



NOTICE OF AN ORDINARY COUNCIL MEETING

Dear Council Member,

The next Ordinary Meeting of the Dandaragan Shire Council will be held on **Thursday 24 April 2014** at the **Badgingarra Community Centre** commencing at **5.00pm**.

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

The format for the day is as follows:

- | | |
|----------------|---|
| 12.30pm | LUNCH |
| 1.00pm | Agenda Briefing Session |
| 2.00pm | Councillor Discussion Session |
| 3.00pm | West Midlands Group – Anne Wilkins & Gary Peacock –
Presentation in relation to the 2014 / 2015 Financial Year
and Membership Proposal |
| 4.00pm | Town Inspection |
| 5.00pm | Ordinary Meeting of Council |
| 6.00pm | Public Forum |

A handwritten signature in blue ink, appearing to read "Tony Nottle", is written over a dotted line.

.....
Tony Nottle
CHIEF EXECUTIVE OFFICER

15 April 2014



SHIRE
of
DANDARAGAN

AGENDA AND BUSINESS PAPERS

for the

ORDINARY COUNCIL MEETING

to be held

AT THE BADGINGARRA COMMUNITY CENTRE

on

THURSDAY 24 APRIL 2014

COMMENCING AT 5.00PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

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

Members

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

Staff

Mr T Nottle	(Chief Executive Officer)
Mr I Rennie	(Deputy Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr G Yandle	(Executive Manager Infrastructure)
Mr D Chidlow	(Manager Planning)
Miss D Kerr	(Council Secretary & PA)

Apologies

Approved Leave of Absence

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 27 MARCH 2014**

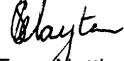

- 7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION, AND COUNCIL APPOINTED DELEGATES REPORTS**

- 8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

- 9 REPORTS OF COMMITTEES AND OFFICERS**

9.1 FINANCE

9.1.1 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 28 FEBRUARY 2014

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	11 April 2014
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To table and adopt the monthly financial statements for the period ending 28 February 2014.

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 28 February 2014.

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 28 February 2014 was \$2,896,086. 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. During budget adoption a 10 percent or \$10,000 threshold for these variances to be reported was set. An explanation of these variances is as follows:

Governance

Income is at 228% (\$11,003) of Y-T-D budget and is due primarily to a good driver rebate and advertising rebate being received from the Shires insurers.

Community Amenities

Expenditure is at 83% of year to date budget and is due to less than budgeted expenses for rubbish collection and material and contract at the waste sites.

Recreation and Culture

Expenditure is at 76% of Y-T-D budget. This is due to less than budgeted expenditure for Employee costs, materials and contracts in the Parks and Gardens area. The following is an extract from the "Infrastructure/Major Projects Report – September/October 2013" that explains this variance;

"Maintenance Budget is below the 25% for this time of year sitting at a total expenditure to date of 12% of budget. The under expenditure is related to staff vacancies and unseasonal weather hindering works. Works will now increase given weather improving and full staff capacity."

Due to significant staff changes within supervisor and management levels of this department no further update has been received. However, should this under expenditure continue for the remainder of the year a true saving against the budget will be recognised.

Further investigation with relevant staff will be conducted to get a better picture of why such under expenditure is occurring.

Other Property and Services

Income is at 88% of Y-T-D budget and is due to less than budgeted income from private works. Private works are generally limited to works for DFES and other government agencies. Therefore, this drop in income is offset by costs associated with performing these works.

Expenses are reporting as 271% of Y-T-D. This is due to an anomaly whereby the majority of costs within this schedule are allocated out to other areas. This allocation occurs through an hourly recovery rate for staff time, plant costs and plant depreciation. These cost are therefore allocated evenly throughout the year from information sourced from timesheets. While actual costs are more sporadic in nature. In this instance, fuel, tyres and repairs are all less than budgeted.

Furthermore, a book entry to recognise the loss on disposal of an administration vehicle not included in the original budget is present. As a book entry only, this has no bearing on overall surplus/deficit.

Should Councillors wish to raise any issues relating to the 28 February 2014 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- financial statements for the period ending 28 February 2014 (23530)

(Marked 9.1.1)

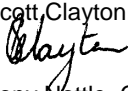

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period ending 28 February 2014 be adopted.

9.1.2 ACCOUNTS FOR PAYMENT – FEBRUARY 2014

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	25 March 2014
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 February 2014.

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 February 2014 totalled \$859,165.52 for the Municipal Fund and \$2000.00 for the Trust Fund.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 13 of the Local Government Financial Management Regulations 1997

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- cheque and direct debit listings for February 2014 (Doc Id: 12644)

(Marked 9.1.2)


VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Municipal Fund cheque and EFT listing for the period ending 28 February 2014 totalling \$859,165.52 for the Municipal Fund and \$2,000 for the Trust Fund be accepted.

9.1.3 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 31 MARCH 2014

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	14 April 2014
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Signature of Author:	
Senior Officer:	Tony Kettle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 March 2014.

BACKGROUND

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 31 March 2014.

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 March 2014 was \$1,643,935. 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. During budget adoption a 10 percent or \$10,000 threshold for these variances to be reported was set. An explanation of these variances is as follows:

Governance

Income is at 148% of Y-T-D budget and is due to a LGIS Members Dividend being received.

Community Amenities

Expenditure is at 83% of year to date budget and is due to less than budgeted expenses for rubbish collection and material and contract at the waste sites as well as town planning expenses.

Recreation and Culture

Expenditure is at 81% of Y-T-D budget. This is due to less than budgeted expenditure for Employee and on-costs costs in the Parks and Gardens area. The following is an extract from the "Infrastructure/Major Projects Report – September/October 2013" that explains this variance;

"Maintenance Budget is below the 25% for this time of year sitting at a total expenditure to date of 12% of budget. The under expenditure is related to staff vacancies and unseasonal weather hindering works. Works will now increase given weather improving and full staff capacity."

Due to significant staff changes within supervisor and management levels of this department no further update has been received. However, should this under expenditure continue for the remainder of the year a true saving against the budget will be recognised.

Further investigation with relevant staff will be conducted to get a better picture of why such under expenditure is occurring for preparation of the 2014/15 budget

Economic Services

Expenditure is at 81% of Y-T-D budget and is due to lower than budgeted employee costs and tourism expenses.

Other Property and Services

Income is at 138% of Y-T-D budget and is due to a private works job to install a dual use path for Ardross Estates.

Should Councillors wish to raise any issues relating to the 31 March 2014 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 34 of the Local Government Financial Management

Regulations (1996)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- financial statements for the period ending 31 March 2014 (Doc Id: 23608)

(Marked 9.1.3)

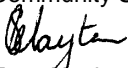

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period ending 31 March 2014 be adopted.

9.1.4 ACCOUNTS FOR PAYMENT – MARCH 2014

Location: Shire of Dandaragan
 Applicant: N/A
 Folder Path: Business Classification Scheme / Financial Management / Creditors / Expenditure
 Disclosure of Interest: None
 Date: 11 April 2014
 Author: Scott Clayton, Executive Manager Corporate & Community 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 March 2014

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 March 2014 totalled \$1,643,110.67 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 March 2014 (Doc Id: 23533) **(Marked 9.1.4)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Municipal Fund cheque and EFT listing for the period



AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 24 APRIL 2014

ending 31 March 2014 totalling \$1,643,110.67 for the Municipal Fund be accepted.

9.2 WORKS AND PLANT

9.3 ADMINISTRATION

9.3.1 SPONSORSHIP REQUEST FOR J BAY BOOGIE 2014

Location:	Shire of Dandaragan
Applicant:	Skydive Jurien Bay
Folder Path:	Business Classification Scheme / Recreation and Cultural Services / Event Management / Community Events
Disclosure of Interest:	None
Date:	3 February 2014
Author:	Kelly Shipway, Community Development Officer
Signature of Author:	
Senior Officer:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Senior Officer:	

PROPOSAL

That Council consider authorising the Chief Executive Officer to support participants of regional events that attract tourism in the form of free or subsidised overflow camping at the Jurien Bay oval surrounds.

BACKGROUND

In 2013, Skydive Jurien Bay hosted the inaugural "J Bay Boogie". The event attracted approximately 500 people to Jurien Bay with the aim of improving the skills and safety levels of the sport whilst showcasing our region and its assets to visiting skydivers and spectators attending the event.

The event is expected to grow each year with increased awareness locally nationally and internationally. The J Bay Boogie is an event unique to the region and the state which provides our Shire with welcomed media attention.

On 31 January 2014 a request for sponsorship was received from Skydive Jurien Bay to allow free camping at the Jurien Bay overflow camping from 29 May 2014 to 2 June 2014.

COMMENT

Support will be considered outside of usual overflow camping periods and only on the proviso that an agreement has been reached with the Jurien Community Centre Management team to access toilet and shower facilities.

By granting sponsorship to the J Bay Boogie 2014, in the form of free overflow camping for a period of five days, event organisers have the ability to grow the event by keeping the cost to participants down.

CONSULTATION

Chief Executive Officer and Executive Manager Corporate and Community Services.

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Sponsorship Request for Skydive J Bay Boogie 2014 (Doc Id: 22016)

(Marked 9.3.1)

VOTING REQUIREMENT

Simple majority

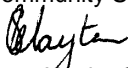

OFFICER RECOMMENDATION

That Council authorise the Chief Executive Officer to support participants of regional events that attract tourism in the form of free or subsidised overflow camping at the Jurien Bay oval surrounds.

Advice Note:

- **Applicants should be aware that approval is limited to camping only and that access to toilet, shower and kitchen facilities must be arranged separately with the Jurien Community Centre Management Committee where a fee will be applicable.**

9.3.2 LOCAL GOVERNMENT MASTER LENDING AGREEMENT

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Financial Management / Loans / Loan Programs
Disclosure of Interest:	None
Date:	10 April 2014
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
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 Master Lending Agreement (LGMLA) between Western Australian Treasury Corporation and Shire of Dandaragan and to authorise the Chief Executive Officer to sign schedule documents under the Master Lending Agreement and or to give instructions thereunder on behalf of the Shire of Dandaragan

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

To improve the effectiveness and timeliness of loan applications with the Western Australian Treasury Corporation (WATC), the WATC has requested that the Shire enter into a LGMLA.

The LGMLA sweeps all existing loans under the LGMLA and facilitates future borrowings under the one agreement thereby removing the need for individual loan agreements to be executed under seal each time the Shire of Dandaragan borrows from WATC.

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

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

- Correspondence from WATC (Doc Id: 23477)
- Local Government Master Lending Agreement (Doc Id: 23478)
(Marked 9.3.2)

VOTING REQUIREMENT



Simple majority

OFFICER RECOMMENDATION

The Shire of Dandaragan hereby RESOLVES:

- 1. that the Shire of Dandaragan enters into a Master Lending Agreement with Western Australian Treasury Corporation as per the document (Doc Id: 23478) tabled at this meeting.**
- 2. to approve the affixation of the Common Seal of the Shire of Dandaragan to the said Master Lending Agreement in the presence of the President and the Chief Executive Officer each of whom shall sign the document to attest the affixation of the Common Seal thereto; and**
- 3. that the Chief Executive Officer, is authorised to sign schedule documents under the Master Lending Agreement and or to give instructions thereunder on behalf of the Shire of Dandaragan**

9.3.3 BUDGET AMENDMENT – PHONE SYSTEM

Location:	Shire of Dandaragan Administration Centre
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Information Technology / Acquisitions / Hardware
Disclosure of Interest:	None
Date:	11 April 2014
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To relocate the existing Commander NT telephone system from the Jurien Bay Administration Centre to the Wellbeing Centre and to purchase and install a new digital phone system for the Jurien Bay Administration Centre.

BACKGROUND

The Jurien Bay Wellbeing Centre is nearing completion and has now progressed to the fit-out stage.

Negotiations with IPN have resulted in the Shire being responsible for fixtures to the new building. There has been some conjecture as to whether a phone system is a fixture or a piece of IT equipment.

Older Commander type systems would clearly be of a fixture nature, however, the newer digital type systems would be more in keeping with furniture and equipment.

COMMENT

The needs of the Wellbeing Centre in regards to phone systems would be adequately met by the capacity and features of the Commander NT system currently installed at the Jurien Bay Administration Centre.

Conversely, the Commander NT system installed at the Administration Centre no longer meets the needs of the staff of the Shire of Dandaragan.

Further, capacity of the Commander system and cabling availability within the current administration building is reaching a critical point.

A new digital phone system installed at the Administration Centre would offer the following benefits:

- Ability to “daisy chain” phones and computers, effectively doubling cable capacity of the existing building.
- Increased handset capacity
- Call logging
- Automated diversion

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- Expandable via microwave link to Jurien Bay depot (Rangers department)
- Individual tailored answering service per handset
- Better integration with mobile phone users (supervisors)

Therefore, it is the opinion of staff involved in both the Wellness Centre and the Administration Centre that the ideal outcome would be to relocate the existing Commander NT system to the Wellness Centre and to purchase and install a new digital phone system at the Jurien Bay Administration Centre.

As there are no funds currently allocated for this purchase in the 2013/2014 budget a budget amendment to draw the funds from the Building Reserve is requested.

CONSULTATION

- Manager Building Services
- Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act

6.8. Expenditure from municipal fund not included in annual budget

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The outcomes recommended in this item would result in the purchase of an asset up to \$25,000 with the funds being provided via a transfer from Building Reserve.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute majority



OFFICER RECOMMENDATION

That Council authorise a budget amendment to transfer up to \$25,000 from building reserve to fund the purchase and install

of a new phone system for the Jurien Administration Centre and for the relocation of the existing Commander NT system to the Jurien Bay Wellbeing Centre.

9.4 TOWN PLANNING

9.4.1 WEDGE AND GREY SQUATTING SETTLEMENTS

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Projects / Illegal Occupation / Wedge Island
Disclosure of Interest:	None
Date:	14 April 2014
Author:	Ian Rennie, Deputy Chief Executive Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

For Council to consider and adopt a formal position in regard to the issue of the occupation of Crown Land by squatting shacks.

BACKGROUND

Council's position in regard to squatting shack settlements has always been consistent and has always supported the removal of the shacks from Crown Land. This has been the position of Council even before the State Government adopted various policies on the matter.

In the 1980's and 1990's, the State Government adopted a series of policies relating to squatting shack settlements. Council enforced the State Government policy for squatting shacks north of Jurien Bay and the squatting shacks were removed over a six year period from 1995 to 2001.

The squatting shacks at Wedge and Grey were to be removed by the State Government in accordance with the Wedge and Grey Masterplan. The trigger for the State Government to remove the shacks was one of either two occurrences. The first was the completion of Indian Ocean Drive and the second was the appointment of a developer for the redevelopment of these sites. Indian Ocean Drive has now been completed for approximately four years and successive Ministers for Environment have granted extensions to the leases of the squatting shack sites.

More recently, in 2010, Council made a submission to the standing committee on Environment and Public Affairs established by the Legislative Council. The outcome of the Inquiry had 52 Findings and 8 Recommendations. Findings numbered 1 to 38 and Recommendations 1 to 6 are relevant to the Wedge and Grey settlements.

Recommendations 1 to 5 were accepted by the State Government however, recommendation number 6 was accepted with qualification. This qualification reads as follows:

The State Government will examine options for Wedge and

Grey that meet the requirements for public recreation and tourism use in conjunction with a level of shack retention that contributes to the opportunities for public use. This consideration would be in consultation with current shack leaseholders.

Any future development of the sites will be subject to State planning requirements and will address equity of access and use, building safety, health and amenity, coastal processes and provide for environmentally sustainable public outcomes.

COMMENT

Recently, a stakeholder workshop was organised by the Department of Parks and Wildlife and present at the workshop were representatives of the Department of Parks and Wildlife, Yued working group, Wedge Island Protection Association, Grey Conservation and Community Association, Wedge Professional Fishers, South West Land and Sea Council, Department of Planning, Shire of Dandaragan and State Heritage office.

Following the workshop, the Department of Parks and Wildlife were requested to provide a presentation to Council in regard to the current issues at Wedge and Grey.

Mr Nathan Greenhill, Acting Coordinator Recreation and Landscape Unit, Mr Keith Hockey, District Manager of the Department of Parks and Wildlife, and Mr Steve Meyerkort, Project Manager attended the Council Forum on 27 March 2014 in order to give Council a briefing on the proceedings in regard to the future of Wedge and Grey. Copies of the DPaW proposals were distributed on the day.

The Minister for the Environment has outlined a timetable for the finalisation of Concept Plans for Wedge and Grey. All stakeholders are required to provide a response to the proposals to the Department of Parks and Wildlife by 30 April 2014. The Department of Parks and Wildlife will undertake a review of submissions received between 1 - 15 May 2014. By 16 May 2014, the Department will complete a revised concept plan / proposal and present it to stakeholders by email distribution. Between 19 May and 6 June 2014, the Department will be available for further discussion and consultation. Between 6 - 30 June 2014, a report will be prepared by the Department of Parks and Wildlife for presentation to the Hon Minister for the Environment by 30 June 2014.

Several Councillors and staff inspected the squatting settlements at Wedge and Grey on 1 April 2014. This was in company with a representative from the Department of Parks and Wildlife.

Council further discussed this issue at the Council Forum held 10

April 2014.

The Department of Parks and Wildlife advises Council that the planning proposals as presented to Council at a recent Forum are currently being considered by the Department and are at a preliminary stage and have not been presented to or approved by the Minister for Environment or by State Cabinet.

With respect of a possible program of upgrading the Shacks in order to meet the current Building and Health requirements, the Department asks the following questions:

1. Is the Shire of Dandaragan willing to be the permit authority for certified building permit applications from the Wedge and Grey residents.
2. Will the Shire of Dandaragan undertake inspection and / or carry out the necessary procedures to ensure compliance under the relevant Building and Health Acts, in regard to the existing shacks.

It would appear that the Shire of Dandaragan as a local government is not permitted to perform the functions of a permit authority over this state owned reserve, comprising Wedge and Grey, and not be agreeable to accept liability for inspections of works required to improve the minimum standards of shacks in the Wedge and Grey area. Even if Council was agreeable, no fees could be charged by the Shire of Dandaragan for this process.

Relevant sections of the Building Act 2011 are as follows:

Part 10 - Permit Authorities

s.124 of the Building Act 2011. State of WA as a permit authority

1. The state may perform the functions of a permit authority under this Act.
2. The Minister-
 - a. may decide if the State is, or is no longer, to be the permit authority for a particular building or incidental structure or a building or an incidental structure of a particular kind; and
 - b. must perform the functions of a permit authority on behalf of the State.
3. The Minister must inform each local government affected by a decision under subsection 2(a) of the effect of a decision in relation to the local government.
4. A decision of The Minister that the State is, or is not or is no longer, to be permit authority for a building or an incidental structure is final and not subject to appeal or review.

s.125 Delegation of State's function as permit authority

1. The Minister may delegate any power or duty to the Minister

- under section 124(2)(a) or (b) to a public body or an office holder in a public body.
2. In subsection (1) –
 - Public body means –
 - a. a Minister of The State; or
 - b. an agency or an organisation as those terms defined in the Public Sector management Act 1994 section 3(1); or
 - c. a body, or the holder of an office, post or position, established by the Governor or a Minister; or
 - d. a body, whether incorporated or not, or the holder of an office, that is established or continued for a public purpose under a written law and that, under the authority of a written law, performs a statutory function on behalf of the State; or
 - e. any other body, or the holder of an office, post or position, that is prescribed as a public body for the purposes of this definition, **but does not include a local government or regional local government.**
 3. The delegation must be in writing executed by the Minister.
 4. A Person to whom a power or duty is delegated under this section cannot delegate that power or duty.
 5. A person exercising or performing a power or duty that has been delegated to the person under this section is to be taken to do so in accordance with the terms of this delegation unless the contrary is shown.
 6. Nothing in this section limits the ability of the Minister to perform a function through an officer or agent.

CONSULTATION

- Department of Parks and Wildlife
- Wedge Island Protection Association
- Grey Conservation and Community Association

STATUTORY ENVIRONMENT

- Land Act 1995

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

- Shire of Dandaragan Strategic Community Plan 2011 – 2021

5.15.1 GOAL NUMBER ONE: Strong Economic Base and Enabling Infrastructure					
OBJECTIVE 1: Ensure planning and land availability provides opportunity to generate quality growth and economic benefits to the community and Shire					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G1-01-A10	Continue to support the removal of squatter shacks at Wedge and Grey and	Wedge and Grey Master	Medium	Coastal	DEC

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	lobby the government to implement the Wedge and Grey Masterplan which, encourages the development of accommodation site for low impact, affordable, short-term, coastal accommodation.	Plan Local Tourism Planning Strategy			Tourism WA CoC's
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5.15.1 GOAL NUMBER ONE: Strong Economic Base and Enabling Infrastructure

OBJECTIVE 4: Facilitate industry attraction, expansion and growth to generate diversified regional economy that attracts investment, wealth and income from outside the region and retains it for the benefit of the communities.

CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G1-O6-A2	Support development of day trips in targeted coastal nodes and manage public access to coast.	Tourism Plan	Ongoing	Coastal	DEC

5.15.4 GOAL NUMBER FOUR: Sustain a healthy natural environment

OBJECTIVE 1: Maintain integrity of coastal and marine environments (this goal limited to Council reserves and managed resources)

CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G4-O1-A3	Engage with State Government about future of Wedge and Grey	Wedge and Grey Masterplan	Ongoing	Coastal	State Govt

- State Planning Policy 2.6 - State Coastal Planning Policy was gazetted in July 2013. Section 5.8 Public Interest sub section (v) reads as follows:

Support the removal of existing unlawful dwellings (squatter's shacks) on coastal Crown Land as per the State Government Squatter Policy (July 1989 and January 1999).

- Wedge and Grey Master Plan – Council Endorsed

ATTACHMENTS

Council has previously been supplied with various attachments in relation to this issue in Forum papers.

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION 1



That Council advise the Department of Parks and Wildlife and the Minister for Environment that Council strongly opposes the retention of any squatting shacks apart from professional fisher shacks at Wedge Island and Grey.

OFFICER RECOMMENDATION 2

That Council advise the Department of Parks and Wildlife and

the Minister for Environment that it is not willing to be the permit authority for certified building permit applications for Wedge and Grey and further that Council advise that it will not undertake inspections and / or carry out any of the necessary procedures to ensure compliance under the relevant Building and Health Acts with respect of the existing shacks.

9.4.2 PLANNING APPROVAL – PROPOSED OUTBUILDING (SHED) – LOT 97 SHINGLE AVENUE, JURIE BAY

Location:	Lot 97 Shingle Avenue, Jurie Bay
Applicant:	Michael Thomas Leahy & Brendan Michael Leahy
Folder Path:	Development Services App / Development Application / 2014 / 14
Disclosure of Interest:	None
Date:	10 April 2014
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for a proposed shed with a reduced setback on the side boundary.

BACKGROUND

The proponent has submitted a proposal to construct a shed measuring 10.82 x 7.62 (82.45m²). The proposal has a wall height of 3.6m and a ridge height of 4.27m.

In accordance with the Council's Local Planning Policy 8.6 – Outbuildings 'Residential Areas' (the Policy) setbacks are to be determined by the R-Codes Tables 2a and 2b. In this case a 1.1m rear setback and 1.5m side setback is required.

The proposed shed has a 1m setback from the rear boundary and an 800mm setback from the side boundary.

COMMENT

Extenuating circumstances were considered in the proposal in relation to restrictions on the location of the shed and the need for reduced setbacks. Given the shape of the subject lot, the slight dispensation of 10cm for the rear setback is only for the rear left corner of the shed. The rear setback increases in conjunction with the angle of the lot boundary. Therefore a reduced 1m setback from the rear boundary is recommended for approval. However, there are no known extenuating circumstances for a reduced side setback and there appears to be ample open space to accommodate a side setback of 1.5m as required by the R-Codes.

The application does not comply with the Outbuildings Policy and given the bulk and scale of the proposal, it is recommended the application be refused.

If amended plans are submitted with the required setbacks, this application may be approved under delegation by the Manager of Planning.

The following table sets out recent Council decisions to approve outbuildings that have reduced setbacks contrary to the

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Outbuildings Policy:

Over height outbuildings with reduced setbacks

Council Meeting	Address	Size		Total Area	Wall height	Length	Width	Setback
		Shed	Lean-to					
8/12	314 Sheoak Grove, JB	46.17		46.17	3.6	7.67	6.02	nil
10/12	470 Apium Way, JB	75		75	3.6	10	7.5	nil
10/12	528 Apium Way, JB	57.75		57.75				nil
7/13	347 Pinetree Circuit, JB	80.5		80.5	3.6	11.5	7	Parapet wall (Length 11.5m)
7/13	492 Essex Street. JB	78		78	3.6	13	6	1m (1.5m required)

Oversized and over height outbuildings with reduced setbacks

Council Meeting	Address	Shed	Lean-to	Total Area	Wall height	Ridge Height	Length	Width	Setback
1/14	314 Sheoak Grove, JB	46.17 (existing aa)	10x6 (proposed)	106.17	3		10	6	Nil
6/13	256 Bashford Street	50.4 (existing)	10x6 (proposed)	110.4	3.3		10	6	nil
7/13	769 Middleton Boulevard	54	36	90	3		15	6	Parapet wall (Length 15m)
1/13	61 Cook Street	? (existing)	60.2 (carport)		3				
1/13	569 Dryandra Boulevard	8x7 (56)	7x7 (49)	105	3.5	4.438	15	7	1.5m setbacks

Given that Council has in the past granted an approval for similar proposals. Should Council resolve to grant approval to this application, the following conditions of approval and advice notes are recommended.

1. *all development shall be in accordance with the attached plans date stamped 10 March 2014 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government;*
2. *the roof and wall material being of non reflective nature and*

- colour consistent with the existing dwelling; and*
3. *the storm water run-off on the property to be managed on site or directed to a suitable disposal system to the satisfaction of the Shire's Manager of Building Services.*

ADVICE NOTES:

- Note 1: The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.*
- Note 2: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.*
- Note 3: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.*
- Note 4: The applicant be advised that "should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:*

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

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 13 March 2014 and closed on 28 March 2014.

There have been no objections from adjoining landowners.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.
- Residential Design Codes.

POLICY IMPLICATIONS

- Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’

Outbuildings

1. An outbuilding within a Residential area shall be deemed as meeting the Design Principles of Clause 5.4.3 of the Residential Design Codes where the following area and height requirements can be achieved:

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Outbuilding External Appearance	Permitted Area of Outbuilding	Permitted Wall Height	Permitted Ridge Height
Reflective Cladding	12m ²	2.4m *	4.2m *
Non-Reflective Cladding or Masonry	80m ² , or 10% of the site area, whichever is the lesser	3.6m *	4.5m or the highest point of the roof cladding of the residence whichever is lesser *

* Note that total wall / ridge heights are measured from the ground level at the closest common boundary

2. When giving consideration to an application for an outbuilding, the Shire of Dandaragan shall have regard to the Design Principles of Clause 5.4.3 of the Residential Design Codes, namely that outbuildings do not detract from the streetscape or the amenity of residents or neighbouring properties.
3. All outbuildings are to otherwise maintain a minimum rear / side setback in accordance with the Residential Design Codes Tables 2a and 2b. Any variation to these setback requirements will require the submission of a Planning Application with adjoining property owner comment for a Council decision.
4. Where a parapet/boundary wall is proposed (ie a wall within 750mm of a boundary), a maximum wall height of 3.0m and length of 9m will apply. Any variation to this requires comment from the affected adjoining property owner/s for a Council decision

FINANCIAL IMPLICATIONS

The applicant has paid a standard planning application fee of \$147.00.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Location Plan (Doc Id: 23537)
- Aerial Plan (Doc Id: 23538)
- Development Application (Doc Id: 23539)

(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council refuse planning approval for the proposed Outbuilding (shed) on Lot 97 Shingle Avenue, Jurien Bay for the following reasons:

1. **the proposed development does not comply with Tables 2a and 2b of the Residential Design Codes of the Shire of**



- Dandaragan Local Planning Scheme No.7 in that the proposal does not conform to the setback provisions of the Codes;
2. the proposed development does not comply with the deemed to comply requirements of 5.4.3 C.3 iii, iv & v of the Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not meet the site area, wall height and ridge height provisions of the Codes;
 3. the proposed development does not comply with Local Planning Policy 8.6 - Outbuildings 'Residential Areas' for maintaining minimum rear/side setbacks and is overheight for the applied for setback;
 4. the proposed development detracts from the visual amenity of residents and neighbouring properties; and
 5. the proposed development does not comply with orderly and proper planning for the locality.

Advice Notes:

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

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

9.4.3 PLANNING APPROVAL – PROPOSED OUTBUILDING (SHED) WITH ATTACHED CARPORT – LOT 300 LESUEUR DRIVE, JURIE BAY

Location:	Lot 300 Lesueur Drive, Jurien Bay
Applicant:	Swan Aussie Sheds on behalf of J & S Servaas
Folder Path:	Development Services App / Development Application / 2014 / 16
Disclosure of Interest:	None
Date:	20 March 2014
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for a proposed oversized outbuilding with attached carport inside the existing fence on the rear and side boundary.

BACKGROUND

The proponent has submitted a proposal to construct a shed measuring 7.56m x 10.7m (80.90m²). Attached to the shed is a carport measuring 7.56m x 3.6m (27.22m²). The total area of outbuilding is 108.12m². The proposal has a wall height of 3.6m.

In accordance with the Residential Design Codes (R-Codes) and Council's Local Planning Policy 8.6 – Outbuildings 'Residential Areas' (the Policy), the applicant is seeking the following variations:

1. to the permitted size of outbuilding,
2. the minimum rear and side setbacks,
3. the permitted wall length within 750mm of a boundary and
4. the permitted wall height within 750mm of a boundary.

In accordance with the Policy the permitted area of an outbuilding is 80m², or 10% of the site area, whichever is the lesser. The proposal exceeds the Policy by 28.12m².

The proposed outbuilding has a nil setback from the rear and side boundary and will be built inside the existing fence. The Council Policy maintains setbacks to be determined by the R-Codes Tables 2a and 2b. In this case, a 1.5m setback from the rear boundary and 1.1m setback from the side boundary is required.

In accordance with the Council's Policy where a parapet/ boundary wall is proposed within 750mm of a boundary a maximum wall height of 3m and length of 9m will apply. The total length of the proposal inside the rear boundary is 14.3m which exceeds the Policy requirements of a maximum length of 9m. However, only the shed component will contain walls (10.7m). The proposed wall height is 3.6m also exceeding the permitted height of 3m.

COMMENT

The proposal does not comply with the setback requirements of the R-Codes and although there is provision in the Council's Policy for reduced setbacks the length and height of the proposed development exceeds the maximum prescribed limits in the Policy.

In considering the proposal, it has been noted the Council has approved oversized outbuildings with reduced setbacks in the past year. The largest oversized outbuilding approved had a floor area of 110.4m² (Lot 256 Bashford Street, Jurien Bay, approved 27.6.13). The common characteristic of recently approved oversized outbuilding is that they have been sheds of approximately 50 m² with an attached lean-to/carport and therefore the bulk of the development is reduced due to the open nature of a lean-to.

Although the proposal does not comply with numerous criteria in the R-Codes and the Policy, the fact there are precedents for variations should be taken into account (refer table in item 9.4.2 of this agenda). However, there is no precedent for an outbuilding with a parapet/boundary wall within 750mm of the boundary that is both over height and over length and has a significant enclosed outbuilding area in comparison with similar applications approved.

The application does not comply with the Outbuildings Policy and given the bulk and scale of the proposal, it is recommended the application be refused.

This application cannot be approved under delegation by the Manager of Planning if amended plans are submitted with the required setbacks. The proposed area is too large and requires a Council decision whether set back in accordance with the policy or not.

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 4 April 2014 and closed on 18 April 2014.

There have been no objections from adjoining landowners.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.
- Residential Design Codes.

POLICY IMPLICATIONS

- Local Planning Policy 8.6 – Outbuildings 'Residential Areas'

Outbuildings

1. An outbuilding within a Residential area shall be deemed as

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meeting the Design Principles of Clause 5.4.3 of the Residential Design Codes where the following area and height requirements can be achieved:

Outbuilding External Appearance	Permitted Area of Outbuilding	Permitted Wall Height	Permitted Ridge Height
Reflective Cladding	12m ²	2.4m *	4.2m *
Non-Reflective Cladding or Masonry	80m ² , or 10% of the site area, whichever is the lesser	3.6m *	4.5m or the highest point of the roof cladding of the residence whichever is lesser *

* Note that total wall / ridge heights are measured from the ground level at the closest common boundary

2. When giving consideration to an application for an outbuilding, the Shire of Dandaragan shall have regard to the Design Principles of Clause 5.4.3 of the Residential Design Codes, namely that outbuildings do not detract from the streetscape or the amenity of residents or neighbouring properties.
3. All outbuildings are to otherwise maintain a minimum rear / side setback in accordance with the Residential Design Codes Tables 2a and 2b. Any variation to these setback requirements will require the submission of a Planning Application with adjoining property owner comment for a council decision.
4. Where a parapet/boundary wall is proposed (ie a wall within 750mm of a boundary), a maximum wall height of 3.0m and length of 9m will apply. Any variation to this requires comment from the affected adjoining property owner/s for a Council decision

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Location Plan (Doc Id: 23540)
- Aerial Plan (Doc Id: 23541)
- Development Application (Doc Id: 23542)

(Marked 9.4.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council refuse planning approval for the proposed

Outbuilding (shed) in accordance with the attached approved plans date stamped 13 March 2014 on Lot 300 Lesueur Drive, Jurien Bay for the following reasons:



- 1. the proposed development does not comply with Tables 2a and 2b of the Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not conform to the setback provisions of the Codes;**
- 2. the proposed development does not comply with the deemed to comply requirements of 5.4.3 C.3 iii, iv & v of the Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not meet the site area, wall height and ridge height provisions of the Codes;**
- 3. the proposed development does not comply with Local Planning Policy 8.6 - Outbuildings 'Residential Areas' for maintaining minimum rear/side setbacks and is over height for the applied for setback;**
- 4. the proposed development detracts from the visual amenity of residents and neighbouring properties, and;**
- 5. the proposed development does not comply with orderly and proper planning for the locality.**

Advice Notes:

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

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

9.4.4 PLANNING APPROVAL – PROPOSED OUTBUILDING (BOAT STORAGE SHED) – LOT 483 AQUILLA STREET, JURIEN BAY

Location:	Lot 483 Aquilla Street, Jurien Bay
Applicant:	Swan Aussie Sheds on behalf of A & S Carlton
Folder Path:	Development Services App / Development Application / 2014 / 19
Disclosure of Interest:	None
Date:	8 April 2014
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for a proposed boat storage shed inside the existing fence on the rear boundary.

BACKGROUND

The proponent has submitted a proposal to construct a shed measuring 12.2m x 6.5m (79.3m²). The proposal has a wall height of 3.6m and ridge height of 4 m.

In accordance with the Residential Design Codes (R-Codes) and Council's Local Planning Policy 8.6 – Outbuildings 'Residential Areas' (the Policy), the applicant is seeking the following variations:

1. the permitted wall length within 750mm of a boundary and
2. the permitted wall height within 750mm of a boundary.

In accordance with the Council's Policy where a parapet/ boundary wall is proposed within 750mm of a boundary a maximum wall height of 3m and length of 9m will apply. The total length of the proposal inside the side boundary is 12.2m exceeding the Policy requirements of a maximum length of 9m. The proposed wall height is 3.6m also exceeding the permitted height of 3m.

The subject lot is a corner lot at the intersection of Whitlock Loop and Aquilla Street. Although the owners address is Aquilla Street the dwelling fronts Whitlock Loop and therefore Aquilla Street is the secondary street. Hence the rear boundary forms the side boundary of the adjoining lot on Aquilla Street which is reserved Parks and Recreation. The application for the proposed shed is for a nil setback from the boundary shared by Parks and Recreation Reserve.

A site visit revealed there is an existing 6m x 6m shed on the proposed location. A demolition licence will be required as a condition of approval.

COMMENT

Although the length and height of the proposed development exceeds the maximum prescribed limits for a parapet / boundary

wall in the Policy, it is suggested there are special circumstances attached to the subject lot given its location adjacent to Parks and Recreation Reserve. According to the R-Codes and the Council Outbuilding Policy the performance criteria state:

“Outbuildings that do not detract from the streetscape or the visual amenity of the residents or neighbouring properties”.

Considering there are no neighbouring properties and the proposal is setback 6m from the secondary street (only 2m required), there is merit in approving the proposal based on the design principles of the R-Codes. On the basis the proposed outbuilding does not detract from the streetscape or the amenity of neighbouring properties.

However, the application does not comply with the Outbuildings Policy and given the bulk and scale of the proposal, it is recommended the application be refused.

If amended plans are submitted with the required setbacks, this application may be approved under delegation by the Manager of Planning.

Given that Council has in the past granted an approval for similar proposals and that there are special circumstances (adjoins a Reserve). Should Council resolve to grant approval to this application, the following conditions of approval and advice notes are recommended.

- 1. All development shall be in accordance with the attached plans date stamped 27 March 2014 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government;*
- 2. The roof and wall material being of non reflective nature and colour consistent with the existing structure;*
- 3. The storm water run-off on the property to be managed on site or directed to a suitable disposal system to the satisfaction of the Shire’s Manager of Building Services;*
- 4. All guttering is to be self-contained on the property.*
- 5. That the existing outbuilding be demolished (and demolition licence obtained) prior to commencing the proposed structure.*

ADVICE NOTES:

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

Note 2: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and

be of no further effect.

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

Note 4: The applicant be advised that the Council has granted special dispensation in this instance due to the location of the adjoining Reserve and that there is no amenity impact on neighbouring properties or the streetscape.

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

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

CONSULTATION

The subject lot adjoins Parks and Recreation Reserve and therefore notice of the proposed development was not advertised to adjoining and potentially impacted neighbouring landowners.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.
- Residential Design Codes.

POLICY IMPLICATIONS

- Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’

Outbuildings

1. An outbuilding within a Residential area shall be deemed as meeting the Design Principles of Clause 5.4.3 of the Residential Design Codes where the following area and height requirements can be achieved:

Outbuilding External Appearance	Permitted Area of Outbuilding	Permitted Wall Height	Permitted Ridge Height
Reflective Cladding	12m ²	2.4m *	4.2m *
Non-Reflective Cladding or Masonry	80m ² , or 10% of the site area, whichever is the lesser	3.6m *	4.5m or the highest point of the roof cladding of the residence whichever is lesser *

* Note that total wall / ridge heights are measured from the ground level at the closest common boundary

2. When giving consideration to an application for an outbuilding, the Shire of Dandaragan shall have regard to the Design Principles of Clause 5.4.3 of the Residential Design Codes,

namely that outbuildings do not detract from the streetscape or the amenity of residents or neighbouring properties.

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

FINANCIAL IMPLICATIONS

The applicant has paid a standard planning application fee of \$139.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Location Plan (Doc Id: 23543)
- Aerial Plan (Doc Id: 23544)
- Development Application (Doc Id: 23545)

(Marked 9.4.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council refuse planning approval for the proposed Outbuilding (shed) in accordance with the attached approved plans date stamped 27 March 2014 on Lot 483 Aquilla Street, Jurien Bay for the following reasons:

- 1. the proposed development does not comply with Tables 2a and 2b of the Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not conform to the setback provisions of the Codes;**
- 2. the proposed development does not comply with the deemed to comply requirements of 5.4.3 C.3 iii, iv & v of the Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not meet the site area, wall height and ridge height provisions of the Codes;**
- 3. the proposed development does not comply with Local Planning Policy 8.6 - Outbuildings 'Residential Areas' for**



maintaining minimum rear/side setbacks and is over height for the applied for setback;

Advice Notes:

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

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

9.4.5 PLANNING APPROVAL – PROPOSED OUTBUILDING (SHED) – LOT 499 WHITLOCK LOOP, JURIE BAY

Location:	Lot 499 Whitlock Loop, Jurie Bay
Applicant:	Swan Aussie Sheds on behalf of R Woodings
Folder Path:	Development Services App / Development Application / 2014 / 18
Disclosure of Interest:	None
Date:	9 April 2014
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for a proposed shed on the side boundary inside the fence line.

BACKGROUND

The proponent has submitted a proposal to construct a shed measuring 11.5m x 7.06m (81.19m²). The proposal has a wall height of 3.6m. The subject lot is located in the residential area of Jurie Bay.

In accordance with the Council's Local Planning Policy 8.6 – Outbuildings 'Residential Areas' (the Policy), the applicant is seeking the following variations:

1. the permitted wall length within 750mm of a boundary and
2. the permitted wall height within 750mm of a boundary.

In accordance with the Council's Policy where a parapet/ boundary wall is proposed within 750mm of a boundary a maximum wall height of 3m and length of 9m will apply. The total length of the proposal inside the side boundary is 11.5m exceeding the Policy requirements of a maximum length of 9m. The proposed wall height is 3.6m also exceeding the permitted height of 3m.

COMMENT

The proposal exceeds the height and length of an outbuilding with a boundary wall permitted by the Council's Policy. The Council at its discretion can approve variations to the Policy. The proposal complies with the provisions of the Outbuilding Policy except for a reduced setback.

Although the proposal does not comply with criteria in the R-Codes and the Policy, the fact there are precedents for variations should be taken into account (refer table in item 9.4.2 of this agenda).

The application does not comply with the Outbuildings Policy and given the bulk and scale of the proposal, it is recommended the application be refused.

If amended plans are submitted with the required setbacks, this

application may be approved under delegation by the Manager of Planning.

Given that Council has in the past granted an approval for similar proposals. Should Council resolve to grant approval to this application, the following conditions of approval and advice notes are recommended.

1. *all development shall be in accordance with the attached plans date stamped 14 March 2014 subject to any modifications required as a consequence of any conditions of this approval (take special note of Condition No.2) and shall not be altered without the prior written approval of the local government;*
2. *the proposed building shall be setback a minimum of 1.5m from the side boundary;*
3. *the roof and wall material being of non reflective nature and colour consistent with the existing dwelling; and*
4. *the storm water run-off on the property to be managed on site or directed to a suitable disposal system to the satisfaction of the Shire's Manager of Building Services.*

ADVICE NOTES:

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

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

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

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

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

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was 2 April and closed on the 16 April 2014.

At the time of writing this report, no objections have been received. Any submissions received by the end of the advertising period will

be forwarded to Councillor's by email.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.
- Residential Design Codes.

POLICY IMPLICATIONS

- Local Planning Policy 8.6 – Outbuildings 'Residential Areas'

Outbuildings

1. An outbuilding within a Residential area shall be deemed as meeting the Design Principles of Clause 5.4.3 of the Residential Design Codes where the following area and height requirements can be achieved:

Outbuilding External Appearance	Permitted Area of Outbuilding	Permitted Wall Height	Permitted Ridge Height
Reflective Cladding	12m ²	2.4m *	4.2m *
Non-Reflective Cladding or Masonry	80m ² , or 10% of the site area, whichever is the lesser	3.6m *	4.5m or the highest point of the roof cladding of the residence whichever is lesser *

* Note that total wall / ridge heights are measured from the ground level at the closest common boundary

2. When giving consideration to an application for an outbuilding, the Shire of Dandaragan shall have regard to the Design Principles of Clause 5.4.3 of the Residential Design Codes, namely that outbuildings do not detract from the streetscape or the amenity of residents or neighbouring properties.
3. All outbuildings are to otherwise maintain a minimum rear / side setback in accordance with the Residential Design Codes Tables 2a and 2b. Any variation to these setback requirements will require the submission of a Planning Application with adjoining property owner comment for a Council decision.
4. Where a parapet/boundary wall is proposed (ie a wall within 750mm of a boundary), a maximum wall height of 3.0m and length of 9m will apply. Any variation to this requires comment from the affected adjoining property owner/s for a Council decision

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Location Plan (Doc Id: 23547)
- Aerial Plan (Doc Id: 23548)
- Development Application (Doc Id: 23549)

(Marked 9.4.5)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council refuse planning approval for the proposed Outbuilding (shed) in accordance with the attached approved plans date stamped 14 March 2014 on Lot 499 Whitlock Loop, Jurien Bay for the following reasons;



1. the proposed development does not comply with Tables 2a and 2b of the Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not conform to the setback provisions of the Codes;
2. the proposed development does not comply with the deemed to comply requirements of 5.4.3 C.3 iii, iv & v of the Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not meet the site area, wall height and ridge height provisions of the Codes;
3. the proposed development does not comply with Local Planning Policy 8.6 - Outbuildings 'Residential Areas' for maintaining minimum rear/side setbacks and is over height for the applied for setback;
4. the proposed development detracts from the visual amenity of residents and neighbouring properties; and
5. the proposed development does not comply with orderly and proper planning for the locality.

Advice Notes:

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

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

9.4.6 PLANNING APPROVAL – PROPOSED CARPORT – LOT 499 WHITLOCK LOOP, JURIE BAY

Location: Lot 499 Whitlock Loop, Jurie Bay
 Applicant: Ross Woodings
 Folder Path: Development Services App / Development Application / 2014 / 18
 Disclosure of Interest: None
 Date: 9 April 2014
 Author: Barbara Macaulay, Planning Officer
 Signature of Author: 
 Senior Officer: David Chidlow, Manager of Planning
 Signature of Senior Officer: 

PROPOSAL

The applicant seeks planning approval for a carport to intrude into the front street setback area.

BACKGROUND

Front setbacks in residential areas are determined by the Residential Design Codes (R-Codes). The subject lot is zoned R12.5 and has a front setback requirement of 7.5m. The applicant seeks Council discretion on a proposed carport measuring 5.05 x 5.76 (total area 29.09m²) with a wall height of 2.4m and ridge height of 3.7m to intrude 4.424m into the front setback area, reducing the front setback to 3.076m.

There is provision in the R-Codes for any building to intrude 50% into the setback area as long as it is compensated by at least an equal area of open space between the setback line and a line drawn parallel to it at twice the setback distance (clause 5.1.2 c 2.1 iii see below). The proposal provides an adequate area of compensatory open space behind the setback line as demonstrated on the site plan. The issue is the maximum reduced setback for a R12.5 zoning is 3.75m and the proposal is for a 3.076m front setback. The applicant seeks Council approval for 67.4cm dispensation in the front setback requirements.

5.1.2 Street setback

P2.1 Buildings set back from street boundaries an appropriate distance to ensure they:

- contribute to, and are consistent with, an established streetscape;
- provide adequate privacy and open space for dwellings;
- accommodate site planning requirements such as parking, landscape and utilities; and
- allow safety clearances for easements for essential service corridors.

P2.2 Buildings mass and form that:

- uses design features to affect the size and scale of the building;
- uses appropriate minor projections that do not detract from the character of the streetscape;
- minimises the proportion of the façade at ground level taken up by building services, vehicle entries and parking supply, blank walls, servicing infrastructure access and meters and the like; and
- positively contributes to the prevailing development context and streetscape.

C2.1 Buildings set back from the primary street boundary:

- i. in accordance with Table 1;
- ii. corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street;
- iii. reduced by up to 50 per cent provided that the area of any building, including a carport or garage, intruding into the setback area is compensated for by at least an equal area of open space between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a, 2b and 2c);
- iv. in the case of areas coded R15 or higher, where:
 - a grouped dwelling has its main frontage to a secondary street;
 - a single house results from subdivision of an original corner lot and has its frontage to the original secondary street; or
 - a single house or grouped dwelling (where that grouped dwelling is not adjacent to the primary street), has its main frontage to a communal street, right-of-way or shared pedestrian or vehicle access way;

Where a proposal does not meet the deemed-to-comply criteria in the R-Codes, the onus is on the applicant to provide written support to show how all objectives and design principles are met. The applicant in supporting their proposal has provided the following reasons:

We subsequently request variation here and would like to make the following points to support our request:

- *The 7.5m average is met, ie carport intruding 23.8m² is compensated by open space behind the average line of 24.4m² (as indicated on siteplan).*
- *The Proposed Carport will be an open structure and even though is forward of the setback line, will have reduced bulk due to its open-ness.*
- *The Proposed Carport will be constructed to match the existing residence which will further blend the carport into the streetscape.*
- *The owners will be parking a boat on the lot. The intended location will be down the left hand side behind the street setback. This is the preferred location, however if the carport cannot be positioned as proposed, the boat may need to be parked out the front which has potential to impact the streetscape, perhaps more so than the proposed carport.*

COMMENT

In formulating the recommendation to Council for the above proposal the objectives and design principles of the R-Codes have been given consideration. It is worth outlining this process to Council so they too, are informed in the decision making process of the Officer recommendation. One of the objectives of the R-Codes is to ensure that residential development meets the community expectations in regard to appearance, use and density and respond to the local context in terms of bulk and scale. In relation to the existing streetscape, a site visit revealed surrounding properties are setback at the required 7.5m and there is no development in the front setback area. Even though development can occur up to 50% into the front setback area as long as it is compensated by an equal area of open space, given the lack of development to date there is merit in maintaining a maximum 3.75m intrusion into the setback area so not to have a negative impact on the prevailing development context and streetscape. It is also noted there is no precedent for extending the 3.75m maximum intrusion into the setback area.

Consideration to the future development context and desired future character of the area has also been considered on the basis that the eventual implementation of reticulated sewerage to the Town would most likely result in the upcoding of the residential zone. This would have the effect of reducing the maximum setback to 3m based on R17.5. However, there is no consensus on whether reticulated sewerage is in the near or distance future

and so this was not considered a strong enough reason to support the proposal.

The applicant in support of their proposal has stated that if the carport cannot be located in the front setback area then the boat may need to be parked out the front which has the potential to impact the streetscape more than the proposed carport. The Officer does not share this view as a carport is a fixed permanent structure less adaptable to change in the future compared to a boat that can be moved. However, in support of the proposal the open nature of a carport does reduce the bulk of the building, the carport will be constructed to match the dwelling, there has been no objections from neighbours and no impact on access to essential services can be foreseen by the proposal.

The Officer recommends the proposal be refused as it is not considered a minor projection into the street setback area and does not contribute to, nor is consistent with, the established streetscape.

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was 2 April and closed on the 16 April 2014.

At the time of writing this report, no objections have been received.

Any submissions received by the end of the advertising period will be forwarded to Councillors by email.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.
- Residential Design Codes.

POLICY IMPLICATIONS

- Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’

FINANCIAL IMPLICATIONS

The applicant has paid a standard planning application fee of \$240.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Location Plan (Doc Id: 23547)
- Aerial Plan (Doc Id: 23548)
- Development Application (Doc Id: 23550)
- Letter from applicant requesting variation (Doc Id: 23551)

(Marked 9.4.6)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council refuse planning approval for the proposed carport intruding into the front setback at Lot 499 Whitlock Loop, for the following reasons:



1. the proposed development does not comply with Section 5.2.1 Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not conform to the Codes;
2. the proposed development does not comply with the Deemed to Comply provisions of clause 5.1.2 of State Planning Policy 3.1 Residential Design Codes (2013) relating to front setback and open space requirements;
3. the proposed development is not consistent with the established streetscape;
4. the proposed development does not comply with orderly and proper planning for the locality and streetscape.

Advice Notes:

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

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

9.4.7 PLANNING APPROVAL – PROPOSED ADDITION TO EXISTING SHED – LOT 819 BRADLEY LOOP, CERVANTES

Location:	Lot 819 Bradley Loop, Cervantes
Applicant:	David Thompson
Folder Path:	Development Services App / Development Application / 2014 / 10
Disclosure of Interest:	None
Date:	9 April 2014
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for an addition to an existing shed with a reduced front setback.

BACKGROUND

The Council has received an application for a proposed addition to the front of an existing shed located in the Industrial area of Cervantes. The addition measures 8m x 9m (72m²) and will have a front setback of 4.95m.

The existing shed is 9m x 32m with a wall height of 3m and is setback 5m from the side and rear boundary. The proposed addition is the same width of the existing shed but increases in height (wall height of 3.5m). The facade of the proposed addition is rendered painted brickwork with a colorbond gable roof.

The subject site is zoned "Industrial" under the Shire of Dandaragan (the Shire) Local Planning Scheme No. 7 (LPS7). The front setback requirement for Industrial zoned land is 7.5 m. In accordance with the Scheme any variation to the development requirements within the Industrial area is at the Council's discretion.

COMMENT

The proposed addition is a minor projection into the front setback area. Although the addition is taller than the existing shed it is not considered out of character for the area and is of an acceptable bulk and scale for an Industrial area. The addition is only 9m wide and compared to the front boundary of 35m does not raise any open space or streetscape issues. To the contrary, a site visit revealed the proposed development will probably improve the amenity of the area and therefore is recommended for approval.

CONSULTATION

The proposed development was not advertised.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Location Plan (Doc Id: 23561)
- Aerial Plan (Doc Id: 23568)
- Development Application (Doc Id: 23574)

(Marked 9.4.7)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council grant planning approval for the proposed addition in accordance with the attached approved plans date stamped 7 March 2014 on Lot 819 Bradley Loop, Cervantes subject to:



- 1. all development shall be in accordance with the attached plans date stamped 7 March 2014 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government;**
- 2. onsite parking is to be provided in accordance with table 2 of Local Planning Scheme No 7;**
- 3. any parking areas and vehicle crossovers are to be designed, constructed and drained in accordance with the requirements of the Executive Manager Infrastructure, prior to occupation of the Approved development;**
- 4. the proponent is required to submit a LANDSCAPE PLAN prior to any commencement of site works, including earthworks;**
- 5. all proposed / endorsed landscaping works are to be completely installed prior to the occupation or use of any building in accordance with this Planning Approval. In certain circumstances (such as those brought about by adverse seasonal conditions, for example) such works (or their final completion) may be allowed to be deferred for up to a maximum six (6) months; and**
- 6. all required site planting / landscaping is to be properly installed prior to occupation of the Approved development and thereafter maintained in a neat, tidy and healthy condition.**

ADVICE NOTES:

- Note 1:** The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.
- Note 2:** If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- Note 3:** Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- Note 4:** The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845”

9.4.8 PROPOSED SCHEME AMENDMENT No.26 – PORTION OF LOT 9016 JURIEBAY

Location:	Lot 9016, Jurien Bay
Applicant:	MGA Town Planners on behalf of Ardross Estates Pty Ltd
Folder Path:	Business Classification Scheme / Land Use Planning/ Planning / Planning Scheme / Amendment 7.26
Disclosure of Interest:	None
Date:	11 March 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The Council is in receipt of a request to amend Local Planning Scheme No.7 to rezone portion of Lot 9016 from Residential R12.5 and a 40m wide strip of the same lot currently zoned "Special Development" to a "Residential R40".

BACKGROUND

This Amendment affects a portion of Lot 9016 measuring approximately 3.52 ha which is currently zoned "Residential R12.5" as well as an adjacent 40m wide strip of Lot 9016 currently zoned "Special Development". It is proposed that coding of the land zoned "Residential R12.5" be changed to "R40" while the 40m wide strip of Lot 9016 down the eastern side of the "Residential" zoned land be similarly zoned "Residential" and coded "R40"

Currently, this area is not connected to deep sewerage however, service extensions are proposed. Until the land is connected to the sewerage system, any development of the land cannot occur.

COMMENT

The amendment area is adjacent to the Jurien Bay Town Centre. Immediately to the north is a range of "Public Purposes" reserves protecting central area public uses including the Shire of Dandaragan Council Chambers and Offices. To the north of these public uses and on the opposite side of Bashford Street lie the town centre commercial areas.

To the northeast there is the Jurien Bay District High School. Connection between the amendment area and all of these facilities is via Hamersley Street which enters the amendment area in the north-eastern corner. A wide range of central area functions are within a 450 radius of the amendment area.

This amendment proposes a R40 coding over an area of land close to the Jurien Bay Town Centre. It is intended that deep sewerage be connected to all development in the amendment area.

A mixed density development is anticipated providing smaller, higher density dwellings to take advantage of proximity to the Town Centre as well as larger, family style lots to take advantage of proximity to the combined high/primary school.

The amendment area has been added to the Turquoise Coast development site, the subject of advice under Section 16 (j) of the Environmental Protection Act (Bulletin 1031) and an agreed Conservation Strategy.

There has been no Specially Protected (Threatened) or Priority Vegetation or Fauna identified in the amendment area.

CONSULTATION

There is no requirement to undertake community consultation at this stage. A mandatory consultation process will apply should a proposal to rezone the land be supported.

After consultation with MGA Town Planners and the Department of Planning it was decided at officer level that the initial proposal for a split coding of R12.5/40 and a requirement of lots less than 800m² be connected to deep sewer as detailed in the attached amendment report be deleted. The reason for this is so as not to potentially support non sewerred lots at R12.5 density as the intent is to connect the area to the nearby pump sewerage station.

STATUTORY ENVIRONMENT

Amendment of a Local Planning Scheme is undertaken in accordance with the provisions of the *Planning and Development Act 2005* and *Town Planning Regulations 1967*.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item. The applicant will be required to pay the costs of advertising and preparation of the Amendment.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item as the proposal is an existing residential area and is in keeping with current planning practices.

ATTACHMENTS

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

- Amendment Proposal (Doc Id: 23600)
(Marked 9.4.8)

VOTING REQUIREMENT



Simple majority

OFFICER RECOMMENDATION

That Council:

1. in pursuance of Section 75 of the *Planning and Development Act 2005* (as amended), amend Local Planning Scheme No.7 by;
 - a. Rezoning portion of Lot 9016 Bashford Street, Jurien Bay from the “Special Development” Zone to the “Residential (R40)” Zone.
 - b. Amending the Scheme Maps accordingly.
2. advise the applicant of its resolution and request Scheme Amendment documents be updated in accordance with requirements of the Town Planning Regulations 1967;
3. upon receipt of Amendment documents updated in accordance with its resolution, refer a copy of the amendment document to the Western Australian Planning Commission, and the Environmental Protection Authority pursuant to Section 81 of the Planning and Development Act 2005; and
4. subject to no objections being received from the Environmental Protection Authority, advertise the amendment for a period of 42 days seeking public comment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 (as amended).

9.4.9 PROPOSED SCHEME AMENDMENT No.24 – LOT 480 HASTING STREET

Location:	Lot 480 Hasting Street, Jurien Bay
Applicant:	Harley Dykstra on behalf of The Hasting Street Syndicate
Folder Path:	Business Classification Scheme / Land Use Planning/ Planning / Planning Scheme/ Amendment 7.24
Disclosure of Interest:	None
Date:	11 March 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The Council is in receipt of a request to amend Planning Scheme No.7 to rezone Lot 480 Hasting Street from "Tourist" to "Residential R40"

BACKGROUND

This amendment proposes to rezone the subject land from "Tourist" to "Residential R40".

A Preliminary Rezoning Proposal was submitted to the Shire of Dandaragan in September 2013 to introduce the proposal and seek initial feedback from Council. The preliminary proposal was presented to a Council Forum on 9 January 2014 by the proponents.

During discussion, the Council indicated its "in principle" support for the proponent's vision to develop the site for medium density residential use. In addition, Council identified key issues which should be given consideration in further developing the proposal, including:

1. The need to be sympathetic to existing built form in the surrounding area;
2. Consideration to traffic management arising from any proposed Hasting Street access points;
3. Further detail with respect to sewer connection; and
4. Product development and identification of a primary target market.

The proposal has also been prepared in consultation with the Department of Planning, who have indicated support for the proposed R40 residential density coding.

The subject land is 8449m² in area and is generally flat and cleared of vegetation. The land is currently vacant. The site has frontage to Hasting Street along its south-western boundary and Essex Street adjacent to its south-eastern boundary.

The Local Tourism Strategy makes specific reference to Lot 480

and recommends that subject to owner's support, the site be rezoned to Residential R17.5. The applicants are seeking a higher density coding of R40.

COMMENT

The rezoning will facilitate the future development of the site for medium density (R40) residential use. Strategically, the subject land is well placed to accommodate the density of development proposed, in terms of its proximity to available services and facilities within the Jurien town-site and its location adjacent to a Public Open Space.

SERVICING AND INFRASTRUCTURE

Access

The subject land has frontage to Hasting Street along its south-west boundary and Essex Street along its south-eastern boundary. Lot access arrangements would be determined as part of detailed design. However, given the lot dimensions, it is anticipated lots would be accessed via a combination of direct access to the existing public roads as well as common property access ways servicing survey-strata lots. Having regard to potential traffic management considerations raised by Council, design responses may include rear loaded access to dwellings fronting Hasting Street from common property access-ways, where practical.

Sewer

Consultation with the Shire of Dandaragan and Water Corporation has confirmed there is a sewer pressure main which passes the property within Hasting Street, which cannot be connected into to service the site. It is understood the nearest connection points to the gravity reticulated sewer are within Bower Street, or alternatively to an existing pump station located approximately 120m north-west of the subject land. The subject land is included within the Stage 2 Sewer infill area for the Jurien Townsite, however, it is understood Stage 2 has not yet been funded.

Further details pertaining to servicing the site with reticulated sewer, including preliminary sewer design, the preferred connection point and sewer route could be provided as part of a future development application, if required. It is understood sufficient capacity is available to service the development site within existing Water Corp infrastructure, and increased capacity will be provided over the next 10 - 15 years to accommodate projected growth and development within the town-site.

Water

The Water Corporation has confirmed the subject land has an existing connection to the scheme water supply.

Power and Telecommunications

The subject land is capable of being connected to the existing

power supply infrastructure within the abutting road reserves.

Design Guidelines

In its consideration of a preliminary rezoning proposal for the site, Council expressed the view future development on Lot 480 should be sensitively designed to ensure it is sympathetic to existing built form and the character of the area. It is also the proponent's intention to ensure quality built form eventuates on the site such that a high benchmark is established as new development occurs in the Jurien townsite.

The Residential Design Codes (R-Codes) have been developed (and recently amended) to provide a basis for the control of residential development in Western Australia. The general objectives of the R-Codes include:

1. Ensuring residential design is fit for its intended purpose, responsive to the specified residential density and appropriate in the context of local amenity and place; and
2. Offering future residents improved housing choice and affordability.

The above objectives are delivered via design elements relating to site area, setbacks, building height, vehicle access, visual privacy, landscaping etc.

This notwithstanding, it is acknowledged there may be site or locality specific circumstances where certain design elements of the R-Codes may be augmented, or elaborated upon, to ensure local planning objectives are met. Whilst not statutorily binding, the following Design Guidelines have been prepared to inform future detailed design:

1. Development must be orientated to address Hasting Street and Essex Street, with major openings and the main entry to units accessible and visible via these frontages.
2. Units adjacent to the Public Open Space area (Weld Park) must be orientated to address the park with major openings visible via this frontage.
3. Visually permeable, uniform fencing shall be provided adjacent to the park.
4. Outdoor living areas are encouraged adjacent to the park.
5. The level of development should achieve an appropriate interface with the adjoining R12.5 coded lots.
6. Use of a range of colours, textures and materials sympathetic to the local coastal environment shall be encouraged to reduce the appearance of building bulk and enhance streetscape character of the area.
7. Appropriate building articulation shall be encouraged to reduce building bulk including balconies for two storey dwellings fronting streets, eaves, overhangs and major openings.

It is noted the abovementioned guidelines are not exhaustive and will be developed further, in consultation with the Shire, as

additional market research is undertaken (concurrently to the rezoning of the land) in relation to the target demographic, preferred housing product and pricing. At this stage, the proponents anticipate the development concept for the site would provide for a mix of both single and two storey options.

CONSULTATION

There is no requirement to undertake community consultation at this stage. A mandatory consultation process will apply should a proposal to rezone the land be supported.

STATUTORY ENVIRONMENT

Amendment of a Local Planning Scheme is undertaken in accordance with the provisions of the *Planning and Development Act 2005* and *Town Planning Regulations 1967*.

POLICY IMPLICATIONS

There are no Policy Implications.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item. The applicant will be required to pay the costs of advertising and preparation of the Amendment.

STRATEGIC IMPLICATIONS

The Local Tourism Strategy makes specific reference to Lot 480 as follows:

4.1.4.3 Non – Tourism Sites

The Site assessments undertaken as a component of this Strategy in section 5.5 have identified two Tourist zoned sites which are considered to no longer meet the needs of the market, due to factors such as location, existing land use and setting. These sites have been allocated a residential density coding, further supporting their preferred use. This strategy recommends that subject to owner's support, these sites are rezoned to Residential R17.5 under Local Planning Scheme No 7.

The sites are:

- Lot 2 Casuarina Crescent, Jurien Bay
- Lot 480 Hasting Street , Jurien Bay

Whilst the Local Tourism Strategy recommends a residential density of R17.5, due to the locational attributes of the site supporting a higher and better use for the land, a rezoning to R40 is proposed.

ATTACHMENTS

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

- Amendment Proposal (Doc Id: 23601)
(Marked 9.4.9)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

1. In pursuance of Section 75 of the *Planning and Development Act 2005* (as amended), amend Local Planning Scheme No.7 by;
 - c. Rezoning Lot 480 Hasting Street, Jurien Bay from “Tourist” to “Residential (R40)”.
 - d. Amending the Scheme Maps accordingly.
2. Advise the applicant that the Council will require a development plan that addresses the issues raised in the Design Guidelines mentioned in the Amendment Report prior to granting approval to any development application;
3. Advise the applicant of its resolution and request Scheme Amendment documents be updated in accordance with requirements of the Town Planning Regulations 1967;
4. Upon receipt of Amendment documents updated in accordance with its resolution, refer a copy of the amendment document to the Western Australian Planning Commission, and the Environmental Protection Authority pursuant to Section 81 of the Planning and Development Act 2005; and
5. Subject to no objections being received from the Environmental Protection Authority, advertise the amendment for a period of 42 days seeking public comment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 (as amended).

9.5 HEALTH**9.6 BUILDING****9.7 COUNCILLOR INFORMATION BULLETIN****9.7.1 SHIRE OF DANDARAGAN – MARCH 2014 COUNCIL STATUS REPORT**

Document ID: 23465

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 27 March 2014. **(Marked 9.7.1)**

9.7.2 SHIRE OF DANDARAGAN – INFRASTRUCTURE REPORT – APRIL 2014

Document ID: 23604

Attached to the agenda is a copy of the Shire of Dandaragan's Infrastructure Report for April 2014. **(Marked 9.7.2)**

9.7.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – FEBRUARY 2014

Document ID: 23357

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for March 2014. **(Marked 9.7.3)**

9.7.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – MARCH / APRIL 2014

Document ID: 23380

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for March / April 2014. **(Marked 9.7.4)**

9.7.5 SHIRE OF DANDARAGAN ANNUAL GENERAL MEETING OF FIRE CONTROL OFFICERS – MINUTES

Document ID: 23358

Attached to the agenda is a copy of the Minutes of the Annual General Meeting of Fire Control Officers held Wednesday 2 April 2014. **(Marked 9.7.5)**

9.7.6 MEDIA STATEMENT – HON TERRY REDMAN MLA – NEW CHAIR FOR REGIONAL DEVELOPMENT TRUST

Document ID:

Regional Development Minister Terry Redman welcomed the appointment of Sue Middleton as chair of the Western Australian Regional Development Trust.

Ms Middleton will take over the role from Andrew Murray, who recently stepped down from the position.

Attached to the agenda is a copy of the above mentioned media statement. **(Marked 9.7.6)**

9.7.7 DEPARTMENT OF FIRE AND EMERGENCY SERVICES – TRANSFER OF WANDRRA FUNCTION

Document ID: 23043

The administration of the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) transferred from the Department of Fire and Emergency Services (DFES) to the Department of the Premier and Cabinet (DPC) on 1 April 2014.

Their new contact details are as follows:

WANDRRA
 Department of Premier and Cabinet
 Level 6, Dumas House
 2 Havelock Street
 WEST PERTH WA 6005

9.7.8 WALGA – ECO-NEWS – MARCH 2014 – ISSUE 2

Document ID: 23062

Inside this issue:

- City of Vincent new 'Adopt a Verge' Program
- City of Joondalup Food Gardens Workshop
- Bin It Anti-Litter resources available for Local Governments
- Grants to make a splash in Waterwise Schools
- Climate Change Risk Awareness Seminar Series
- City of Vincent \$2.5million Bike Network Plan
- Hundreds flock to 'Less is More' Festival
- Green Army Legislation introduced

9.7.9 REGIONAL DEVELOPMENT AUSTRALIA COMMUNITY NEWSLETTER – MARCH 2014

Document ID:

Inside this issue:

- Government News
 - Y20 Wheatbelt Summit
 - 2014 Wheatbelt Conference
 - Central Coast Economic Strategy
- Youth & Children's News
 - WA – China Agribusiness Cooperation Conference
 - Your Vision for the Future of Agriculture
 - Local Gov't Careers Information Website
 - MyBroadband Interactive Website
 - WA RDA Network News
 - Rural Apprentice Recruitment
 - Tablet Tech Boosts Speech Services
 - Drought Assistance Package
- Community News & Events
 - Blue Light Discos
 - Street Art Event in Merredin
 - Esplanade Youth Plaza Family Day
 - Junior Hockey Super Clinic
 - Wongan Hills Youth Share Their Stories
 - Regional Children's Services Plan Update

- VET FEE-HELP for Certain Cert IV Qualifications
- Farmer on Your Plate
- RAI is Calling for Stories of Inspiring Wheatbelt “Baby Boomers”
- Funding Opportunities
 - Supporting NRM in the Wheatbelt
 - Australia-China Agricultural Cooperation Agreement (ACACA) Programme
 - Our Neighbourhood Community Grants Program – Aust Post
 - Community Grants Scheme
 - Emergency Relief – Lotterywest
 - Employment Assistance Fund
 - Adult Australian Apprentices

9.7.10 MEDIA STATEMENT – HON TERRY WALDRON MLA – EXPANDED CDO SCHEME BENEFITS WA SPORT AND RECREATION CLUBS

Document ID:

“The State Government will invest \$2.6million over the next two years to expand the successful Club Development Officer (CDO) Scheme, benefitting more than 3,320 sporting and recreation clubs across the State.”

Attached to the agenda is a copy of the above mentioned media statement. **(Marked 9.7.10)**

9.7.11 WHEATBELT DEVELOPMENT COMMISSION – CREATING AGE-FRIENDLY COMMUNITIES IN SMALL TOWNS PROJECT

Document ID:

The Minister for Regional Development has announced that ten projects across regional Western Australia will benefit from more than \$12.7 million in funding from the State Government’s Royalties for Regions Regional Grants Scheme 2013-14 allocation. This includes over \$2.5M funding for the *Creating Age-Friendly Communities in Small Towns Project*.

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

9.7.12 WALGA – MUNICIPAL WASTE AUTHORITY COUNCIL – INFORMATION BULLETIN – 28 MARCH 2014 – ISSUE 185

Document ID:

Inside this issue:

- Last Chance!
- Regional Riches
- SWIPP Swap
- Phone Rewards
- Move Your Butts
- Clean Scene?
- Compost in May
- Waste Noise Seminar: too Popular to Contain

9.7.13 WALGA – ROADWISE ROAD SAFETY ROUND UP – MARCH 2014 – ISSUE 2

Document ID:

Inside this issue:

- 2014 Local Government Road Safety Awards
- RoadWise website gets a facelift
- Blessing of the Roads campaign to raise road safety awareness for an injury-free Easter
- Stronger RoadWise presence in Wheatbelt South
- Sharing the responsibility: Atlas Iron building a road safety culture
- Congratulations to City of Armadale on 20-year commitment to road safety
- Shire of Kalamunda raises awareness of the dangers of driver distraction
- City of Melville committed to reducing traffic speeds
- Plan to drink, plan not to drive in the Shire of Chittering
- City of Greater Geraldton to encourage children to walk to school from early age

9.7.14 MEDIA RELEASE – HON KEN BASTON MLC – GOOD SEASONS PREDICTED FOR WA LOBSTER FISHERS

Document ID:

There should be better times ahead for Western Australia's world-renowned rock lobster industry after the most promising results from an assessment of larval settlement since 2000.

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

9.7.15 MEDIA STATEMENT – HON JOHN DAY BSC BDSC MLA – NEW DG FOR DEPARTMENT OF PLANNING

Document ID:

Planning Minister John Day has welcomed Gail McGowan to the position of Director General at the Department of Planning.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.15)**

9.7.16 DEPARTMENT OF SPORT AND RECREATION – CLUB DEVELOPMENT OFFICER SCHEME – OUTCOME OF APPLICATION (SHIRE OF DANDARAGAN)

Document ID: 23159

“Congratulations on your successful application for funding through the Club Development Officer Scheme.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.16)**

9.7.17 DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES – BEING BOARD READY: A GUIDE FOR WOMEN

Document ID: 23041

The Women's Advisory Council and the Department of Local Government and Communities recently developed 'Being Board Ready: A Guide for Women', which aims to assist and encourage women to take on leadership roles.

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

9.7.18 WALGA – LOCAL GOVERNMENT NEWS – 21 MARCH 2014 – ISSUE 10

Document ID: 23094

Inside this issue:

- Inquiry into the Management of WA's Freight Rail Network
- WALGA Honours Program
- Planning Improvement Program Portal Launched
- Wheatbelt Conference 2014
- 2014 National General Assembly
- Local Government Emergency Services Review Project
- Review of Speed Limits at Rail Crossings on High Speed Sealed Roads Invitation to the Swan Region Strategy for NRM Forum
- Consultation Workshop: Strategic Waste Infrastructure Planning Project Training

9.7.19 WALGA – 2014 ASSOCIATION HONOURS

Document ID: 23063

Nominations for the 2014 WA Local Government Association Honours program opened 17 March 2014 and closes Friday 16 May 2014. Members of Local Government and State Councillors are invited to submit nominations.

The six categories of awards within the 2014 Honours program are as follows:

- Local Government Medal
- Life Membership
- Eminent Service Award
- Long and Loyal Service Award
- Local Government Distinguished Officer Award
- Merit Award

More information is on hand.

9.7.20 TURQUOISE COAST CHAMBERS ALLIANCE – CONFIRMATION OF THE COMPOSITION OF THE COMMITTEE

Document ID: 23110

"I refer to our recent discussions in relation to the above and write to formally confirm the composition of the TCCA committee, its purpose and agenda."

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

9.7.21 HON TONY SIMPSON MLA – DIRECTOR GENERAL OF

DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES APPOINTED

Document ID: 23186

Jennifer Mathews has been officially appointed as the Director General, Department of Local Government and Communities.

This became effective as of 18 March 2014 when the Governor in Executive Council approved Ms Mathews' transfer from the performance of other functions in the Senior Executive Service to the office of Director General, Department of Local Government and Communities.

9.7.22 DEPARTMENT OF SPORT AND RECREATION – EXPANSION OF NATURE PLAY

Document ID: 23125

"Nature Play's mission is simple but powerful, 'to increase the time Western Australian children spend playing outdoors and in nature.' The program is founded on the understanding that unstructured, outdoor play is fundamental to a child's health, wellbeing and overall development.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.22)**

9.7.23 MOORE CATCHMENT COUNCIL – SUPPORT YOUR NRM AND LANDCARE PROGRAM

Document ID: 23154

The current Australian Federal Government Landcare and NRM program supports activity at the regional, sub-regional and local level in Western Australia.

The total level of funding to WA in the 4 year budget cycle is over \$117M. This does not include other programs such as climate change and the biodiversity fund.

More information is on hand.

9.7.24 NATURAL RESOURCE MANAGEMENT REGIONS AUSTRALIA

Document ID: 23250

The National Natural Resource Management (NRM) Region's Working Group congratulates Landcare on their 25th Anniversary and welcomes the Australian Conservation Foundation (ACF) and the National Farmers' Federation (NFF) call for a new decade of action to tackle the challenges confronting Australia's land, water, wildlife and farmland.

More information is on hand.

9.7.25 2014 PREMIERS AWARDS – ONLINE NOMINATIONS ARE NOW OPEN

Document ID: 23297

Online nominations are currently being accepted for the 2014 Premier's Award and close 5.00pm Wednesday 30 April 2014. All nominations must be submitted online.

For more information visit:

<http://www.publicsector.wa.gov.au/news-events/premiers-awards>

9.7.26 WASTE AUTHORITY – SUBSIDY FOR GARAGE SALE TRAIL PARTICIPATION FOR 2014 AND 2015

Document ID: 23340

In 2013 the Waste Authority provided a subsidy to Western Australian local government authorities to participate in Garage Sale Trail.

Garage Sale Trail is a not-for-profit organisation which started in Bondi in 2010 as a way to build community and also to address the large amount of dumping. The Waste Authority provides support to encourage Western Australians to consider their reusable household items as a resource and reduce the number of items that end up going to landfill or being dumped however, we also recognise its community engagement / development benefits.

As a result of the positive response from 2013, the feedback from Council's and the enhancements Garage Sale Trail has put in place to both address concerns and improve the overall impact it generates, the Waste Authority has made a decision to continue to support local Council's participating in Garage Sale Trail for 2014 and 2015.

9.7.27 WALGA – LOCAL GOVERNMENT NEWS – 28 MARCH 2014 – ISSUE 11

Document ID: 23230

Inside this issue:

- WA Super Trustee Board Vacancy
- Development Applications Over Crown Land
- Local Government Industry Award Submission
- Recognising Local Government Recycling
- Sports Turf Management Certificates
- Climate Change – Public Lecture
- Tourism Council WA Launch 'Destination Perth'
- Training

9.7.28 WEST KOOJAN-GILLINGARRA LAND CONSERVATION DISTRICT – MINUTES

Document ID: 23247

Attached to the agenda is a copy of the Minutes from the meeting held on Tuesday 4 February 2014.

9.7.29 WESTERN AUSTRALIAN PLANNING COMMISSION – DRAFT REGIONAL PLANNING AND INFRASTRUCTURE FRAMEWORKS AVAILABLE FOR PUBLIC COMMENT

Document ID: 23085

The Western Australian Planning Commission (WAPC) has released draft Regional Planning and Infrastructure Frameworks for the Kimberley, Goldfields-Esperance, Wheatbelt, South West and Great Southern planning regions for public comment.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.29)**

9.7.30 FAMILIES AUSTRALIA – NATIONAL FAMILIES WEEK

Document ID: 23395

National Families Week is being held from Thursday 15 May to Wednesday 21 May 2014.

The aim of National Families Week 2014 – the 20th Anniversary of the International Year of the Family is to celebrate the vital role that families play in Australian society. The 2014 theme is ‘Stronger Families, Stronger Communities’.

Registrations are available online and close 25 April 2014.

9.7.31 CENTRAL MIDLANDS SENIOR HIGH SCHOOL NEWSLETTER – 31 MARCH 2014

Document ID: 23401

Inside this issue:

- From the Principal
- Staffing
- St James Residential College
- OLNA
- Progress Reports
- NAPLAN
- Attendance
- P & C
- Adventure World 2014
- Interhouse Swimming Carnival
- P & C News
- Equipment for class
- Dates to remember

9.7.32 WALGA – LOCAL GOVERNMENT NEWS – 4 APRIL 2014 – ISSUE 12

Document ID: 23385

Inside this issue:

- State Road Funds to Local Government Agreement
- Salaries and Allowances Tribunal Inquiry – Local Government Elected Members
- WALGA Honours Program
- Department of Sport and Recreation Grants
- Healthier Workplace WA Grants
- Training

9.7.33 STATE EMERGENCY MANAGEMENT COMMITTEE – COMMUNITY EMERGENCY MANAGEMENT OFFICERS: TO WORK WITHIN EMERGENCY MANAGEMENT DISTRICT BOUNDARIES

Document ID: 23394

The State Emergency Management Framework clearly defines Emergency Management Districts under the State Emergency

Management Policy 2.4 "District Emergency Management Arrangements". The State has 14 Emergency Management Districts which are comprised of specified local government districts.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.33)**

9.7.34 DEPARTMENT OF PARKS AND WILDLIFE – NOTIFICATION OF PRESCRIBED BURN

Document ID: 23482

The Department of Parks and Wildlife is responsible for the management of fire in Western Australia's State Forests, National Parks and Nature Reserves.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.34)**

9.7.35 DANDARAGAN GOLF CLUB – RELOCATION OF RECEPTACLES GOLF DR DANDARAGAN

Document ID: 23484

"On arriving today to attend a busy bee at the golf club I was thrilled to note that the golf club entrance has been returned to its former glory. I want to thank you very much on behalf of us all for your successful actions to remove the bins from this location, especially prior to the commencement of our golfing season.

The invitation to attend our Opening Day is still open, in both your private and public capacity and as it is a Fun Day I'm sure you could do with some joviality after our 'complaints' correspondence."

9.7.36 STATE HERITAGE OFFICE – HERITAGE ADVISORY SERVICES SUBSIDY – 2014 / 2015 APPLICATIONS NOW OPEN

Document ID: 23508

You may recall that in early 2013 the Heritage Council announced a new approach to heritage advisory services. This established a preferred supplier panel operated by the WA Local Government Association (WALGA) and offered a subsidy to local governments wishing to operate an eligible service.

Applications for the Heritage Council's subsidy for Heritage Advisory Services for the 2014 / 2015 financial year are now open.

More information is on hand.

9.7.37 MOORE CATCHMENT COUNCIL – BEYOND GARDENS WORKSHOP

Document ID: 23529

Beyond Gardens are holding 2 FREE Garden Wise Seminars:

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 24 APRIL 2014

- Coorow District Hall, Coorow
Friday 2 May 2014 (1.00pm – 3.00pm)
- Sports Pavilion, Calingiri
Tuesday 6 May 2014 (2.00pm – 4.00pm)

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

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

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

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

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

Local Government Act 1995

5.23. Meetings generally open to public

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

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

Local Government (Administration) Regulations 1996

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


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

11.1 ADMINISTRATION

OFFICER RECOMMENDATION

That the meeting be closed to members of the public at __:__pm in accordance with Section 5.23 (2) (b) of the *Local Government Act 1995* and Regulation 4A of the *Local Government (Administration) Regulations 1996* to allow Council to discuss Item 11.1.1 'Honorary Freeman of the Municipality'.

11.1.1 HONORARY FREEMAN OF THE MUNICIPALITY

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Community Relations / Awards (Honours) / Honorary Freeman of the Municipality
Disclosure of Interest:	None
Date:	11 April 2014
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

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

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 24 APRIL 2014

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13 CLOSURE OF MEETING