



SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

COUNCIL CHAMBERS JURIEN BAY

on

THURSDAY 22 NOVEMBER 2012

COMMENCING AT 5.07PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 NOVEMBER 2012
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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.07pm and welcomed one member of the public.

1.2 DISCLAIMER READING

The disclaimer was read aloud as there was a member 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 S Love	(President)
	Councillor L Short	(Deputy President)
	Councillor M Russell	
	Councillor D Kent	
	Councillor W Gibson	
	Councillor T Bailey	
	Councillor M Sheppard	

Staff	Mr T Nottle	(Chief Executive Officer)
	Mr I Rennie	(Deputy Chief Executive Officer)
	Mr D Chidlow	(Manager Planning)
	Mr R Pepper	(Manager Technical Services and Works)
	Mr W George	(Manager Building Services)
	Mr T Brokenshire	(Manager Environmental Health)
	Mr R Casella	(Planning Officer)

Apologies	Councillor L Holmes
	Councillor K McGlew

Approved Leave of Absence

Observers Mr Tony Tayler

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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4 PUBLIC QUESTION TIME

Tony Tayler asked the following questions:

1. Is the proposed car park intended to provide parking exclusively for visitors to the Indian Ocean Rock Lobster facilities or will it be available for public use generally?
2. How is a car park aimed at servicing an industrial zoned site consistent and compatible with the objectives of a 'Residential Zone'?
3. What steps have been taken to evaluate the extent of and the impact which the proposed car park will have upon the amenity of the residential locality?
4. How will the impact of the proposed car park on the amenity of the neighbouring residential lots be mitigated, if the car park is approved?
5. The car park is currently being used for that purpose. What action has Council taken in this regard?

The President advised Mr Tayler that the matter would be considered by Council later in the meeting and that a written response will be provided to his questions.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF ORDINARY MEETING HELD 25 OCTOBER 2012

COUNCIL DECISION

Moved Cr Sheppard, seconded Cr Russell

That the minutes of the Ordinary Meeting of Council held 25 October 2012 be confirmed.

CARRIED 7 / 0

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

Cr Short

- | | |
|-------------------|--|
| - 26 October 2012 | Cervantes Arts Festival |
| - 30 October 2012 | Moore Catchment Council Meeting |
| - 1 November 2012 | Koojan Gillingarra Executive Meeting with Grant Woodhams MLA |
| - 1 November 2012 | Jurien Bay District High School Year 12 Presentation Evening |
| - 2 November 2012 | Rural Water Council |

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- 14 November 2012 – Australian Local Government Association Roads
- 16 November 2012 Congress
- 20 November 2012 Advance Dandaragan General Meeting

Cr Sheppard

- 30 October 2012 SuperTowns Project Reference Group Meeting – Dalwallinu
- 31 October 2012 SuperTowns Project Reference Group Meeting – Jurien Bay
- 5 November 2012 North Road Stock Route Meeting – Jurien Bay
- 13 November 2012 Central Coast Health Advisory Group Meeting – Jurien Bay
- 21 November 2012 Jurien Bay Chamber of Commerce

Cr Kent

- 7 November 2012 Jurien Bay Ratepayers and Progress Association Meeting

Cr Love

- 26 October 2012 Cervantes Arts Festival
- 26 October 2012 Tronox Open Day – Cataby
- 7 November 2012 Regional Centres Future Forum
- 8 November 2012 Fire Control Officers Meeting – Badgingarra
- 9 November 2012 Remembrance Day Memorial Service – Jurien Bay District High School
- 10 November 2012 Indian Ocean Festival – Jurien Bay
- 13 November 2012 National Broadband Network Seminar – Jurien Bay
- 16 November 2012 Regional Achievers
- 20 November 2012 Time Capsule – Jurien Bay District High School
- 20 November 2012 Advance Dandaragan Meeting

Cr Bailey

- 31 October 2012 Marine Advisory Committee Meeting – Jurien Bay
- 2 November 2012 Small Business Centre Central Coast Meeting
- 8 November 2012 Fire Control Officers Meeting – Badgingarra
- 9 November 2012 Turquoise Coast Tourism – Tourist Promotion Caravan and 4 x 4 Show
- 14 November 2012 Local Emergency Management Committee Meeting
- 22 November 2012 Turquoise Coast Tourism Meeting – Cervantes

Cr Russell

- 26 October 2012 Cervantes Art Festival
- 31 October 2012 Tronox Open Day – Cataby
- 31 October 2012 Marine Advisory Committee Meeting – Jurien Bay
- 7 November 2012 Cervantes Ratepayers and Progress Association Meeting
- 9 November 2012 Remembrance Day Memorial Service – Jurien Bay District High School
- 18 November 2012 Local Government Forum – Jurien Bay Bowling Club
- 20 November 2012 Time Capsule – Jurien Bay District High School

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COUNCIL DECISION

Moved Cr Gibson, seconded Cr Russell



That the delegates' reports to 22 November 2012 as presented be accepted.

CARRIED 7 / 0

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

9 REPORTS OF COMMITTEES AND OFFICERS**9.1 FINANCE****9.1.1 ACCOUNTS FOR PAYMENT – SEPTEMBER 2012**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	9 October 2012
Author:	Scott Clayton, Manager Corporate Services
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

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

BACKGROUND

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

COMMENT

The cheque and electronic funds transfer (EFT) listing for September 2012 totalled \$732,583.17 for the Municipal Fund.

CONSULTATION

- Acting 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.

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FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- cheque and direct debit listings for September 2012 (Doc Id: 9347)

(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority


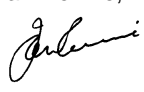
OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Kent

That the Municipal Fund cheque and EFT listing for the period ending 30 September 2012 totalling \$732,583.17 be accepted.

CARRIED 7 / 0

9.1.2 YOUTHCARE SCHOOL CHAPLAINCY PROGRAM

Location:	Shire of Dandaragan
Applicant:	YouthCARE
Folder Path:	Business Classification Scheme / Community Services / Service Provision / Youth Services
Disclosure of Interest:	None
Date:	9 November 2012
Author:	Dionne Jose, Community Economic Project Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

YouthCARE is seeking financial assistance to part fund the School Chaplaincy Program for schools located within the Shire of Dandaragan.

BACKGROUND

Representatives of the YouthCARE Chaplaincy Program, Jurien Bay District High School and Cervantes Primary School presented at the Council Forum on 8 November 2012. This presentation described the School Chaplaincy Program, specifically the program that is delivered by YouthCARE.

COMMENT

Doug McGhee, YouthCARE Area Chaplain, detailed some of the benefits of the program. These benefits include:

- developing and improving teacher/student/parent relationships;
- Identifying and supporting “at risk” youth; and

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- being a mentor and positive role model and providing links to schools and the community, as well as community support during times of crisis.

Some of the issues include:

- school and out of school bullying and harassment;
- behaviour management;
- peer relationships and loneliness;
- family relationships; and
- self-esteem.

Doug provided some statistical information on the volume of students who accessed the program in 2011 statewide:

- 90,000 students made appointments to see their School Chaplain.
- 21,000 “at risk” students attended appointments with a YouthCARE Chaplain.
- 5,544 referrals to external agencies were made by YouthCARE Chaplains. 19% of these were to Help Lines and 24% were to Counselling Services.

Trevlyn Geilles, Jurien Bay District High School Principal, discussed the importance of the School Chaplaincy Program, particularly in relation to their school and the issues associated with its geographical location.

The average annual wage for a Chaplain is \$50, 000. YouthCARE currently receives the following funds to pay their Chaplain:

- \$40,000 from the Federal Government; and
- \$8,000 from the Jurien Bay District High School.

This leaves a shortfall of \$2,000 per annum for the Chaplains annual wage. There are also no additional funds for activities and contingencies.

YouthCARE relies on community fundraising, which can be difficult to obtain and strenuous to the volunteers, leading to increased risk of volunteer burn out.

YouthCARE is requesting a recurring annual grant of \$2,500 for the calendar year 2013 to sponsor the School Chaplaincy Program for the two schools located In Jurien Bay, Cervantes, Badgingarra and Leeman.

YouthCARE currently receive the following funds to support the School Chaplaincy Program in surrounding regional areas:

- Shire of Chittering: \$2,000;
- Shire of Moora: \$2,500;
- Shire of Gingin: \$3,500;
- Shire of Wongan-Ballidu: \$18,800;
- City of Busselton: \$45,000.

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Staff is of the opinion this would be a worthwhile project to support. The School Chaplaincy Program provides support to school students who are at risk of social issues associated with school, peers and family, thus benefiting the school, students, families and the wider community.

Should future recurring funding be required then funding can be considered annually as part of the budget process.

CONSULTATION

Not applicable.

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The Shire of Dandaragan Youth Budget 2012 / 2013 has a component of \$8,000 that was rolled over from previous years.

STRATEGIC IMPLICATIONS

5.15.3 Goal Three: Focus on Community.

Objective 5: Young peoples' development strategy.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Russell

That Council agree to fund an amount of \$2,500 from the Youth budget for the 2013 calendar year and consider further funding on the 2013 / 2014 municipal budget.

CARRIED 7 / 0

9.2 WORKS AND PLANT

9.2.1 JURIEN HORSE CLUB – REQUEST FOR THE PRIVATE ROAD TO HORSE CLUB BE NAMED

Location:	Indian Ocean Drive Jurien Bay
Applicant:	Irene Conner on behalf of the Jurien Horse Club
Folder Path:	Business Classification Scheme / Roads / Naming / Roads and Naming
Disclosure of Interest:	None
Date:	6 November 2012
Author:	Kerri Renton, Works Support Officer

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Signature of Author:



Senior Officer:

Ray Pepper, Manager Technical Services and Works

Signature of Senior Officer:



PROPOSAL

To seek approval for the private road leading to the entrance of the Horse Club in Jurien Bay to be named and the naming formally gazetted.

BACKGROUND

The members have put forward in writing a request for the private access road into the grounds be named and gazetted. Due to the nature of the activities that are undertaken at the location of the Jurien Horse Club, members have raised several concerns about emergency response delays.

As suggested by the Jurien Horse Club naming the road would provide clearer direction to locals that have no knowledge of the clubs location and the service it provides.

Suggested names in order of preference from club members are:

- Brumby Run / Lane
- Poverty Drive
- Turner Place
- Whinny Way

COMMENT

Although at this point the private access road/track is not a gazetted road and does not require any further upgrading works to be undertaken, to satisfy the needs of the users it does require location identification. This would be made evident in the unforeseeable circumstances where emergency response approach requires very clear and concise directions to provide assistance in a possible life threatening situations.

CONSULTATION

Preliminary assessment from a Geographic Names, Operations Officer has indicated that Brumby Lane would be a suitable and acceptable name for the short road to the equestrian site from Indian Ocean Drive. The other 3 proposed names would not be considered or accepted.

STATUTORY ENVIRONMENT

There are no particular statutory implications relevant to this item however; there are principal's guidelines and procedures set down by the Geographical Names Committee.

POLICY IMPLICATIONS

Council current Policy on road names is as follows:

7.6 Naming of Streets and Roads

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Objective

To set down the basis of how street and road names within the shire will be determined

Policy Statement

The Geographic Names Committee's Policy for the naming of streets and roads within the Shire of Dandaragan, is utilized by Council, as follows:

- (a) Names of living individuals are not normally suitable.
- (b) Names characterised as follows are usually inappropriate:
 - * Incongruous names
 - * Given names
 - * Given and Surname combinations
 - * Corrupted names
 - * Unduly cumbersome or difficult to pronounce names
 - * Obscene or derogatory names
 - * Racist or discriminatory names
 - * Company or commercialised names.
- (c) Preferred sources of names include:
 - * Aboriginal names
 - * Pioneers, early settlers, war casualty lists
 - * Thematic names e.g., flora, ships, etc.
- (d) If possible the origin of each name proposed is to be clearly stated. Proposals for road names should include an appropriate suffix.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item

STRATEGIC IMPLICATIONS

There are no Strategic implications relevant to this item

ATTACHMENTS

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

- Correspondence received from Jurien Horse Club President Irene Conner (Doc Id: 7754)

(Marked 9.2.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Russell

That Council approves a formal application submission to the Geographic Names Committee for their endorsement of naming the private Road leading to the entrance of the Jurien Horse Club "Brumby Lane".

CARRIED 7 / 0

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9.2.2 TENDER 06 / 2012 URBAN ROAD RECONSTRUCTION AND ASSOCIATED WORKS – JURIEN BAY AND CERVANTES

Location: Jurien Bay
 Applicant: Not Applicable
 Folder Path: Business Classification Scheme / Roads / Tendering / Tender Evaluations
 Disclosure of Interest: None
 Date: 7 November 2012
 Author: Kerri Renton, Works Support Officer

Signature of Author:



Senior Officer:

Ray Pepper, Manager Technical Services and Works

Signature of Senior Officer:



PROPOSAL

That Council consider awarding Tender 06 / 2012 to Direct Contracting Pty Ltd for the reconstruction works on Hasting Street, Batt Street and Cook Street, Jurien Bay and Corunna Road, Cervantes.

BACKGROUND

Tender 06 / 2012 - Urban Road Reconstruction and Associated Works - Jurien Bay and Cervantes, was advertised in the West Australian on Saturday 6 October 2012. Tender closed at 3.00pm on Friday 2 November 2012.

Tenders were received with pricing Inc GST as set out in the table below:

Road Name	Total Combined Project Excl. Gst	Hasting Street	Batt Street	Cook Street	Corunna Street
<i>Direct Contracting Pty Ltd</i>	\$388,894.56	\$114,187.88	\$116,687.47	\$71,784.02	\$125,124.65
<i>Supercivil Pty Ltd</i>	\$610,720.91	\$181,993.00	\$167,000.00	\$109,000.00	\$213,800.00

Tenders were assessed in accordance with the selection criteria as set out in Tenders 06 / 2012 as shown below;

Hasting Street

TENDERS	Relevant Experience 15%	Capacity to Deliver 15%	Service Delivery 15%	Reports from Referees 5%	Price 50%	TOTAL SCORE
Direct Contracting PTY LTD	15	15	15	5	50	100
Supercivil PTY LTD	15	15	15	0	31	76

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Batt Street

TENDERS	Relevant Experience 15%	Capacity to Deliver 15%	Service Delivery 15%	Reports from Referees 5%	Price 50%	TOTAL SCORE
Direct Contracting PTY LTD	15	15	15	5	50	100
Supercivil PTY LTD	15	15	15	0	34.9	79.9

Cook Street

TENDERS	Relevant Experience 15%	Capacity to Deliver 15%	Service Delivery 15%	Reports from Referees 5%	Price 50%	TOTAL SCORE
Direct Contracting PTY LTD	15	15	15	5	50	100
Supercivil PTY LTD	15	15	15	0	32.9	77.9

Corunna Street

TENDERS	Relevant Experience 15%	Capacity to Deliver 15%	Service Delivery 15%	Reports from Referees 5%	Price 50%	TOTAL SCORE
Direct Contracting PTY LTD	15	15	15	5	50	100
Supercivil PTY LTD	15	15	15	0	29.3	74.3

All tenderers appear to be well equipped and well experienced in the type of work that was tendered and as such the decision has come down to price.

The lowest tendered price for the *Hasting Street* upgrade works was \$103,818.16 excluding GST. The allocated budget for the Hasting Street project is \$122,106.00 which means there is a budget under expenditure of **\$18,287.84**.

The lowest tendered price for the *Batt Street* upgrade works was \$106,079.52 excluding GST. The allocated budget for the Batt Street project is \$98,571.00 which means there is a budget over expenditure of **\$7,508.52**.

The lowest tendered price for the *Cook Street* upgrade works was \$65,258.20 excluding GST. The allocated budget for the Cook Street project is \$68,757.00 which means there is a budget under

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expenditure of **\$3,498.80**.

The lowest tendered price for the *Corunna Street* upgrade works was \$113,749.68 excluding GST. The allocated budget for the Corunna Street project is \$94,636.00 which means there is a budget over expenditure of **\$19,113.68**.

The lowest tendered price for total *combined works* was \$388,894.56 excluding GST. The allocated budget for the combined project is \$384,070.00 which means there is a budget over expenditure of **\$4,824.56**.

Overall the additional funding of \$4,824.56 required for the completion of scope works set out in the Tender is a 1.22% variation.

COMMENT

Direct Contracting Pty Ltd have tendered the lowest price on 4 projects and would appear to be suitably qualified to complete the projects to Councils standards and specifications as set out in Tenders 06 / 2012. As both the tenderers appear to be suitably qualified and equipped to carry out the contract, therefore best value for money dictates that the tender be awarded to Direct Contracting Pty Ltd.

CONSULTATION

- Chief Executive Officer
- Manager Technical Services and Works
- Manager Corporate Services
- Works Support Officer

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

- Shire of Dandaragan Strategic Plan

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Kent

That Council award Tender 06 / 2012 – Urban Road



Reconstruction and Associated Works – Hasting Street, Batt Street and Cook Street, Jurien Bay and Corunna Street, Cervantes to Direct Contracting PTY LTD at a total combined price of \$388,894.56 ex GST.

CARRIED 7 / 0

9.3 ADMINISTRATION

9.4 TOWN PLANNING

9.4.1 PROPOSED SCHEME AMENDMENT NO 23 (REZONING) – RURAL SMALLHOLDINGS – LOT 3713 NORTH-WEST ROAD, BADGINGARRA

Location:	3731 North-West Road, Badgingarra
Applicant:	Dykstra Planning on behalf of M & S Kenny Super Fund
File Ref:	Business Classification Scheme / Land Use and Planning / Planning / Planning Scheme / Amendment 7.23
Disclosure of Interest:	None
Date:	6 November 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

PROPOSAL

The Council is in receipt of a request to rezone a 189.72ha portion of Lot 3713 North-West Road, Badgingarra from Rural to 'Rural Smallholdings'. The rezoning will facilitate subdivision and development of the land through the creation of a discrete precinct comprising of 18 lots with a minimum of 10ha in area.

BACKGROUND

The subject lot is approximately 1242.7ha in area. The application area (the subject of this Amendment) comprises an area of approximately 189.72ha located in the south-east corner of the subject lot with road frontages to North-West Road along the southern boundary and Winjardie Road along the eastern boundary, both of which are constructed to a sealed standard. A copy of the location plan can be found within the attachments.

The application area is located approx. 4.5km due east of the Badgingarra Townsite by road and is immediately north-west of the Old Badgingarra townsite. The Hill River traverses through the southern part of the application area, running generally parallel to North-West Road.

Being surrounding by rural zoned land to the south (including the

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Badgingarra townsite), east and west and land reserved for public purposes to the north, the application area is ideal in providing land for rural pursuits.

Currently the subject lot is used for broadacre farming (grazing of sheep) with the application area having one existing dwelling and associated rural outbuildings located in relative proximity to North-West Road, on the south side of the Hill River. A second dwelling has been approved on the eastern part of the application area adjacent to Winjardie Road. Located in the central part of the application area on the northern side of the Hill River, a shearing shed has been constructed with three small dams constructed for stock watering purposes. Access to this infrastructure is through the use of a limestone track.

The land ranges in elevation from approx. 250m AHD in height from the north-east corner of the application area, grading down to approx. 210m AHD adjacent to North-West Road with the land falling away towards its western boundary.

The soils are characterised generally as laterite with associated sand according to Geological Survey WA mapping. Upon inspection of the site on 9 August 2012 by the applicant it was confirmed that white/grey topsoils are present to a depth of approx. 300mm overlying deep yellow sand with some gravel content, considered to be highly suitable for 'Rural Residential' type development. In the southern to south-eastern portion of the application area, a geological survey of WA identifies soils as Colluvium, quartz sand and soil comprising loam, sand and clay.

The Local Planning Strategy, recently endorsed by the Minister for Planning, is supported by broad-bush land capability assessment, which included the application area within the Yerramullah Land Unit with alluvial soils occurring on the southern part of the application area. Within the Yerramullah land unit, the following land uses and management practices are encouraged and are compatible with the proposed Rural Smallholdings zone:

- some cropping for wheat, barley, oats and lupin;
- alternative crops;
- floriculture;
- wetland protection;
- establishment of deep rooted perennial crops; and
- rural-residential subdivision and development where land is in proximity to existing townsites.

The application area is characterised as being relatively cleared of native vegetation apart from isolated trees, used for grazing for many years. York Gums, White Gums and Flooded Gums have been retained fringing the Hill River with no significant understorey, given the long term use for grazing. The disposition of the existing land use and vegetation on the site is displayed in the aerial photograph within the attachments.

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No surface water was observed within the river bed during the site inspection. The watercourse is generally characterised by relatively shallow, gently sloping banks with a poorly defined channel, pictures of the Hill River Water Course and riparian vegetation can be seen in the attachments. The watercourse was more deeply channelized over parts of the site, including where a crossing had been constructed. The main river crossing is provided between the dwelling and shearing shed, although the river is capable of being crossed throughout the year at various points for farm management purposes. A bore has been installed in the central part of the application area adjacent to the shearing shed for stock watering purposes approx. 120m deep.

North-West Road and Winjardie Road provide a good line of site in both directions, able to accommodate new crossovers and an internal subdivisional road to service the subject land in a safe manner.

The site is already serviced by Western Power infrastructure which traverses Lot 3713 in a north-south alignment along the western side of the dwelling, extending to the shearing shed. The infrastructure also runs north from the intersection of North-West Road and McNamara Road / Winjardie Road along a north-easterly alignment. This existing infrastructure could be used to extend the service to additional lots.

The application area has no reticulated water supply nor reticulated sewerage infrastructure. Domestic water supply is proposed to be serviced by a minimum 250m² roof catchment area to service the minimum requirement of a 120,000L tank, required by the Shire. Conventional on-site effluent disposal systems are proposed, positioned in accordance with the residential development envelopes.

COMMENT

According to the Shire of Dandaragan's (the Shire) Local Planning Scheme No.7 (LPS7) the subject land is currently zoned Rural. The Shire's Local Planning Strategy, recently endorsed by the Hon Minister for Planning, states that the Shire is to support moderate growth of the Badgingarra townsite and surrounds, and provide development opportunities that meet the needs of a small but diverse settlement.

The proposal seeks to enhance the use and management of this portion of the existing rural property in a manner that recognises the unique opportunities and constraints applicable to the land, as depicted in the Aerial Photograph, accommodating both rural living opportunities, as well as a range of appropriate and compatible 'rural enterprise' land uses.

This is in accordance with the Local Planning Strategy stating that the Council will generally support proposals for rural living,

encouraging a variety of lot sizes and lifestyle opportunities that are appropriately located in close proximity to the townsite. Appendix B of the Amendment Document is included in the attachments illustrating the objective for the proposed lots. As part of the Strategy's objective for the application area, the proposed rezoning and subdivision is to be planned in a way that protects and enhances the Hill River that runs through the southern portion of the application area.

This is addressed by establishing building envelopes within the proposed lots. An indicative subdivision guide plan has been developed and visible within the attachments of this report. The subdivision guide plan is not a relevant factor in the amendment process but indicates how the land might be developed, demonstrating how the building envelopes will be located so as to not intrude on the riverine, preventing the possibility of contamination. It is required as part of the building envelope that the onsite effluent disposal system be located within the envelope to prevent leaching into the river system.

The request to rezone the application area complies with the principles and objectives of a number of governing policies surrounding the subdivision of this rural piece of land. These include *State Planning Policy 2.5 – Agricultural and Rural Land Use Planning (SPP2.5)*, *State Planning Policy 3 – Urban Growth and Settlement (SPP3)*, *State Planning Policy 2.9 – Water Resources (SPP2.9)* and *Development Control Policy 3.4 – Subdivision of Rural Land (DCP3.4)*.

SPP2.5 understands that there is a need to foster the economic well-being of rural communities particularly through economic diversification and value adding, specialised agricultural activities and tourist opportunities. The proposed amendment addresses this need, encouraging the introduction of specialised agricultural activities, through the provision of the large lots, but also due to its location in such close proximity to the Old Badgingarra townsite, potentially revitalising the community.

SPP3 identifies the need to manage rural-residential growth, having regard to principles of sustainability, whilst recognising the legitimate role of rural-residential type development to provide lifestyle choice and its potential to revitalise rural communities. SPP3 states, for rural living type development, it should:

- *Avoid productive agricultural land, important natural resources, areas of high bushfire risk or environmental sensitivity;*
- *Avoid future urban areas or areas particularly suitable for urban development in terms of their characteristics and proximity to urban services;*
- *Give preference to locations near existing settlements with available services and facilities in order to support the local community and avoid locations where services are not available or costly extensions are necessary;*

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- *Minimise potential for conflict with incompatible activities associated with productive rural uses or natural resource management;*
- *Only include locations which are suitable for this type of development, such as land which is topographically varied, visually attractive and with distinctive environmental attributes or otherwise has potential for lifestyle pursuits; and*
- *Take a realistic approach by allocating land based on forecast estimates of demand for rural living not on the speculative development of land.*

The proposed rezoning is entirely consistent with the relevant objectives of SPP3.

The purpose of SPP2.9 is to ensure the protection and management of water resources are considered as part of the planning process and its objectives are to:

- *Protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values;*
- *Assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life with attention to maintaining or improving the quality and quantity of water resources; and*
- *Promote and assist in the management and sustainable use of water resources.*

These SPP2.9 objectives can be addressed through the use of planning tools such as stormwater management measures to address water quality and quantity objectives, the development and implementation of management plans and the use of controls over land uses. The introduction of these planning controls addresses all the relevant objectives for the proposed Amendment, and shall be incorporated into the Scheme.

DC3.4 is an operational policy which guides the subdivision of rural land to achieve the key objectives of SPP2.5, which are aimed at protecting agricultural land, plan for rural settlement, minimise land use conflict and manage natural resources. Provision 3.1 of DC3.4 is particularly relevant to the proposal:

“it is WAPC policy that the subdivision of rural and agricultural land for closer settlement (rural residential and rural – smallholdings) and more intensive agricultural uses should be properly planned through the preparation of regional and local planning strategies and provided for in local planning schemes prior to subdivision.”

The proposed rezoning is able to comply with the requirements of DC3.4 given the suitability of the land for rural smallholdings has been identified through the preparation of a Local Planning Strategy and shall be provided for in the Local Planning Scheme via a Scheme Amendment, which shall in turn introduce

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appropriate controls in relation to the development and subdivision of the land.

CONSULTATION

There is no requirement to undertake consultation at this stage. A mandatory consultation process will apply should the Council initiate the amendment. A copy will be forwarded to the Environmental Protection Authority for comment, and the Western Australian Planning Commission for information. Subject to no objections being received from the Environmental Protection Authority and acknowledgement being received from the Western Australian Planning Commission, Shire staff will advertise the proposed Amendment seeking public comment.

STATUTORY ENVIRONMENT

Rezoning of the land by way of a Local Planning Scheme Amendment is undertaken in accordance with the provisions of the *Planning and Development Act, 2005* and *Town Planning Regulations, 1967*. If the Council initiates the proposed amendment, it must refer the amendment to the Environmental Protection Authority to determine whether environmental assessment is required prior to public advertising in accordance with provisions of the *Environmental Protection Act 1986*.

POLICY IMPLICATIONS

- State Planning Policy 2.5 – Agricultural and Rural Land Use Planning
- State Planning Policy 3 – Urban Growth Settlement
- State Planning Policy 2.9 – Water Resources
- Development Control Policy 3.4 – Subdivision of Rural Land

FINANCIAL IMPLICATIONS

The proponent shall pay an application fee for the amendment of an estimated \$1000 and adjusted prior to completion of works.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this item.

ATTACHMENTS

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

- Location Plan (Doc Id: 8775)
- Aerial Photograph (Doc Id: 8775)
- Hill River Site Photographs (Doc Id: 8775)
- Appendix B (Figure 12 of the Local Planning Strategy) (Doc Id: 8775)
- Subdivision Guide Plan (Doc Id: 8775)

(Marked 9.4.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr Short, seconded Cr Russell****That Council:**

1. In pursuance of Section 75 of the *Planning and Development Act 2005* (as amended), amend Local Planning Scheme No.7 by rezoning portion of Lot 3713 North-West Road, Badgingarra from Rural to Rural Smallholdings;
2. Request the Shire prepare Scheme Amendment documents in accordance with requirements of the *Town Planning Regulations 1967*;
3. Authorise the Chief Executive Officer and President to execute amendment documents prepared in accordance with its resolution;
4. Upon documents being duly executed, refer a copy of the amendment document to the Western Australian Planning Commission seeking permission to advertise for a period of 42 days seeking public comment pursuant to Regulation 25(2) of the *Town Planning Regulations 1967 (as amended)* and the Environmental Protection Authority pursuant to section 81 of the *Planning and Development Act 2005*; and
5. Subject to advice being received from the Environmental Protection Authority that the amendment does not need to be assessed, and approval from the WAPC, advertise the amendment for a period of 42 days seeking public comment.

CARRIED 7 / 0**9.4.2 REQUEST FOR EXTENSION TO PLANNING APPROVAL – BADGINGARRA WINDFARM**

Location: Lot 3850, 3755, 51, 3745, 3704, 50, 3747, 3754, 3753, 3748, 1651, 3774, 3742, 3743, 3744, 3738, 3739 in Badgingarra Locality

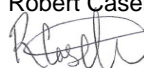
Applicant: APA Group

File Ref: Development Services App / Development Application / 2012 / 60

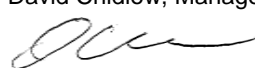
Disclosure of Interest: None

Date: 1 November 2012

Author: Robert Casella, Planning Officer

Signature of Author: 

Senior Officer: David Chidlow, Manager of Planning

Signature of Senior Officer: 

PROPOSAL

The applicant is seeking a further extension of the period of planning approval for the Badgingarra Windfarm (scheduled to lapse on the 19 December 2012) to the 19 December 2014.

The reason for the delay in carrying out the approved proposal is as follows:

“the project has continued to experience a major delay to its

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critical development path mainly due to the delays experienced by Western Power in receiving the relevant approvals for the construction of its 330kV Midwest Transmission Line project. 18 May 2012 the Western Australian State Government announced it approved funding for the Mid West Energy Project – Stage 1 (Southern Section). Western Power officially began construction of the new 330kV transmission line in April and expects to complete the project by the end of 2014. This will enable the connection of the Badgingarra Wind Farm.”

A copy of the planning approval is provided in the Attachments along with the formal letter requesting an extension of planning approval.

BACKGROUND

At its meeting on the 12 December 2008, Council granted conditional planning approval for the Badgingarra Windfarm for a period of two (2) years. In 2010 an extension to planning approval was granted on 11 November for a further two (2) years.

1. *The proponents shall (prior to the erection of wind turbine generators) provide notification to the RAAF Aeronautical Service of the location and height of the wind turbine generators;*
2. *The proponents shall (prior to the erection of wind turbine generators) provide notification to Air Service Australia of the location and height details of the wind turbine generators;*
3. *The proponents shall (prior to the erection of wind turbine generators) provide notification to CASA of the location and height details of the wind turbine generators;*
4. *The access points onto the subject land and any road networks shall be located and constructed to the satisfaction of the Manager of Technical Services and Works and include all necessary drainage and signage. Costs applicable to the construction of the access points onto the site and any related issues shall be borne by the proponents;*
5. *Access to the proposed development will only be allowed along Cadda Road and Yerramullah Road. the proponents will be required to undertake routine maintenance works on Cadda Road (from the Brand Highway to Munbinea Road) and Yerramullah Road (from Cantabilling Road to the intersection with Bibby Road) for the duration of the construction phase. The cost of the routine maintenance will be determined on a shared basis with the Shire (to be agreed prior to the commencement of the project based upon forecast traffic volumes). Any costs associated with required upgrades needed before development of the Wind farm occurs shall be to the satisfaction of the Manager Technical Services and Works and be at the cost of the proponent;*
6. *The proponents in conjunction with the Shire of Dandaragan shall commission a Road Condition Report prepared by a*

recognised engineer (agreed to by both parties) prior to the commencement of the project. The Road Condition Report shall, at least but not be limited to, identifying the following issues;

- a) Suitability of the existing pavement strength (in wet and dry conditions) to cater for the proposed haulage loads and traffic volumes;
- b) Suitability of the existing horizontal and vertical alignments to cater for the proposed haulage loads and traffic volumes; and
- c) Identify and provide plans and costings for any required upgrade works to the existing road network to make it suitable for the proposed haulage loads and traffic volumes;

The costs associated with the preparation of the Road Condition Report and any road works identified in the Road Condition Report shall be undertaken at the cost of the proponent prior to any works commencing onsite;

7. The Shire of Dandaragan requires Cadda Road (from the Brand Highway to Munbinea Road) and Yerramullah Road (from Cantabilling Road to the intersection with Bibby Road) to be in no lesser standard at the end of the construction phase as they were prior to the development commencing. A photographic record of the condition of the subject roads shall be prepared prior to commencement of the project;
8. The proponents shall provide a Traffic Management Plan to Main Roads WA and the Shire of Dandaragan prior to the commencement of construction. The Traffic Management Plan shall address;
 - Transportation of materials to the project site;
 - Obtain the necessary written approvals / permits from Main Roads WA Heavy Vehicle Operations Branch; and
 - The transport of all divisible and indivisible loads and acquisition of necessary permits from transport of these loads.
9. Following the submission of the development application, if the proponents propose changes resulting in significant additional environmental impact in the opinion of the Shire of Dandaragan, these changes shall not be undertaken without prior consultation with the Shire of Dandaragan and the Environmental Protection Authority Service Unit;
10. The proponents are required to obtain a Clearing Permit in accordance with the provisions of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 in the case of any proposal to clear existing remnant native vegetation on the site to the satisfaction of the Department of Environment and Conservation;
11. The Wind Farm shall comply with the South Australian Environmental Protection Authority "Wind farms environmental noise guidelines (interim)" dated December 2007 and relevant sections of the Western Australian Environmental Protection Authority "Guidance of the

- Assessment of Environmental Factors Environmental Noise Draft No 8" dated May 2007;*
12. *Noise from the operation Wind Farm shall not exceed 5dB(A) above the background noise level or 40dB(A) (using a 10 minute LAeq), whichever is the greater, at existing residences inside the development envelope;*
 13. *Noise from the operational Wind Farm shall not exceed 5dB(A) above the background noise level or 35dB(A) (using a 10 minutes LAeq), whichever is the greater, at existing residences outside the development envelope;*
 14. *The background noise limits from the proposed development are to be based on the pre-recorded background noise measurements. (Refer to Table 5 of the development application);*
 15. *The proponents shall develop and implement a post-construction noise monitoring program at the noise sensitive receptors listed in Table 5 of the development application to assess compliance of the operational Wind Farm with the noise limits. The post-construction noise monitoring program shall be conducted at the same time of the year as when the background noise measurements were recorded. Results of the program shall be forwarded to the relevant authority;*
 16. *Prior to the commencement of construction, the proponents shall commission third party noise modelling studies (in accordance with planning consent condition number 11) to demonstrate the final Wind Farm design complies with the noise limits outlined in this approval. The intended noise modelling methodology shall be discussed with the Department of Environment and Conservation Noise Branch, at the appropriate time;*
 17. *The proponents shall develop and implement a bird mortality monitoring program within 12 months of commencement of Wind Farm operation. The program shall be development in consultation with the Department of Environment and Conservation (DEC) and / or the WA Museum. Results of the program shall be forwarded to the Shire of Dandaragan;*
 18. *The proponents shall develop and implement an annual monitoring program for Carnaby's Black Cockatoo (*Calyptohynchus latirostris*) bird strike, foraging and roosting (including any avoidance) behaviour, with reporting to the Commonwealth Department of the Environment, Water, Heritage and the arts. The WA Museum (Mr Ron Johnstone or nominated appointment) is to be consulted in developing appropriate surveying methodologies for Carnaby's Black Cockatoo. The duration of the monitoring will be defined during the development of the program and subject to review, based on findings during the first two years' monitoring;*
 19. *The proponent shall provide road signage to the specification and satisfaction of Main Roads WA and the Shire of Dandaragan;*
 20. *The proponents shall submit a Drainage Management Plan*

for internal access roads for the endorsement of the Manager Technical Services and Works and a Drainage Management Plan where any impacts occur externally to the properties contained within the application;

21. *A display panel designated to the Badgingarra Wind Farm shall be included in the existing Viewing Area Information Stand at the Emu Downs Wind Farm;*
22. *The proponents shall ensure sufficient clearance is maintained from Western Powers' existing and planned transmission and distribution lines and associated facilities to the satisfaction of Western Power;*
23. *The proponents shall provide landscaping to screen buildings to a similar standard as was planted at the Emu Downs Wind Farm;*
24. *Any leasehold arrangements exceeding 20 years for part lots are to be referred to the Western Australian Planning Commission for approval;*
25. *The submissions / objections lodged by the Department of Industry and Resources, Image Resources NL and Jurien Industrial Minerals LTD being withdrawn and that Council be indemnified against any possible action from these organisations with regard to granting of planning approval, prior to the commencement of any on site works;*
26. *Decommissioning of the above ground plant and equipment (excluding concrete pads; footings; and inground cables) on the subject land will commence within a period of 12 months from termination of operations and be completed within a time period of the satisfaction of the Shire of Dandaragan. This will occur following submission by the proponents of a plan outlining the process of decommissioning;*
27. *Planning consent is granted for a maximum period of two years from the date of this approval during which time the development must be substantially commenced;*
28. *The proponent is advised that planning approval is not a building licence. A building licence must be formally applied for and obtained from Building Services before commencement of any site and / or development works.*

The project site is located between Munbinea Road and the Brand Highway, to the west of the Badgingarra townsite and south east of Jurien Bay. The Windfarm will cover 17 properties with a total land area of approximately 21,660ha, used predominately for grazing and cropping with some small areas of remnant vegetation within the project site with the Badgingarra National Park located immediately adjacent to the south-east.

As detailed in the development application and reported to Council in December 2008, the facility will generate up to 130MW from 43 to 65 turbines (depending on the final choice of turbine size and manufacturer). The electricity generated is equivalent to meeting the requirements for approximately 80,000 homes.

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The turbines are proposed to be situated on previously cleared farm land, causing minimal environmental impact during and after the construction phase. The timeframe for construction is expected to take around 16 to 20 months depending on the number of turbines to be installed.

The scope of this proposed development includes:

- Construction of a number of wind turbines on the site;
- Installation of internal access roads and underground cables between each turbine;
- Construction of a substation;
- Connection of power lines from the new substation across to the existing Western Power electricity grid;
- Site compound comprising various support building; and
- Meteorological mast installation.

The final turbine type, capacity, numbers and final site layout is dependent on a number of commercial, engineering and environmental factors. These details will not be known until the contract for turbine supply and construction is negotiated and awarded. As a result, the proponents sought approval for the development of the Wind Farm within a defined Development Envelope. The Development Envelope takes into account the relevant wind flow characteristics, the topography and the desire to locate turbines away from vegetation, sensitive habitats, roads, occupied dwellings and other infrastructure.

COMMENT

The request for a 2 year extension to the current Badgingarra Windfarm planning approval is considered legitimate based on the statement of justification provided in the letter of request and the letters of consent from the relevant landowners.

However, in granting the extension it should be made clear to the proponent that the Council's decision does not provide an avenue to change any of the current conditions of approval nor afford a right of appeal to the State Administrative Tribunal. The decision merely relates to the period of time upon which construction work must have substantially commenced, generally interpreted as 'slab on the ground', or in this instance could mean footings completed for most of wind turbines.

Along with their request for an extension to their planning approval, the applicant had submitted three (3) studies on Wind Farms published this year in support of Wind Farms. A copy of two of the study's conclusions and recommendations can be found in the attachments with report available upon request.

CONSULTATION

As requested by staff, the proponent has provided with this submission the written consent from a clear majority of the relevant landowners party to the Windfarm development, who

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have agreed to the extension of the planning approval. A total of seven land owners have signed the consent form. This can be found in the attachments.

This was recently composed in the months leading up to the extension of approval application.

Therefore, it is not considered necessary for further public consultation be undertaken at this time.

STATUTORY ENVIRONMENT

Clause 10.5.2 of the Local Planning Scheme No. 7 states:

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"

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

A planning application fee to the value of \$15,750 shall be paid by the applicant, being 50% of the planning application fee to validate the extension of the planning approval.

STRATEGIC IMPLICATIONS

Renewable energy projects deemed compatible with surrounding land uses should be encouraged through identification in future strategic planning instruments for the Shire, including any new municipal strategic plan, the Local Planning Strategy and new Local Planning Schemes.

ATTACHMENTS

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

- A copy of the Planning Approval (Doc Id: 9524)
- Request for Extension to Approval Letter – Badgingarra Wind Farm Project (Doc Id: 9522)
- Signed Landowners Letters of Support (Doc Id: 9525)
- Summary of Windfarm studies (Doc Id: 9526)

(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION
--

Moved Cr Kent, seconded Cr Short

That Council:

1. **pursuant to Clause 10.5.2 of the Shire of Dandaragan Local Planning Scheme No.7 grant a two year extension to the planning approval granted 12 December 2008 for the**

Badgingarra Windfarm (Lots 3850, 3755, 51, 3745, 3704, 50, 3747, 3754, 3753, 3748, 1651, 3774, 3742, 3743, 3744, 3738, 3739 in Badgingarra Locality), resulting in the revised expiry date of 12 December 2014; and

2. inform APA Group that the extension of time to the current planning approval does not alter the conditions of approval nor afford a right of appeal to the State Administrative Tribunal. The decision relates to the period of time upon which construction work must have substantially commenced as determined by the Council.

CARRIED 7 / 0

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr Kent, seconded Cr Short



That Council in addition to the original recommendation require the proponent to comply with the following conditions:

1. prior to the commencement of construction, the proponent shall commission detailed archaeological and ethnographic surveys, compliant with Aboriginal Heritage Act (1972) dated September 2011, over areas of proposed infrastructure;
2. prior to the commencement of construction, the proponent shall make arrangements in consultation with the South West Aboriginal Land and Sea Council for any required Aboriginal heritage monitoring;
3. prior to the commencement of construction, the proponent shall provide and implement a Fire Management Plan that addresses the impacts of the Wind Farm through the construction phase to operation, approved by Council and Department of Fire and Emergency Services of Western Australia;
4. all fencing shall be of rural construction such as open post and rail or post and wire, to the satisfaction of the Shire;
5. prior to the commencement of construction, the proponent will consult with landowners on the location of known weed infestations and will implement measures, as agreed with landowners, and in accordance with any relevant regulation under the Bio-security and Agriculture Management Act 2007 and measures recommended by the Western Australian Department of Food and Agriculture; and
6. the proponent shall prior to commencement of construction, implement necessary strategies to mitigate an future noise non-compliance that may arise from the construction or operation of the Wind Farm.

CARRIED 7 / 0

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9.4.3 WESTERN AUSTRALIAN PLANNING COMMISSION (WAPC) – REDGUM VILLAGE AND KOODIEWOODIE PTY LTD – PROPOSED SUBDIVISION AND AMALGAMATION OF LOT 14 AND PORTION OF LOCATION 1121 DANDARAGAN ROAD, DANDARAGAN

Location:	Lot 14 and Location 1121 Dandaragan Road, Dandaragan
Applicant:	Dykstra Planning on behalf of the owners of Redgum Village and Koodiewoodie Pty Ltd
Folder Path:	Development Services Apps / Subdivision Applications / WAPC 146813
Disclosure of Interest:	None
Date:	7 November 2012
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To consider an application for the renewal of subdivision of portion of Location 1121 and for this area to be amalgamated with Lot 14 Dandaragan Road, Dandaragan.

BACKGROUND

This application has previously been approved by Council and the WAPC in 2009, however the approval lapsed.

Lot 14 Dandaragan Road, Dandaragan was sold by Council in 2000 to Mr and Mrs E Bradshaw who have developed and currently run the premises known as Redgum Village. The premises primarily provide accommodation for backpackers and those employed for seasonal work, shearing teams and mine site employees and contractors.

Due to increased demand for a range of accommodation options, in the Dandaragan townsite, generated by the development within the locality, the landowner is seeking to expand his land area and upgrade and expand existing facilities.

Location 1121 is used for rural purposes and is cleared and otherwise undeveloped. Lot 14 currently has an area of 8,788m² and it is proposed to subdivide 5,509m² from Location 1121 and amalgamate it with Lot 14. Under Local Planning Scheme No 7 (amendment No.7), the land area is zoned 'Special Use – Special Accommodation'. Previously the eastern portion of Location 1121 was zoned 'Special Development' while the western portion of Location 1121 was zoned 'Rural'. Lot 14 was zoned 'Residential'.

Scheme Amendment No 7 to the Local Planning Scheme No 7 proposed that Lot 14 and the area of Location 1121, the subject of this application to be both zoned 'Special Use - Special Accommodation'. This Scheme Amendment was gazetted on 12 March 2010.

COMMENT

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Dykstra Planning on behalf of the two landowners have applied to the Western Australian Planning Commission in order to facilitate the subdivision and amalgamation of portion of Location 1121 with Lot 14 in accordance with Amendment No 7.

Attached to the agenda is a copy of the information submitted with the application for subdivision which outlines and highlights the relevant information.

The proposed rezoning and subdivision / amalgamation application do not introduce any radical change in the context of adjacent zonings but rather, that it recognises the nature of the existing land use on the site as well as providing for the development intentions of the landowner in a way that introduces more appropriate planning.

CONSULTATION

Western Power expressed concern that the larger Lot (B) does not have power supplied. The advice from Western Power is that this is acceptable provided that a condition of approval be that a notification be placed on the title to highlight that the Lot does not have access to a suitable point of supply of electricity.

The WAPC recently revised model conditions of subdivision have a standard condition that provides for the abovementioned notice to be placed on the title.

STATUTORY ENVIRONMENT

- Planning and Development Act 2005
- Local Planning Scheme No 7

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:9252)
(Marked 9.4.3)

VOTING REQUIREMENT

Simple majority

OFFICE RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Gibson

That the Western Australian Planning Commission be advised that Council supports the proposed application for subdivision of portion of Location 1121 to be amalgamated

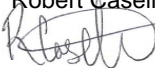

with Lot 14 Dandaragan Road, Dandaragan subject to the following condition:

1. A notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the certificate of title of the proposed lot that does not have power supplied. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

'A network electricity supply is not available to the lot.

CARRIED 7 / 0

9.4.4 APPLICATION FOR PLANNING APPROVAL – PROPOSED CARPARK – LOT 8 CATALONIA STREET, CERVANTES

Location:	Lot 8 Catalonia Street, Cervantes
Applicant:	David Thompson
File Ref:	Development Services Apps/ Development Applications/ 2012/ 59
Disclosure of Interest:	None
Date:	6 November 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager Planning
Signature of Senior Officer:	

PROPOSAL

The applicant is seeking planning approval for Lot 8 Catalonia Street, Cervantes (the subject lot) to be used as a formal car park for the tourism operation currently undertaken at the Indian Ocean Rock Lobster facility located on the corner of Madrid and Catalonia Streets, Cervantes. The Site Plan in the attachments depicts the proposed location and orientation.

BACKGROUND

On the 16 October 2012, the Shire of Dandaragan (the Shire) received a retrospective development application for a proposed car park on the subject lot. Currently the subject land is vacant and being utilised as a car parking area to facilitate the tourist component of the processing facility. At the request of Shire staff, the applicant agreed to discontinue the car parking use until the matter has been considered by Council.

The current zoning for the subject lot under the Local Planning Scheme No.7 (the Scheme) is zoned Residential 12.5. Under Table 1: Zoning Table of the Scheme, a car park is a use not listed.

Indian Ocean Rock Lobster is a growing popular tourist attraction in the Shire of Dandaragan and has been expanding their operation as time progresses. Currently the site incorporates a yard for the storing and maintenance of boats, a processing facility

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for the cleaning and packaging of lobsters, two (2) dwellings to accommodate the transient staff (a maximum of 12 persons), and a take away food outlet. Each use having different parking, access needs and peak traffic movement times.

The proposal intends to create 19 new parking bays plus one (1) disabled parking bay for visitor parking. Currently there are only 12 bays for visitor parking, accessible from Madrid Street. This will bring a total of 31 visitor car parking bays.

COMMENT

The subject lot is currently vacant land and is utilised as an informal car park area for visitors. The applicant has provided a 10 year development plan, this plan is not part of the Council's process and does not require endorsement. Under the plan, the location of the car park is a temporary solution. The 10 year plan identifies better planned alternate sites for permanent parking. A copy of this plan is provided in the attachments.

'Car Park' is a use that is not listed in the zoning table of the Shires LPS7 therefor Clause 4.4.2 is to be considered in the decision making process, as it states:

If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –

- (a) Determine that the use is consistent with the objectives of the particular zone and is therefore permitted.*
- (b) Determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or*
- (c) Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.*

The subject land is zoned "Residential". Under the Scheme, the objective of the Residential zone is:

To provide for residential development at a range of densities with a variety of housing to meet the needs of different household types through the application of the Residential Design Codes.

A commercial car park does not reasonably fit within the above objective. Car parking that is incidental to a main use such as a dwelling or multiple dwelling can be considered as fitting within the above objective as it serves a dwelling. In this case the development of the lot entirely for parking to service the adjoining commercial activity and without a dwelling on the lot, cannot be considered as the same use.

However, when determining a planning application for a use not listed under the Scheme's Zoning table, Council is to have due

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regard in considering the application against Clause 10.2 of the Scheme. The relevant matters have been listed under the statutory environment section of this report with one (1) matter being relevant in this case:

(i) The compatibility of a use or development with its setting.

The use of a car park on the subject lot is not considered compatible with the surrounding residential land uses, although may be considered compatible with the land uses associated with the Indian Ocean Rock Lobster facility in the Industrial zone. The proposed development poses a threat to the preservation of the residential locality, the proposal will have a detrimental effect on the amenity of the local residential community, impacting on the enjoyment of the adjoining properties.

As supported by the Shire's Local Planning Policy 8.8 – Car Parking (LPP8.8), the applicant has submitted a transport impact assessment for the Indian Ocean Rock Lobster establishment. Table 1 provides an extract of the LPP8.8 for each landuse of the establishment. Table 2 provides a summary of the parking requirements for the entire site of the Indian Ocean Rock Lobster facility.

Table 1: Local Planning Policy 8.8 Parking Rates

Landuse	Parking requirements (Bays)
Industry – General, light & service <i>(Processing Facility)</i>	1 bay for 100m ² GFA plus 1 bay for every two employees
Transient Accommodation / Workers' Accommodation <i>(Housing)</i>	1 bay for every 4 beds
Restaurant / Café <i>(Tour Restaurant)</i>	1 bay for every 10m ² GFA or 1 bay for every 4 seats, whichever is the greater.
Shop <i>(Tourist Sea Food Outlet)</i>	1 bay for 20m ² nla
Fast Food Outlet / Takeaway	1 bay for 20m ² GFA or 1 bay for every 4 seats provided whichever is greater.

Table 2: Parking Required on Site

Landuse	No./Area	Parking Requirements
Processing Facility	1500m ²	30
Housing	2 dwellings	3
Restaurant	100m ²	10
Sea Food Outlet	20m ²	1
Take Away	12m ²	1
Total		44

The above Tables provide evidence that the current facility has adequate parking available for both staff and visitors (considering the bulk of visitors arrive via a 47 or 27 seater bus).

According to the Transport Impact Assessment study, there are currently a total of 97 parking bays with approximately 85 provided in the yard, predominately used for employees and storage of

company vehicles / vessels, and 12 bays provided adjacent to Lots 9 and 10 via Madrid Street as illustrated in *Figure 1*. The additional bays proposed on Lot 8 will provide access via Catalonia Street, bringing the total of bays to 116, far exceeding the necessary requirements of the LPP8.8.

In assessing the proposed application in accordance with Clause 10.2 of the Scheme, matters to be considered by Local Government, the compatibility of the land use with its surrounding / adjoining land is unsatisfactory as the adjoining land uses are primarily residential. The principal objective of the subject lot under the Scheme, is for the purpose of a residential development. A carpark does not fall within the use of a residential development and is considered an incidental development where a residential building is provided for the use of a grouped dwelling or visitor parking.

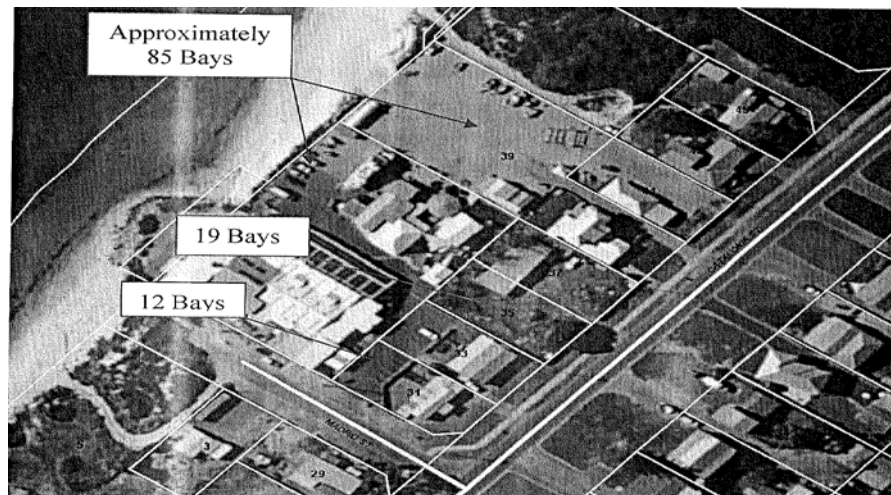


Figure 1: Existing Parking

The social issues that might arise from the proposed development could have a detrimental effect on the local residents, typically adjacent to the subject lot and further north along Catalonia Street. The main issue is the higher traffic volumes entering and exiting Lot 8 from Catalonia Street, posing an increased risk to pedestrian use along the footpath, as well as local traffic. In an attempt to preserve the amenity and reduce any social issues that might arise, it is recommended the lot be retained for residential purposes to preserve the amenity and enjoyment of the residential zone to ensuring the cohesion of the area as a residential locality.

Clause 4.4.2 of the Scheme is discretionary, the use of the word **may** instead of **shall** in the subject clause gives Council the option of using this clause or not.

If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –

Should Council decide to grant retrospective approval to the proposed development, or if the applicant appeals the decision and is successful in the Tribunal, the following conditions of approval are recommended.

1. *All development shall be in accordance with the attached approved plans submitted with the application and subject to any modifications required as a consequence of any conditions of this approval;*
2. *The endorsed approved plans shall not be altered without the prior written approval of the local government;*
3. *The provision of 19 car parking bays, plus 1 ACROD disabled bay as shown on the endorsed plan are to be of a sealed, kerbed, drained and line-marked standard to the satisfaction of the Manager of Technical Services and Works;*
4. *All staff, disabled, visitor car and bus parking shall be appropriately line-marked and / or signposted to the satisfaction of the Local Government*
5. *A minimum of 1 bicycle rack shall be provided within the development for local residents use to the satisfaction of the Local Government;*
6. *Access shall be limited via Madrid Street into the carpark;*
7. *The boundary adjacent to Catalonia Street is to be fenced and landscaped comprising of screen features and shade trees and / or shrubs (of indigenous species) as appropriate, to the satisfaction of the Local Government;*
8. *Internal driveway access shall be of a sufficient width to accommodate two way traffic and shall not be less than 5.5 metres in width;*
9. *One parking space in every 10 is to be used for gardening and planting of native plants to provide shade and visual relief; and*
10. *The provision of car parking should be developed in accordance with Local Planning Policy 8.8 – Planning – Carparking.*

Note:

- *This is planning approval only and not a building permit. A building permit must be obtained for this development, if planning approval is granted.*

CONSULTATION

In accordance with Clause 9.4 of the Scheme, the Development Application has been advertised for a total of 14 days, ending on the 31 October 2012. Due to a number of enquiries regarding late submissions, the advertising period extended until 7 November 2012.

A summary of submissions can be found in the attachments of this report.

STATUTORY ENVIRONMENT

Local Planning Scheme No. 7:

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10.2 Matters to be Considered by Local Government

- (a) *the aims and provisions of the Scheme and any other relevant local planning schemes operating within the Scheme area;*
- (f) *any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the scheme;*
- (i) *The compatibility of a use or development with its setting;*
- (j) *any social issues that have an effect on the amenity of the locality;*
- (n) *the preservation of the amenity of the locality;*
- (o) *the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- (q) *the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) *whether adequate provision has been made for access by disabled persons;*
- (y) *any relevant submissions received on the application.*

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid a fee for planning approval to the value of \$139.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Site map of proposed car park (Doc Id: 9436)
- Indian Ocean Rock Lobster 10 year plan (Doc Id: 9436)
- Transport Impact Assessment (Doc Id: 9435)
- Schedule of Submissions (Doc Id: 9728)

(Marked 9.4.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION
--

Moved Cr Bailey, seconded Cr Russell

That Council refuse the application for a 'Car Park' at Lot 8 Catalonia Street, Cervantes for the following reasons:

- 1. the use is not consistent with the objectives of the**

- Residential zone under Local Planning Scheme No.7;
2. the use has the potential to have an adverse impact on the amenity of the surrounding residents;
 3. the proposal for a car park within a residential area and within a Residential zone is deemed not appropriate; and
 4. the use does not meet the orderly and proper planning, and the preservation of the amenity, of the locality.



Advice

- The applicant be advised that should they 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 6 / 1

9.4.5 PREPARATION OF THE TURQUOISE COAST REGIONAL AIRPORT MASTER PLAN

Location:	Shire of Dandaragan
Applicant:	N/A
File Ref:	Business Classification Scheme / Traffic and Transport / Design and Construction / Airports and Landing Facilities
Disclosure of Interest:	None
Date:	13 November 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To consider tenders received for the preparation of a Master Plan for the Turquoise Coast Regional Airport.

BACKGROUND

Jurien Bay has been recognised as one of nine 'SuperTowns' in regional Western Australia. Supertowns is a Royalties for Regions initiative to encourage regional communities to plan and prepare for what is predicted to be a doubling of the State's population in the next 40 years, playing a major part in decentralising the forecasted population growth.

As part of this initiative it is vital that the Shire of Dandaragan (the Shire) identifies an alternative site for a regional airport for future development so that land use planning can be coordinated appropriately.

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The need for an aerodrome master plan is to guide the future aerodrome development and capital works in response to anticipated regional development and increased demand for aerodrome use.

The Shire was successful in securing a grant of \$43,000, through the Department of Transport's Regional Airports Development Scheme, to fund a study for the Turquoise Coast Regional Airport. The Council matched this funding with \$43,000 in the 2012/2013 budget, providing a total of \$86,000 for a contractor to fulfil the required needs presented to them in the consultants brief.

A tender was advertised seeking a contractor to work with the Shire and the Wheatbelt Development Commission to undertake the following studies:

- a) *Locate one or more possible sites on freehold and / or Crown Land for locating of the proposed Turquoise Coast Regional Airport.*
- b) *Carry out relevant environmental studies, heritage studies, servicing requirements of the site with power, water and road access, consider land tenure issues and carry out necessary preliminary design work and preliminary costs.*
- c) *A result of the study will also be the consideration of surrounding land uses. It is expected that this study will provide a basis for a future scheme amendment, or, alternatively, become a guiding document to shape the next local planning scheme.*

The tender was advertised in the West Australian newspaper on the 1 September 2012.

The tenders were to be assessed using an assessment matrix as shown below:

Description of Qualitative Criteria	Weighting
Fee Estimate (\$)	20%
Environmental Studies & Heritage Studies	20%
Servicing Requirements: -Power -Water -Road Access	20%
Surrounding Land Uses	10%
Noise Assessment	5%
Other	5%
Exclusions	10%

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Tenders Experience	10%
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The assessment matrix allows the tenders to be evaluated in an unbiased manner where the tenderer with the highest overall points may be considered to be the most advantageous tender. This is to be used as a guide only during the assessment and is not necessarily binding.

COMMENT

When tenders closed on the 9 October 2012, a total of six (6) submissions from companies around Australia were received. A copy of an assessment table has been provided in the attachments.

Of the six (6) tenders, two (2) have quoted a price exceeding the allowable amount for the project (Slavin \$90,279.20 & Aecom \$91,429.14), therefore have been immediately excluded from consideration due to budget restraints.

The four remaining tenderers provided a competitive quote and service provisions. The methodology adopted to undertake the tender evaluation was based on selection criteria outlined in the tender documents.

Please note: This schedule of selection criteria is correct and replaces the schedule that was contained in the agenda.

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Criteria	Weighting	Rehbein	Aurecon	Lowes Churchill & Associates	Thinc
Fee Estimate (\$)	20%	18% (\$75,614)	16% (\$85,965)	20% (\$71,500)	17% (\$83,500)
Environmental Studies & Heritage Studies	20%	18%	20%	18%	18%
Servicing Requirements: -Power -Water -Road -Access	20%	20%	10%	15%	18%
Surrounding Land Uses	10%	10%	10%	3%	10%
Noise Assessment	5%	5%	0%	0%	0%
Other	5%	3%	2%	3%	5%
Exclusions	10%	8%	5%	10%	10%
Tenders Experience	10%	10%	8%	2%	4%
TOTAL	100%	92%	71%	71%	82%

In assessing the information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed. A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer. A list of past projects of the four valid companies can be seen in the attachments.

CONSULTATION

The tender was advertised in the West Australian newspaper on 1 September 2012 with the submission date closing on the 9 October 2012 seeking a consultant to produce a Master Plan to form the basis for Regional Airport Development Study.

STATUTORY ENVIRONMENT

- Part 4 of the Local Government (Functions and General) Regulations 1996;
- Sections 3.57 of the Local Government Act 1995.

POLICY IMPLICATIONS

- Shire of Dandaragan Policy 1.15 – Shire of Dandaragan Purchasing and Policy Tender Guide.

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FINANCIAL IMPLICATIONS

The budget and grant total is for \$86,000.00

Aecom	\$91,429.14
Aurecon	\$85,965.00
Lowes Churchill & Associates	\$71,500.00
Rehbein	\$75,614.00
Slavin	\$90,279.20
Thinc	\$83,500.00

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Assessment Matrix Table (Doc Id: 9534)
- Project Summary (Doc Id: 9791)
- AURECON – Profile (Doc Id: 9792)
- Lowes Churchill & Associates – Profile (Doc Id: 9793)
- REHBEIN – Profile (Doc Id: 9794)
- THINC – Profile (Doc Id: 9795)

(Marked 9.4.5)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION
--

Moved Cr Bailey, seconded Cr Gibson

That Council:

- 1. accept the tender submitted by Rehbein Airport Consultancy as the preferred business for awarding the contract to develop a master plan for the Turquoise Coast Regional Airport Study;**
- 2. authorise a letter to the successful applicant notifying them that they have been selected as the successful candidate to complete the Turquoise Coast Regional Airport Study Master Plan; and**
- 3. authorise Shire officers to initiate a project inception meeting with Rehbein project officials to discuss and negotiate the required objectives and outcomes of the project for the tendered price.**

CARRIED 7 / 0

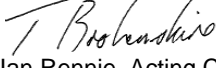

9.5 HEALTH

9.5.1 ADDITION TO CONTRACT FOR CLEANING AND MAINTENANCE OF PUBLIC TOILETS AND BARBECUE AREA'S IN CERVANTES

Location:

Jurien Bay

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Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Waste Management / Service Provision / Cleaning
Disclosure of Interest:	Nil
Date:	9 November 2012
Author:	Tim Brokenshire, Manager Environmental Health
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

For Council to consider that the contract for the provision of cleaning and maintenance of public toilets and barbecues in the town of Cervantes be modified to include the public toilets and picnic tables at the park located on reserve 30824 at 596 Alva Way Cervantes.

BACKGROUND

Public Toilets and picnic tables have recently been built at the park located on reserve 30824 at 596 Alva Way Cervantes. They are now in service. The facilities are currently being cleaned by the current contractor Mr Robert Walker and there is a need to formalise the arrangement with appropriate payment for the service provided.

COMMENT

Robert Walker is the contractor for cleaning public facilities within the town of Cervantes. It will be recommended to Council that the daily cleaning of the public toilets and picnic tables at the park located on reserve 30824 at 596 Alva Way Cervantes be added to the cost of the contract. The proposed cost to Council to add these facilities to the contract held by Robert Walker is being proposed at one cleaning of toilets and picnic tables per day (requiring approximately 1 hour to complete the task) to the standard described in the current contract for a cost of \$17 a clean. This represents an extra \$119 per week with a total additional cost per annum of \$6,288. The existing contract is included as an attachment. The total worth of the current contract is \$18,615.

CONSULTATION

Manager Environmental Health

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

If Council accepts the Officers Recommendation to add the cost of cleaning the public facilities on reserve 30824 at 596 Alva Way Cervantes to the existing contract for cleaning public facilities in Cervantes an amount of \$6,288 per year will need to be added to the contract total. This would bring the total contract value to

\$24,903.

STRATEGIC IMPLICATIONS

5.12.2, Goal 2: Build high level of amenity and lifestyle.

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

ATTACHMENTS

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

- Contract for Cleaning Services (Doc Id: 6973)

(Marked 9.5.1)

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

That Council approve an additional \$6,288 for the provision of cleaning of public facilities on reserve 30824 at 596 Alva Way Cervantes to the existing contract for cleaning public facilities in Cervantes. Bringing the total contract value to \$24,903.

CARRIED 7 / 0

9.6 BUILDING

9.7 COUNCILLOR INFORMATION BULLETIN

9.7.1 SOUTH WEST ABORIGINAL LAND & SEA COUNCIL – SOUTH WEST NATIVE TITLE SETTLEMENT LAND BASE – PARTNERSHIP OPPORTUNITIES

Document ID: 9250

The Chief Executive Officer of the South West Aboriginal Land and Sea Council (SWALSC) is pleased to write about the opportunities for partnerships between Noongars and Local Government Authorities (LGA's) arising out of the proposed South West Native Title Settlement. The creation of a Noongar Land Estate will not only benefit Noongar people, but also local communities and local economies.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.1)**

9.7.2 JURIE BAY DISTRICT HIGH SCHOOL – DONATED GRAVEL

Document ID: 9277

Jurien Bay District High School would like to thank Mr D Camplin for the load of gravel he donated and organised to be delivered to the school during the holidays. It was greatly appreciated.

9.7.3 JURIEN BAY DISTRICT HIGH SCHOOL – PRESENTATION AWARDS ASSEMBLY 2012

Document ID: 9278

There was an error in previous correspondence and Jurien bay District High School would like to clarify that the Presentation Awards Assembly 2012 will be held on **Monday 17 December 2012**.

9.7.4 RECREATIONAL BOATING FACILITIES SCHEME ROUND 18 – CALL FOR FUNDING APPLICATIONS

Document ID: 9338

“The Recreational Boating Facilities Scheme (RBFS) is an established State Government grants program which helps local governments, government departments and statutory authorities to improve publicly available recreational boating infrastructure.”

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

9.7.5 LOCAL GOVERNMENT NEWS – ISSUE NO 42.12 – 22 OCTOBER 2012

Document ID: 9335

Inside this issue:

- Be Part of It: White Ribbons for Road Safety 2012
- 2012 Local Government Emergency Management Forum
- Public Library Exchange System Review Workshop – Wednesday, 31 October
- 2013 WALGA Desk Calendar Pads
- Roads 2030 – Regional Road Development Strategies
- Officer Training
- Elected Member Training
- October is Community Safety Month
- Regional and Economic Development Forum

9.7.6 WALGA INFOPAGE – WHITE RIBBONS FOR ROAD SAFETY CAMPAIGN 2012

Document ID: 9334

Key Issues:

- Road safety awareness in the lead up to the 2012 festive season.
- Work towards a safe system and encourage shared responsibility for road safety.
- Adopting vision of zero deaths and serious injuries on the State's roads.

More information is on hand.

9.7.7 DEPARTMENT OF AGRICULTURE AND FOOD – PROPOSED WINDING-UP OF THE DANDARAGAN SHIRE LAND CONSERVATION DISTRICT COMMITTEE (LCDC)

Document ID: 9321

The Dandaragan Shire LCDC was a statutory committee established under sections 22 and 23 of the *Soil and Land Conservation Act 1945* to manage activities in the Dandaragan Shire Land Conservation District (LCD) that was proclaimed by the Governor in 1996. Members of the LCDC are appointed by the Commissioner and duly gazetted.

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

Council to confirm agreement to wind up the Committee.

9.7.8 DEPARTMENT OF WATER – EMERGENCY FARMLAND WATER SUPPLY PLANNING – SUMMER 2012 / 2013

Document ID: 9267

Winter rainfall has been well below average in the majority of the dryland agricultural area and there is the potential for some landholders to experience water shortages during the coming summer months.

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

9.7.9 DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS – PROPOSAL: SALE OF BADGINGARRA TOWNSITE LOTS 28 – 32, 54 – 58 DODD STREET AND LOT 216 NORTH WEST ROAD

Document ID: 9152

Nine lots (Lots 33 – 36, 38, 51 – 53 Dodd Street and Lot 41 Lang Street) have now been made available for sale to Landcorp for residential purposes. However Landcorp are not interested in purchasing the balance above 11 lots.

“Could you please confirm if the Shire of Dandaragan are interested in purchasing the balance 11 lots for the purchase price of \$1000 (inc GST) plus statutory fees and Stamp Duty subject to the Shire being responsible for providing services to the lots.”

More information is on hand.

9.7.10 JURIE BAY PROGRESS ASSOCIATION INCORPORATED – PARKING FACILITIES

Document ID: 9365

At a recent meeting of the Jurien Bay Progress Association the following two questions were raised:

- 1. Due to the popularity of the Sandy Cape Recreational Park it has now become almost impossible for day visitors to park within a reasonable distance from the Cape and the Boardwalk. The Association understand that originally, provision was made*

for a parking area adjacent to the beach access / boat ramp however, this area is now used for camping and is unavailable for short stay visitors. It is possible that "No Camping , Parking Only" signage be erected in this area so that this area is again available for short stay visitors.

2. *It has become increasingly obvious that the amount of onsite car parking at Jurien Skydive, on the corner of Batt and Bashford Streets, falls far short of that required to service a very popular and rapidly growing tourist venture. It is now a common site to see up to a dozen vehicles parked on the street verge along the Bashford Street frontage having driven over the footpath to park. The Association has been and still is very supportive of Jurien Skydive, it has been a great asset to Jurien Bay however, the Association feel that its increasing popularity can only result in further parking difficulties in the future.*

9.7.11 DEPARTMENT OF WATER – SEASONAL RESPONSE 2012 / 13

Document ID: 9418

"The south west of the State has experienced an extremely dry winter, similar to that experienced in 2012. This has resulted in low inflows to dams and reduced infiltration to replenish groundwater aquifers. These extreme conditions exceed predictions made under climatic models used for future water planning and as a result additional management actions need to be carried out."

More information is on hand.

9.7.12 DEPARTMENT OF AGRICULTURE AND FOOD – PROPOSED WINDING-UP OF THE WATHEROO-COOMBERDALE LAND CONSERVATION DISTRICT COMMITTEE (LCDC)

Document ID: 9421

The Watheroo-Coomberdale LCDC was a statutory committee established under sections 22 and 23 of the *Soil and Land Conservation Act 1945* to manage activities in the Watheroo-Coomberdale Land Conservation District (LCD) that was proclaimed by the Governor in 1986. Members of the LCDC are appointed by the Commissioner and duly gazetted.

More information is on hand.

Council to confirm agreement to wind up the Committee.

9.7.13 SHELTER WA – PROMOTING AFFORDABLE HOUSING – HOUSING OPTIONS KIT

Document ID: 9758

The above mentioned Housing Options Kit is on hand.

The Kit provides information about the range of affordable housing options available in Western Australia. The options will vary depending on people's particular circumstances and needs.

9.7.14 THE ROYAL AUTOMOBILE CLUB OF WA (INC) – RAC COMMITMENT TO SAFER CARS

Document ID: 9425

For more than 100 years, the RAC has been a leading advocate on road safety and mobility issues in Western Australia.

The RAC helps to fund the Australasian New Car Assessment Program (ANCAP), which crash tests new cars to assess the protection they offer to their occupants.

More information is on hand.

9.7.15 JURIE BAY DISTRICT HIGH SCHOOL – JURIE BAY COUNTRY WEEK SQUAD OF 2012 GIVE THANKS

Document ID: 9427

The Jurie Bay Country Week squad of 2012 would like to thank the Shire for their extreme kind donation. With the goods and money that were donated, the squad were able to subsidise the cost of the week by a substantial amount.

The week away in Perth proved to be a positive one with students excelling in their chosen sports as individuals and as team members. The Football team finished second in their division this year, they competed to a high standard. The Netball team also played at a very high standard and finished third in their division.

9.7.16 PUBLIC SECTOR COMMISSION – 2012 PREMIER'S AWARDS: PUBLIC SECTOR EXCELLENCE CONFERENCE

Document ID: 9441

The Premier's Awards showcase excellence in public sector management by recognising the outstanding achievements in a range of projects being implemented across the sector. In celebration of these achievements the winner and finalists of the 2012 Premier's Awards will be revealed in an Awards Ceremony on 22 November and then they will present their winning project at the annual Excellence Conference.

The 2012 Public Sector Excellence Conference will be held from 8.00am – 1.00pm on Friday 7 December 2012 at the Jull Professional Development Centre.

There are limited places available, to confirm your attendance please register your interest for this event at <http://publicsector.wa.gov.au/civicrm/event/info?reset=1&id=532> by close of business on Friday 30 November 2012.

9.7.17 WESTERN AUSTRALIAN PLANNING COMMISSION – LOCAL PLANNING SCHEME NO.7 – AMENDMENT NO.6

Document ID: 9444

The Minister for Planning has granted final approval for the above amendment on 18 October 2012. This amendment is the omnibus amendment.

More information is on hand.

9.7.18 FESA – NEW NAME AND CHANGE OF ADDRESS

Document ID: 9449

Significant changes have taken place with the Fire and Emergency Services Authority of Western Australia (FESA).

On Monday 29 October 2012, FESA moved from its Hay Street location in the City to the new metropolitan headquarters in Cockburn Central.

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

9.7.19 WALGA INFOPAGE – HOUSEHOLD HAZARDOUS WASTE TEMPORARY COLLECTION DAYS

Document ID: 9450

Key Issues:

- Household Hazardous Waste (HHW) Disposal
- HHW Temporary Collection Days
- Expression of Interest to host a Temporary Collection Day

9.7.20 LOCAL GOVERNMENT NEWS – ISSUE NO 43.12 – 29 OCTOBER 2012

Document ID: 9451

Inside this issue:

- Metropolitan Local Government Review Panel – Final Report
- KISS: Keeping it Sustainability Smart
- Elected Members Information Session: Cash for Containers
- Regional Development Australia Fund
- Officer Training
- Elected Member Training
- Expressions of Interest Sought HHW Temporary Collection Days
- Free Training Session – Planning and Designing for Pedestrian Guidelines
- MWAC Information Bulletin
- WA IPAA Women in Leadership Seminar

9.7.21 WALGA INFOPAGE – ADMINISTRATIVE APPROVALS PROCESS FOR RESTRICTED ACCESS VEHICLES

Document ID: 9453

Key Issues:

- Main Roads WA to announce changes to administrative approvals process for Restricted Access Vehicles.
- The Prime Mover Trailer and Truck Combination Period Permits will be consolidated into a single Notice in the Western Australian Government Gazette.
- Operators will be required to maintain current West Australian Heavy Vehicle Accreditation.
- Local Government retains the same level of control over Restricted Access Vehicles access to road assets within their municipality as the existing system.

9.7.22 DEPARTMENT OF REGIONAL AUSTRALIA, LOCAL GOVERNMENT, ARTS AND SPORT – 2013 NATIONAL AWARDS FOR LOCAL GOVERNMENT – APPLICATIONS OPENING SOON

Document ID: 9454

For over 26 years the National Awards for Local Government have provided an avenue for local government to celebrate and highlight the extraordinary effort of individuals within councils. By submitting an Awards entry, you have the opportunity to showcase and promote the success of their project, while sharing valuable information with Council's and Commonwealth Departments.

Entries for the 2013 National Awards for Local Government will open on 3 December 2012.

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

9.7.23 REGIONAL DEVELOPMENT AUSTRALIA – ANNUAL REPORT 2011 / 2012

Document ID:

A copy of the Regional Development Australia (RDA) Wheatbelt's, Annual Report for 2011-12 is on hand. RDA was responsible for a number of great initiatives over the year and their annual report is a great way for them to provide an overview of these for their stakeholders.

9.7.24 MUNICIPAL WASTE ADVISORY COUNCIL INFORMATION BULLETIN – ISSUE 166 – OCTOBER 2012

Document ID: 9455

- HHW Temporary Collection Days
- Alternative Tyre Recycling
- Save the Date – National Recycling Week
- Community Waste Grants Funding
- The Biennial Bincent Art Awards
- \$90 Million Boost
- Mobile Recycling Under Scrutiny
- Coca Cola Abroad
- California's Paint Stewardship Program
- Green Waste Up for Pick Up
- In The Jungle, The Mighty Jungle

9.7.25 LGIS RISK MANAGEMENT – OFF-ROAD VEHICLE AREA GUIDANCE NOTES FOR WESTERN AUSTRALIAN LOCAL GOVERNMENT

Document ID: 9492

On hand is a copy of guidance notes produced by LGIS to assist Local Governments in Western Australian with common queries concerning setting up a new off-road vehicle area as well as managing existing off-road vehicle areas. The document is designed to provide a general overview and includes the following topics:

- Determining demand and suitable areas for an off-road vehicle

area

- Design and construction of an off-road vehicle area
- Signage for an off-road vehicle area
- Operating an off-road vehicle area

A copy of this correspondence was distributed to Cr Sheppard on 23 November 2012.

9.7.26 COUNTRY WOMENS ASSOCIATION CERVANTES BRANCH – YOUNG CITIZEN AND CITIZEN OF THE YEAR NOMINATIONS

Document ID: 9494

“A the last meeting of the above branch the Nomination forms for the Junior and Senior Citizens of the year were presented.

The Branch feels that over the past few years the number of nominations have been dwindling in both categories.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.26)**

9.7.27 MINISTER FOR LOCAL GOVERNMENT; HERITAGE; CITIZENSHIP AND MULTICULTURAL INTERESTS – NEW FRAMEWORK FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY PLANNING

Document ID: 9558

The Minister announced the availability of a new resource to assist local governments in effectively undertaking information and Communications Technology planning at a high level.

The Information and Communications Technology (ICT) Strategic Framework has been made available on the Department of Local Government's Integrated Planning website: <http://integratedplanning.dlg.wa.gov.au/>

9.7.28 MINISTER FOR PLANNING; CULTURE & THE ARTS; SCIENCE & INNOVATION – SHIRE OF DANDARAGAN SCHEME AMENDMENT NO.18 TO THE SHIRE OF DANDARAGAN LOCAL PLANNING SCHEME NO.7

Document ID: 9578

The Department of Planning (DoP) has initiated the preparation of a planning framework to guide land use and development along Indian Ocean Drive. The planning framework will also include guidance on the protection of Indian Ocean Drive's natural and landscape values.

A Working Group will be established to provide input into and oversee the preparation of the framework. The group is intended to comprise representatives from the Shire of Dandaragan together with the Shire's of Gingin, Coorow, Carnamah and Irwin, the Department of Environment and Conservation and Main Roads WA.

The DoP will commence work of the framework shortly.

**9.7.29 CENTRAL MIDLANDS SENIOR HIGH SCHOOL NEWSLETTER
– ENCOURAGING THE BEST IN EVERYONE**

Document ID: 9582

Inside this issue:

- P & C Meeting
- Thank you
- Year 7 Transition to High School 2015
- Appreciating Graffiti
- Year 12 Graduating Class of 2012
- Special Award Winners
- Subject Awards
- From the Principal
- Dates to Remember
- What is the Passport Program

**9.7.30 AUSTRALIAN BROADCASTING CORPORATION – ABC
REMOTE AREA BROADCAST SATELLITE (RABS)
CESSATION OF SERVICE**

Document ID: 9584

Between late November and early December 2013 all ABC television and radio services operating on the Remote Area Broadcast Service (RABS) on Optus C1 Aurora satellite platform will cease.

Should the Shire of Dandaragan wish to continue to receive ABC services and continue self-help retransmission services to the local community, the Shire will need to acquire a View Access to Satellite Television (VAST) satellite decoder and an authorised smart card from an appropriate Optus VAST dealer.

The VAST decoders are relatively inexpensive and are typically a “drop in” replacement for the existing RABS satellite decoder. In almost all cases the existing satellite antenna and outdoor electronics will be compatible with the new VAST decoder and should not require any modifications.

**9.7.31 AVON WASTE – RUBBISH AND RECYCLING COLLECTION –
CHRISTMAS WEEK 2012**

Document ID: 9585

The following arrangements have been made for the collection of services which would normally be done during the week 24 – 28 December.

Alta Mare rubbish due to be collected on Monday 24 will be collected on Sunday 23 December.

Remaining areas of Jurien Bay due to be collected on Tuesday 25 will be collected on Monday 24 December.

Dandaragan and Badgingarra will have NO CHANGE to the rubbish service for the Christmas period.

This information will be publicised in the Shire Matters and on the

Council website.

9.7.32 LANDCORP – 2012 LOCAL REGIONAL DEVELOPMENT ASSISTANCE PROGRAM – DANDARAGAN RESIDENTIAL

Document ID: 9586

Landcorp thank the Shire of Dandaragan for their application under the *Local* Regional Development Assistance Program for 2012 for the town of Dandaragan. The Dandaragan residential application is one of 21 applications received that LandCorp is responsible for assessing for the potential inclusion for progression under the current 2012 program.

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

9.7.33 ARBOR CENTRE – ARBORICULTURAL ASSESSMENT – ARAUCARIA SPECIES – SEAWARD DRIVE & HARBOUR DRIVE, JURIEN BAY

Document ID: 9587

The purpose of the above mentioned report is to provide arboicultural comment and findings relating to the health and structural issues surrounding the Norfolk Island Pine (*Araucaria heterophylla*) and the Cook Island Pine (*Araucaria columnaris*) population within selected areas of Jurien Bay in Western Australia.

A copy of the report is on hand.

A copy of this correspondence was distributed to Cr Sheppard on 23 November 2012.

9.7.34 WALGA – VACANCIES ON BOARDS AND COMMITTEES

Document ID: 9597

Nominations are now being sought for the following vacancies:

- Landgate's Customer Service Council (re-advertised)
- Local Health Authorities Analytical Committee – non metropolitan member

Nominees are required to submit a completed and signed nomination form, statement addressing the selection criteria and short CV (2 pages maximum) before the close of nominations which is close of business Thursday 22 November 2012.

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

9.7.35 TURQUOISE COAST TOURISM – MINUTES OF ANNUAL GENERAL MEETING HELD 19 SEPTEMBER 2012

Document ID:

Attached to the agenda is copy of the above mentioned minutes. **(Marked 9.7.35)**

9.7.36 WALGA – CASH FOR CONTAINERS – PETITION

Document ID:

A petition is currently out requesting that the Legislative Assembly commits to the immediate introduction of a *Cash for Containers Scheme in W.A.*, as per the pre-existing allowances in the Waste Avoidance and Resource Recovery Act 2007.

9.7.37 CENTRAL COAST HEALTH ADVISORY GROUP – MINUTES OF THE MEETING HELD 13 NOVEMBER 2012

Document ID:

Attached to the agenda is a copy of the above mentioned Minutes. **(Marked 9.7.37)**

9.7.38 MURPHY – SEISMIC SURVEY IN PERMIT WA 481, OFFSHORE PERTH BASIN, WESTERN AUSTRALIA

Document ID: 9713

Murphy Australia Oil Pty Ltd (Murphy) has proposed to conduct offshore seismic surveying activities in the Perth Basin, commencing in February 2013. The survey will include 2D and 3D seismic techniques and will last approximately 60 – 80 days.

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

9.7.39 WALGA INFRASTRUCTURE – REGIONAL ROAD GROUP REPORT – NOVEMBER 2012

Document ID:

Inside this issue:

- Commodity Routes Fund
- Operational Responsibility Guidelines
- Roads 2030
- WANDRRA, Auditor General Report
- Street Lighting
- Funds for Signs and Line Markings
- Freight and Intermodal Plan
- Speed Enforcement Program
- Speed Limit Setting
- Road Safety Council Update
- Community Road Safety Grants
- Safe System Project

9.7.40 PUBLIC HEALTH ADVOCACY INSTITUTE OF WESTERN AUSTRALIA – CHILDREN'S ENVIRONMENT AND HEALTH REPORT CARD PROJECT

Document ID: 9665

The Public Health Advocacy Institute of WA (PHAIWA) is pleased to announce that the evaluation phase of the 2012 Local Government Children's Environment and Health Report Card Project. Although it is not among the winning submissions, the Shire of Dandaragan was one of only six regional local governments to enter the project, a terrific achievement in itself.

On hand is a comprehensive list of award winners.

9.7.41 LOCAL GOVERNMENT ECONOMIC BRIEFING – NOVEMBER 2012

Document ID: 9669

Inside this issue:

- A New Era For Electricity Tariffs
- Inquiry into Synergy's Costs and Tariffs
- From Boom to Gloom

9.7.42 WALGA INFOPAGE – BLACK COCKATOO GUIDELINES RELEASED

Document ID: 9670

Key Issues:

- Black cockatoo referral guidelines were recently released.
- If a proposed activity will impact black cockatoos, the referral guidelines will be used to determine whether the activity should be referred for approval under the *Environmental Protection and Biodiversity Conservation Act 1999*.

9.7.43 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 44.12 – 5 NOVEMBER 2012

Document ID: 9671

Inside this issue:

- 2012 Local Government Emergency Management Forum
- October Eco-News Now Available
- Human Resources Forums
- Vacancies on Boards and Committees
- Public Library Exchange System Review Workshop Update
- WestPlan Land Search Review
- Black Cockatoo Referral Guidelines Released
- WALGA Healthy Communities Advisory Group EOI
- Officer Training
- Elected Member Training

9.7.44 PUBLIC HEALTH ADVOCACY INSTITUTE OF WESTERN AUSTRALIA – PUBLIC HEALTH PRIORITIES IN WA LOCAL GOVERNMENTS

Document ID: 9672

A number of important findings have been identified from the recent release of the WA Public Health Survey. It is anticipated that the issues identified will assist in developing future public health plans and / services and provide evidence on which to base future decisions.

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

9.7.45 WESTERN AUSTRALIAN PLANNING COMMISSION – JURIE BAY GROWTH PLAN

Document ID: 9710

At the meeting held 23 October 2012 the Western Australian Planning Commission (WAPC) endorsed the Jurie Bay Growth Plan. In making its decision, the WAPC acknowledged that some proposals outlined within the Growth Plan will require development

through established local planning strategy and scheme processes. For Jurien Bay, this may include amendments to the existing Scheme to facilitate more intensive town centre redevelopment, finalisation of the Town Centre Strategy and completion of the Coastal Strategy.

9.7.46 DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS – 2011 / 2012 ROYALTIES FOR REGIONS PROGRESS REPORT

Document ID: 9745

Four years ago the State Government's Royalties for Regions program commenced with the aim of addressing the need for much needed services and infrastructure across Western Australia.

The Department of Regional Development and Lands took responsibility for administrating the program in 2009, and is committed to driving initiatives that attract and retain people to live and work in Western Australia.

More information is on hand.

9.7.47 JURIEN BAY PROGRESS ASSOCIATION INC – APPRECIATION LETTER

Document ID: 9746

The Progress Association would like to say how much they appreciate the amount of work that has been put in to keeping Jurien Bay such a beautiful township.

9.7.48 NEIGHBOURHOOD WATCH STATE REVIEW

Document ID: 9749

Neighbourhood Watch in Western Australia is one of the State's longest-running community safety awareness programs. It has survived for thirty years as a community stalwart that represents the influence generated from a philosophy of strong community spirit and support through adversity and prosperity.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.48)**

9.7.49 RICK ALLEN – CHIEF BUSHFIRE CONTROL OFFICER – DANDARAGAN STANDPIPE

Document ID: 9750

After attending the shed fire at Koringal Vale, Dandaragan, Mr Allen said it was obvious that the town standpipe was inadequate to service the needs of the fire fighters. He said the pressure from the standpipe was not strong enough to fill the units in a reasonable time resulting in a bank up of units waiting for a refill.

"The Stadby tank at the CRC is completely impractical as it was empty and previously has been that way."

As an alternative Mr Allen would like to suggest having a stationary motor with a high volume pump at the town dam and

also plumbed into the adjacent tank.

9.7.50 TONY LAMBERT – CORRESPONDENCE – HYDRAULIC FRACKING

Document ID: 9751

Tony has written to the Shire to highlight his concerns of the ever mounting citizenry opposed to the ecocide of hydraulic fracking.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.50)**

9.7.51 WALGA INFOPAGE – CASH FOR CONTAINERS ADVOCACY CAMPAIGN: WEEK OF ACTION (17 – 25 NOVEMBER 2012)

Document ID: 9753

Key Issues:

- WALGA has initiated an advocacy campaign to promote the need for a Cash for Containers Scheme in WA.
- Local Government engagement in the advocacy campaign is requested.

9.7.52 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 45.12 – 12 NOVEMBER 2012

Document ID: 9755

Inside this issue:

- Bi-Annual Meeting With The Premier
- Have you Ordered Your White Ribbons Yet?
- 2012 Local Government Emergency Management Forum
- Vacancies on Boards and Committees
- Officer Training
- Elected Member Training
- Roadbuilding Supplies
- New TV Program Promotional Opportunity

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

10.1 PLANNING

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

The following item requires urgent consideration by Council:

That Council:

1. consider the recommendations provided by the Western Australian Planning Commission; and
2. authorise the Chief Executive Officer to make suggested changes and seek final endorsement by the Minister of Planning for the Shire of Dandaragan's Local Planning Strategy.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

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

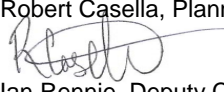

That Council:

- 1. consider the recommendations provided by the Western Australian Planning Commission; and**
- 2. authorise the Chief Executive Officer to make suggested changes and seek final endorsement by the Minister of Planning for the Shire of Dandaragan's Local Planning Strategy.**

CARRIED 7 / 0

Councillor Kent disclosed a financial interest due to him being the landowner of property, the subject of an Amendment to the Local Planning Scheme affected by the Local Planning Strategy and left the Council Chambers at 5.46pm.

10.1.1 RECOMMENDED PATH FORWARD – LOCAL PLANNING STRATEGY – RURAL LAND USES AND RURAL SETTLEMENTS

Location:	Shire of Dandaragan
Applicant:	N/A
File Ref:	Business Classification Scheme / Land Use and Planning / Planning / Strategic Plan
Disclosure of Interest:	None
Date:	19 November 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

For Council to consider the recommendations provided by the Western Australian Planning Commission following their review of Council's Local Planning Strategy with a view to finalising the Strategy.

BACKGROUND

On the 4 October 2012, the Shire received a letter from the Western Australian Planning Commission (WAPC) in regards to the above mentioned. Council was issued a copy in last month's CIB item 9.7.34, informing the WAPC's resolution of the Strategy, as follows:

1. endorse the Shire of Dandaragan Local Planning Strategy (Rural Land Use and Rural Settlement) in accordance with the Town Planning Regulations 1967 (as amended), subject to the modifications outlined in the attached schedule being carried out; and
2. request the Shire of Dandaragan to include a review of the additional potential rural living sites in an expanded study area for the Coastal Strategy, which the Shire is currently undertaking.

COMMENT**Point 1:**

The reason for the modifications is to provide current, up-to-date information in the Strategy. These are as follows, as requested in resolution 1 from the WAPC's decision:

1. *Undertake typographical, editorial and factual agency input edits as agreed at officer level (Shire and DoP to undertake);*

This required Officers to make minor changes highlighted in the submissions from local service agencies and was to improve the quality of the text.

2. *Modify Figure 8 by including the following text adjacent to the Cockleshell Precinct "Subject to Amendment 11" (Shire to undertake);*

This is to provide information of the current status of the proposal / development. Amendment 11 will be assessed accordingly as part of the Scheme Amendment process and reviewed as part of the Coastal Settlement Strategy to reflect the Decision of the Minister.

3. *Modify Figure 8 to amend the Jurien Water Reserve boundary, P1 and P2 areas, in accordance with the Jurien Water Reserve, Drinking Water Source Protection Review, June 2011 by the Department of Water (Shire to undertake);*

This is necessary as the Department of Water have updated their protection boundaries substantially, and the Strategy is to reflect this to provide a current account of the Jurien Water Reserve boundary.

4. *Modify the text of Figure 8 relating to Location 501 to recognise the removal of the P1 water classification over this site by removing the text "but is in a P1 area" (Shire to undertake);
In accordance with the removal of the classification over this site in modification 3 above.*

5. *Update Figures 9 and 10 in order to improve mapping (DoP to undertake);*

To update and improve mapping within the Strategy.

6. *Modify Figure 10 to include lots 8, 9 and 10 Dandaragan Road, Rose Valley, within the area of future subdivision (DoP to undertake);*

To respond to submissions by landowners.

7. *Modify Figure 10 to include the following text adjacent to the Rose Valley subdivision area 'Rose Valley subdivision area,*

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 NOVEMBER 2012

subject to a minimum average lot size of 10ha' (DoP to undertake);

To maintain and protect the existing surrounding amenity and existing pattern of subdivision already established in this area.

8. *Modify Figure 10 by increasing the buffer at the Dandaragan landfill site from 150m to 500m (DoP to undertake);*

To respond to the submission by Department of Environment and Conservation and comply with EPA guidelines.

9. *Update Figures 11 and 12 in order to improve mapping (DoP to undertake);*

To update and improve mapping within the Strategy.

10. *Modify Figure 12 by removing the P3 water reserve area from the Badgingarra subdivision precinct;*

To respond to the submission by Department of Water.

11. *Inclusion of an overall Strategy map (DoP to undertake);*

To provide a diagrammatic representation (spatial plan) of strategic landuses, development, infrastructure and natural resources for the whole Shire.

12. *Restructure the Strategy format in accordance with the guidelines outlined in the WAPC's Local Planning Manual, March 2010 (DoP to undertake);*

To respond to the submission by Department of Water and to make the Strategy clearer to understand and read.

Advice

The Shire of Dandaragan is encouraged to liaise with Department of Water officers during the progression of the Coastal Strategy to discuss the inclusion of Better Urban Water Management principles and relevant components of a District Water Management Strategy.

Point 2:

Resolution 2 of the WAPC's decision requires the Shire to undertake a review of the additional rural living sites. These are the five additional sites that missed the advertising period for the inland strategy. In regards of the two lots considered in the Rural Strategy the Lot 1 Jurien East Road (Cockleshell Gully Precinct) and Lot 3924 Cervantes Road (East Cervantes Precinct) are to be reviewed to gain a better understanding of the demand and land type best suited for these precincts, particularly the East

Cervantes Precinct development. Lot 1 Jurien East Road will be further assessed following determination of the Amendment (determination predicted for January - *DoP*) and reviewed as part of the Coastal Settlement Strategy to reflect the outcome of the Amendment

CONSULTATION

- Department of Planning
- Deputy Chief Executive Officer

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

The Local Planning Strategy is to provide guidance in the allocation of land for landuse planning in the Shire of Dandaragan. The Strategy has undergone substantial work to get to this stage over a number of years and requires minor amendments to reflect the change of circumstances since the development of the Strategy.

ATTACHMENTS

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

- Memo to Councillors dated 19 November 2012 re Local Planning Strategy (Doc Id: 9876)
- Decision by Western Australian Planning Commission on Local Planning Strategy (Doc Id: 9011)

(Marked 10.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Bailey

That Council:

- 1. adopt the recommendations provided by the Western Australian Planning Commission; and**
- 2. authorise the Chief Executive Officer to make suggested changes and seek final endorsement by the Minister of Planning for the Shire of Dandaragan's Local Planning Strategy.**

CARRIED 6 / 0

Councillor Kent returned to the Council Chambers at 5.53pm.

10.2 WORKS AND PLANT

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

The following item requires urgent consideration by Council:

That Council consider awarding Tender 07 / 2012 to Bitutek Contracting Pty Ltd for the full contract for supply and spread of two coat emulsion seal with 14mm and 7mm aggregate on Dandaragan Road and Boral Asphalt for the full contract of Hot Bitumen Reseals with 10mm pre-coated aggregate, located in the Jurien Bay Light Industrial area roads identified as Limestone Way, Coalseam Drive, Zircon Street and Gypsum Street.

OFFICER RECOMMENDATION / COUNCIL DECISION

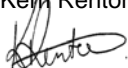

Moved Cr Short, seconded Cr Russell

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

That Council consider awarding Tender 07 / 2012 to Bitutek Contracting Pty Ltd for the full contract for supply and spread of two coat emulsion seal with 14mm and 7mm aggregate on Dandaragan Road and Boral Asphalt for the full contract of Hot Bitumen Reseals with 10mm pre-coated aggregate, located in the Jurien Bay Light Industrial area roads identified as Limestone Way, Coalseam Drive, Zircon Street and Gypsum Street.

CARRIED 7 / 0

10.2.1 TENDER 07 / 2012 FULL CONTRACT FOR SUPPLY AND SPREAD OF TWO COAT EMULSION SEAL WITH 14MM & 7MM AGGREGATE PLUS HOT BITUMEN RESEAL WITH 10MM PRE-COATED AGGREGATE

Location:	Jurien Bay
Applicant:	Not Applicable
Folder Path:	Business Classification Scheme / Roads / Tendering / Tender Evaluations
Disclosure of Interest:	None
Date:	20 November 2012
Author:	Kerri Renton, Works Support Officer
Signature of Author:	
Senior Officer:	Ray Pepper, Manager Technical Services and Works
Signature of Senior Officer:	

PROPOSAL

That Council award Tender 07 / 2012 to Bitutek Contracting Pty Ltd for the full contract for supply and spread of two coat emulsion seal with 14mm and 7mm aggregate on Dandaragan Road described as (A) in the table below and Boral Asphalt for the full contract of Hot Bitumen Reseals with 10mm pre-coated aggregate, located in the Jurien Bay Light Industrial area roads identified as Limestone Way, Coalseam Drive, Zircon Street and Gypsum Street described as (B) in the table below.

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BACKGROUND

Tender 07 / 2012 – Full Contract for supply and spread of two coat emulsion seal with 14mm & 7mm aggregate plus Hot Bitumen Reseal with 10mm pre-coated aggregate, was advertised in the West Australian on Saturday 20 October 2012. Tender closed at 3.30pm on Friday 16 November 2012.

Three tenders were received with pricing Including GST as set out in the table below:

TENDERS	(A) Dandaragan Road Two Coat Emulsion Seal 25,550m²	(B) Jurien Bay Light Industrial Area Hot Bitumen Reseal 13160m²	Total (A) & (B) Incl GST
Boral Asphalt	\$172,845.75	\$47,192.00	\$220,037.75
RNR	\$167,224.40	\$81,789.40	\$249,013.80
Bitutek	\$162,446.90	\$79,720.80	\$242,167.70

Tenders were assessed in accordance with the selection criteria as set out in Tenders 07 / 2012 as shown below;

(A) Dandaragan Rd Complete Works – Two Coat Emulsion Seal

TENDERS	Health and Safety compliant 15%	Public Liability Cover Min \$10M 10%	MRWA Calibration Status 10%	Price 70%	TOTAL SCORE
Boral Asphalt	10	10	10	66	96
RNR	10	10	10	68	98
Bitutek	10	10	10	70	100

(B) Jurien Bay Light Industrial Area Complete Works – Hot Bitumen Reseal

TENDERS	Health and Safety compliant 15%	Public Liability Cover Min \$10M 10%	MRWA Calibration Status 10%	Price 70%	TOTAL SCORE
Boral Asphalt	10	10	10	70	100
RNR	10	10	10	65	95

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 NOVEMBER 2012

Bitutek	10	10	10	66	96
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All tenderers appear to be well equipped and well experienced in the type of work that was tendered and as such the decision has come down to price.

The lowest tendered price for the *Dandaragan Road* works, identified as (A) has been submitted by Bitutek Contracting Pty Ltd. The quoted amount of \$162,446.90 including GST will come from the budget allowance granted by Main Roads Regional Road Group 2 year provision. Budget amounts allocated for this project are separated into the two Straight Line Kilometre sections, SLK 43.10 to SLK 43.90 and SLK 17.95 to SLK 20.80. Expenditure required for each section acquaints to 29% of the \$110,300.00 to complete SLK 43.10 to SLK 43.90 and 32% of the \$355,621.00 to complete SLK 17.95 to SLK 20.80.

The lowest tendered price for the *Jurien Bay Light Industrial Area* works was submitted by Boral Asphalt with a quote for \$47,192.00 including GST. The allocated budget for the project is \$52,941.00 which means there is a budget under expenditure of **\$4,999.00**

COMMENT

There is a significant difference between the tenders for Works to be completed on project (A) and (B). Assessment of these tenders concludes that it would be financially beneficial to award the tender to two contractors to complete the projects to Councils standards and specifications as set out in Tenders 07 / 2012. As both the tenderers appear to be suitably qualified and equipped to carry out the contract, therefore best value for money dictates that the tenders be awarded to Boral Asphalt and Bitutek separately.

CONSULTATION

- Chief Executive Officer
- Manager Technical Services and Works
- Manager Corporate Services
- Works Support Officer

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 NOVEMBER 2012

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION

**Moved Cr Gibson, seconded Cr Kent
That Council award Tender 07 / 2012 to;**

- 1. Bitutek for the completion of project works (A) consisting of full contract of a two coat emulsion seal on Dandaragan Road; and**
- 2. Boral Asphalt for the completion of project works (B) consisting of full contract works for a Hot Bitumen Reseal on 4 roads in Jurien Bay light industrial area, 4 roads being Limestone Way, Zircon Street, Gypsum Street and Coalseam Drive.**

CARRIED BY ABSOLUTE MAJORITY 7 / 0

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 5.55pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date