Emergency Management Act Review Working Group of which WALGA is a member has produced a Green Paper for submission to Government.
- The Green Paper is released for public comment until COB Friday 17 August 2012.

**9.7.10 WALGA INFOPAGE – NATIONAL FOOD PLAN GREEN PAPER**

Document ID: 7137

Key Issues:

- The Australian Government has released the National Food Plan Green Paper.
- WALGA will be developing a submission on behalf of the Local Government sector.
- Comments to feed into the WALGA Submissions are due COB Friday, 31 August 2012.

**9.7.11 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO. 29.12 – 23 JULY 2012**

Document ID: 7138

Key Issues:

- Delay In Making Waste Local Laws
- Vacancy Officers Advisory Group – 1 Metro Officer
- New – Special Offers From Holden and Nissan
- Officer Training
- Elected Member Training
- ALGWA AGM & Breakfast



- Sustainable Energy Study Tour
- Age Friendly Communities Forum
- REMINDER – Media Guidelines for Responsible Reporting of Graffiti Vandalism

**9.7.12 DISABILITY SERVICES COMMISSION – DISABILITY ACCESS AND INCLUSION PLAN PROGRESS**

Document ID: 7139

The Disability Access and Inclusion Plan Progress Report 2010 – 2011 has now been published.

The report was informed by the individual 2010 – 2011 Disability Access and Inclusion Plan progress reports of 217 public authorities that were received last year. The report was tabled in Parliament by the Minister for Disability Services.

The progress reporting template has been revised for 2011 – 2012 and a copy is available for download at <http://www.disability.wa.gov.au/aud/daip/daipreporting.html>

**9.7.13 TROY BUSWELL – MINISTERIAL MEDIA STATEMENT – BIG BOOST FOR SAFER WHEATBELT ROADS**

Document ID:

Roads throughout the Wheatbelt will be made safer through State Government spending of almost \$41 million as part of the new Safer Country Roads initiative.

Transport Minister Troy Buswell said the significant funding injection would improve safety across nine major Wheatbelt roads.

*“In the Wheatbelt, roads to benefit from this new funding include Albany, Brand and Brookton Highways and Indian Ocean Drive.”*

More information is on hand.

**9.7.14 LANCELIN MANAGEMENT ADVISORY COMMITTEE MINUTES, LANCELIN DEFENCE TRAINING AREA RANGE BOOKINGS AND LANCELIN DEFENCE TRAINING AREA MANAGEMENT COMMITTEE TERMS OF REFERENCE**

Document ID: 7338

The above documents are available on hand if required.

**9.7.15 RAC RESPONSE TO THE WESTERN AUSTRALIAN BICYCLE NETWORK PLAN**

Document ID: 7268

*“The RAC is a leading advocate on the mobility challenges facing our State and is committed to ensuring public policies are in place to deliver safe, accessible and sustainable mobility options for our members and the broader community.”*

*The draft Western Australian Bicycle Network Plan (WABN Plan) is the State Government’s vision to service the State’s cycling needs for the decade to 2021.”*

A copy of the 'Response to the Western Australian Bicycle Network Plan – Submission from RAC July 2012' is on hand.

**9.7.16 AUSTRALIA'S CORAL COAST – MEMBERSHIP 2012 / 2013**

Document ID: 6354

*"Australia's Coral Coast (ACC) offers your organisation free membership each financial year.*

*There are three levels of membership including:*

- *Gold membership - \$399 inc GST*
- *Silver membership - \$199 inc GST*
- *Bronze membership - \$75 inc GST"*

**9.7.17 EXECUTIVE DIRECTOR – DEPARTMENT OF HOUSING – AFFORDABLE HOUSING OPPORTUNITIES WITHIN THE SHIRE OF DANDARAGAN**

Document ID: 7150

*"My thanks to you for meeting with David Leszenko and myself last week to discuss affordable housing opportunities within the Shire of Dandaragan. There will no doubt be significant challenges that will need to be embraced in order to both deliver the built form outcomes generated from this initial Supertown funding stream and achieve the growth strategy for the Shire."*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.17)**

**9.7.18 DEPARTMENT OF PLANNING – REVIEW OF PLANNING BULLETIN 83: PLANNING FOR TOURISM**

Document ID: 7222

*"The Department of Planning would like to take this opportunity to invite you to provide feedback on the implementation of Planning Bulletin 83: Planning for Tourism.*

*It has now been 12 months since Planning Bulletin 83 was released on 19 July 2011. The Department is contacting you to discuss the effectiveness of Planning Bulletin 83, as standard monitoring procedure."*

Please provide any information, comment or recommendation pertinent to this review by Friday 24 August 2012 to [tourism@planning.wa.gov.au](mailto:tourism@planning.wa.gov.au).

Attached to the agenda is a copy of the above mentioned correspondence and the Planning Bulletin 83. **(Marked 9.7.18)**

**9.7.19 WESTERN ROCK LOBSTER COUNCIL INC. – ONELIFE STATE SUICIDE PREVENTION STRATEGY**

Document ID: 7299

The Western Rock Lobster Council has partnered with the Onelife State Suicide Prevention Strategy in a bid to improve the mental health and wellbeing of those involved in our industry and local communities. Onelife recognises that effective suicide prevention

in Western Australia requires a coordinated approach across all levels of government and the whole community.

*"If the Shire is interested in providing financial support for any future events that we may organise, this too would be greatly appreciated as it would help us to increase the effectiveness and longevity of our work."*

More information is on hand.

**9.7.20 SHIRE OF GINGIN – INDIAN OCEAN DRIVE – LACK OF TOILET FACILITIES**

Document ID: 7304

*"Please find enclosed a copy of correspondence received from the Country Women's Association of Western Australia (Inc) on 16 July 2012, for your information."*

*Council has forwarded this to the Wheatbelt North Region of Main Roads WA as Indian Ocean Drive comes under their jurisdiction."*

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

**9.7.21 LETTER OF THANKS AND APPRECIATION FOR COUNCILLOR FUNCTION – KAYE WILKINS**

Document ID: 7330

*"I would like to express my thanks and appreciation for the wonderful evening on Saturday. It was a memorable occasion and was enhanced by the Shire's generosity in providing accommodation. Please pass on my congratulations to whomever chose the elegant and tasteful mementos we were given, they were just perfect."*

*Many thanks again, Mal and I will long remember the occasion fondly."*

**9.7.22 MUNICIPAL WASTE ADVISORY COUNCIL INFORMATION BULLETIN – ISSUE 163 – JULY 2012**

Document ID: 7331

Inside this issue:

- Energy Well Spent – Waste to Energy Forum
- DiCom Delivers – Minister to Use DiCom Facility
- 2 Options for Red Hill – Public Environmental Review for AWT Released
- Sustainability Stars Short Listed – Keep Australia Beautiful Sustainability Awards
- Ban the Bag? – Freo Local Law
- Food Development – National Food Plan Released
- Infinite Possibility – New Waste Awards
- Local National Stats – National Look at LG Stat
- Flat Tyre? – Tyre Data Released
- Carbon Price Now Effective – 1 July Carbon Price Started

- \$ For Victorian Infrastructure – New Funding Schemes in VIC
- Penalties for Polluting – NSW EPA Activities
- Waste to Energy Lighting Up – International W2E Development
- Cardiff Council Cancels Construction – Scrapped Plans for W2E Plant
- Bottles for Bus Pass – China Reverse Vending Machines
- Bicycles are Business – Bike Powered Shredder

#### **9.7.23 WALGA INFOPAGE – RETAIL TRADING HOURS**

Document ID: 7333

Key Issues:

- New trading hour arrangements will commence on Sunday, 26 August 2012

#### **9.7.24 WHEATBELT NORTHAM – WHEATBELT TOWNS SAVING WATER FOR COMMUNITY IMPROVEMENTS**

Document ID: 7312

*“Through the Royalties for Regions program Wheatbelt NRM are delivering the Stormwater Reuse Project. The project aims to turn stormwater run-off into a valuable asset for local towns.*

*Local Governments with existing water management plans will be invited to submit an Expression of Interest seeking funding to implement projects which will capture, store and use stormwater from the town.”*

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

#### **9.7.25 LOCAL GOVERNMENT NEWS – ISSUE NO 30.12 – 30 JULY 2012**

Document ID: 7335

Inside this issue:

- Vacancies On Boards and Committees
- Proposed Changes to Road Classification Assessment Guidelines
- New Legal Services Preferred Supply Contract Launched
- Elected Member Taxation Guide
- MWAC Information Bulletin
- Officer Training
- Elected Member Training
- Town Centre Revitalisation Conference
- Retail Trading Hours
- Western Power Pole Maintenance and Replacement Program

#### **9.7.26 DOWERIN MACHINERY FIELD DAYS – 29 & 30 AUGUST 2012**

Document ID: 7363

Whether you're looking to upgrade your farm machinery, invest your money, build a home, purchase a new vehicle, plan a holiday, or just get the family out for some good old fashioned country entertainment, the Dowerin GWN7 Machinery Field Days are your one stop shop!

**9.7.27 ALIGNING REGIONAL & STATE PLANNING ACROSS WA – 20 & 21 NOVEMBER 2012**

Document ID: 7448

*“Compared to its East Coast peers, Western Australia is in an enviable position. As Australia’s fastest growing state, undergoing huge economic growth, Western Australia truly is the land of opportunity*

*The rapid rate of this growth however has seen many regions playing catch-up in order to deliver key economic and social infrastructure to a widely dispersed and expanding population. It has made it difficult to plan for future population trends and industries.”*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.27)**

**9.7.28 MAIN ROADS WESTERN AUSTRALIA – INDIAN OCEAN DRIVE – LACK OF TOILET FACILITIES**

Document ID: 7494

*“The Nilgen Reserve is under the control and maintenance of the Department of Environment and Conservation (DEC). Main Roads discussed building toilets at the Nilgen Nature Reserve rest area with DEC during the construction phase of Indian Ocean Drive. At that time DEC did not consider toilets were appropriate due to the regular illegal camping associated with these installations.*

*Main Roads will however, be happy to raise this matter with DEC once again.”*

**9.7.29 LOCAL GOVERNMENT NEWS – ISSUE NO 31.12 – 6 AUGUST 2012**

Document ID: 7509

Inside this issue:

- Biodiversity Conservation Planning Milestones Recognised
- Local Government Emergency Management Regional Workshops
- Officer Training
- Elected Member Training
- Last Chance for DAPs Survey Comments
- Correction to Last Week’s Retail Trading Hours Advice
- New Debt Management Services Preferred Supplier Contract Launched
- WALGA Products and Services Directory
- National Disability Insurance Forum

**9.7.30 WEST KOOJAN-GILLINGARRA – MINUTES OF OGM HELD 5 JUNE 2012**

Document ID: 7513

A copy of the above mentioned minutes are on hand.

**9.7.31 JURIEB BAY HERBARIUM GROUP – INVASIVE WEED GROWING IN SAND DUNES**

Document ID: 7516

*“Some of our members became aware of this weed when we attended a workshop at Cervantes a short while ago.*

*The weed is called PYP GRASS and can spread rapidly. The weed is very destructive as it chokes out the natural scrub and flora in areas it invades.”*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.31)**

**9.7.32 C Y O’CONNOR EDUCATION WORKING PARTY MINUTES & ACTION AND DECISION SHEET – JURIEB BAY – 27 JULY 2012**

Document ID:

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

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 AUGUST 2012**

- 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**
  
- 13 CLOSURE OF MEETING**