



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

**MINUTES**  
**of the**  
**ORDINARY COUNCIL MEETING**  
**held at the**  
**COUNCIL CHAMBERS JURIEN BAY**  
**on**  
**THURSDAY 28 AUGUST 2014**  
**COMMENCING AT 11.05AM**

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

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<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 AUGUST 2014</b>
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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

### 1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 11.05am and welcomed those present.

### 1.2 DISCLAIMER READING

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

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

*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 Slyns	

### 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)
Mrs B Macaulay	(Planning Officer)
Miss D Kerr	(Council Secretary & PA)

### Apologies

### Approved Leave of Absence

Nil

### Observers

Two observers were present at the start of the meeting.

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### 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

### 4 PUBLIC QUESTION TIME

Mr Ric Allen, Chief Bush Fire Control Officer of the Shire of Dandaragan, outlined to Council his position in regard to the installation of firebreaks at the Lancelin Defence Training Area.

### 5 APPLICATIONS FOR LEAVE OF ABSENCE

#### **COUNCIL DECISION**

Moved Cr Short, seconded Cr Sheppard

That leave of absence be approved as follows:

- Councillor T Bailey – Saturday 30 August 2014 through to Thursday 11 September 2014 (inclusive); and
- Councillor D Slys – Saturday 20 September 2014 through to Monday 6 October 2014 (inclusive).

**CARRIED 9 / 0**

### 6 CONFIRMATION OF MINUTES

#### 6.1 MINUTES OF ORDINARY MEETING HELD 24 JULY 2014

#### **COUNCIL DECISION**

Moved Cr Slys, seconded Cr Kulisa

That the minutes of the Ordinary Meeting of Council held 24 July 2014 be confirmed.

**CARRIED 9 / 0**

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

#### Cr Short

- |                 |   |
|-----------------|---|
| - 25 July 2014  | Moore Catchment Council Meeting                           |
| - 31 July 2014  | Regional Development Australia, Renew Australia - Bindoon |
| - 4 August 2014 | Moore Catchment Finance                                   |
| - 4 August 2014 | Meeting with Esperance Council                            |
| - 5 August 2014 | Wheatbelt Health MOU                                      |
| - 6 August 2014 | WALGA Annual General Meeting                              |

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- 7 – 8 August 2014 2014 Local Government Conference – Perth
- 12 August 2014 West Koojan Gillingarra Land Conservation District Council, Annual General Meeting
- 22 August 2014 Avon Midland Country Zone Meeting – Moora
- 27 August 2014 Municipal Waste Advisory Council

Cr McGlew

- 31 July 2014 Renew Australia Presentation – Chittering Shire Council
- 4 August 2014 Esperance Shire visit to Dandaragan
- 6 – 8 August 2014 2014 Local Government Conference – Perth
- 11 August 2014 Education Working Party Consultation Planning
- 12 August 2014 Fire Control Officers Meeting – Dandaragan
- 18 August 2014 State Library of Western Australia Foundation Meeting
- 19 August 2014 Local Health Advisory Group Meeting, Moora
- 20 August 2014 Education Working Party Meeting with Jurien Bay Chamber of Commerce Representatives
- 22 August 2014 Avon Midland Country Zone Meeting – Moora
- 25 August 2014 Council representative at CY O'Connor Institute Strategic Planning Day – Northam
- 26 August 2014 Badgingarra Community Association / Bagingarra Community Centre Meeting

Cr Sheppard

- 31 July 2014 Renew Australia Presentation – Chittering Shire Council

Cr Gibson

- 6 – 8 August 2014 2014 Local Government Conference – Perth

Cr Holmes

- 6 – 8 August 2014 2014 Local Government Conference – Perth
- 21 August 2014 Wheatbelt Development Commission – Northam

Cr Bailey

- 20 August 2014 Chamber of Commerce – Jurien Bay

Cr Kulisa

- 6 – 8 August 2014 2014 Local Government Conference – Perth

**COUNCIL DECISION**

**Moved Cr Sheppard, seconded Cr Kulisa**

**That the delegates' reports to 28 August 2014 as presented be accepted.**

**CARRIED 9/0**

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



Nil

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## 9 REPORTS OF COMMITTEES AND OFFICERS

### 9.1 FINANCE

#### 9.1.1 ACCOUNTS FOR PAYMENT – JULY 2014

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	15 August 2014
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
Senior Officer:	Tony Mottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To accept the cheque and direct debit listing for the month of July 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 July 2014 totalled \$ 1,719,705.18 for the Municipal Fund.

#### CONSULTATION

- Chief Executive Officer

#### STATUTORY ENVIRONMENT

- Regulation 13 of the Local Government Financial Management Regulations 1997

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

#### STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

#### ATTACHMENTS

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

- cheque and direct debit listings for July 2014 (Doc Id: 34380) **(Marked 9.1.1)**

#### VOTING REQUIREMENT



Simple majority

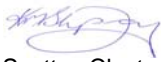

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Short, seconded Cr Kent**

**That the Municipal Fund cheque and EFT listing for the period ending 31 July 2014 totalling \$1,719,705.18 for the Municipal Fund be accepted.**

**CARRIED 9 / 0**

**9.1.2 REQUEST FOR FINANCIAL ASSISTANCE TO JURIEN BAY YOUTH GROUP**

Location: Shire of Dandaragan  
 Applicant: Jurien Bay Youth Group Inc  
 Folder Path: Business Classification Scheme / Community Services / Service Provision / Youth Services  
 Disclosure of Interest: Councillor Darren Slyns – Jurien Bay Youth Group President  
 Councillor Judy Kulisa – Jurien Bay Youth Group Vice President  
 Date: 12 August 2014  
 Author: Kelly Shipway, Community Development Officer  
 Signature of Author:   
 Senior Officer: Scott Clayton, Executive Manager Corporate & Community Services  
 Signature of Senior Officer: 

*Cr Darren Slyns disclosed an impartiality interest due to being the President of the Jurien Bay Youth Group.*

*Cr Judy Kulisa disclosed an impartiality interest due to being the Vice President of the Jurien Bay Youth Group.*

**PROPOSAL**

To consider a request from the Jurien Bay Youth Group for a financial contribution to assist with core operations.

**BACKGROUND**

The Shire of Dandaragan has an annual budget for youth services of \$10,000.00.

In 2012 and 2013, the Shire made a contribution of around \$2,500 to the group to assist with the renewal of the groups' Public Liability Insurance.

The request for financial assistance from the Jurien Bay Youth Group in 2014 is for \$3,176.53 with the cost break down as follows:

Public Liability Insurance:	\$ 2,351.53
Associations & Officials:	\$ 412.50
Volunteer Workers:	\$ 412.50

Furthermore, the group has requested that the Shire of

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Dandaragan pay the insurance providers directly on behalf of the Jurien Bay Youth Group.

**COMMENT**

The Jurien Bay Youth Group has recently commenced operation under a new management committee and is now providing regular programs and activities for youth in Jurien Bay.

However, having limited income earning capacity, they are experiencing difficulty funding operational costs.

The Shire does not provide insurance for community groups' however an operational contribution can be made to this group so they have sufficient funds to source the necessary insurance.

Council may wish to consider allocating a sum of \$2,500.00 on an annual basis to the Jurien Bay Youth Group from the Shire's Youth budget with further consideration given to include this as an annual contribution in the Shire's youth policy that is currently being formulated. This allocation would equate to a quarter of the annual youth budget. Further allocation may impinge on provision of services and activities to youth across the shire as a whole.

Such a contribution fits within the intent of the youth services budget as the operation of the group is consistent with the Strategic Community Plan, Strategy G03 -05-A3 that states:

*Incorporate youth groups – support provision of operating assistance including building and contribution towards insurance.*

**CONSULTATION**

Executive Manager Corporate & Community Services

**STATUTORY ENVIRONMENT**

There are no statutory implications relevant to this item.

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item.

**FINANCIAL IMPLICATIONS**

There is a budget of \$10,000 for per annum for youth services in the Shire of Dandaragan. As this request complies with the purpose of the "Young peoples' development strategy, the contribution will come from this budget line item.

This contribution will not affect the 2014/15 budget and does not require a budget amendment.

**STRATEGIC IMPLICATIONS**

- Shire of Dandaragan Integrated Strategic Community Plan

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GOAL NUMBER THREE: Focus on community					
OBJECTIVE 5: Young peoples' development strategy					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G3-05-A3	Incorporated youth groups - support provision of operating assistance including building and contribution toward insurance.	Community workshops	Ongoing	District	Youth groups

**ATTACHMENTS**

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

- Letter from the Jurien Bay Youth Group (Doc Id: 34150)  
**(Marked 9.1.2)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

That Council agree that:

1. a contribution of \$2,500.00 is allocated to the Jurien Bay Youth Group Inc from the Shire of Dandaragan Youth budget, to assist with operational expenses;
2. the funding is paid directly into the Jurien Bay Youth Group's Bank account for disbursement, as opposed to the Shire of Dandaragan paying on the Group's behalf; and
3. an annual financial contribution towards the operating costs of the Jurien Bay Youth Group be considered in the development of the Shire of Dandaragan future Youth Policy.

**COUNCIL DECISION**

**Moved Cr McGlew, seconded Cr Kent**

**That Council agree that:**


1. a contribution of \$3,177.00 is allocated to the Jurien Bay Youth Group Inc from the Shire of Dandaragan Youth budget, to assist with operational expenses;
2. the funding is paid directly into the Jurien Bay Youth Group's Bank account for disbursement, as opposed to the Shire of Dandaragan paying on the Group's behalf; and
3. an annual financial contribution towards the operating costs of the Jurien Bay Youth Group be considered in the development of the Shire of Dandaragan future Youth Policy.

**CARRIED 9 / 0**

*The Officer Recommendation did not get adopted due to the contribution figure being increased to \$3,177.00.*

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**9.1.3 FEES & CHARGES – AIRSTRIP LANDING FEES**

Location:	Jurien Bay Airstrip, Airstrip Road, Jurien Bay
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Fees and Charges / Fee Structures
Disclosure of Interest:	Nil
Date:	18 August 2014
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

**PROPOSAL**

For Council to consider applying a concession to the users of the Jurien Bay Airstrip (JBA) as an economic development incentive to assist growth and establish tourism and aviation business within Jurien Bay and the surrounding district.

**BACKGROUND**

Council has discussed the possibility of introducing landing fees at the JBA over a number of years.

More recently, at Council forums, a methodology of charging landing fees at the JBA was devised following a discussion in relation to these fees. Indicatively Council generally supported a fee structure which included:

- General Rate - \$5.70 (ex GST) per landing
- Discounted rate - \$4.00 (ex GST) per landing
- RFDS – exempt from charge

These fees were based on the need to recover costs in relation to maintenance and operational costs and in keeping with the Shire's Asset Management Plans.

Shire staff were asked to prepare the draft budget factoring in the proposed new charges listed above.

Shire staff also wrote to users of the Jurien Bay Airstrip to provide advice that Council may be considering these charges at its up and coming budget for 2014/15 and gave an indication of what these costs could be.

Following the mailing out of these letters, numerous meetings and conversations were held with a number of operators, itinerant users and those associated with the aviation industry. In addition, a meeting was held with the commercial skydiving operator following concerns raised at the extra costs would place a burden on their business.

A meeting was held with Skydive Jurien Bay and the Shire President and the CEO on 18 July 2014. At this meeting Skydive Jurien Bay suggested an alternate charging method which included:

- No charges to other itinerant aircraft;
- Annual fee for commercial operators, linked to a user

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- agreement with annual CPI adjustments;
- No charges for RFDS.

Following this meeting, Council was briefed in a forum session held 24 July 2014. Council resolved to adopt the budget without amendment. Council resolved:

*“...PART D – FEES AND CHARGES FOR 2014 / 2015*

*1. Pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges included in the draft 2014/2015 budget included as Attachment 9.1.3 of this agenda and minutes....”*

This was part of a larger motion that was Carried 8/1.

The Shire President and the CEO met with Jurien Bay Skydive on Friday 25 July 2014 to discuss the impact of the 2014/15 budget being adopted.

At this point in time, in accordance with Council decision, landing fees are applicable at the JBA.

Following this meeting and decision of Council, a number of Councillors requested that the matter of landing fees be raised at the Forum on the 14 August 2014.

Council discussed the matter further and requested that a report regarding the landing fees at the JBA be presented at its next Ordinary Council Meeting.

**COMMENT**

Following the Council Forum on the 14 August 2014, the CEO was requested to investigate further the options moving forward with the landing fees at the JBA.

The Shire presently has landing fees at the JBA. In order for Council to incorporate any alternate charging structure, a decision would need to be made on the landing fees (e.g. to either abolish, discount, concession or write-off outstanding fees).

These options moving forward include:

***Option 1***

Leave the landing fees as adopted in the budget.

Process -  
No further action required.

***Option 2***

Council can move to abolish the landing fee (absolute majority) - write off existing charges.

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Process -

Council has already set its fees and charges in accordance with Section s6.16 - 6.18 of the Local Government Act 1995.

- Council would need to move a motion to abolish the landing fees at the Jurien Bay Airstrip.
- Council is then required to give public notice (advertise and notice boards for a period of approximately 21 days etc) of the changes to the fees and charges and the effective date that this would be in place.
- If Council resolves to abolish the fee, it may wish to look at writing off the costs of the fees from the date the fees came into effect, up until the date Council agrees to abolish them. Council will be required to resolve at a Council meeting to write off the charges during this time.

***Option 3***

Council retain the landing fees - but offer 100% concession.

Process -

Council has set its fees and charges in accordance with Section s6.16 - 6.18 of the Local Government Act 1995.

- Charge the fee as stated, and provide a 100% concession to all users of the JBA, which will be reported annually in the Shire's annual financial report under note 21. This would show the public how much the Council is supporting both the aviation / tourism industry as well as a costed economic development incentive.
- Once Council has resolved a direction to take regarding the landing fees, it can also look at other charging methods if it felt it was necessary, such as an annual charge.

Council may wish to look at other forms of generating income from the JBA to satisfy its desire to ensure our asset management requirements are met. However, further discussion as to the charging methods and fees will need to take place prior to making a finite decision.

Some of these alternate methods could include:

- Reconsideration of the lease amount on hangars.
- Paying Council Rates on hangars.
- Aircraft parking fee
- Contribution to runway lights
- Lease establishment fee
- Lease transfer fee

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It is the author's recommendation that Council consider option 3 while a review of the JBA use and future fees and charges be monitored and discussed over the ensuing months. This item would be brought back to Council prior to its budget deliberations for the 2015/16 financial year.

#### CONSULTATION

- Department of Local Government and Communities
- Western Australian Local Government Association

#### STATUTORY ENVIRONMENT

##### **6.12. Power to defer, grant discounts, waive or write off debts**

- (1) *Subject to subsection (2) and any other written law, a local government may -*
- (a) *when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or*
  - (b) ***waive or grant concessions in relation to any amount of money; or***
  - (c) *write off any amount of money, which is owed to the local government.*

*\* Absolute majority required.*

##### **6.19. Local government to give notice of fees and charges**

*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of -*

- (a) *it's intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

#### POLICY IMPLICATIONS

There are no policy implications in relation to this item.

#### FINANCIAL IMPLICATIONS

By providing a 100% concession to the users of the JBA Council's budget will experience a deficit of \$11,843 per annum. Council has budgeted an annual maintenance and operational cost of \$12,971 without wages charged for inspection by the Ranger Services staff.

#### STRATEGIC IMPLICATIONS

There are no specific strategic implications in relation to this item. However, the decision to provide a concession to the users of the JBA could be seen as a strategy to encourage aviation and other tourist operators to the area.

#### ATTACHMENTS

Circulated with the agenda are the following items relevant to this

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 AUGUST 2014**

report:

- Copy of Fees & Charges (landing fee analysis) (Doc Id: 34496)
- Copy of JBA Asset Management Plan (Doc Id: 11336)
- Letters to Council regarding landing fees (Doc Id: 34425 & 30143)

**(Marked 9.1.3)**

**VOTING REQUIREMENT**

Officer Recommendation 1 - Absolute majority

Officer Recommendation 2 - Simple majority

*One observer entered the meeting at 11.34am.*

**OFFICER RECOMMENDATION 1 / COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Sheppard**

**That Council agree to provide a 100% concession for the 2014/15 financial year to all users of the Jurien Bay Airstrip as an economic development incentive to assist growth and establish tourism and aviation business within Jurien Bay and the surrounding district, and that the value of the concession be recorded in note 21 of the Annual Financial Report for the 2014/15 financial year.**

**CARRIED BY ABSOLUTE MAJORITY 6 / 3**

*Cr McGlew requested that all the votes be recorded:*

*For the motion – Cr Gibson, Cr Short, Cr Bailey, Cr Sheppard, Cr Holmes and Cr Slys*

*Against the motion – Cr McGlew, Cr Kulisa and Cr Kent*

**OFFICER RECOMMENDATION 2 / COUNCIL DECISION**

**Moved Cr Sheppard, seconded Cr Bailey**

**That Council review the Jurien Bay Airstrip Asset Management Plan and fee proposals for the 2015/16 financial year.**

**CARRIED 9 / 0**

*Two observers left the meeting at 11.42am.*

**9.2 INFRASTRUCTURE**

**9.3 ADMINISTRATION**

**9.3.1 REQUEST FOR ALTERNATIVE FIREBREAK – LANCELIN DEFENCE TRAINING AREA**

Location:  
Applicant:

Shire of Dandaragan  
Lancelin Defence



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Folder Path:	Business Classification Scheme / Emergency Services / Planning / Fire Management Plans
Disclosure of Interest:	None
Date:	13 August 2014
Author:	Matthew Dadd, Community Emergency Services Coordinator
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

Council to consider a request by the Department of Defence for an alternative firebreak alignment, including prescribed fire management within the Lancelin Defence Training Area (LDTA) buffer zone.

**BACKGROUND**

Since the opening of Indian Ocean Drive (IOD) in 2010, installation of a firebreak along the eastern boundary of the LDTA has been of concern to many local residents and government agencies within the Shire of Dandaragan. This has been heavily discussed at quarterly LDTA Management Advisory Committee meetings held in Lancelin.

It is important to remember that the issue at hand relates only to land held by the Department of Defence directly west of the IOD. The Unallocated Crown Land, east of the IOD is a separate issue and should not be confused with the request at hand.

On the 26 March 2012, Donna Sampey, Environmental Officer Department of Defence, requested that both the Shire of Gingin and Shire of Dandaragan send a Firebreak Warning Hazard Abatement Notice to the Department of Defence. On the 28 March 2012, the said Notice was sent to the Department outlining the Shire's firebreak requirements. (Refer to attached letter Doc Id 3978).

The LDTA Fire Management Plan makes reference to the installation of a firebreak inside the eastern boundary of the LDTA, west of the IOD. The Department of Defence have stated that they are awaiting Commonwealth level approval for the clearing of Carnaby's Black Cockatoo foraging habitat. Until this approval is obtained, surveying and clearing of the firebreak cannot be implemented. The Department of Defence is still dealing with the approvals process in relation to the Carnaby's Black Cockatoo foraging habitat. It is unlikely that these approvals will be resolved anytime soon.

On the 8 May 2014, the Department of Defence was invited to attend the Council Forum and was given the opportunity to present their case relating to the firebreak variation. Defence did state that if approval was granted to utilise the existing firebreak instead of installing a new firebreak they would be able to manage the area within the buffer zone by introducing prescribed fire. Defence also

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stated that the Department of Fire & Emergency Services and Department of Parks & Wildlife could assist them with managing and introducing prescribed fire.

Discussions with the CBFCO Mr. Richard Allen was that Council hold a meeting with the CBFCO and DCBFCO's and discuss this matter further before making any decision.

On the 12 August 2014 a meeting was held in Dandaragan at the Saint Johns Ambulance Sub centre to discuss the Lancelin Defence Firebreak Variation. Attendance at this meeting included CBFCO Mr. Richard Allen, DCBFCO's Mr. Peter Ivey and Mr Hugh Roberts, FCO's Mr Richard Brown, Mr Robert Wedge and Mr. Andrew Roberts, Cr. Wayne Gibson, Cr. Kaye McGlew and CESC Mr. Matthew Dadd.

Discussion involved the alternative firebreak alignment and the proposal to manage the designated buffer area by application of prescribed fire. It was recognised by the Fire Control Officers that it was likely the Department of Defence would not install the firebreak adjacent to the IOD, as per the fire management plan. It was also acknowledged that the buffer zone could be managed by introducing prescribed fire and would provide for protection, however their real concerns was with the Unallocated Crown Land east of IOD.

It was agreed by Fire Control Officers to advise Council that:

*Fire Control Officers insist the Department of Defence comply with local regulations in relation to the Shire of Dandaragan's Firebreak legislation but in the interim; the Department of Defence must undertake fuel reduction burning within the whole buffer area. It was also agreed local volunteers and Fire Control Officers would not be responsible or involved in the implementation of fuel reduction burning within the buffer area.*

#### COMMENT

Whilst the Fire Control Officers requested the Shire to direct Defence to comply with local legislation, Council should be advised; that if the request for an alternative firebreak alignment is not granted, Defence would then not be obligated to manage the buffer zone with prescribed fire as stated by Defence at the meeting 8 May 2014. This would result in a stalemate, nothing will have been achieved, no protection from fire to the IOD and surrounding community. If the area was managed by prescribed fire, responding fire fighters would not be left exposed to direct impact from fire on the IOD, this in turn reducing the possibility of spot fire over the Indian Ocean Drive creating more fires.

Facts:

- It is highly probable the Federal Minister for Environment will not approve the disturbance of a Commonwealth protected

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- species, such as the Carnaby's Black Cockatoo.
- Defence have spent \$4,000,000 over the last five years implementing, upgrading firebreaks and strategic access within the LDTA.
  - Installation of a firebreak on the eastern boundary will serve very little purpose in suppressing wildfires in the area, as a directive was given to all FCO's and Volunteers not to cross the fence line west of the Indian Ocean Drive.
  - The LDTA Fire Management Plan clearly states; no person or firefighter will enter upon LDTA without approval from Defence.
  - It is also stated in the LDTA FMP that the IOD will be utilised as a strategic containment line if fire were to start within the LDTA.
  - Approximately \$150,000 of tax payer's money would be saved by not installing this firebreak.
  - The Commonwealth Government & Departments are not bound by Local Government Regulations.
  - The State Government is also not bound by Local Government Regulations unless the lands are classified as freehold.
  - The Shire of Dandaragan has no legislative power to direct the Department of Defence to install firebreaks.
  - The area between IOD and the eastern boundary of the LDTA can be successfully managed by introducing prescribed fire at the right time, both reducing fuel loading and enhancing Biodiversity in the area.
  - The Department of Defence would be responsible for all costs relating to the management of this buffer. Monies allocated to install the firebreak would more then cover the costs.

#### CONSULTATION

- Lancelin Defence Training Area Management Advisory Committee
- Department of Parks and Wildlife, Moora District Office
- Department of Fire & Emergency Services
- Chief Bush Fire Control Officer
- Community Emergency Services Coordinator
- Chief Executive Officer
- Councillors

#### STATUTORY ENVIRONMENT

- Shire of Dandaragan Firebreak Order 2014 / 2015
- *Bushfire Act 1954, Section 33*
- *Environmental Protection Act, Section 11*
- *Environmental Protection Act 1996*
- *Conservation & Land Management Act, 1984*
- *Transfer of Land Act, 1893*

#### POLICY IMPLICATIONS

Shire of Dandaragan Policy 3.2 'Firebreak Order'.

#### FINANCIAL IMPLICATIONS

There are no financial implications relating to this item.

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STRATEGIC IMPLICATIONS

There are no strategic implications relating to this item.

ATTACHMENTS

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

- Firebreak Warning Hazard Abatement Notice (Doc Id: 3978)
- Correspondence from Department of Defence requesting an alternative firebreak within the LDTA (Doc Id: 21855)
- Correspondence received from Mr. Jarrad Scott, Department of Defence following the Council Forum held 8 May 2014 from (Doc Id: 32808)
- Correspondence from Mr. Mike Spurge, Spurge Apiaries (Doc Id: 32809)

**(Marked 9.3.1)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Slyns

That Council agree to the installation of the alternative firebreak as requested by the Department of Defence and that the Department of Defence be requested to carry out prescribed burning of the buffer area between the leased area and the Indian Ocean Drive road reserve.

LOST 1 / 8

COUNCIL DECISION

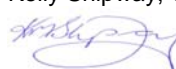
Moved Cr Bailey, Cr Slyns

**That Council, not agree to the installation of the alternative firebreak as requested by the Department of Defence and that the Department of Defence be requested to carry out prescribed burning of the buffer area between the leased area and the Indian Ocean Drive road reserve.**

**CARRIED 8 / 1**

*The Officer Recommendation was not adopted due to Council wishing to enforce the installation of the firebreak in the required location.*

**9.3.2 REVIEW OF COMMUNITY GRANT APPLICATIONS 2014/2015**

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Grants and Subsidise / Applications / Community Grants
Disclosure of Interest:	Nil
Date:	18 August 2014
Author:	Kelly Shipway, Community Development Officer
Signature of Author:	

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 AUGUST 2014**

Senior Officer: Scott Clayton, Executive Manager Corporate & Community Services

Signature of Senior Officer:



*Cr Darren Slyns disclosed an impartiality interest due to being the President of the Jurien Bay Youth Group.*

*Cr Judy Kulisa disclosed an impartiality interest due to being the Vice President of the Jurien Bay Youth Group and a member of ICAN.*

*Cr Kaye McGlew disclosed an impartiality interest due to being the Chairperson of the Dandaragan Community Resource Centre.*

**PROPOSAL**

To authorise the allocation of funds for the Shire of Dandaragan Community grants allocations for the 2014/2015 Financial Year and consider the working parties proposed special recommendations for 2014/2015.

**BACKGROUND**

In accordance with the Community Grants Program policy 1.6, advertisements were placed in each of the four local community newspapers inviting written applications for community grants that would close by 5.00pm 30 June 2014. The objective of the Community Grants is to provide funds to community based organisations and individuals, to support the promotion and development of social, economic, recreation, art and cultural benefits for the residents of the Shire of Dandaragan.

**COMMENT**

This year, the Community Grant Fund was undersubscribed. Thirteen applications were received with a total fund request of \$16,382.00. All applications have been listed in the table below.

<b>ORGANISATION</b>	<b>PROJECT DESCRIPTION</b>	<b>GRANT</b>
Badgingarra Community Association	Badgingarra Picnic 2013	\$500
Cervantes Chamber of Commerce	Design, construct and install banner fixtures	\$1,500
Cervantes Family Festival	School Holiday Program	\$852
Cervantes Volunteer Bush Fire Brigade	Dinner for Emergency Services	\$1,500
Cervantes P&C	Cultural Awareness Workshop	\$1,500
West Midlands Group	Women, Wellbeing and Wine	\$1,500
Jurien Bay Beach Mission	School Holiday Program	\$1,480
Lions Club of Jurien Bay	Venue hire for convention	\$1,500
Jurien Bay Youth Group	Urban Artists contribution	\$1,500

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ORGANISATION	PROJECT DESCRIPTION	GRANT
Jurien Bay Community Resource Centre	3 x school holiday movie nights	\$1,500
Inspirational Community Arts Network (ICAN)	3 x workshops	\$1,500
Central Coast Health Advisory Group	Venue Hire – Health expo	\$150
Dandaragan CRC	Workshops for CRC public garden	\$1,400
Central Midlands Coastal Football League (letter)	Contribution towards purchase of medals	\$500
	<b>TOTAL</b>	<b>\$16,882.00</b>

This will be the 6th consecutive year of the Shire of Dandaragan Community Grants program. The assistance provided by the Shire is to support the community event and is not intended to be the sole source of funding.

This year, there was \$18,063.61 in funding available from the Shire of Dandaragan Community Grant fund. An additional \$2,890.76 was rolled over from the previous grant round. A total of \$20,954.37 in funding was available to the community.

A working party of four Councillors was established to assist with the evaluation process of the 2014/2015 Community Grants.

The Committee considered the thirteen applications received to ascertain their eligibility.

Twelve applications were considered to have complied with the guidelines. Sufficient documentation was supplied to support the request from each organisation.

Three applications were deemed eligible on the proviso that notations were added to the grant approvals:

- The ICAN funding application must provide written evidence or documentation proving expenditure for the three community workshops. Future applications must have defined detail and dates on workshops being funded;
- The Dandaragan CRC public garden project would be approved but must stipulate that funding is to be put towards workshops as opposed to materials for creating scenes and mosaics; and
- CCHAG facility hire funding to be paid directly to the Jurien Bay CRC.

One application was unsuccessful as it did not fit within the policy guidelines.

The application from the Cervantes Chamber of Commerce was

## MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 AUGUST 2014

deemed ineligible as it falls outside the purpose of the grant. The grant application was a request for equipment which could have been funded through the Tronox/SoD Sport and Recreation Facility Fund.

A letter from the Central Midlands Coastal Football League requesting a Shire contribution towards trophies and awards was given consideration. The working party felt that applicants must follow the guidelines of the grant program. The Central Midlands Coastal Football League would be added to the community contact list to be considered for future grant funding rounds.

### CONSULTATION

- Councillor Lawrie Short
- Councillor Tim Bailey
- Councillor Kaye McGlew
- Councillor Leslee Holmes

### STATUTORY ENVIRONMENT

Local Government (Functions and General Regulations) 1996

### POLICY IMPLICATIONS

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

### FINANCIAL IMPLICATIONS

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

### STRATEGIC IMPLICATIONS

- Shire of Dandaragan Integrated Strategic Community Plan

GOAL THREE: Focus on community					
OBJECTIVE 4: Develop connected communities through communication, engagement and targeted support					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G3-04-A2	Set community grant program at % of rates and review every 4 years when developing new Corporate Business Plan	Corporate Business Plan	Ongoing	District	Community groups

### ATTACHMENTS

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

- Minutes of the Shire of Dandaragan Community Grants Working Party (Doc Id: 34391)  
**(Marked 9.3.2)**

### VOTING REQUIREMENT

Simple majority

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 AUGUST 2014**

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Kent**

**That Council authorise the following Community grant applications for the 2014/2015 financial year with the following notations added to approvals;**

- **The ICAN funding application must provide written evidence or documentation proving expenditure for the three community workshops. Future applications must have defined detail and dates on workshops being funded;**
- **The Dandaragan CRC public garden project would be approved but must stipulate that funding is to be put towards workshops as opposed to materials for creating scenes and mosaics; and**
- **CCHAG facility hire funding to be paid directly to the Jurien Bay CRC account.**

ORGANISATION	PROJECT DESCRIPTION	GRANT
Badgingarra Community Association	Badgingarra Picnic 2013	\$500
Cervantes Family Festival	School Holiday Program	\$852
Cervantes Volunteer Bush Fire Brigade	Dinner for Emergency Services	\$1,500
Cervantes P&C	Cultural Awareness Workshop	\$1,500
West Midlands Group	Women, Wellbeing and Wine	\$1,500
Jurien Bay Beach Mission	School Holiday Program	\$1,480
Lions Club of Jurien Bay	Venue hire for convention	\$1,500
Jurien Bay Youth Group	Hire Urban Artists	\$1,500
Jurien Bay Community Resource Centre	3 x school holiday movie nights	\$1,500
Inspirational Community Arts Network (ICAN)	3 x workshops	\$1,500
Central Coast Health Advisory Group	Venue Hire – Health expo	\$150
Dandaragan CRC	Workshops for CRC public garden	\$1,400
	<b>TOTAL</b>	<b>\$14,882.00</b>



**CARRIED 9 / 0**

**9.3.3 SHIRE OF DANDARAGAN AND TRONOX COMMUNITY SPORTING AND RECREATION FACILITIES FUND GRANT DETERMINATIONS 2014/2015**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Grants and



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Disclosure of Interest:	Subsidise / Applications / Tronox Community Grants None
Date:	6 August 2014
Author:	Kelly Shipway, Community Development Officer
Signature of Author:	
Senior Officer:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Senior Officer:	

*Cr Darren Slyns disclosed an impartiality interest due to being the President of the Jurien Bay Youth Group.*

*Cr Judy Kulisa disclosed an impartiality interest due to being the Vice President of the Jurien Bay Youth Group.*

### PROPOSAL

The purpose of this report is to consider the allocation of funds for the Shire of Dandaragan and Tronox Community Sporting and Recreation Facilities Fund grant determinations for the 2014/2015 Financial Year.

### BACKGROUND

Council has allocated an amount of \$15,000 on the 2014/2015 Budget for the Community Sporting and Recreation Facilities Fund and Tronox has once again contributed to match the funding, for total funds available of \$30,000.

An additional \$4062.23 from the Shire of Dandaragan has been rolled over from the 2013/2014 grant round due to the fund being undersubscribed. An additional \$4062.23 from Tronox has also been rolled over from the 2013/2014 grant round, giving a total of \$38,124.46 to be expended in 2014/2015.

The Council may allocate a sum of money each year for the purpose of: Assisting local organisations to provide or improve sporting and recreational facilities and to purchase or improve items of durable equipment.

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

### COMMENT

This year, nineteen applications were submitted by sporting clubs and community organisations. The total grant available is \$30,000 and the sum of all requests was \$47,887.69.

An additional \$8,124.46 was carried over from the 2013/2014 grant round due to the fund being undersubscribed. There were no unspent grants to be carried over from allocations of last year - 2013/2014. In previous years, when clubs were unable to complete projects, the unspent funding would be brought forward and reallocated.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 AUGUST 2014**

The Shire of Dandaragan and Tronox Community Sporting and Recreation Facilities Fund was over-subscribed for the 2014/2015 grant round. A reduction of \$9,763.69 in funding allocation was required.

The Committee agreed to fund the following list of 17 projects:

<b>Organisation</b>	<b>Project Description</b>	<b>Project Cost (\$)</b>	<b>Grant (\$)</b>
Badgingarra Community Association (Inc)	Cemetery shade shelter	\$2,475.00	<b>\$1,125.00</b>
Badgingarra Bowling Club	Awning to protect shade cover	\$6,985.00	<b>\$3,492.50</b>
Badgingarra Golf Club	Purchase a new mower	\$8,181.00	<b>\$4,090.00</b>
Cervantes West Men's Shed Inc.	Wire new shed extension	\$2,197.88	<b>\$1,098.94</b>
Cervantes Community Recreation Centre	Purchase 2 table trolleys and 1 chair trolley	\$1,084.00	<b>\$542.00</b>
Cervantes Bowling Club Inc.	Colorbond fencing material to replace 38 metres of fencing	\$1,896.00	<b>\$900.00</b>
Cervantes Historical Society Inc.	Information sign to accompany sculpture	\$2,168.35	<b>\$1,000.00</b>
Cervantes Volunteer Bush Fire Brigade	Purchase of stackable padded chairs	\$936.00	<b>\$468.00</b>
Dandaragan Golf Club	New easy to read & informative Tee Signs	\$7,200.00	<b>\$3,600.00</b>
Jurien Bay Youth Group	Purchase a digital television	\$698.00	<b>\$340.00</b>
Jurien Sport and Recreation Centre	Stage extension pieces (x6)	\$4,059.00	<b>\$2,029.50</b>
Jurien Bay Country Golf Club Inc. (Priority 1)	Bores for water supply (Priority 1)	\$9,618.00	<b>\$4,809.00</b>
Jurien Bay Country Golf Club Inc.(Priority 2)	260 kl water tank (Priority 2)	\$14,200.00	<b>\$1,491.75</b>
Jurien Bay District High School	Primary Sporting Equipment Shed	\$9,784.00	<b>\$4,447.27</b>
Central West Coast Senior Citizens Group	Office package and set up	\$1,482.00	<b>\$741.00</b>
Lions Club Jurien Bay	Purpose built barbeque trailer	\$11,600.00	<b>\$5,800.00</b>
Jurien Bay Bowling Club Inc.	A new dishwasher for kitchen	\$4,728.90	<b>\$2,149.50</b>
	<b>TOTAL</b>	<b>\$89,293.13</b>	<b>\$38,124.46</b>

**CONSULTATION**

- Advance Dandaragan

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- Badgingarra Community Association
- Cervantes Ratepayers & Progress Association
- Jurien Bay Progress Association

**STATUTORY ENVIRONMENT**

Local Government (Functions and General Regulations) 1996

**POLICY IMPLICATIONS**

Council Policy 1.15 applies in relation to purchasing.

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

- Shire of Dandaragan Integrated Strategic Community Plan

GOAL TWO: Focus on community					
OBJECTIVE 4: Develop recreation facilities and activities to support a healthy community					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G2-O4-A3	Initiate and review Recreation Plan every five years.  Undertake planning and feasibility study for recreational needs in accordance with Major Recreation Facilities Fund.	Shire Recreation Plan	Short - Medium	District	Community groups

**ATTACHMENTS**

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

- Minutes of Tronox SOD meeting 22 July 2014 (Doc Id: 34360)  
***(Marked 9.3.3)***

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION 1 / COUNCIL DECISION**

**Moved Cr McGlew, seconded Cr Bailey**

**That the following grant applications for the Shire of Dandaragan and Tronox Community Sporting and Recreation Facilities Fund, as recommended at the committee meeting on the 22 July 2014, be approved for the 2014/2015 financial year:**

Organisation	Project Description	Project Cost (\$)	Grant (\$)
Badgingarra Community Association (Inc)	Cemetery shade shelter	\$2,475.00	<b>\$1,125.00</b>
Badgingarra Bowling Club	Awning to protect shade	\$6,985.00	<b>\$3,492.50</b>

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<b>Organisation</b>	<b>Project Description</b>	<b>Project Cost (\$)</b>	<b>Grant (\$)</b>
	cover		
Badgingarra Golf Club	Purchase a new mower	\$8,181.00	<b>\$4,090.00</b>
Cervantes West Men's Shed Inc.	Wire new shed extension	\$2,197.88	<b>\$1,098.94</b>
Cervantes Community Recreation Centre	Purchase 2 table trolleys and 1 chair trolley	\$1,084.00	<b>\$542.00</b>
Cervantes Bowling Club Inc.	Colorbond fencing material to replace 38 metres of fencing	\$1,896.00	<b>\$900.00</b>
Cervantes Historical Society Inc.	Information sign to accompany sculpture	\$2,168.35	<b>\$1,000.00</b>
Cervantes Volunteer Bush Fire Brigade	Purchase of stackable padded chairs	\$936.00	<b>\$468.00</b>
Dandaragan Golf Club	New easy to read & informative Tee Signs	\$7,200.00	<b>\$3,600.00</b>
Jurien Bay Youth Group	Purchase a digital television	\$698.00	<b>\$340.00</b>
Jurien Sport and Recreation Centre	Stage extension pieces (x6)	\$4,059.00	<b>\$2,029.50</b>
Jurien Bay Country Golf Club Inc. (Priority 1)	Bores for water supply (Priority 1)	\$9,618.00	<b>\$4,809.00</b>
Jurien Bay Country Golf Club Inc.(Priority 2)	260 kl water tank (Priority 2)	\$14,200.00	<b>\$1,491.75</b>
Jurien Bay District High School	Primary Sporting Equipment Shed	\$9,784.00	<b>\$4,447.27</b>
Central West Coast Senior Citizens Group	Office package and set up	\$1,482.00	<b>\$741.00</b>
Lions Club Jurien Bay	Purpose built barbeque trailer	\$11,600.00	<b>\$5,800.00</b>
Jurien Bay Bowling Club Inc.	A new dishwasher for kitchen	\$4,728.90	<b>\$2,149.50</b>
	<b>TOTAL</b>	<b>\$89,293.13</b>	<b>\$38,124.46</b>

**CARRIED 9 / 0**

**OFFICER RECOMMENDATION 2 / COUNCIL DECISION**

**Moved Cr Short, seconded Cr Kent**

**That the following notations be added to grant notification correspondence:**

- 1. Badgingarra Community Association Inc**
  - **That the project is carried out in compliance with the Shire of Dandaragan building and planning regulations.**
- 2. Badgingarra Bowling Club Inc**

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- That the project is discussed with the Shire of Dandaragan Manager of Building Services, to ensure that it complies with local building regulations.
3. **Cervantes West Men's Shed Inc**
    - That the Cervantes Men's Shed demonstrates the product has been installed and the project completed by the 30 June 2015 via photographs or other means.
  4. **Cervantes Bowling Club Inc**
    - Should the existing fencing prove to be asbestos, the group must demonstrate via appropriate documentation that the removal and disposal of the asbestos complies with regulations and is done by a certified asbestos removalist.
    - The Cervantes Bowling Club will be responsible for the costs associated with the removal and disposal of the existing fencing.
  5. **Cervantes Historical Society Inc**
    - That the site be approved by Main Roads Western Australia and the Shire of Dandaragan prior to project commencement.
  6. **Jurien Bay District High School**
    - Due to expected changes to the grant guidelines for 2014/2015, applications from organisations that are the responsibility of another level of Government will not be considered in the future.

**CARRIED 9 / 0**

<b>OFFICER RECOMMENDATION 3 / COUNCIL DECISION</b>
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**Moved Cr Kent, seconded Cr Bailey**


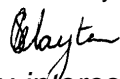
**That Council amend the Shire of Dandaragan and Tronox Community Sporting and Recreation Facilities Fund grant guidelines as follows:**

- 1. funding applications from organisations that are the responsibility of another level of Government, will be deemed ineligible;**
- 2. future applicants must demonstrate that they have discussed their project with Local Government authorities where necessary, to ensure that their project complies with regulations or is eligible for approvals. Building approval costs are the responsibility of the applicant; and**
- 3. that the ongoing maintenance and upkeep of funded items, remain the responsibility of the applicant / organisation applying for funding.**

**CARRIED 9 / 0**

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**9.3.4 SPRAY THE GREY YOUTH FESTIVAL**

Location:	Weld Park, Hastings Street, Jurien Bay
Applicant:	Community Development Officer / Spray the Grey Youth Committee
Folder Path:	Business Classification Scheme / Community Services / Service Provision / Youth Services
Disclosure of Interest:	None
Date:	18 August 2014
Author:	Kelly Shipway, Community Development Officer
Signature of Author:	
Senior Officer:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Senior Officer:	

*Cr Darren Slyns disclosed an impartiality interest due to being the President of the Jurien Bay Youth Group.*

*Cr Judy Kulisa disclosed an impartiality interest due to being the Vice President of the Jurien Bay Youth Group.*

**PROPOSAL**

To expand the original Spray the Grey Urban Art Project concept, to incorporate an inaugural Youth Festival, accessible to all youth throughout the Shire.

That the Shire of Dandaragan considers contributing up to \$8,000 from the Shire's youth budget for a Youth Festival to be held at Weld Park in Jurien Bay, with further officer support provided to assist youth with the management and planning of this event.

**BACKGROUND**

The Shire of Dandaragan, in their annual budget, allocates a sum of \$10,000 per annum towards youth services. An amount of \$12,505.85 has been rolled over from previous years.

The Shire of Dandaragan has identified a need to develop a youth policy to steer the future provision of Councils youth services and to clearly define the expenditure of the youth budget. Youth engagement is an important part of developing policies in line with youth needs and Council's direction.

The 'Spray the Grey' festival will provide an opportunity for Councillors, Council staff, youth service providers and local business to interact with local youth at a whole of Shire youth event. The event will be planned by a panel of young people in conjunction with the Shire.

On 26 June 2014, Council approved a Youth Urban Art Project to take place at the Jurien Bay Skate Park. In order to fund this project, a panel of youth was formed to plan the event and to submit a funding application to Country Arts WA – Drug Aware YCulture Regional Grants.

As there are limited places for the Urban Art Project, the youth

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panel would like to expand the Spray the Grey Urban Art Project to incorporate a Youth Festival. Additional funding received will be put towards Urban Youth Effect, a sixteen piece hip hop crew who will perform and host workshops throughout the days' activities.

A local state BMX champion will be in attendance promoting BMX as a sport as well as a healthy and active lifestyle. He will also be available to assist with the planning of a Freestyle BMX Park for youth.

The Jurien Bay Lions Club have also shown interest in the Youth Festival, offering to support the event and possibly provide some food and drinks if the youth panel put forward a written request.

The ICAN Group has agreed to auspice the funding should the Spray the Grey youth committee be successful in obtaining a grant.

The Jurien Bay Community Resource Centre (JBCRC) have also offered support providing advertising, grant writing assistance and the use of their facilities for meeting purposes.

The Spray the Grey Youth Committee will expend their grant funding as follows:

<b>Activity</b>	<b>Funding Source</b>	<b>Total Cost</b>
Graphite Crew	YCulture / Community Grant	\$2,580
Urban Youth Effect (Hip Hop)	YCulture Grant	\$2,540
Mechanical parachute lolly drop	Request to IGA to donate some lollies	\$380
BMX State Champion	Free	\$0
Jurien Lions Club	Willing to donate some food and drinks if youth write letter	\$0
Powerboard	Request to Shadbolt electrical	\$0
Portable toilets	Request inkind support	\$0
Skydive Jurien Bay	Artist accommodation	\$0
		<b>\$5,500</b>

Support from Council will assist in providing adequate activities to cater for numbers on the day of the festival. Funding would be put towards chartering three buses to transport youth from all destinations within the Shire.

Festival rides and youth challenges such as a rock climbing wall, twin bungee trampolines, a mechanical bull, human gyroscope, roller ball and bungee joust will ensure the festivals success and the entertainment of the youth for a period of four hours during the festival.

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<b>Activity</b>	<b>Funding Source</b>	<b>Total Cost</b>
Radrock climbing wall and bungy tramps	Shire of Dandaragan	\$2,120
Airbourne Entertainment festival hire	Shire of Dandaragan	\$4,087
APRA license	Shire of Dandaragan	\$55
Buses	Cervantes, Dandaragan, Badgingarra	\$1,500
Incidentals	Equipment hire	\$238
		<b>\$8,000</b>

### COMMENT

The Spray the Grey Youth Festival will provide an inclusive engagement opportunity that will guide the development of a youth policy, in a receptive and efficient manner to meet the aspirations of all young people within the Shire of Dandaragan. Youth from the four major towns will be transported to Jurien Bay for the festival.

The Shire of Dandaragan Youth Policy currently under development, is a commitment from Council to work in partnership with the community, young people, families, local service agencies, organisations and local business, to enhance youth engagement so that young people are empowered to shape their community and their future.

The Spray the Grey Youth Festival will provide an opportunity to engage and support the Shire of Dandaragan youth by assisting them with the planning and running of their event and incorporating a youth engagement process for Council to develop their Youth Policy.

The Festival will be carefully planned to incorporate the issues faced by youth in our community. Issues include small town rivalry, a drug aware campaign, inclusion, boredom, vandalism, multiculturalism with the event planning aspect providing additional benefits such as youth empowerment.

The youth within our Shire have identified limited facilities, events or activities provided for them. The Spray the Grey Youth festival will be an important team building and youth engagement process, providing youth the opportunity to learn new skills and provide valuable input towards the Shire of Dandaragan Youth Policy. Council's support for this event will ensure that their day is the best it can be.

### CONSULTATION

- Chief Executive Officer
- Executive Manager Corporate & Community Services
- Club Development Officer
- Spray the Grey Youth Committee



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- Jurien Bay Community Resource Centre
- Inspirational Community Arts Network

**STATUTORY ENVIRONMENT**

There are no statutory implications relevant to this item.

**POLICY IMPLICATIONS**

Shire of Dandaragan Youth Policy consultation.

**FINANCIAL IMPLICATIONS**

The request for \$8,000 is already allocated for in Council's 2014/15 budget in its youth commitment.

**STRATEGIC IMPLICATIONS**

- Shire of Dandaragan Integrated Strategic Community Plan

GOAL NUMBER THREE: Focus on community					
OBJECTIVE 5: Young peoples' development strategy					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G3-05-A3	Incorporated youth groups - support provision of operating assistance including building and contribution toward insurance.	Community workshops	Ongoing	District	Youth groups
G3-05-A4	Support for delivery of extra curricula activities during school holidays and outside of school hours.	Community workshops	Short	Jurien Bay	Youth Groups Police service
G3-05-A5	Skatepark project management and the development of structure facilities to support youth to be included in the Recreation Plan.	Shire Recreation Plan	Short	District	Youth groups
G3-05-A6	Development of existing land area for BMX bike track with potential incorporation of the motocross kart clubs.	Community workshops	Short - Medium	Jurien Bay	Youth groups

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Kent, seconded Cr Kulisa**

**That Council:**

1. **agree to a financial contribution of \$8,000 from the Shire of Dandaragan youth budget be put towards transport and festival rides for the Spray the Grey Youth Festival; and**
2. **request the CEO to provide Officer support to assist the**

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**Spray the Grey Youth Committee with the planning and management of this event.**

**CARRIED 8 / 1**

**COUNCIL DECISION**

**Moved Cr Short, seconded Cr Kent  
That the meeting be adjourned at 12.03pm**

**CARRIED 6 / 3**

**COUNCIL DECISION**

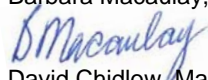

**Moved Cr Sheppard, seconded Cr Short  
That the meeting be resumed at 2.05pm.**

**CARRIED 9 / 0**

*No observers were present at the resumption of the meeting.*

## **9.4 TOWN PLANNING**

### **9.4.1 PLANNING APPROVAL – PROPOSED OUTBUILDING (SHED WITH ATTACHED LEAN-TO) – LOT 295 SULINA CRESCENT, ALTA MARE**

Location:	Lot 295 Sulina Crescent, Alta Mare
Applicant:	Eric Langdon
Folder Path:	Development Services App / Development Application / 2014 / 33
Disclosure of Interest:	None
Date:	31 July 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 shed with attached lean-to in Alta Mare. In accordance with the Council's 'Outbuilding and Temporary Accommodation in Rural Residential and Special Use – Rural Development Zones' Policy (the Policy), outbuildings exceeding 216m<sup>2</sup> require Council approval.

#### **BACKGROUND**

The subject lot is zoned Rural Residential. The proposed shed measures 9.12m x 21.28m (194.08m<sup>2</sup>) and the attached lean-to measures 4m x 10.8m (42.8m<sup>2</sup>) with a total area of 236.88m<sup>2</sup>.

The proposed wall height of 4m and ridge height of 4.8m complies with the Policy. The outbuilding is setback 80 metres from the front boundary and 30 metres from the side boundary and complies

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with the setback requirements of the Alta Mare Development Guidelines.

Under clause 13 and 14 of the Policy as set out below, the Council can approve outbuildings up to 300m<sup>2</sup> if it is satisfied with the applicant's justification for a larger outbuilding.

*Outbuildings*

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

External Cladding	Floor Area (In Aggregate)	Wall Height	Ridge Height	Neighbour Consultation	Determination by Council
Zincalume, White Colorbond and Off White Colorbond	Up to 12m <sup>2</sup>	Up to 2.4m	Up to 4.2m	Not required	Not required
Non-Reflective Material	Up to 162m <sup>2</sup>	Up to 4.0m	Up to 5.5m	Not required	Not required
	> 162m <sup>2</sup> – 216m <sup>2</sup>	> 4.0m – 4.2m	Up to 5.5m	Required	Only required if objections received from adjoining landowners
Non-Reflective Material Hill River Heights	Up to 120m <sup>2</sup>	Up to 3.6m	Up to 4.5m	Not required	Not required

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

14. Any application for an outbuilding proposing to exceed 216m<sup>2</sup> in size and a wall/ridge height exceeding the above will need to be supported by information justifying a larger outbuilding and evidence demonstrating to Council's satisfaction that:

- the outbuilding will be compatible with the setting;
- the amenity of the locality will not be adversely affected; and
- the height, bulk, scale, orientation and appearance of the outbuilding is acceptable in relation to development on adjoining land or on other land in the locality.

The applicant has provided justification for a larger outbuilding and this is provided below:

*Firstly the Shed will be Paperbark in colour with Red trimmings. The Wall height will be 4M with the maximum central height 4.850M. The location of the Building envelope is a comfortable 80m in from the front Boundary so the shed location (South/West Corner) will not adversely impact on neighbouring properties. The Shed colour scheme will reflect in an eventual*

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*House to create a matching setting. The Building envelope is bordered by natural vegetation on ALL sides with an approx. 15M vegetation strip between the driveway and House with the driveway entering the Pad at the bottom right hand corner (North/West End). The Shed will house and protect from the elements the following larger items-- Two 4x4s—Boat—Caravan—Tractor (for Slashing Fire Breaks) –Camper Trailer— Various belongings and a large canopied trailer. I was on the Block on Saturday morning and took many Photos of Flowers that are out already so please be assured that everything possible will be done to protect this.*

### COMMENT

A site visit revealed there are similar sized outbuildings in the locality. Given the proposal is setback 80 metres from the front boundary and 30 metres from the side boundary it is not considered to impact negatively on the amenity of the locality nor neighbouring properties. It is also noted the nature of the proposal being a shed with attached lean-to lessens its bulk and scale. There have been no objections from neighbouring landowners.

It is the officer recommendation the proposal is supported.

### CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 28 July 2014 and closed on the 11 August 2014.

### STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.

### POLICY IMPLICATIONS

- Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones Policy;
- 'Alta Mare' Development Guidelines.

### 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:

- Plans (Doc Id: 34534)
- Location Plan (Doc Id: 33961)

**(Marked 9.4.1)**

### VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Kent**

**That Council grant planning approval for the proposed outbuilding in accordance with the attached approved plans date stamped 9 July 2014 on Lot 295 Sulina Crescent, Jurien Bay subject to:**

- 1. All development shall be in accordance with the attached plans date stamped 9 July 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 surrounding vegetation and / or predominant colours of the individual site;**
- 3. The outbuilding not to be used for habitable purposes unless separate time limited approval has been granted for temporary accommodation in accordance with any Council Policy; and**
- 4. Any proposed apparatus for wastewater disposal be installed so that the leach drains are a minimum of 100m from a natural permanent watercourse, water body or existing drain and that the base of the leach drains be a minimum 2m above the highest known water table or an approved aerobic treatment unit be installed.**

**ADVICE NOTES:**



- Note 1: Any fill or retaining in excess of 500mm above natural ground level as part of any outbuilding development plans will require planning approval.**
- Note 2: The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development and it is advised the applicant contact the Manager of Building Services to discuss the provisions required with locating a shower and toilet inside the outbuilding prior to applying for a building permit.**
- Note 3: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.**
- Note 4: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.**
- Note 5: The Shire encourages the location of any future dwelling on this property to be located 1.8 metres in front of the outbuilding to preserve the rural-residential amenity of the locality.**
- Note 6: The applicant be advised that “should you be**

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

The State Administrative Tribunal  
GPO Box U1991  
PERTH WA 6845”

CARRIED 9 / 0

**9.4.2 WESTERN AUSTRALIAN PLANNING COMMISSION (WAPC) – PROPOSED SUBDIVISION OF LOT 3713 NORTH-WEST ROAD, BADGINGARRA**

Location:	Lot 3713 North-West Road, Badgingarra
Applicant:	Harley Dykstra on behalf of Premium Custody Services Pty Ltd
Folder Path:	Business Classification Scheme / Land Use and Planning / Subdivision / Requests / WAPC 150385
Disclosure of Interest:	None
Date:	14 August 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

To consider an application for the subdivision of Lot 3713 North-West Road, Badgingarra and make recommendations to the Western Australian Planning Commission (WAPC).

**BACKGROUND**

The purpose of this application is to obtain subdivision approval to create a 10ha homestead lot (Lot 1), and a 1232ha balance lot (Lot 2) which shall continue to be used for broadacre farming.

The proposed homestead lot will contain an existing dwelling and associated infrastructure (including storage shed and water tank) fronting Winjardie Road, all of which is to be retained.

This application requests that the existing dwelling be contained within a separate homestead lot to enable security of land tenure for the landowner.

The landowners have commenced a Scheme Amendment (No.23) to rezone a portion of Lot 3713 from “Rural” to “Rural Smallholdings” to enable further subdivision, nonetheless this subdivision application does not rely on the subject land being rezoned.

Lot 3713 North-West Road is approximately 1242.7 ha in area and

located approximately 4 km due east of the Badgingarra townsite (4.5km by road). The subject land is situated immediately north-west of the Old Badgingarra townsite. The Hill River traverses the southern part of the subject land, running generally parallel to North West Road. Lot 3713 is adjoined by rural zoned land to the south (including the Old Badgingarra townsite), east and west. To the north of Lot 3713, the land is reserved for public purposes.

The subject land is currently used for broadacre farming (grazing of sheep) with several small dams having been constructed for stock watering purposes.

Within the south-east portion of the subject land, there are two existing dwellings with frontage to North- West Road and Winjardie Road respectively. The original dwelling has frontage to North-West Road and has access to associated rural infrastructure (storage shed, shearing shed, water tank etc.) via a track of limestone construction.

#### COMMENT

The subject land is zoned "Rural" under the Shire of Dandaragan Local Planning Scheme No. 7. The objective of the rural zone is:

*"To provide for a range of rural activities such as broadacre and diversified farming so as to retain the rural character and amenity of the locality, in such a way as to prevent land degradation and further loss of biodiversity."*

The proposed subdivision in no way conflicts with the intent of the "Rural" zone and will not compromise the ability of the balance land parcel to continue to be used for broadacre farming purposes or impact the rural amenity of the area, as the dwelling is already constructed. The proposal is intended to facilitate the subdivision of a homestead lot only and is consistent with the aim of LPS No.7.

#### **4.2 Shire of Dandaragan Local Planning Strategy - Rural Land Use and Rural Settlement**

The primary purpose of the *Rural Land Use and Rural Settlement Strategy* is to guide landuse and subdivision within the rural zoned areas throughout the Shire. The Strategy identifies the areas adjacent to the Badgingarra Townsite are considered suitable for rezoning and subdivision for rural living uses, which includes the south-east portion of Lot 3713. Assuming the recommendations of the Local Planning Strategy are implemented in the future, the proposed homestead lot will be consistent with the proposed lot sizes/settlement pattern in the locality.

The *Rural Land Use and Rural Settlement Strategy* also provides for subdivision in the manner proposed under

section 2.3.1, which recognises a homestead lot can be created where specific criteria can be met under WAPC's Development Control Policy 3.4.

#### **4.3 WAPC SPP 2.5 - Land Use Planning in Rural Areas**

The proposal is consistent with a key objective of Statement of Planning Policy No. 2.5, Agricultural and Rural Land Use Planning, being to:

*"To protect rural land from incompatible uses by:*

- i. Requiring comprehensive planning for rural areas;*
- ii. making land use decisions for rural land that support existing and future primary production and protection of priority agricultural land, particularly for the production of food; and*
- iii. Providing investment security for the existing and future primary production sector".*

The application proposes the creation of two lots in a manner that is provided for within the WAPC's strategic planning framework. Furthermore, the proposed homestead lot will not reduce the ability of the balance lot to continue its rural operations.

#### **4.4 WAPC DCP 3.4 - Subdivision of Rural Land**

The Western Australian Planning Commission's Development Control Policy 3.4 – *Subdivision of Rural Land* sets out specific criteria which, if met, enable rural subdivision to be supported.

Clause 6.6 'Homestead Lots' makes provision for lots to be created on rural land where an existing house on a farm continues to be occupied and where a number of provisions are complied with.

Compliance with the provisions is demonstrated below:

- a) The subject land is located within the Homestead Lot Policy Area,
- b) DCP 3.4 generally states for homestead lots to be between 1 and 4ha or up to 20ha to respond to the landform and include features such as existing outbuildings, services or water sources. The proposed lot size has been designed to address the requirements of the Shire's LPS and SPP2.5 in relation to provision of water. Clause 5.6 section (vi) of SPP 2.5 generally requires lots of between 1-4ha to be connected to a reticulated water supply. The proposed 10 ha lot size is serviced by a sufficient alternate water supply and it would be unreasonable to require the creation of a lot between 1-4 ha requiring a reticulated connection. Thus, the



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proposed lot size is considered reasonable as no reticulated water is available to service the dwelling.

The proposed boundaries respect the location and extent of the Hill River and fringing vegetation and also the drainage line which runs from the farm dam to the north of the proposed lot to the Hill River. Land south of the new dwelling, up to the Hill River, has been contained within the homestead lot providing easy access for land management purposes. If this part of the land remained within the balance lot, an additional river crossing would be required to provide efficient access for land management purposes. In addition, the proposed lot configuration provides an area of land unconstrained by buildings and vegetation for use by the landowner including for keeping of limited stock for domestic purposes.

The proposed lot size is consistent with the strategic intent for the land under the Shire's Local Planning Strategy which identifies the land within a rural living (rural small holdings) precinct including a graduation of lot sizes from 1-40 ha progressively increasing away from the town centre. Assuming the recommendations of the Local Planning Strategy are implemented in the future, the proposed homestead lot will be consistent with the proposed lot sizes/settlement pattern in the locality.

- c) The existing dwelling is already serviced by adequate water supply for domestic, land management and fire management purposes).
- d) The existing dwelling is connected to a reticulated electricity supply.
- e) The homestead lot has access to and fronts Winjardie Road.
- f) The proposed homestead lot contains an existing residence which is setback 120 metres from the northern boundary, 157 metres from the southern boundary and 245 metres from the western boundary, providing appropriate separation from adjoining rural land uses on the balance lot, which comprises of low key rural activities such as sheep grazing.
- g) A homestead lot has not previously been excised from the larger landholding in the past.
- h) The balance lot remains of a suitable size for the continuation of rural land use, losing only 10ha from the creation of the Homestead lot (Lot 1). The balance lot has a total area of 1232ha and remains consistent with prevailing lot sizes in the locality.
- i) The new dwelling on the homestead lot has been recently constructed and is of a habitable standard.

Accordingly, the proposed subdivision is able to satisfy the

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intent of Clause 6.6 "Homestead Lots" of DC Policy 3.4.

CONSULTATION

- Department of Planning
- Applicant (Links Surveying) and land owner.

STATUTORY ENVIRONMENT

- Planning and Development Act 2005
- Local Planning Scheme No 7
- Statement of Planning Policy 2.5 - Agricultural and Rural Land Use Planning
- Development Control Policy 3.4 - Subdivision of rural land
- Shire of Dandaragan Rural Strategy

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:

- Application for subdivision / amalgamation (Doc Id: 34495)  
**(Marked 9.4.2)**

VOTING REQUIREMENT

Simple majority


**OFFICE RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Short, seconded Cr McGlew**

**That the Western Australian Planning Commission be advised that Council supports the proposed application for subdivision of Lot 3713 North-West Road, Badgingarra.**

**CARRIED 9 / 0**

**9.4.3 TELSTRA CORPORATION – APPLICATION EXTEND PLANNING APPROVAL TO CONSTRUCT A MOBILE PHONE BASE STATION – LOT 501 CANOVER ROAD JURIE BAY**

Location:	Lot 501 Canover Road, Jurien Bay
Applicant:	Aurecon
Folder Path:	Development Services Apps / Development Application / 2012 / 15
Disclosure of Interest:	None
Date:	18 August 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer

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Signature of Senior Officer:



**PROPOSAL**

Application has been received to extend planning approval to construct a forty (40) metre high telecommunications monopole containing six (6) panel antennas and two (2) transmission dishes including an equipment shelter at Lot 501 Canover Road, Jurien Bay.

**BACKGROUND**

Council granted approval on 26 July 2012 to Telstra (Aurecon) to construct the forty (40) metre high telecommunications monopole and equipment shelter at Lot 501 Canover Road, Jurien Bay. The Council resolution was:

*Moved Cr Bailey, seconded Cr Kent*

*That Council grant conditional approval to commence development of 'Telecommunications Infrastructure' in accordance with drawings numbered W106930 dated 23 February 2012 on the following conditions.*

*Conditions:*

- 1. All development shall be in accordance with the attached approved plans dated 28 February 2012 and the plans shall not be modified or altered without the prior written approval of the Local Government; and*
- 2. Subject to satisfactory negotiations taking place between Telstra and Council to allow access to the proposed new Reserve through Council's existing reserve, to the satisfaction of the Chief Executive Officer.*

*Advice:*

- Any expansion or upgrades are to have planning approval prior to any works.*
- That the applicant be advised this is planning approval only and not a building license.*

**CARRIED 7 / 0**

Planning approval expired on the 26 July 2014. Aurecon applied on the 4 July 2014 for an extension of time of two years to commence and complete the works.

The reason for the delay in commencing works is due to procedural delays in obtaining land tenure.

There are no changes to the original proposal and both Shire and State planning policy frameworks have not changed during that time.

The following background was provided at the 2012 approval report.

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*Rural Residential lots at Alta Mare and Jurien Bay Heights are located too far from the existing Telstra base station on the corner of Indian Ocean Drive and Whitfield Road, Jurien Bay for adequate telecommunications services.*

*Telstra proposes to develop the Telecommunication Tower (Base Station) at the Jurien Bay Landfill Site & Recycling Centre (landfill site). The land is zoned for 'Public Purpose' under Local Planning Scheme No. 7 (LPS7). The Shire of Dandaragan (the Shire) has a Management Order over Lot 501 for the purpose of a Rubbish Disposal Site. The Department of Regional Development and Lands (DRDL) has agreed to the leasing of the subject land with the agreement being exemplified in the signing of the planning application, granting approval for the proposal to utilise the land for the use of telecommunications tower.*

*Telstra and the National Broadband Network provider NBN Co. have entered into a co-location agreement to share this tower and avoid the need for additional towers. The proposed monopole has been designed to ensure both services are adequately reserved and delivered for quality assurance.*

Local Planning Scheme No.7 sets out where Council may extend the term of planning approval.

#### 10.5. TERM OF PLANNING APPROVAL

10.5.1. Where the local government grants planning approval for the development of land —

- (a) the development approved is to be substantially commenced within 2 years, or such other period as specified in the approval, after the date of the determination; and
- (b) the approval lapses if the development has not substantially commenced before the expiration of that period.

10.5.2. A written request may be made to the local government for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 10.5.1.

#### COMMENT

There are no changes proposed from the original approval.

Condition 2 of the original approval required satisfactory negotiations between Telstra and Council for access through the new Reserve to the satisfaction of the CEO. This matter is still in progress and Council's solicitors are currently negotiating this lease.

Jurien Bay is now no longer on the list for optical NBN broadband. The proposed tower is essential for the co-located NBN infrastructure.

### CONSULTATION

In 2012 the Shire notified 96 landowners within a 1000m radius of the proposed monopole. A response rate of about 6% was achieved with five (5) submissions objecting to the proposal on grounds of visual amenity impact (Attachment 4).

In response to these concerns the applicant provided photomontages from the properties of landowners who had made submissions, to give an example of the visual impact of the monopole from those properties (Attachment 3).

The Shire has been able to contact five (5) of the six (6) respondents regarding the photomontages. All have since advised that they stand by their objection and that the photomontages only further strengthen their views against the development of the monopole in the proposed location.

There are many landowners who were notified of the proposed monopole that chose not to make a submission.

A representative for Telstra Corporation from Aurecon gave a presentation to Council at the Council Forum held 12 July 2012.

### STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- State Planning Policy No. 5.2 – Telecommunications Infrastructure

### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

### FINANCIAL IMPLICATIONS

Council will receive annual income from the proposed lease of the portion of the reserve to Telstra. All legal fees for preparation of the documentation and subdivision are to be borne by the applicant.

### STRATEGIC IMPLICATIONS

The proposed development is currently in a location reserved for a Rubbish Disposal Site, which is inconsistent with the proposed use. The proposed development will not impinge on future land fill expansion plans, as any proposals to expand should be in avoidance of the area.

The proposed infrastructure, and its ability to upgrade and expand on, will reduce the need for more telecommunication monopoles to be located in the vicinity of the landfill and/or the proposal.

### ATTACHMENTS

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

- Correspondence from Aurecon (Doc Id: 32647)

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**(Marked 9.4.3)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Short**

**That Council extend the term of planning approval for a period of two years from 28 August 2014 to commence development of 'Telecommunications Infrastructure' in accordance with drawings numbered W106930 dated 23 February 2012 on the following conditions:**


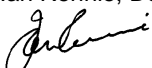
- 1. all development shall be in accordance with the attached approved plans dated 28 February 2012 and the plans shall not be modified or altered without the prior written approval of the Local Government; and**
- 2. subject to satisfactory negotiations taking place between Telstra and Council to allow access to the proposed new Reserve through Council's existing reserve, to the satisfaction of the Chief Executive Officer.**

**Advice:**

- **Any expansion or upgrades are to have planning approval prior to any works.**
- **That the applicant be advised this is planning approval only and not a building license.**

**CARRIED 9 / 0**

**9.4.4 ILUKA RESOURCES – PROPOSED EXTENSION TO JDAP APPROVAL FOR MINING ACCOMMODATION CAMPS – LOT 2080 & LOT 2065 CATABY ROAD, DANDARAGAN**

Location:	Lot 2080 & Lot 2065 Cataby Road, Dandaragan
Applicant:	Iluka Resources
Folder Path:	Development Services App / Development Application / 2012 / 22
Disclosure of Interest:	None
Date:	14 August 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

*Mr Ian Rennie disclosed an impartiality interest due to his wife, son and son in-law being employees of Tronox.*

**PROPOSAL**

An application has been received from Iluka Resources to extend planning approval to commence development for a mining accommodation camp at Lot 2080 Cataby Road and relocation and redevelopment Tronox mining accommodation camp at Lot 2065 Cataby Road. Both applications were approved by the

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Wheatbelt JDAP.

**BACKGROUND**

The Wheatbelt JDAP granted Planning Approval in August 2012 to Iluka Resources for a mining accommodation camp at Lot 2080 Cataby Road and relocation and redevelopment of the Tronox mining accommodation camp at Lot 2065 Cataby Road.

A copy of the minutes of the August 2012 JDAP is provided in the attachments listing the approvals and conditions of approval.

The applicant states;

*The accommodation camps are required to support the proposed Cataby Mineral Sands Project at Cataby. Since the time of the initial application, market conditions have deteriorated, which necessitated further feasibility assessment of mining options. Additionally during the current detailed feasibility assessment of the wider project, an alternate construction delivery mechanism has been identified. Both of these items have impacted the previous proposed camp construction schedule, and consequently make the current requirement to substantially commence the development by 28/8/2014 not possible.*

**COMMENT**

The Wheatbelt JDAP is the approving authority for this application.

The Council may make comment to the JDAP or may grant approval in addition to the JDAP approval. Given that this is only a renewal and that there are no proposed changes to the original application and the matter has been previously determined by the JDAP. It is recommended that Council provide supporting comment only.

The closing date for the officer report to the JDAP is 26 August. As the Council meeting is on the 28 August, the Manager Planning will submit comment of support for the time extension prior to the Council meeting. If Council makes a differing recommendation, this will be forwarded to the JDAP in addition to the officer report.

The JDAP may call a meeting to discuss the application, however in cases where there is a minor modification to approved developments, the JDAP presiding member may choose to approve the amendment without calling a meeting. It is most likely that this will be the case in this instance.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

- Local Planning Scheme No 7

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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:

- Submission from Iluka Resources (Doc Id: 30266)
- Minutes of the August 2012 Wheatbelt JDAP (Doc Id: 34497)  
**(Marked 9.4.4)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION****Moved Cr Sheppard, seconded Cr Holmes**

**That Council endorse the action of the Manager Planning in advising the Wheatbelt JDAP that it supports Iluka Resources application to extend planning approval for a further two years to commence development for a mining accommodation camp at Lot 2080 Cataby Road and relocation and redevelopment of the Tronox mining accommodation camp at Lot 2065 Cataby Road.**

**CARRIED 9 / 0**

**9.4.5 DEVELOPMENT ASSESSMENT PANEL – PROPOSED FREE RANGE POULTRY FARM – LOT 4 MIMEGARRA ROAD CATABY**

Location:	Lot 4 Mimegarra Road
Applicant:	AAA Egg Co Pty Ltd & Springton Nominees
File Ref:	Development Services Apps / Development Applications / 2014 / 38

Disclosure of Interest:	None
Date:	15 August 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	

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

PROPOSAL

The proponent is seeking planning approval for a free range poultry farm located on Lot 4 Mimegarra Road, Cataby. The application is required to be determined by the Regional Development Assessments Panel (Wheatbelt JDAP).

BACKGROUND



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The subject development is to be located on portion (approx. 400 acres) of lot 4 Mimegarra Road (approx. 741 Ha) owned by Springton Nomimees. The proposed site for the Poultry Farm is in the north east corner of the lot adjoining Mimegarra Road. Land to the north and west of the subject lot is unallocated crown land, The land to the south and east is general rural use with a small scale poultry abattoir proposed at Lot 5 Mimegarra and existing carrot farms to the south west.

The proposal consists of:

- 15 egg laying sheds approximately 128m x 17m and height of 5m
- 3 pullet rearing sheds approximately 18m x 13m
- 2 silos approximately 8m high.
- 2 managers residences
- Workers accommodation and recreational facilities
- Coolroom / workshop

The maximum number of laying hens on site will be 300,000.

The objective for 'Rural' zoned land in Local planning Scheme no.7 is

*Rural Zone*

*To provide for a range of rural activities such as broadacre and diversified farming so as to retain the rural character and amenity of the locality, in such a way as to prevent land degradation and further loss of biodiversity.*

A free range poultry farm fits under the land use "animal husbandry – intensive" Under the Scheme this is defined as:

*"animal husbandry - intensive" means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots.*

Agriculture Intensive, Agroforestry, and Animal Husbandry-Intensive are "D" uses (discretionary approval) in a Public Drinking Water Supply Area where Council will have due regard to the potential impact on groundwater quality. (See 5.22 of the Scheme below)

## 5.22 PROTECTION OF WATER SOURCES

### 5.22.1 Public Drinking Water Source Reserves

*Public Drinking Water Reserves are located close to existing townsites and are covered by Water Source Protection Plans prepared by the Water and Rivers Commission (now Department of Environment and Conservation - DEC). Guidelines are available from DEC which establish whether a proposed use is compatible, incompatible or could be approved with conditions to protect water quality and supply.*

*In considering any development within a Public Drinking Water Source Area (PDWSA) Council will have due regard for the potential impact on water supplies and the compatibility of the proposed use. Any development in conflict with the DEC guidelines must be referred to DEC for comment to ensure water quality protection of the public drinking water reserves.*

#### 5.22.2 Groundwater Areas

*Groundwater protection areas have been established by the Water and Rivers Commission (now DEC) known as the Jurien Groundwater Area and Gingin Groundwater Area.*

*Landowners and developers are required to obtain a licence prior to the construction of a bore or well on any property for groundwater extraction except for stock or domestic purposes.*

The proposed poultry farm is located in the Bassendean soil precinct.

The Department of Regulation, Department of Parks and Wildlife (both the previous DEC) and Department of Water have been consulted on this application. The Department of Water have provided initial comment, and are presently working on providing additional more detailed comment.

#### COMMENT

The Shire and WAPC have adopted the Local Planning Strategy – Rural Land Use and Settlement 2012 (the Rural Strategy) which provides guidance to Council in assessing this type of application. The following considerations are taken directly from the Rural strategy and comments provided on each consideration.

Local Planning Strategy – Rural Land Use and Settlement

#### **Appendix 2 intensive agriculture planning considerations when assessing a planning application for intensive agriculture**

When Council is considering an application for either Agriculture – Intensive, Agroforestry, Animal Husbandry Intensive and Aquaculture it will take into account the following matters.

#### Strategic Considerations

Council will assess the potential impact of the Application and subsequent development to ensure:

- Services and infrastructure are adequate, including the road to be used to transport produce and to access the property, power, water and other requirements or can be adequately upgraded which would be the responsibility of the applicant.

The applicant has advised that:

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*It is estimated that there would be approx. 11 truck movements per week and approx. 35-40 car movements per week. There will be accommodation on site for the workers reducing car movements.*

*The proposed route for trucks will be Mimegarra Road and Indian Ocean Drive.*

Mimegarra Road will be sealed over the next two years from the Brand Highway in the east to the intersection of Meadows Road. Meadows Road will be sealed all the way to Indian Ocean Drive. The southern portion of Mimegarra Road will remain unsealed.

- There is no wider potential for land use conflict from things such as spray drift or smoke between existing and proposed use.

The intense agriculture – carrot farms are located approximately 5.5 km south west of the proposed poultry sheds. There is not expected to be any significant spray drifts that will impact on either development.

- It will have no adverse impact on catchment management and ground and surface water.

The Department of Water are providing additional information on this issue, initial comments are that the proposal can be managed so as not to impact on ground and surface water.

- It will not sterilise land with potential for urban expansion or other long term land needs.

There is unlikely to be any urban expansion in the vicinity.

#### *Local Considerations*

Council will assess proposals for intensive agriculture on the ability of the subject land to accommodate the proposed use, and with due consideration of the risk of off-site environmental impacts and conflict with neighbouring land uses. Factors to be addressed by the proponent and subsequently considered by Council include:

- The nature and capability of the land.

The applicant has advised that:

*The site where the sheds are going to be built is only slightly undulating the soil type is sand;*

- Availability and adequacy of water supply.

The applicant has advised that:

Initial advice from the Department of Water is that there will be

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sufficient quality and quantity of bore water to service the industry.

- Sensitivity of adjacent land uses.

There are no sensitive adjoining land uses.

- Remnant vegetation and wetland protection requirements.  
The applicant has advised that:

*I have contacted the Environmental Protection Regulations; they stated that there are no listed wetlands or water courses on the property. We inspected the property on the 20/07/14 and there were no signs of surface water, drains or water courses on the property.*

*The proposed site has been parkland cleared.*

- Crop rotation and/or specific land management requirements.

Not applicable to this application.

- Any particular infrastructure layout or transport access requirements.

Not applicable to this application.

- The requirement for permission to use ground and surface water.

The applicant is liaising with the Department of Water to satisfy this requirement.

- Demonstrate the existing pre-development hydrological regime will be maintained or enhanced where possible.

The applicant has advised that:

*According to the owner, Phil Melville, the winter water table is at 5 to 6 m. At this stage the flow direction of underground water is not known. There is an existing bore on the site and we have had it tested. It is slightly higher in salt than the recommendation for human consumption. We will require at least two more bores for the project. If the mineral levels are too high in the new bores we will install a reverse osmosis water treatment plant to solve the problem. We have already sought advice on reverse osmosis for the project.*

*We have down loaded the monthly rain fall recorded at Mimegarra station since June 1951. According to the Australian Bureau of Meteorology the evaporation rate is between 1.8 m to 2 m.*

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*We could not find any data on infiltration or run off factors for the area. In regard to storm water runoff, we will be installing gutters on all sheds with downpipes removing the water away from the sheds to be drained into the sand. All storm water will be retained on the site.*

*According to the Environmental Protection Regulation the property is not on the 100 year flood plain.*

- The separation distances and/or buffers with the adjacent uses which are potentially incompatible can be contained on the subject land rather than being a constraint on adjacent land.

The applicant has advised that:

*There are no dwellings within 1000 m of the site.*

Table 7 – From the Shire’s Local Rural Planning Strategy: DEC recommended buffer distances between Rural Industries and Residential areas and State Planning Policy 4.3. Poultry industry 500 metres.

The Department of Food and Agriculture (DAFWA) have advised that there is a required minimum distance of 1000m required between any other poultry farm sheds. The poultry sheds associated with the small scale abattoir on Lot 5 Mimegarra Road is located approximately 5.2 km away.

The proposed development will also be able to comply with the 1000m setback requirement from any sensitive land use stipulated under the EPA Guidance Statement No. 3 – Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses for poultry farms.

The application complies with both the local Rural Strategy as well as State Policy for buffer distances from residences and other poultry farms.

- The development impacts can be managed on site.

The applicant has advised that:

*The proposed site has been parkland cleared. We will be retaining as much of the existing vegetation as possible and each shed will have a shelter belt of native trees and grass planted on the sides of the sheds.*

- The development should not significantly detract from any scenic landscape and/or conservation attributes identified in the locality:

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The proposal is approximately 9.3 km from Indian Ocean Drive.

- The land use will have no adverse impact on the safety, health and amenity of residents in existing dwellings and it will not sterilize land with potential for urban expansion or other long term land needs such as mining.

Given the separation distances from existing dwellings and the very unlikely development of urban land within 500m of the proposal, there is no adverse impacts on nearby residents. The only potential issue may be stable fly, however the applicant has provided a management plan that deals adequately with this issue.

- Other matters which may be required to be addressed if requested by Council.

The applicant has advised that:

*Dead birds- It is estimated that bird mortality would be 80 kg per day. Our preferred method would be composting. This would be done on a hardstand surface using the dead birds and a carbon source such as hay the other method would be burial. The compost would be used on site as fertilizer. We are prepared to use what is the best practice for dead bird disposal.*

*Manure- The bulk of the manure in the sheds drops on to manure belts and is removed every 4 days some would be used on site for pasture the balance would be trucked off site to the Wheatbelt. We have existing customers in the Dandaragan and surrounding shires who we supply.*

The following initial comments have been provided by the Department of Water:

*Application of manure to pasture – For this to be supported by DoW, there would need to be a specific application rate, based on soil type, to ensure there was no excess nutrients available to leach to groundwater. This would need to be stipulated in either a Nutrient and Irrigation Management Plan, or by condition, or scheme provision.*

*On-site disposal of carcasses – Either option suggested by applicant seems to pose risk of either pathogens and/or nutrients. I would recommend off-site disposal, however I will confirm this after further discussions.*

*In addition, I have sought advice on Groundwater dependent ecosystems (GDEs) nearby, including vegetation and downstream wetland areas associated with Caro Brook which traverses Lot 4.*

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*I have also forwarded for hydrogeological advice, due to location within Bassendean Precinct SCA. I will forward this advice when received.*

*If DoW supports the application, it is likely we would also recommend a setback buffer from Caro Brook, among other management approaches, to minimise risks to water resources.*

Given the above information, it is the Planning Officers recommendation that Council grant approval imposing the conditions stated in the recommendation to be presented to the Joint Wheatbelt Development Assessment Panel for this application.

There may be additional comments/recommendations added by the officer to the JDAP report should additional environmental information as detailed above be provided prior to the JDAP meeting.

#### CONSULTATION

- Department of Planning;
- Environmental Protection Authority;
- Department of Agriculture and Food (Moora and Geraldton);
- Department of Environment Regulation;
- Department of Parks and Wildlife (Jurien Bay and Geraldton)
- Department of Regional Development and Lands;
- Department of Health;
- Department of Water (Perth and Geraldton);
- Water Corporation;
- Shire of Gingin;
- Surrounding land owners and
- Shire Officers.

#### STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.
- Local Planning Strategy – Rural Land Use and Rural Settlement.

#### POLICY IMPLICATIONS

- SPP 2.5 Land Use Planning in Rural Areas.
- SPP 4.3 – Poultry Farms.
- Environmental Code of Practice for Poultry Farms in Western Australia.
- There are no local policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

The applicant has paid a sum of \$18,783 with \$5,885 allocated to the Development Assessment Panel.

#### STRATEGIC IMPLICATIONS

- Shire of Dandaragan Local Planning Strategy – Rural Land Use and Rural Settlement.

ATTACHMENTS.

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

- Location Plan (Doc Id: 34502)
- Site Plan (Doc Id: 34501)
- Elevations (Doc Id: 34500 & 34513)
- Management Plan (Doc Id: 34499)

**(Marked 9.4.5)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Sheppard, seconded Cr Short**

**That Council indicate to the Wheatbelt JDAP that they support the planning application for a proposed Free Range Poultry Farm on Lot 4 Mimegarra Road and recommend the following conditions of approval:**

- 1. the land use and development shall be undertaken in accordance with the approved and stamped plans, including the approved Environmental Management Plan and Landscape and Vegetation Management Plan;**
- 2. the endorsed plans shall not be modified or altered without the prior written approval of the Wheatbelt JDAP in accordance with Regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011;**
- 3. this Approval is for an Animal Husbandry - Intensive (Free Range Poultry Farm) only;**
- 4. the use and development must be substantially commenced within 3 years of the date of this approval;**
- 5. poultry shed design and management, management of stock feed, water, waste products and all other aspects of poultry farm operation are to comply with the management guidelines set out in the *Environmental Code of Practice for Poultry Farms in Western Australia* (May 2004);**
- 6. the maximum number of laying hens shall be 300,000;**
- 7. crossovers, access and egress to the subject site from Mimegarra Road and any road works shall be located and constructed to the satisfaction of the Executive Manager Infrastructure and include all necessary drainage and signage. Costs applicable to the construction of the access point/s onto the site and any related issues shall be borne by the proponent;**
- 8. a Traffic Statement to be completed by the applicant and submitted to the Shire to confirm proposed transport routes along which the majority of traffic to and from the facility will travel including details of the size and class of transport vehicles. A road condition survey is to form part of this and any maintenance work required to public roads as a result of transport activity is to be undertaken**



- by the project contractor to the satisfaction of the Shire of Dandaragan Executive Manager Infrastructure;
9. all internal roadway surfaces within the site are to be constructed of a suitable material such as paving, road base, limestone or coarse gravel and compacted to limit dust generation, to the satisfaction of the Shire's Chief Executive Officer;
  10. notices indicating the type of operation, hours of operation and potential impacts of the poultry farm operation are to be displayed adjacent to the Mimegarra Road frontage of the site in accordance with the specifications contained in Statement of Planning Policy No 4.3 Poultry Farms Policy to the satisfaction of the Shire's Chief Executive Officer. The notices must state that development approval for the construction of the Development on the site has been granted;
  11. the use and development must be conducted so that it has minimum impact on the amenity of the area by reason of:
    - transportation of materials, goods and commodities to and from the premises;
    - appearance of any buildings, works and materials; and
    - the emission of noise, vibration, dust, wastewater, waste products or reflected light;
  12. prior to the commencement of the development, an amended Waste Management Plan shall be submitted to the Shire and approved by the Chief Executive Officer;
  13. prior to the commencement of the development, an amended Drainage and Nutrients Management Plan shall be submitted to the Shire and approved by the Chief Executive Officer;
  14. prior to the commencement of the development, an amended Pest Management Plan (including stable fly prevention) shall be submitted to the Shire and approved by the Chief Executive Officer;
  15. prior to the occupation of the poultry sheds, a Deed of Agreement shall be entered into with the Shire in relation to the maintenance and upgrade of Mimegarra Road at the developer's cost;
  16. applicant is to carrying out of each of the elements of the Environmental Management Plan including the audit protocol set out within the Environmental Management Plan; and
  17. prior to commencement of development an agreement of means of disposal of all manure is to be obtained from the Shire of Dandaragan.

**ADVICE NOTES:**

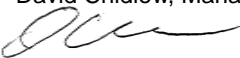

- Note 1:** Further to this approval, the applicant will be required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and the *Health Act 1911*

which are to be approved by the Shire's Manager Building Services and/or Manager Environmental Health prior to issuing a Building Licence.

- Note 2:** The Department of Health advises that any form of pest control using pesticides must comply with the Health (Pesticides) Regulations 2011.
- Note 3:** It is advised that the proposal should at all times comply with the Biosecurity & Agriculture (Stable Fly) Management Plan 2013 in order to minimize the effects of stable flies on the community.
- Note 4:** It is advised that the proposal should at all times comply with the provisions of the *Food Act 2008* and related regulations, codes and guidelines and in particular the primary production standard in relation to egg production.

**CARRIED 8 / 1**

#### **9.4.6 CONSULTATION PAPER – PROPOSAL FOR CARAVAN PARKS AND CAMPING GROUNDS LEGISLATION**

Location:	N/A
Applicant:	Department of Local Government and Communities
Path:	Business Classification Scheme / Laws and Enforcement / Licensing / Caravan Parks
Disclosure of Interest:	None
Date:	15 August 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

#### **PROPOSAL**

The Department of Local Government and Communities are seeking comment on the Consultation Paper – Proposal for Caravan Parks and Camping Grounds Legislation.

#### **BACKGROUND**

New caravan parks and camping grounds legislation is being developed to replace the *Caravan Parks and Camping Grounds Act 1995* (the Act). The aim is to provide a legislative framework which better meets the needs of consumers, operators and regulating authorities, reduces red tape and safeguards the health and safety of everyone.

As part of the review and development process, the Department of Local Government and Communities has released a consultation paper to invite public comment on how the new act could operate.

This consultation paper is an initiative of the Western Australia Caravan and Camping Action Plan, which is supported by the State Government's Royalties for Regions program.

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Submissions should be forwarded no later than 1 September 2014.

Extensive consultation will be undertaken, including the release of a second consultation paper which will summarise responses to this paper and propose final solutions for comment.

The Caravan Parks and Camping Grounds legislation is to:

- provide for the management of health and safety risks in relation to caravanning and camping;
- control and licence caravan and camping grounds; and
- provide standards in respect of caravans.

The legislation cannot address broader issues in relation to caravan and camping, such as:

- Land use and zoning issues
- Land availability
- Building standards and building approval
- Security of tenure
- Park closures and relocation of tenants
- Competition issues in relation to development of holiday parks.

#### COMMENT

The CPCG Act came into effect on 1 July 1997 and there have been no substantial amendments to it since that time. It was over sixteen years in development and its focus was to provide for the regulation of caravanning and camping, to control and license caravan parks and camping grounds, and to provide standards in respect of caravans.

The CPCG Act delivers licensing, inspection and enforcement powers to local governments in order to administer the legislation. The main provisions of the CPCG Act are the process of application for a licence, duties of the licence holder, keeping a register of licences, right of inspection, and providing for the making of subsidiary legislation such as regulations and local laws.

The CPCG Regulations deal with matters under the CPCG Act that include: standards of design, construction of caravans and annexes, health and safety standards of services and amenities, vehicular traffic, forms and fees, type of licences and penalties.

There are approximately 400 caravan parks in Western Australia, about half of the caravan parks only cater to long-stay tenants. According to the 2012 registration figures in Western Australia; there are 72,405 caravan and camper-trailer registrations and 8,127 campervans registrations. This represents 30 registrations for every 1,000 people which is understood to be the highest proportion in any Australian state.

It is proposed that the new legislation focus on **holiday parks**

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(previously known as caravan parks and camping grounds), recognising that these have a variety of users. The term 'holiday park' will provide the flexibility to allow the market to drive the supply of accommodation types. It is proposed that all holiday parks be subject to the same health and safety standards regardless of whether they are operated by a public sector body or a private operator.

Residential parks are proposed to be assessed as residential developments under relevant development and planning policies. Park homes are currently defined as 'vehicles' under the CPCG Act but treated as a buildings with wheels – they have to comply with the Building Code of Australia (BCA). It is proposed that the treatment of park homes be clarified by transferring the certification process of park homes to the *Building Act 2011* (the Building Act).

The proposed licensing regime focuses on a management plan proposed by the operator. The management plan is assessed by the licensing authority for its compliance with minimum health and safety standards, its delivery of products to the identified market segment(s) and the addressing of environmental and risk matters. When approved, it will form the basis for the licence. This model is expected to be sustainable, support commercial viability and meet changes in the market as it is consumer focused.

Draft comments are provided in the attachments. Generally the changes are supported, with some points raised in the draft comments.

Additional comments from Councillors are welcomed to be included with the submission.

#### CONSULTATION

- Manager Planning;
- Manager Building Services;
- A/Manager Environmental Health;
- Senior Ranger

#### STATUTORY ENVIRONMENT

- Caravan Parks and Camping Grounds Act 1995

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

#### STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

#### ATTACHMENTS

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

- Consultation Paper – Proposal for Caravan Parks and Camping Grounds Legislation (Doc Id: 34498)
- Submission on Consultation Paper (Doc Id: 34505)  
**(Marked 9.4.6)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Holmes, seconded Cr Bailey**

**That Council make a submission to the Department of Local Government and Communities on Proposal for Caravan Parks and Camping Grounds Legislation as attached including any additional comments provided by Councillors.**

**CARRIED 9 / 0**

*Scott Clayton entered the Council Chambers at 2.21pm*

**9.5 HEALTH**

**9.6 BUILDING**

**9.6.1 PROPOSED STAND-ALONE PAVILION – CERVANTES COMMUNITY RECREATION CENTRE**

Location:	Cervantes Community Recreation Centre
Applicant:	Cervantes Community Recreation Centre Management Committee
Folder Path:	Business Classification Scheme / Council Properties / Design and Construction / Community Centres and Halls
Disclosure of Interest:	None
Date:	18 August 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 consider an application from the Cervantes Community Recreation Centre Management Committee (CCRCMC) to construct and provide funding towards a stand-alone pavilion adjacent to the existing Cervantes Community Recreation Centre.

**BACKGROUND**

For the last several years the CCRCMC have been looking for options to provide a community building that is more suited to the needs of the current Cervantes community.

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It is the opinion of the CCRCMC that the current centre is no longer fit for purpose and therefore, doesn't meet the needs of the community.

The CCRCMC have held multiple public consultation processes as well as a questionnaire of Cervantes ratepayers. In May 2014 the CCRCMC submitted a formal request for financial assistance under Policy 6.6 Sport and Recreation Funding – Major Indoor Facilities Fund.

This was followed by a presentation by Mrs Gloria White and Mr George Mostert prior to the Council meeting held in Cervantes on 26 June 2014.

### COMMENT

Councillors discussed the proposal at the Council forum's held 10 July 2014 and 14 August 2014 with two major concerns being raised with regard to the proposal:

1. The addition of the stand-alone pavilion did not appear to meet the needs of the key users as was identified at the public meeting which several Councillors attended. The underlying theme of the needs at that meeting were for groups to have access to their own personal spaces, fit for purpose, allowing storage and display of their items.
2. From an asset management perspective, the stand-alone pavilion does not provide for any funding towards the renewal of the existing building, at the same time provides an additional asset that will result in a future financial renewal legacy in addition to the existing community centre.

It was proposed that a Shire led working group be established to consult with the Cervantes Community to identify the community needs prior to committing to the construction of any new community assets at the Cervantes Recreation Reserve.

### CONSULTATION

- Cervantes Community Recreation Centre Management Committee
- Mrs Gloria White
- Mr George Mostert
- Chief Executive Officer

### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

### POLICY IMPLICATIONS

Policy 6.6 Sport and Recreation Funding – Major Indoor Facilities Fund

### FINANCIAL IMPLICATIONS

The CCRCMC provided the follow proposed costing and funding sources:

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**Option 1**

Fund Required	\$230,000
Shire	\$77,000
Community	\$77,000
Specified Area Rate (SAR)	\$77,000

**Option 2**

Fund Required	\$230,000
Shire	\$77,000
Community	\$77,000 (includes \$35,000 SAR)
Grant	\$77,000

As the project would not commence until the 2015/16 year there are no 2014/15 budget implications.

**STRATEGIC IMPLICATIONS**

- Shire of Dandaragan Integrated Strategic Community Plan

5.15.2 GOAL NUMBER TWO: Build high level of amenity and lifestyle					
OBJECTIVE 4: Develop recreation facilities and activities to support a healthy community					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G2-O4-A3	Initiate and review Recreation Plan every five years. Undertake planning and feasibility study for recreational needs in accordance with Major Recreation Facilities Fund.	Shire Recreation Plan	Short - Medium	District	Community groups

5.15.5 GOAL NUMBER FIVE: Build a proactive and leading local government					
OBJECTIVE 2: Implement integrated strategic planning, and asset management planning to generate high level of sustainability of Council services					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G5-O2-A4	Develop asset management plan (AMP), link planning to AMP annually and assess financial sustainability and strategies to address.	IPRAS	Short	Organisation	

**ATTACHMENTS**

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

- CCRCMC Pavilion Proposal (Doc Id: 34435)  
**(Marked 9.6.1)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION 1 / COUNCIL DECISION**

**Moved Cr McGlew, seconded Cr Kulisa**

That Council do not support the Cervantes Community Recreation Centre Committee's proposal to construct a stand-alone pavilion adjacent to the existing Cervantes Community Recreation Centre in its current form as it does not meet the medium to long term needs of the Cervantes Community nor does it align with the Shire of Dandaragan's commitment to responsible asset management.

CARRIED 9 / 0

#### **OFFICER RECOMMENDATION 2 / COUNCIL DECISION**

Moved Cr Holmes, seconded Cr Kulisa

That Council form a Cervantes Recreation Reserve Working Group consisting of:

- Cr Holmes
- Cr McGlew
- Chief Executive Officer
- Executive Manager Corporate and Community Services
- Manager Building Services
- Club Development Officer
- Up to five Cervantes community members made up from current user groups;

With the purpose of the group to identify recreation facilities needs of the Cervantes community for the medium to long term being mindful of sound and sustainable asset management practices.

CARRIED 9 / 0

## **9.7 COUNCILLOR INFORMATION BULLETIN**

### **9.7.1 SHIRE OF DANDARAGAN – JULY 2014 COUNCIL STATUS REPORT**

Document ID: 34075

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 24 July 2014. **(Marked 9.7.1)**

### **9.7.2 SHIRE OF DANDARAGAN – INFRASTRUCTURE REPORT – AUGUST 2014**

Document ID: 34400

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

### **9.7.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JULY 2014**

Document ID: 33977

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

### **9.7.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JULY 2014**



Document ID: 33976

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

#### 9.7.5 WALGA – LOCAL GOVERNMENT NEWS – ISSUE 27

Document ID:

Inside this issue:

- Invitation to provide comment on Main Roads draft policy and application guidelines for traffic control signals
- Local government service delivery to aboriginal communities
- Report on local government road assets and expenditure 2012/13
- Vacancies on board and committees
- Breakfast with Hon Anna Bligh
- HR Seminar
- Marginal abatement cost curve tool
- Community pools revitalisation program for regional local governments
- UWA turf grass research priorities
- Parkland planning and design guide workshop
- Nature play WA

#### 9.7.6 WALGA – MWAC INFORMATION BULLETIN – ISSUE 192

Document ID:

Inside this issue:

- Start your engines
- When is a waste not a waste
- Carbon tax repeal update
- Mattress movement
- Rising from the ashes
- Nests of trash

#### 9.7.7 DEPARTMENT OF HEALTH – PROPOSED COMMERCIAL RELEASE OF GENETICALLY MODIFIED (GM) CANOLA

Document ID:

On 27 February 2014, the former Gene Technology Regulator, Dr Joe Smith, issued a Notification of Application for licence application DIR 127 and sought your advice on matters relevant to the preparation of a Risk Assessment and Risk Management Plan (RARMP) for this application.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.7)**

#### 9.7.8 LGA WHISTLER – DEPARTMENT OF FIRE AND EMERGENCY SERVICES STARVING LOCAL GOVERNMENT'S OF \$23M PER YEAR

Document ID:

Key points:

- The \$290m per year Emergency Services Levy is not being distributed impartially
- The Department of Fire and Emergency Services have a serious conflict of interest in being both the managers and

major recipients of ESL funding

- The Department of Fire and Emergency Services concept paper provides written proof that it is underfunding local governments by at least \$23m per year.

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

**9.7.9 GLENN STERLE – LABOR SENATOR FOR WESTERN AUSTRALIA**

Document ID: 32807

*Labor has long been a supporter of grants for local government. It was the Whitlam Labor Government who introduced Financial Assistance Grants in 1974. This funding arrangement is vital to ensure Local Governments are supported by the Commonwealth to build and maintain roads and provide local services.*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.9)**

**9.7.10 THE HON TERRY REDMAN MLA – MINISTER FOR REGIONAL DEVELOPMENT – INDIAN OCEAN DRIVE – MOBILE TELEPHONE COVERAGE**

Document ID: 32852

*The Royalties for Regions Regional Mobile Communications Project (RMCP) was established to provide mobile wireless broadband telecommunications network infrastructure to 113 sites along major roads and highways across Western Australia based on coverage gaps identified in the State Telecommunications Needs Assessment (STNA)."*

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

**9.7.11 STATE LIBRARY OF WESTERN AUSTRALIA – RELOCATION OF JURIE BAY PUBLIC LIBRARY**

Document ID: 32853

*"Thank you for submitting the plans for the relocation of the Jurie Bay Public Library to the Library Board of Western Australia for approval.*

*I am delighted to inform you that the Board approved the plans for the relocation of the Jurie Bay Public Library on the proviso that the Shire of Dandaragan retains responsibility for the public library service under the terms of the Framework Agreement between State and Local Government for the provision of Public Library Services in Western Australia.*

*I wish you well with your new library and look forward to working with you in the provision of even better library services to the people of your community."*

**9.7.12 WALGA – LOCAL GOVERNMENT NEWS – ISSUE 28**

Document ID: 33328

Inside this issue:

- Comment invited on metropolitan reform proposals
- Elected member tax guide
- WorkSafe – inspection campaign on asbestos management
- Build it and they will play: free public seminar
- PLA facilities guidelines workshop
- Community safety month – October 2014

**9.7.13 DEPARTMENT OF FIRE AND EMERGENCY SERVICES – BUSHFIRE RISK MANAGEMENT PLANNING PILOT UPDATE**

Document ID: 33115

*“Further to previous updates and the local government consultation and state agency briefing sessions held in 2013, I am writing to provide you with an update on the progress of the Bushfire Risk Management Planning (BRMP) pilot project, currently being undertaken by the Department of Fire and Emergency Services.”*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.13)**

**9.7.14 DEPARTMENT OF EDUCATION – 2014 WA EDUCATION AWARDS NOW OPEN**

Document ID: 33118

The WA Education Awards are the highest accolade that public schools in Western Australia can achieve. These awards recognise remarkable schools and the inspiring people who work in them. Recognition from the education sector and the wider community reflects the important role of educators in our society. If you have any questions about the awards please telephone Marcia Czerniak, awards coordinator, on 9264 4876 or email [waeducationawards@education.wa.edu.au](mailto:waeducationawards@education.wa.edu.au).

Nominations close on Friday 22 August 2014.

**9.7.15 AUSTRALIA DAY – AWARD FOR MUSLIM & NON-MUSLIM UNDERSTANDING**

Document ID: 33339

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

Nominations are now open for this award and I am writing to seek your support in promoting the award. You are also welcome to nominate someone who you believe is worthy of this accolade.

The major selection criteria for the award are:

- A significant contribution to improving relations between Muslim and non-Muslim people;
- An inspiring role model; and

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- The impact the nominee has had on creating understanding between Muslims and non-Muslims.

**9.7.16 MELISSA PRICE MP – FEDERAL MEMBER FOR DURACK – 2014 FEDERAL BUDGET**

Document ID: 33343

*"I am writing to inform you of some of the decisions in the 2014 Federal Budget which will affect Local Government including the decision to freeze the indexation of the FAGs and also information regarding new grants and funding available."*

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

**9.7.17 AURECON PTY LTD – APPLICATION FOR AMENDMENT TO DEVELOPMENT APPROVAL PO15/12 – TELSTRA MOBILE PHONE BASE STATION LOT 501 CANOVER ROAD, JURIE BAY**

Document ID: 32647

The Shire of Dandaragan unanimously approved Development Application 15/12 on 27 July 2012 for a Telstra Mobile Phone Base Station.

Telstra have been unable to commence works due to procedural delays in obtaining land tenure (excision) and are continuing to progress tenure matters with the Department of Lands (DoL).

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

**9.7.18 DEPARTMENT OF PLANNING – TOURISM PLANNING GUIDELINES**

Document ID: 29243

The new Tourism Planning Guidelines, prepared by the Department of Planning on behalf of the Western Australian Planning Commission (WAPC) and Tourism WA, and the revised Planning Bulletin 49: Caravan Parks, are now released. Both documents were endorsed by the WAPC's Statutory Planning Committee on Tuesday 13 May 2014.

Attached to the agenda is a copy of the above mentioned documents. **(Marked 9.7.18)**

**9.7.19 MGA TOWN PLANNERS – SHIRE OF DANDARAGAN COASTAL RURAL STRATEGY**

Document ID: 32404

MGA Town Planners have written to the Shire of Dandaragan on behalf of Marthof Properties Pty Ltd to thank Councillors and staff for attending the workshop held at the Pinnacles Motel in Cervantes on 26 June 2014 to discuss the potential for land exchanges being incorporated into the Coastal Rural Strategy in order to arrive at improved outcomes.

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Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.19)**

**9.7.20 WALGA – MWAC INFORMATION BULLETIN – ISSUE 193**

Document ID:

Inside this issue:

- Second time's the charm
- Tip shop tips
- Biohazardous waste code of practice
- Marketing recyclable materials
- Mobile muster meets Minister
- Embrace ugly fruits and vegetables

**9.7.21 WALGA – LOCAL GOVERNMENT NEWS – ISSUE 29**

Document ID:

Inside this issue:

- Poll provisions policy position
- Vacancies on boards and committees
- WALGA roadbuilding contract
- Invitation to comment: Main Roads draft policy and application guidelines for traffic control signals
- Rural water supply assistance
- Banners in the terrace competition 2014
- Release of childcare and early childhood learning PC draft report
- Release of the Australian health survey: nutrition first results
- Thank a volunteer day grants program opens

**9.7.22 COUNTRYMAN – REPRIEVE FOR SOUTHERN RESEARCH STATION**

Document ID:

*“Two 15 minute meetings with the Agriculture Minister Ken Baston have been instrumental in revoking sale plans for the Esperance Downs Research Station.”*

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

**9.7.23 STATE EMERGENCY MANAGEMENT COMMITTEE – WESTPLAN STORM REVIEW**

Document ID:

The Department of Fire and Emergency Services (DFES) has been assigned responsibility for Westplan – Storm and in accordance with SEMC Policy 2.2 Development and Review of State Emergency Management Plans, this plan is due for formal review. Westplan Storm details the emergency management arrangements for storm in Western Australia, including adjacent waters but excluding high seas, Australian waters, Cocos Island and Christmas Island. Westplan – Storm is designed to account for all storms (including dust storms and flash flooding) which affect Western Australia, regardless of magnitude or the geographic location.

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Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.23)**

**9.7.24 HON JOHN DAY MLA – MEDIA RELEASE – NEW PLANNING RULES TO SAVE TIME AND DOLLARS – TUESDAY 12 AUGUST 2014**

Document ID:

*“Major reforms of the State planning system will make it cheaper and easier for homeowners to build their new homes, Planning Minister John Day has announced today.”*

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

**9.7.25 AUSTRALIAN LOGISTICS COUNCIL – THE ECONOMIC SIGNIFICANCE OF THE AUSTRALIAN LOGISTICS INDUSTRY**

Document ID: 34333

Council have received a copy of the new report from the Australian Logistics Council (ALC) *The Economic Significance of the Australian Logistics Industry*, which quantifies the true size, scope and breadth of the Australian logistics industry.

More information is on hand.

**9.7.26 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – 2014 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS**

Document ID: 34338

ALGA have written to invite Shire representatives to register for the 2014 National Local Roads and Transport Congress that will be held in Tamworth, NSW from 12 – 14 November.

More information is on hand.

**9.7.27 WALGA – MWAC INFORMATION BULLETIN – ISSUE 194**

Document ID:

Inside this issue:

- Pedal to the metal
- Building excellence in waste management
- Playback for recycling
- Recycling wet concrete
- Hoarding and domestic squalor toolkit and guidelines
- B'IN GOOD
- Waste regulation streamlined
- Make it? Take it

**9.7.28 DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES – GOVERNANCE BULLETIN**

Document ID:

Inside this issue:

- Seeking permission for remote participation in meetings
- Legislation update
- Completing your annual return on time
- Hot topic

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- Case study
- Key compliance dates

**9.7.29 WALGA – ANNUAL GENERAL MEETING – MINUTES**

Document ID: 34385

Attached to the agenda is a copy of the Minutes from WALGA's Annual General Meeting held Wednesday 6 August 2014 at the Perth Convention and Exhibition Centre. **(Marked 9.7.29)**

**9.7.30 THE MOORE CATCHMENT COUNCIL – MEDIA RELEASE – NEW HABITAT PLANTED FOR MALLEEFOWL AT MAYA**

Document ID: 34373

*“Malleefowl have had a welcome boost to their habitat near Maya this year with local landowner Phil Nicolaou rehabilitating thirty hectares of his farm with native species. Moore Catchment Council obtained funds through the State NRM Program to carry out this project to help conserve Malleefowl populations in the area by rehabilitating cleared land with native plants and improving connectivity between remnant vegetation.”*

More information is on hand.

**9.7.31 CENTRAL MIDLANDS SENIOR HIGH SCHOOL – NEWSLETTER NO.4 – 12 AUGUST 2014**

Document ID: 34352

Inside this issue:

- Living the dream
- School boys football
- From the Principal
- Student academic progress
- 'Orange' School Bus Service
- Practical still life drawing in Year 8 Art
- Dates to remember
- Leggit round town for Motor Neurone Disease – awesome effort
- Prize winning art and photography at Health and Wellbeing Community Day
- Excursion
- Countryweek 2014

**9.7.32 ALISON GODENZIE – GREY NOMADS AND TRAVELLING TOURISTS**

Document ID: 34351

*“Please find attached articles that may encourage your Shire to change and perhaps even offer grey nomads and the general travelling tourist in self-contained vehicles places to stay for short term. Rangers could collect fees instead of threatening fines and moving tourists on. We have a beautiful state we just need to know how to help people in our area a little longer to spend their tourist dollar.”*

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

**9.7.33 RURAL HEALTH WEST – RETAINING RURAL DOCTORS**

Document ID: 34336

*“As you know, recruiting and retaining medical practitioners is an ongoing challenge for health service providers and many local governments in rural and remote Western Australia. Whilst the supply of doctors willing to work in these areas has recently improved, the issues impacting on the retention of doctors require constant focus so that a genuine net increase in the number of medical practitioners in country Western Australia is realised.”*

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

**9.7.34 WALGA – LOCAL GOVERNMENT NEWS – ISSUE 31**

Document ID: 34374

Inside this issue:

- National State of the Assets Report
- State CCTV Strategy: Local Government Consultation Workshop
- Convention hits high note
- WA Local Government Convention photos
- Vacancies on boards and committees
- Proposal for caravan parks and camping grounds legislation
- Have your say on the National Landcare Programme
- Maximising your investment
- Hoarding and domestic squalor toolkit and guideline
- National Urban Forest Alliance Partnership Plan
- Natural Disaster Resilience Program open for applications

**9.7.35 WEST KOOJAN-GILLINGARRA LAND CONSERVATION DISTRICT – MINUTES**

Document ID: 34165

Attached to the agenda is a copy of the West Koojan-Gillingarra Land Conservation District's Minutes from the meeting held Tuesday 3 June 2014. **(Marked 9.7.35)**

**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



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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).

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 AUGUST 2014**

## 11.1 ADMINISTRATION


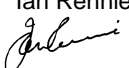
### **OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Kent**

That the meeting be closed to members of the public at 2:31pm in accordance with Section 5.23 (2) (e) (ii) 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 'Application for extension of lease – Jurien Bay Tourist Park – Lot 271 Roberts Street, Jurien Bay'.

**CARRIED 9 / 0**

### **11.1.1 APPLICATION FOR EXTENSION OF LEASE – JURIEN BAY TOURIST PARK – LOT 271 ROBERTS STREET, JURIEN BAY**

Location:	Reserve 27406, Lot 271 Roberts Street, Jurien Bay
Applicant:	Halsall & associates on behalf of Jurien Bay Tourist Park (John and Danuta Layman)
Folder Path:	Business Classification Scheme / Council Properties / Leasing Out / Caravan Parks
Disclosure of Interest:	None
Date:	18 August 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

### **OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Holmes, seconded Cr Slyns**

**That Council:**

- 1. endorse the Development Plan with entry/exit off Roberts Street and emergency exit off White Street;**
- 2. advise the owners of Jurien Bay Tourist Park that it is prepared to support a 35 year lease for the caravan park at Lot 271 Roberts Street; and**
- 3. authorise the Chief Executive Officer to commence negotiations on the terms of a lease.**

**CARRIED 6 / 3**

### **COUNCIL DECISION**

**Moved Cr Short, seconded Cr Bailey**

**That the meeting be reopened to the public at 2.38pm.**

**CARRIED 9 / 0**

*As there were no members of the public present the President did not read aloud the decision.*

## **12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN**

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 AUGUST 2014**

**GIVEN**

**13 CLOSURE OF MEETING**

The presiding member declared the meeting closed at 2.38pm.

These minutes were confirmed at a meeting on .....

Signed .....

Presiding person at the meeting at which the minutes were confirmed

Date .....