



SHIRE
of
DANDARAGAN

AGENDA AND BUSINESS PAPERS

for the

ORDINARY COUNCIL MEETING

to be held

AT THE COUNCIL CHAMBERS, JURIE BAY

on

THURSDAY 23 JANUARY 2014

COMMENCING AT 5.00PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

Table of Contents

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	1
1.1	DECLARATION OF OPENING	1
1.2	DISCLAIMER READING.....	1
2	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	1
4	PUBLIC QUESTION TIME	1
5	APPLICATIONS FOR LEAVE OF ABSENCE.....	1
6	CONFIRMATION OF MINUTES	2
6.1	MINUTES OF THE ORDINARY MEETING HELD 19 DECEMBER 2013.....	2
7	NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION, AND COUNCIL APPOINTED DELEGATES REPORTS.....	2
8	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	2
9	REPORTS OF COMMITTEES AND OFFICERS	2
9.1	FINANCE.....	3
9.1.1	COASTAL HAZARD RISK MANAGEMENT - COASTAL VULNERABILITY PROJECT - BUDGET AMENDMENT	3
9.1.2	FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 30 NOVEMBER 2013.....	6
9.1.3	FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 DECEMBER 2013.....	9
9.1.4	BUDGET AMENDMENT - SALARIES AND WAGES	12
9.2	WORKS AND PLANT	13
9.3	ADMINISTRATION.....	14
9.3.1	AMENDMENT TO POLICY 1.6 COMMUNITY GRANTS PROGRAM.....	14
9.3.2	APPOINTMENT OF EXECUTIVE MANAGER INFRASTRUCTURE POSITION AS A SENIOR EMPLOYEE	18
9.4	TOWN PLANNING	21
9.4.1	PLANNING APPROVAL - PROPOSED OUTBUILDING (SHED) FORWARD OF THE DWELLING - LOT 30 GERONIMO CRESCENT, ALTA MARE	21
9.4.2	PLANNING APPROVAL - PROPOSED OUTBUILDING (SHED) - LOT 1043 HALFMOON WAY, JURIEB BAY.....	25
9.4.3	REQUEST FOR RECONSIDERATION - PLANNING APPROVAL - PROPOSED CARPORT - LOT 314 SHEOAK GROVE, JURIEB BAY.....	28
9.5	HEALTH	31

9.6	BUILDING	31
9.7	COUNCILLOR INFORMATION BULLETIN.....	32
9.7.1	SHIRE OF DANDARAGAN - DECEMBER 2013 COUNCIL STATUS REPORT.....	32
9.7.2	SHIRE OF DANDARAGAN BUILDING STATISTICS - APPROVALS REPORT FOR THE PERIOD 1 DECEMBER TO 31 DECEMBER 2013.....	32
9.7.3	JURIEN BAY DISTRICT HIGH SCHOOL - THANK YOU FOR DONATION TOWARDS THE PRESENTATION ASSEMBLY	32
9.7.4	LGISWA SELF-INSURANCE SCHEME.....	32
9.7.5	BADGINGARRA PRIMARY SCHOOL - THANK YOU FOR DONATION TOWARDS THE PRESENTATION ASSEMBLY	32
9.7.6	DANDARAGAN PRIMARY SCHOOL - THANK YOU FOR DONATION TOWARDS THE PRESENTATION ASSEMBLY	32
9.7.7	HEARTLANDS WA - HAVEN'T JOINED HEARTLANDS WA YET?	32
9.7.8	CENTRAL MIDLANDS SENIOR HIGH SCHOOL - NEWSLETTER NO 10, 22 NOVEMBER 2013 & NO 11, 16 DECEMBER 2013	33
9.7.9	MWAC INFORMATION BULLETIN - ISSUE NO 180 - DECEMBER 2013	33
9.7.10	WALGA INFOPAGE - FORMAL RESPONSE - MINISTER FOR THE ENVIRONMENT	34
9.7.11	WALGA LOCAL GOVERNMENT NEWS - ISSUE NO 48.13 (9 DECEMBER 2013), ISSUE NO 49.13 (16 DECEMBER 2013), ISSUE NO 50.13 (23 DECEMBER 2013) & ISSUE NO 01.14 (10 JANUARY 2014)	34
9.7.12	PERTH TRANSPORT AUTHORITY - ROAD COACH / PUBLIC TRANSPORT ALONG INDIAN OCEAN DRIVE.....	35
9.7.13	WA PLANNING COMMISSION - LOCAL PLANNING SCHEME NO 7, AMENDMENT NO 11	35
9.7.14	WALGA PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER - 20 DECEMBER 2013.....	36
9.7.15	ENVIRONMENTAL PROTECTION AUTHORITY (EPA) - ENVIRONMENTAL PROTECTION BULLETIN NO 20	36
9.7.16	WA PLANNING COMMISSION - NEW BUSHFIRE PLANNING BULLETIN RELEASED.....	36
9.7.17	STATE EMERGENCY MANAGEMENT COMMITTEE - BUSHFIRE RISK MANAGEMENT PLANNING WORKSHOPS	36
9.7.18	WALGA INFOPAGE: PROPOSED CUT IN FUNDING FOR LOCAL GOVERNMENT ROADS	36
9.7.19	TREASURER; MINISTER FOR TRANSPORT; FISHERIES - SPEED ZONE ON INDIAN OCEAN DRIVE	37
9.7.20	EMMA WILKINSON - CLOSING OF DANDARAGAN RECYCLING DEPOT	37
9.7.21	GAIL REYNOLDS - SEAWEED PROBLEM IN FRONT OF THE PINNACLES CARAVAN PARK.....	37
9.7.22	THE HON WARREN TRUSS MP - REGIONAL DEVELOPMENT AUSTRALIA FUND.....	37

9.7.23	DEPARTMENT OF ENVIRONMENT - NATIVE VEGETATION CLEARING REGULATION AMENDMENTS.....	37
9.7.24	WALGA - WAPC INFRASTRUCTURE COORDINATING COMMITTEE - LOCAL GOVERNMENT REPRESENTATION.....	38
9.7.25	WALGA MEDIA RELEASE - LOCAL GOVERNMENT TO CALL THE STATE OUT ON FUNDING CUTS - 19 DECEMBER 2013.....	38
9.7.26	DEPARTMENT OF LOCAL GOVERNMENT - NEW OPERATIONAL GUIDELINE NO. 09 - AUDIT IN LOCAL GOVERNMENT	38
9.7.27	WALGA STATE COUNCIL AGENDA - DECEMBER 2013.....	38
9.7.28	SURF LIFE SAVING WA - 2013 WA COASTAL SAFETY REPORT AND THE NEW BEACHSAFE COASTAL AQUATIC SAFETY INITIATIVE.....	39
9.7.29	TR HOMES - COMMUNITY NETWORK PROGRAM AND LGMA.....	39
9.7.30	RAC - AUSTRALIAN ROAD ASSESSMENT PROGRAM 2013	39
9.7.31	WHEATBELT GP NETWORK - 2013 YEAR IN REVIEW	39
9.7.32	DEPARTMENT OF FIRE & EMERGENCY SERVICES - GENERAL CIRCULAR NO 02 / 2014 - NEW SMARTPHONE APP - <i>EMERGENCY+</i>	39
9.7.33	TRANSFIELD SERVICES - ROUND 19 RECREATIONAL BOATING FACILITY SCHEME	39
10	NEW BUSINESS OF AN URGENT NATURE - INTRODUCED BY RESOLUTION OF THE MEETING	40
11	CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC.....	40
12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	40
13	CLOSURE OF MEETING	40

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

1.2 DISCLAIMER READING

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

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council’s decision, which will be provided within fourteen (14) days of this meeting.”

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

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

Staff

Mr I Rennie	(Deputy Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr B Howson	(Acting Executive Manager Infrastructure)
Mr D Chidlow	(Manager Planning)

Apologies Mr T Nottle (Chief Executive Officer)

Approved Leave of Absence Councillor D Kent

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

5 APPLICATIONS FOR LEAVE OF ABSENCE

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE ORDINARY MEETING HELD 19 DECEMBER 2013

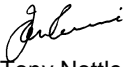

7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION, AND COUNCIL APPOINTED DELEGATES REPORTS

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 FINANCE

9.1.1 COASTAL HAZARD RISK MANAGEMENT - COASTAL VULNERABILITY PROJECT - BUDGET AMENDMENT

Location:	Shire of Dandaragan
Applicant:	Shire of Dandaragan
File Ref:	Business Classification Scheme / Land Use and Planning / Planning / Management Plans
Disclosure of Interest:	Nil
Date:	13 January 2014
Author:	Ian Rennie, Deputy Chief Executive Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

For Council to consider a budget variation in order to help fund a community workshop to progress the Coastal Vulnerability Planning Project.

BACKGROUND

A number of Councillors and staff attended a workshop on 17 July 2013 held at Ledge Point in regard to the Coastal Hazard Risk Management Project. Council financially supported this workshop.

Presentation was given to the Avon-Midland Zone of the Western Australian Local Government Association on 23 August 2013.

COMMENT

The next phase of this project is to hold a community workshop in the Shire of Dandaragan, likewise within the Shire of Gingin and this is planned to take place in approximately April of this year. The format for the workshop has not been finalised but it is intended to have a number of speakers similar to the workshop held in July 2013 but this would be available to the coastal communities.

An application was made to the Northern Agricultural Catchment Council for funding towards these workshops in total being \$10,000 for the two workshops, one in the Shire of Gingin and one in the Shire of Dandaragan. The application was for \$10,000 towards the workshops in total however, a grant of only \$8,000 was approved. An amended application was submitted with funding of \$1,000 from each Council in order for the workshops to proceed.

Apart from the \$1,000 contribution from each Council, Council would be responsible for the provision of the venue, catering, photocopying and advertising of the workshops. These could be covered from the normal budget.

The \$8,000 grant, which has been approved, was as follows:

Description	Amount
Project coordination	\$1,500
Travel / accommodation (part cost)	\$2,000
Facilitator from WALGA (part cost)	\$2,000
Presenters (part cost)	\$2,000
Administration	\$500
Total	\$8,000

A meeting was held on 17 January 2014 at Lancelin at which staff and the Shire Presidents of each Council were present. One of the outcomes of the meeting was the finalisation of a partnership agreement between the Shires of Gingin and Dandaragan towards this project. This agreement will be presented to Council at a later date. The agreement will be similar to the agreement that is in place with the Peron - Naturalist Coastal Partnership Group.

The reason for this item going to Council is because there was no budget allocation for this project on the 2013 / 2014 budget.

CONSULTATION

- Northern Agricultural Catchment Council
- Shire of Gingin

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 purpose of this item is to amend the 2013 / 2014 budget in order to cover an allowance of \$1,000 towards this project.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Strategic Community Plan 2011 - 2021

5.15.4 GOAL NUMBER FOUR: Sustain a healthy natural environment
--

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

ATTACHMENTS

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

- NACC Coastal Grants 2013 (Doc Id: 20342)
(Marked 9.1.1)



VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION

That Council authorise a budget amendment to allow for expenditure of \$1,000 towards the Coastal Vulnerability Planning Project.

9.1.2 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 30 NOVEMBER 2013

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	15 January 2014
Author:	Scott Clayton, EMC&CS
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To table and adopt the monthly financial statements for the period ending 30 November 2013.

BACKGROUND

As part of the *Local Government Act 1995* and *Financial Management Regulations (1996)*, monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 30 November 2013.

COMMENT

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

1. Net Current Assets

Council's Net Current Assets [ie surplus / (deficit)] position as at the 30 November 2013 was \$6,167,045. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves, Restricted Assets and Trust. The current position indicates that Council can easily meet its short-term liquidity or solvency.

The Net Current Asset position is reflected on page 8 and reconciled with the Statement of Financial Activity on page 1 of the financial statements.

The amount raised from rates, shown on the Statement of Financial Activity (page 1), reconciles with note 6 (page 9) of the financial statements and provides information to Council on the budget vs actual rates raised.

2. Material Variances

The Statement of Financial Activity provides variances to budget by way of percentages. During budget adoption a 10% or \$10,000 threshold for these variances to be reported was set. An explanation of these variances is as follows:

Governance

Income is at 333% (\$13,434) of Y-T-D budget and is due

primarily to a good driver rebate being received from the Shire's insurers.

Community Amenities

Expenditure is at 85% of Y-T-D budget and is due to less than budgeted expenses for rubbish collection and material and contract at the waste sites. In addition, budgeted town planning consultancy expenses are less than budgeted.

Recreation and Culture

Expenditure is at 75% of Y-T-D budget. This is due to less than budgeted expenditure for employee costs, materials and contracts in the parks and gardens area. The following is an extract from the "Infrastructure / Major Projects Report - September / October 2013" that explains this variance:

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

Transport

Expenditure is at 111% of Y-T-D budget and is due to higher than budgeted employee and on costs in the road maintenance area. The following is an extract from the "Infrastructure / Major Projects Report - September / October 2013" that explains this variance:

"Maintenance budget is over the 25% for this time of the year sitting at a total expenditure to date of 34%. The over expenditure is related to the extra maintenance works required early in this financial year caused by the unseasonal rainfall. Resources have been dedicated to maintenance works, as the weather is now improving the Capital Program will start in earnest and the maintenance costs will reduce."

Should Councillors wish to raise any issues relating to the 30 November 2013 financial statements, please do not hesitate to contact the Executive Manager Corporate & Community Services prior to the Council meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 30 November 2013
(Doc Id: 21632)
(Marked 9.1.2)

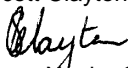
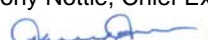
VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period ending 30 November 2013 be adopted.

9.1.3 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 DECEMBER 2013

Location:	Shire of Dandaragan
Applicant:	N/A
Folder:	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	15 January 2014
Author:	Scott Clayton, EMC&CS
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 December 2013.

BACKGROUND

As part of the *Local Government Act 1995* and *Financial Management Regulations (1996)*, monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 31 December 2013.

COMMENT

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

1. Net Current Assets

Council's Net Current Assets [ie surplus / (deficit)] position as at the 31 December 2013 was \$5,173,150. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves, Restricted Assets and Trust. The current position indicates that Council can easily meet its short-term liquidity or solvency.

The Net Current Asset position is reflected on page 8 and reconciled with the Statement of Financial Activity on page 1 of the financial statements.

The amount raised from rates, shown on the Statement of Financial Activity (page 1), reconciles with note 6 (page 9) of the financial statements and provides information to Council on the budget vs actual rates raised.

2. Material Variances

The Statement of Financial Activity provides variances to budget by way of percentages. During budget adoption a 10% or \$10,000 threshold for these variances to be reported was set. An explanation of these variances is as follows:

Governance

Income is at 281% (\$12,554) of Y-T-D budget and is due primarily to a good driver rebate being received from the Shire's insurers.

Community Amenities

Expenditure is at 83% of Y-T-D budget and is due to less than budgeted expenses for rubbish collection and material and contract at the waste sites. In addition, budgeted town planning consultancy expenses are less than budgeted.

Recreation and Culture

Expenditure is at 79% of Y-T-D budget. This is due to less than budgeted expenditure for employee costs, materials and contracts in the parks and gardens area. The following is an extract from the "Infrastructure / Major Projects Report - September / October 2013" that explains this variance:

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

Transport

Expenditure is at 112% of Y-T-D budget and is due to higher than budgeted employee and on costs in the road maintenance area. The following is an extract from the "Infrastructure / Major Projects Report - September / October 2013" that explains this variance:

"Maintenance budget is over the 25% for this time of the year sitting at a total expenditure to date of 34%. The over expenditure is related to the extra maintenance works required early in this financial year caused by the unseasonal rainfall. Resources have been dedicated to maintenance works, as the weather is now improving the Capital Program will start in earnest and the maintenance costs will reduce."

Other Property and Services

Income is at 72% of Y-T-D budget and is due to less than budgeted income from private works. Private works are generally limited to works for DFES and other government agencies. Therefore, this drop in income is offset by costs associated with performing these works.

Expenses are reporting as -7% of Y-T-D. This is due to an anomaly whereby the majority of costs within this schedule are allocated out to other areas. This allocation occurs through an hourly recovery rate for staff time, plant costs and plant depreciation. These costs are therefore, allocated evenly

throughout the year from information sourced from timesheets. While actual costs are more sporadic in nature. In this instance, fuel, tyres and repairs are all less than budgeted.

Should Councillors wish to raise any issues relating to the 31 December 2013 financial statements, please do not hesitate to contact the Executive Manager Corporate & Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 31 December 2013 (Doc Id: 21633)

(Marked 9.1.3)


VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period ending 31 December 2013 be adopted.

9.1.4 BUDGET AMENDMENT - SALARIES AND WAGES

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Budgeting / Reviews
Disclosure of Interest:	Nil
Date:	15 January 2014
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

PROPOSAL

For Council to consider a budget amendment to adjust gross salaries and wages in the 2013 / 2014 budget to allow for contract project management and supervision of infrastructure projects due to the vacancies in the Infrastructure Department.

BACKGROUND

The Infrastructure Department of the Shire has recently experienced vacancies in both the executive management and supervisory levels.

To ensure that projects and maintenance jobs are still undertaken and managed effectively, an approach has been made to a supplier to provide the supervisory and management personnel necessary to carry out the necessary tasks.

As such, a budget amendment to reduce gross salaries and wages will be required in order to increase materials and contracts by the same amount in order to engage the appropriate contractors.

COMMENT

The two key vacant positions that are required to be covered are the Executive Manager Infrastructure and the Operations Supervisor - Dandaragan.

Staff are currently undertaking a recruitment process however, in the meantime these two positions are needed to be filled on a temporary basis.

As such, it is recommended that Council transfer three month's salary of the Executive Manager Infrastructure and Operations Supervisor - Dandaragan positions from gross salaries and wages to materials and contracts.

CONSULTATION

- Executive Manager Corporate & Community Services

STATUTORY ENVIRONMENT

- *Local Government Act 1995* section 6.8 states:

“6.8 Expenditure from municipal fund not included in

annual budget

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

** Absolute majority required."*

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Executive Manager Infrastructure salary (3 months)	\$29,144
Operations Supervisor - Dandaragan salary (3 months)	<u>\$16,891</u>
Total	\$46,035

STRATEGIC IMPLICATIONS

There are no strategic implications in relation to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute majority



OFFICER RECOMMENDATION

That Council authorise a budget amendment to the 2013 / 2014 budget to reduce gross salaries and wages by \$46,035 and to increase materials and contracts in the Public Works Overheads Schedule by \$46,035 for the purpose of engaging suitable contract supervision and project management to cover existing vacancies.

9.2 WORKS AND PLANT

9.3 ADMINISTRATION

9.3.1 AMENDMENT TO POLICY 1.6 COMMUNITY GRANTS PROGRAM

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Corporate Management / Policy / Policy Register
Disclosure of Interest:	Nil
Date:	8 January 2014
Author:	Kelly Shipway, Community Development Officer
Signature of Author:	
Senior Officer:	Scott Clayton, EMCCS
Signature of Senior Officer:	

PROPOSAL

That Council adopt the following amendments to Policy 1.6 Community Grants Program:

1. to increase support given to the Cervantes Cultural Committee from \$500 to \$1,500 per annum to assist with the delivery of the Cervantes Festival of Art; and
2. that the Shire of Dandaragan Art Acquisition Prize remain at \$1,500 but be renamed the 'Shire of Dandaragan Art Purchase Prize'. This will attract further artists who have been deterred as a result of the prize title in the past.

BACKGROUND

The Cervantes Festival of Art is an annual event hosted by the Cervantes Cultural Committee which attracts artists and visitors to the region.

Each year, the Shire of Dandaragan contributes \$1,500 to the Cervantes Cultural Committee to secure the Shire of Dandaragan Art Acquisition Prize. The \$1,500 is awarded to the chosen artist irrespective of the purchase value of the artwork. The prize is determined by the Shire President or his delegate, with guidance from the judges.

In addition, the Shire of Dandaragan contributes \$500 towards the cost of delivering the art show. These funds are allocated at the discretion of the Cervantes Cultural Committee.

COMMENT

With the event growing in size and popularity over the years, the Cervantes Cultural Committee has requested that Council reconsiders the current sponsorship as stated in Council Policy 1.6 Community Grants Program. This matter was discussed at a Council Forum held on the 14 November 2013.

Further support from the Shire of Dandaragan to the Cervantes Cultural Committee will decrease the current work load placed on

volunteers and reduce volunteer burnout which coincides with organising an event of this magnitude.

CONSULTATION

- Council
- Executive Manager Corporate & Community Services

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

Proposed changes to Council Policy 1.6 Community Grants Program as outlined above.

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 the Cervantes Cultural Committee in relation to this matter (Doc Id: 20560)

(Marked 9.3.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council adopt the amended Policy 1.6 Community Grants Program as follows:

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 JANUARY 2014
--

Policy No 1.6	Adopted - 17 July 2008	Amended - 9 July 2009 27 May 2010 20 Sept 2012
---------------	------------------------	--

1.6 COMMUNITY GRANTS PROGRAM

INTRODUCTION

To provide an equitable and transparent process for the determination of the Shire of Dandaragan's recurring and annual community grants.

OBJECTIVE

To provide funds to community based organisations and individuals, to support the promotion and development of social, economic, recreational, art and cultural benefits for the residents of the Shire of Dandaragan. The Shire of Dandaragan will allocate 0.5% of the gross yield of rates income, raised in the main rate run, to fund recurring and annual community grants in order to assist with;

- programs, activities and initiatives delivered by community groups;
- support community development initiatives;
- increase the range of events, activities and services in the Shire of Dandaragan;
- encourage the development of excellence and leadership in recreational, sporting, economic, tourism and cultural pursuits; and
- encourage the promotion of the Shire of Dandaragan's positive attributes.

POLICY STATEMENT

Recurring Grants

The following grants are recurring grants which will not be reviewed annually, however, are subject to this policy:

1. Local publications

Each year the Shire will incorporate within the budget a grant to be provided in September of each year to the community newspapers. The grant of \$250 each is to cover the cost of community service announcements by the Shire in the various local publications.

Advertising by the Shire is to be invoiced separately.

2. Student awards - schools

Each year the Shire will contribute \$100 to the Jurien Bay District High School, \$100 to the Central Midlands Senior High School, and \$50 each to the Dandaragan Primary School, Badgingarra Primary School, Jurien Bay Primary School and Cervantes Primary School award nights.

3. Australia Day

Each year the Shire of Dandaragan will grant \$1,000 to the Jurien Bay Progress and Tourism Association, \$1,000 to the Cervantes Ratepayers & Progress Association, \$750 to the Badgingarra Community Association and \$750 to Advance Dandaragan for Australia Day festivities. This grant is to assist organisations with conducting an Australia Day event and is not intended to meet the total cost of the event.

4. Leeuwin Sail Training Foundation

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 JANUARY 2014

The Shire of Dandaragan will make an annual grant of \$1,200 to the Leeuwin Sail Training Foundation in support of a local participant.

5. Art acquisition

Each year the Shire of Dandaragan will contribute to the Cervantes Cultural Committee \$1,500 to secure the Shire of Dandaragan Art Purchase Prize.

The \$1,500 will be awarded to the chosen artist irrespective of the purchase value of the artwork. The prize will be determined by the Shire President or his delegate, who will seek guidance from the judges.

In addition, to the Purchase Prize, the Shire of Dandaragan will donate \$1,500 towards the cost of delivering the Art Show. These funds will be spent at the discretion of the Cervantes Cultural Committee.

6. Mid West Group of Affiliated Agricultural Societies Inc

Each year the Shire of Dandaragan will contribute to the Mid West Group of Affiliated Agricultural Societies Inc \$200 to showcase the Shire of Dandaragan's products and attractions.

Annual Grants


Annual grants will be determined in accordance with the following process:

1. In April of each year, advertisements will be placed in each of the four local community newspapers inviting written applications for grants. Recipients of grants in the previous year will be written to and advised of the requirement to make new application for their grant.
2. Applications will be assessed against the following criteria with recommendations to Council no later than June of each year:

Extent to which project / activity benefits Shire of Dandaragan community	50%
Level of volunteer participation and wider community participation	15%
Extent to which applicant is funding the project / activity	15%
Extent to which project / activity involves other community organisations	20%

3. Funding will be deemed **ineligible** for the following:
 - a. applications that are eligible for the Shire of Dandaragan / Tiwest Fund or CSRFF;
 - b. political organisations or events;
 - c. commercial enterprises;
 - d. events delivered by structured sporting clubs, that are consistent within the primary purpose of that club;
 - e. events or activities that are the responsibility of another level of government;
 - f. for events delivered by structured sporting clubs and community organisations, that are consistent within the primary purpose of that club/organization;
 - g. for the openings or celebration of new community groups or premises;
 - h. for applicants seeking to host an event for the specific purpose of raising funds for re-distribution to other none profit community groups/clubs or charitable causes; and
 - i. for applicants to carry out forward planning strategies of sporting clubs and community organisations.
4. Requests for grants outside this policy are to be declined.
5. The maximum annual grant payable under this policy will be \$1,500.

9.3.2 APPOINTMENT OF EXECUTIVE MANAGER INFRASTRUCTURE POSITION AS A SENIOR EMPLOYEE

Location:	Jurien Bay
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Corporate Management / Policy / Policy Register
Disclosure of Interest:	Nil
Date:	15 January 2014
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

PROPOSAL

For Council to consider designating the Executive Manager Infrastructure position as a "Senior Employee" under section 5.37 of the *Local Government Act 1995*.

BACKGROUND

Council has previously amended (2011) Council Policy 9.10 Staff Appointments and Leave to add the Executive Manager Corporate & Community Services as a designated "Senior Employee" as per section 5.37 of the *Local Government Act 1995*.

Following the recent vacancy being created, it is recommended that Council consider designating the Executive Manager Infrastructure position as a senior employee.

COMMENT

The designation of a senior officer allows Council to either accept or reject the Chief Executive Officer's recommendation to employ or dismiss an employee, requires advertising of the position every time it becomes vacant.

This allows Council an opportunity to provide feedback and to be involved in major decisions as indicated above in relation to key personnel.

CONSULTATION

- Shire President

STATUTORY ENVIRONMENT

- *Local Government Act 1995* section 5.37 states:

"5.37 Senior employees

- (1) *A local government may designate employees or persons belonging to a class of employee to be senior employees.*
- (2) *The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a*

recommendation, it is to inform the CEO of the reasons for its doing so.

- (3) *Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.*
- (4A) *Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.*
- (4) *For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.”*

POLICY IMPLICATIONS

An amendment to Council Policy 9.10 Staff Appointments and Leave will be required to add the position of Executive Manager Infrastructure to the list of senior employees as per section 5.37 of the *Local Government Act 1995*.

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications in relation to this item.

ATTACHMENTS

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

- Revised Shire of Dandaragan Organisational Structure (Doc Id: 13425)

(Marked 9.3.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

- 1. agree to designate the position of Executive Manager Infrastructure as a senior employee as per section 5.37 of the *Local Government Act 1995*; and**
- 2. adopt the amended Policy 9.10 Staff Appointments and Leave as follows:**

Policy No 9.10

Adopted - April 2005

Amended - 24 November 2011

9.10 STAFF APPOINTMENTS AND LEAVE

OBJECTIVE

To record the designation of "Senior Officers" as may be set down pursuant to Section 5.37 of the Local Government Act and to determine a designate when the Chief Executive Officer is on annual or other leave.

POLICY STATEMENT

1. Senior Employees

The senior executive officers (or 'senior employees' as defined by the Local Government Act) are the Chief Executive Officer, Deputy Chief Executive Officer, Executive Manager Corporate & Community Services and the Executive Manager Infrastructure.

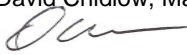

2. Acting Chief Executive Officer

Where the Chief Executive Officer is on leave or otherwise absent, the Deputy Chief Executive Officer shall act in the position and in his/her absence shall be appointed Acting Chief Executive Officer.

In the absence of both the Chief Executive Officer and the Deputy Chief Executive Officer, the Executive Manager Corporate & Community Services shall be appointed in the position of Acting Chief Executive Officer.

9.4 TOWN PLANNING

9.4.1 PLANNING APPROVAL - PROPOSED OUTBUILDING (SHED) FORWARD OF THE DWELLING - LOT 30 GERONIMO CRESCENT, ALTA MARE

Location:	Lot 30 Geronimo Crescent, Alta Mare
Applicant:	Swan Aussie Sheds on behalf of N & S Collinson
Folder Path:	Development Services App / Development Application / 2013 / 70
Disclosure of Interest:	None
Date:	8 January 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for an outbuilding (shed) forward of the dwelling.

BACKGROUND

The subject lot is zoned Rural Residential. Currently, the land has an existing dwelling and shed 75m² in area. It is proposed to construct a second shed of 108m² in area with wall height of 3.6m and ridge height of 4.235m forward of the dwelling. The aggregate area of outbuildings will be 183m².

This application requires Council approval as the proposed shed is proposed to be constructed forward of the dwelling which is not in accordance with Council's Policy 8.4 Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones, requiring outbuildings to be located behind the dwelling.

The applicants were requested to provide justification for the variation to the policy and provided the following comments;

"... I am formally requesting a respite from the guidelines (sic..policy). We have been in Alta Mare for nearly 10 years now and are nearing completion of our home. When we started we positioned our home at the very rear of the block with the thought we would be able to build sheds to the side of the dwelling for windbreak and encircle our outside entertaining area, with one existing shed to the rear of the house, close proximity to the rear fence and the need to elevate over cap rock for any footings we are unable to build anything else at the rear of the block. Allowing us to build where we have planned will allow us to protect our main area of recreation from the ever blowing s/wester. With your approval it will help us to finish our plans and present a nice property from the street. The shed will be lower than the main dwelling and with existing trees and landscaping to be done it will be a nice entry to our home."

COMMENT

The aggregate area of outbuildings, as well as wall and ridge heights, are within the Council policy for approval where no objections from neighbours are received.

The key issue is that the proposed outbuilding is forward of the dwelling and not in accordance with policy which requires outbuildings to be constructed at least 1.8m behind the existing dwelling. Council does have the ability to vary policy requirements where circumstances warrant a variation to the policy and there is a better planning outcome.

The applicant requests that for the circumstances described above, that the outbuilding be permitted to be constructed to the side and forward of the dwelling.

A site inspection revealed that the existing two storey dwelling and rear shed are located towards the rear of the lot and constructed of a dark blue exterior. If the proposed outbuilding is constructed of the same colour exterior cladding and is located in a cluster with the existing structures, the visual appearance of the development would not be unattractive. This is in keeping with Schedule 11 of the Scheme which states in clause 3 (g) (ii) "*buildings shall form a unified group with the main building and should be of a similar form, colour and materials*".

It is also noted that the rear of the lot is higher than the front of the lot and forms a ridge. Another outbuilding on this ridge and behind the dwelling would be more visually prominent in the vicinity than the proposed location forward of the dwelling. It is also noted that along the same street there are a number of outbuildings forward of dwellings that appear to have been there for a number of years.

However, the intent of the policy is to prevent outbuildings being the primary view from the streetscape and for dwellings to dominate in accordance with the rural / residential objective of the subdivision. Granting approval may in this case set a precedence for other similar applications.

The Council has to decide if the justifications of this case warrant a variation to provide a better planning outcome and that the circumstances are so different from other landforms or development in the vicinity that it does not lead to other similar approvals being sought.

It is the officer's view that despite some difficulties, the outbuilding can be located behind the dwelling. While it will present a greater visual impact to neighbouring properties on the ridgeline, the principle of keeping outbuildings behind the dwelling should be maintained. It is noted that there are some older outbuildings forward of the dwelling along the street however, perpetuating the

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 JANUARY 2014

situation will only add to detrimental impact. The application is not supported.

If Council does decide to approve the application, the following conditions of approval are recommended:

1. all development shall be in accordance with the attached plans date stamped 20 December 2013 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government;
2. the roof and wall material being of non-reflective nature and colour consistent with the existing structure; and
3. the outbuilding not to be used for habitable purposes.

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 9 January 2014 and closed on the 22 January 2014. The applicant provided signed copies of plans of no objection from five neighbours. No objections were received at the time of writing this report, should any submissions be received prior to the Council meeting, these will be forwarded by email to Councillors.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

- Council Policy 8.4 Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones states:

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

External Cladding	Floor Area (In Aggregate)	Wall Height	Ridge Height	Neighbour Consultation	Determination by Council
<i>Zincalume, White Colorbond and Off White Colorbond</i>	<i>Up to 12m²</i>	<i>Up to 2.4m</i>	<i>Up to 4.2m</i>	<i>Not required</i>	<i>Not required</i>
<i>Non-Reflective Material</i>	<i>Up to 162m²</i>	<i>Up to 4.0m</i>	<i>Up to 5.5m</i>	<i>Not required</i>	<i>Not required</i>
	<i>> 162m² – 216m²</i>	<i>> 4.0m – 4.2m</i>	<i>Up to 5.5m</i>	<i>Required</i>	<i>Only required if objections received from adjoining landowners</i>
<i>Non-Reflective Material Hill River Heights</i>	<i>Up to 120m²</i>	<i>Up to 3.6m</i>	<i>Up to 4.5m</i>	<i>Not required</i>	<i>Not required</i>

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 JANUARY 2014

13. *The Council shall not approve outbuildings with a floor area greater than 300 m² in aggregate.*
17. *Where there is an existing dwelling on a lot upon which an outbuilding is proposed, the outbuilding should be located behind the dwelling, as viewed from the primary street frontage, a minimum distance of 1.8m (please note that in Hill River Heights, Indian Ocean Drive is not the primary street frontage).*

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Location plan (Doc Id: 21568)
- Plans (Doc Id: 21569)
- Submissions from applicant and neighbours (Doc Id: 21689)

(Marked 9.4.1)

VOTING REQUIREMENT

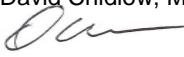
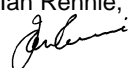
Simple majority

OFFICER RECOMMENDATION

That Council refuse planning approval to N & S Collinson for a proposed outbuilding forward of the dwelling as submitted with the attached plans date stamped 20 December 2013 on Lot 30 Geronimo Crescent, Alta Mare for the following reasons:

- 1. the proposed outbuilding does not comply with section 17 of Council's Policy 8.4 Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones in that it is proposed to be constructed forward of the existing dwelling;**
- 2. the proposed outbuilding forward of the dwelling is not consistent with the first objective of Council's Policy 8.4 Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones which states "*To ensure outbuildings in Rural Residential and Special Use-Rural Development zones do not adversely affect the amenity of neighbouring properties or the locality generally*"; and**
- 3. the proposed outbuilding is not in keeping with orderly and proper planning.**

9.4.2 PLANNING APPROVAL - PROPOSED OUTBUILDING (SHED) - LOT 1043 HALFMOON WAY, JURIE BAY

Location:	Lot 1043 Halfmoon Way (cnr Prevelly Way), Jurien Bay
Applicant:	J Warburton & E Roach
Folder Path:	Development Services App / Development Application / 2013 / 67
Disclosure of Interest:	None
Date:	8 January 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for a proposed outbuilding (shed) setback 0.15m from the side / rear boundary.

BACKGROUND

The proponent has submitted a proposal to construct a shed of floor area 34.2m² with a wall height of 2.9m and ridge height of 3.27m.

The subject property is a corner lot and the proposed shed is to be located adjacent to the nominated rear boundary for the associated dwelling which forms the side boundary of the adjoining lot on Prevelly Way. The adjoining lot has not as yet been subdivided and forms part of the next stage of Beachridge development owned by Ardross Estates.

COMMENT

Apart from the reduced setback, the proposal complies with all other requirements of Council's policies.

The proposal does not comply with the setback requirement for the side / rear boundary. For an outbuilding, the setback provisions for side and rear boundaries are the same. In this case, a 1m setback is required.

Corner lots are often a problem as there is effectively no private rear yard. The applicant has proposed a reduced setback in order to maximise open space (yard area) between the dwelling and proposed shed.

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 18 December 2013 and closed on the 3 January 2014. Late submissions would be accepted given the advertising period was over the Christmas / New Year break. No submissions were received at the time of writing this report, should

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 JANUARY 2014

any submissions be received prior to the Council meeting, these will be forwarded by email to Councillors.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- Residential Design Codes

POLICY IMPLICATIONS

- Council Policy 8.5 Outbuildings 'Residential Areas' states:

Outbuildings

1. *An outbuilding within a Residential area shall be deemed as meeting the performance criteria of Clause 3.10.1 of the Residential Design Codes where the following area and height requirements can be achieved:*

Outbuilding External Appearance	Permitted Area of Outbuilding	Permitted Wall Height	Permitted Ridge Height
<i>Reflective Cladding</i>	<i>12m²</i>	<i>2.4m *</i>	<i>4.2m *</i>
<i>Non-Reflective Cladding or Masonry</i>	<i>80m², or 10% of the site area, whichever is the lesser</i>	<i>3.6m *</i>	<i>4.5m or the highest point of the roof cladding of the residence whichever is lesser *</i>

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

2. *When giving consideration to an application for an outbuilding, the Shire of Dandaragan shall have regard to the performance criterion contained in section 3.10.1 P1 of the Residential Design Codes, namely that outbuildings do not detract from the streetscape or the amenity of residents or neighbouring properties.*
3. *All outbuildings are to otherwise maintain a minimum rear / side setback in accordance with the Residential Design Codes Tables 2a and 2b. Any variation to these setback requirements will require the submission of a Planning Application with adjoining property owner comment for a Council decision.*
4. *Where a parapet/boundary wall is proposed (ie a wall within 750mm of a boundary), a maximum wall height of 3.0m and length of 9m will apply. Any variation to this requires comment from the affected adjoining property owner/s for a Council decision.*

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Location plan (Doc Id: 21547)

- Development Application (Doc Id: 21550)
(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council grant planning approval for the proposed outbuilding (shed) in accordance with the attached approved plans date stamped 3 December 2013 on Lot 1043 Halfmoon Way, Jurien Bay subject to:

1. all development shall be in accordance with the attached plans date stamped 3 December 2013 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government;
2. the roof and wall material being of non-reflective nature and colour consistent with the existing structure; and
3. the storm water run-off on the property to be managed on site or directed to a suitable disposal system to the satisfaction of the Shire's Manager Building Services.

ADVICE NOTES:

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

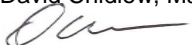

Note 2: If the development, the subject of this approval, is not substantially commenced within a period of two years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.

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

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

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

9.4.3 REQUEST FOR RECONSIDERATION - PLANNING APPROVAL - PROPOSED CARPORT - LOT 314 SHEOAK GROVE, JURIEBAY

Location:	Lot 314 Sheoak Grove, Jurien Bay
Applicant:	Swan Aussie Sheds on behalf of B Berkshire
Folder Path:	Development Services App / Development Application / 2013 / 51
Disclosure of Interest:	None
Date:	8 January 2014
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant seeks reconsideration of a refused planning approval for a proposed carport attached to an outbuilding measuring 10m x 6m (60m²) with a wall height of 3m on Lot 314 Sheoak Grove, Jurien Bay in proximity to the boundary fence.

BACKGROUND

The proponent submitted a proposal to construct a 3m high carport 60m² in area attached to an existing outbuilding that has a nil setback from the adjoining side boundary. The application was considered by Council at the 24 October 2013 Council meeting. The motion for approval was lost and was therefore, deemed refused. No reasons were given for the refusal however; it is assumed that non-compliance with Council policy was the reason.

The adjoining boundary forms the rear boundary of two properties in Coubrough Place.

In accordance with Council Policy 8.5 Outbuildings 'Residential Areas', a carport in a residential area is permitted to have an area of 40m².

The proposed carport has an area of 60m². It exceeds the policy requirement by 20m².

The applicant has requested Council to reconsider the decision.

COMMENT

The applicant submits that Council has recently approved similar applications for 60m² carports attached to outbuildings. These being a 60m² carport at Lot 61 Cook Street approved at Council meeting on 24 January 2013 (item 9.4.5), and a 60m² carport at Lot 256 Bashford Street retrospectively approved at Council meeting on 27 June 2013.

The proposed development complies with the height requirements of the policy.

The proposal does not comply with the floor area set out in the policy and it does not form “part of” or is attached to the dwelling. However, the proposed structure is attached to an outbuilding that is ancillary to the dwelling. It is also located towards the rear of the property and will not impact on the streetscape.

The applicant is requesting a nil setback from the side boundary (the adjoining properties rear boundaries). The existing outbuilding has a nil setback and the proposed carport will continue the same building line as the outbuilding. Issues such as stormwater runoff from the new structure requires to be addressed at building stage however, it is recommended that this be a condition of planning approval. It is also recommended that some form of screening be required above the boundary fence line to ensure that the privacy of the adjoining properties rear yards is protected.

Given that Council has recently granted approval for similar structures in the Residential zone, and that there are no extenuating circumstances relative to this proposal, this application is supported for approval.

As the previous motion was lost and no motion to refuse the application was made at the October 2013 meeting, there is no need to revoke any Council decision.

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 3 October 2013 and closed on the 18 October 2013. No objections were received.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- Residential Design Codes

POLICY IMPLICATIONS

- Council Policy 8.6 Outbuildings ‘Residential Areas’ states:

Carports and Garages

5. *All garages and carports shall not exceed a floor area of 40m², a wall height of 3.0m or a ridge height of 4.5m.*
6. *The Council may consider applications for carports and garages that exceed the size limitations defined in Part 1, where the following criteria are, in the opinion of Council, satisfactorily addressed;*
 - a) *the garage or carport is attached to and forms part of the adjoining dwelling;*
 - b) *the garage or carport is situated under the roof line of the adjoining dwelling;*

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 JANUARY 2014
--

- c) *the garage or carport is located at least 0.5m behind the dwelling alignment (excluding any porch, verandah or balcony);*
 - d) *the garage or carport will not have an impact on the streetscape or amenity of the area; and*
 - e) *the garage or carport complies with any design guidelines adopted by Council.*
7. *All carports and garages shall be constructed of materials that match or complement the dwelling on the site.*
8. *The use of zincalume wall cladding in garages and carports will not be permitted.*

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Location plan (Doc Id: 21551)
- Development Application (Doc Id: 17346)
- Letter for reconsideration from Swan Aussie Sheds (Doc Id: 20686)
- Reply letter from Shire President (Doc Id: 20779)

(Marked 9.4.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council grant planning approval for the proposed carport in accordance with the attached approved plans date stamped 8 August 2013 on Lot 314 Sheoak Place, Jurien Bay subject to:

- 1. all development shall be in accordance with the attached plans date stamped 8 August 2013 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government;**
- 2. the roof and wall material being of non-reflective nature and colour consistent with the existing structure;**
- 3. the storm water run-off on the property to be managed on site or directed to a suitable disposal system to the satisfaction of the Shire's Manager Building Services; and**
- 4. suitable privacy screening to be installed along the fence line to provide privacy to rear yards adjoining.**

ADVICE NOTES:

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

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

9.5 HEALTH**9.6 BUILDING**

9.7 COUNCILLOR INFORMATION BULLETIN**9.7.1 SHIRE OF DANDARAGAN - DECEMBER 2013 COUNCIL STATUS REPORT**

Document ID: 21726

Attached to the agenda is a copy of the Shire's status report from the Council meeting held 19 December 2013. *(Marked 9.7.1)*

9.7.2 SHIRE OF DANDARAGAN BUILDING STATISTICS - APPROVALS REPORT FOR THE PERIOD 1 DECEMBER TO 31 DECEMBER 2013

Document ID:

Attached to the agenda is a copy of the Shire of Dandaragan's approval report for the period of 1 December to 31 December 2013. *(Marked 9.7.2)*

9.7.3 JURIE BAY DISTRICT HIGH SCHOOL - THANK YOU FOR DONATION TOWARDS THE PRESENTATION ASSEMBLY

Document ID: 20983

Correspondence has been received thanking the Shire for the donation towards the awards presentation. The awards were presented to Bailey Loftus for the Pre Primary Citizenship Award, Chantelle Bourke for the Year 10 Mathematics Award, and Brandon Hooten-Eyden for the Senior Sports Person (male) Award.

9.7.4 LGISWA SELF-INSURANCE SCHEME

Document ID: 20827

Correspondence has been received advising of the strong recent financial performance of the LGISWA Self-Insurance Scheme and that the Shire is entitled to share in a surplus distribution recently approved by the Board.

9.7.5 BADGINGARRA PRIMARY SCHOOL - THANK YOU FOR DONATION TOWARDS THE PRESENTATION ASSEMBLY

Document ID: 20935

Correspondence has been received thanking the Shire for the donation towards the awards presentation. The Citizenship Award was presented to Aleesha Woods.

9.7.6 DANDARAGAN PRIMARY SCHOOL - THANK YOU FOR DONATION TOWARDS THE PRESENTATION ASSEMBLY

Document ID: 20934

Correspondence has been received thanking the Shire for the donation towards the awards presentation. The awards were presented to Morghan Sattler for the Academic Year 3 Award and Jesse Harris for the Year 4 Teacher Award.

9.7.7 HEARTLANDS WA - HAVEN'T JOINED HEARTLANDS WA YET?

Document ID: 20909

Correspondence has been received advising of a half year

membership fee to join Heartlands WA for only \$150 from January to June 2014.

9.7.8 CENTRAL MIDLANDS SENIOR HIGH SCHOOL - NEWSLETTER NO 10, 22 NOVEMBER 2013 & NO 11, 16 DECEMBER 2013

Document ID: 20906

Inside this issue (No 10):

- From The Principal
- ERG Report
- School Council
- Contributions and Charges
- Chaplaincy Survey
- P&C
- Approaching the business end of the year
- Annual Art Exhibition
- Curtin University visit
- Automotive Workshop update
- Passport Program

Inside this issue (No 11):

- From The Principal
- ERG Report update
- Staffing changes for 2014
- School Council
- Contributions and Charges
- Chaplaincy Survey
- Approaching the business end of the year
- Chaplain's update
- Autos Trade Training Centre Equipment - Amnesty
- Busy time in the Home Economics Department
- Year 9 Outdoor Ed Camp

9.7.9 MWAC INFORMATION BULLETIN - ISSUE NO 180 - DECEMBER 2013

Document ID: 20901

Inside this issue:

- Litter Drive
- New Noise Rules
- kNOw Asbestos in Your Home (free online course)
- Oil Abandon
- CDS Support from Victoria
- Case in Point
- Plastic Pollution
- Rubbish in the House
- Present Your Phone
- Bushfire Blues
- Peecycle

9.7.10 WALGA INFOPAGE - FORMAL RESPONSE - MINISTER FOR THE ENVIRONMENT

Document ID: 20900

Key Issues:

- Funding of projects without signed Funding Agreements is not guaranteed.
- Funding Programs are currently being assessed.
- Direct Action Plan may provide incentives to the Local Government sector.
- Government reinforces commitments to emission reduction targets.

9.7.11 WALGA LOCAL GOVERNMENT NEWS - ISSUE NO 48.13 (9 DECEMBER 2013), ISSUE NO 49.13 (16 DECEMBER 2013), ISSUE NO 50.13 (23 DECEMBER 2013) & ISSUE NO 01.14 (10 JANUARY 2014)

Document ID: 20693, 20899, 20966, 21685

Headlines (Issue No 48.13):

- Contaminated Sites Act review
- Using Your Zone
- Road Assets and Expenditure Report 2012 / 2013
- Call for Expressions of Interest: Waste Management Planning
- Are You Bushfire Ready?
- Reminder: Call for Nominations - 2014 Local Government Road Safety Awards
- Australian Asphalt Pavement Association Training 2014
- E-Learning training
- Officer training
- Regional training

Mailbag:

- Infopage: Building and Construction Industry Training Fund Levy
- Infopage: Emergency Welfare and Recovery Tabards for Local Government

Headlines (Issue No 49.13):

- 2013 / 2014 Local Government Climate Change surveys to be released
- MWAC Info Bulletin out now
- Survey reminder: Animal Welfare in Emergencies
- TechXChange 2014 - calling for projects
- Violence Free Summer Campaign
- Are You Bushfire Ready?
- E-Learning training
- Officer and Elected Member training
- Regional training

Mailbag:

- Infopage: Formal Response - Minister for the Environment
- MWAC Information Bulletin December

- Jason Signmakers December flyer

Headlines (Issue No 50.13):

- Proposed cut in State funding for local government roads
- Medicare Local review
- SEMP 2.5 - Emergency Management in Local Government Districts review
- Guideline for the approval of non-drinking water systems in WA - urban developments
- New Forest Management Plan released
- 2013 / 2014 Local Government Climate Change officers' survey
- 2014 Local Government Road Safety Awards - submission date extended
- Movember Foundation - funding opportunity

Mailbag:

- Infopage: Proposed cut in funding for local government roads

Headlines (Issue No 01.14):

- New look WALGA communications
- Proposed cuts in State funding for local government roads
- Seeking comment on Emission Reduction Fund - Green Paper
- Productivity Commission Draft Report on Labour Mobility
- CBH access proposal / Brookfield Rail cost determination
- Cemeteries and Crematoria Association (WA) - 2014 Annual Seminar

Mailbag:

- Infopage: Changes to Local Planning Scheme approval requirements for Water Corporation projects - *Water Services Act*

9.7.12 PERTH TRANSPORT AUTHORITY - ROAD COACH / PUBLIC TRANSPORT ALONG INDIAN OCEAN DRIVE

Document ID: 21524

Correspondence has been received from the Perth Transport Authority advising at this present time that a government subsidised service between Perth and Jurien Bay cannot be justified. Refer to attached correspondence for further explanation. **(Marked 9.7.12)**

9.7.13 WA PLANNING COMMISSION - LOCAL PLANNING SCHEME NO 7, AMENDMENT NO 11

Document ID: 21386

Correspondence has been received advising that the WA Planning Commission has refused to grant final approval to rezone Lot 1 Jurien East Road from 'Rural' to 'Rural Residential' and 'Parks and Recreation' for several reasons. Refer to attached correspondence for further explanation. **(Marked 9.7.13)**

9.7.14 WALGA PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER - 20 DECEMBER 2013

Document ID: 21001

Inside this issue:

- Violence Free Summer campaign
- Are You Bushfire Ready?
- Greater Bunbury Strategy 2013
- Movember Foundation - requests for proposals
- Noise Rule Changes Create Better Balance
- Community Gardens Grants
- Trails Grants Open for 2014 / 2015
- Health Promotion Short Course
- SEMP 2.5 - Emergency Management in Local Government Districts review
- Heritage Planning and Management Seminar 2014, Albany
- Medicare Local review

9.7.15 ENVIRONMENTAL PROTECTION AUTHORITY (EPA) - ENVIRONMENTAL PROTECTION BULLETIN NO 20

Document ID: 21394

Correspondence has been received advising of the release of the EPA's Environmental Protection Bulletin No 20 on *Protection of Naturally Vegetated Areas through Planning and Development*. The Bulletin focuses on protection of naturally vegetated areas for urban and peri urban development across the State.

9.7.16 WA PLANNING COMMISSION - NEW BUSHFIRE PLANNING BULLETIN RELEASED

Document ID: 21063

Correspondence has been received from WA Planning Commission advising of the recent approval of the release of a new planning bulletin on planning for bushfire. Planning Bulletin 111: Planning for Bushfires is being release as an interim measure during the preparation of a new State Planning Policy on Bushfire Planning and review of the *Planning for Bush Fire Protection Guidelines*.

9.7.17 STATE EMERGENCY MANAGEMENT COMMITTEE - BUSHFIRE RISK MANAGEMENT PLANNING WORKSHOPS

Document ID: 21391

Correspondence has been received thanking the Shire for its participation in the Bushfire Risk Management Planning Workshops which occurred between August and October 2013. Feedback was provided from all organisations in which has now been documented in a report and is available upon request. Feedback was also sought on the State Emergency Management Policy 2.9 and any changes to the Policy will be finalised early 2014.

9.7.18 WALGA INFOPAGE: PROPOSED CUT IN FUNDING FOR LOCAL GOVERNMENT ROADS

Document ID: 21548

Key issues:

- State government propose reducing funding for local government roads by \$32.2M in 2013 / 2014, which represents a cut of nearly 20%.
- There has been no consultation between State and local governments, so it is known how and which parts of the Local Road Program may be impacted.
- The Association is currently seeking legal advice concerning the ability of the State government to break this agreement.
- Action: Ensure all acquittals and claims are lodged with Main Roads in a timely fashion.

9.7.19 TREASURER; MINISTER FOR TRANSPORT; FISHERIES - SPEED ZONE ON INDIAN OCEAN DRIVE

Document ID: 20895

Correspondence has been received thanking Council for the letter sent to the Minister for Transport concerning the speed zone on the Indian Ocean Drive, Jurien Bay. A copy of this letter is attached. **(Marked 9.7.19)**

9.7.20 EMMA WILKINSON - CLOSING OF DANDARAGAN RECYCLING DEPOT

Document ID: 20715

Correspondence has been received from Emma Wilkinson, resident of Dandaragan, advising of her disappointment in the future closing of the Dandaragan Recycling Depot.

9.7.21 GAIL REYNOLDS - SEAWEED PROBLEM IN FRONT OF THE PINNACLES CARAVAN PARK

Document ID: 20769

Correspondence dated 8 December has been received from Gail Reynolds expressing her concern at the seaweed on the beach in front of the Pinnacles Caravan Park. Copy of correspondence is attached. **(Marked 9.7.21)**

9.7.22 THE HON WARREN TRUSS MP - REGIONAL DEVELOPMENT AUSTRALIA FUND

Document ID: 20724

Correspondence has been received confirming the Coalition Government's decision to fund uncontracted projects from Rounds Two, Three and Four of the former Regional Development Australia Fund. Copy of correspondence is attached. **(Marked 9.7.22)**

9.7.23 DEPARTMENT OF ENVIRONMENT - NATIVE VEGETATION CLEARING REGULATION AMENDMENTS

Document ID: 20708

Correspondence has been received advising that amendments to the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* were gazetted on 3 December 2013. The changes that have been made will contribute towards reducing unnecessary regulatory burden on landowners and land managers

prohibiting their future growth and success, without compromising significant environmental values.

9.7.24 WALGA - WAPC INFRASTRUCTURE COORDINATING COMMITTEE - LOCAL GOVERNMENT REPRESENTATION

Document ID: 20706

Correspondence has been received from WALGA advising that State Council resolved at its meeting held 4 December 2013 to submit Cr Lawrie Short as its nominee for consideration for the appointment to the WAPC Infrastructure Coordinating Committee.

9.7.25 WALGA MEDIA RELEASE - LOCAL GOVERNMENT TO CALL THE STATE OUT ON FUNDING CUTS - 19 DECEMBER 2013

Document ID: 20926

Cutting more than \$70m in local road funding will come under legal scrutiny with the Local Government sector challenging the State's authority to void the State Road Funds to Local Government Agreement.

The WA Local Government Association today questioned the validity of the proposed cuts, which would break a signed formal agreement by the State to contribute a share of funding from vehicle licence fees to Local Government roads by arbitrarily removing more than \$70m in funding over the next three years, including a \$32.3m cut applied in the current financial year.

WALGA President Mayor Troy Pickard said if carried out, the State's decision would significantly impact upon Local Government operations and the sector would refute the State's ability to renege on critical funding as part of a signed agreement.

9.7.26 DEPARTMENT OF LOCAL GOVERNMENT - NEW OPERATIONAL GUIDELINE NO. 09 - AUDIT IN LOCAL GOVERNMENT

Document ID: 20914

Correspondence has been received advising that a local government operational guideline has been revised and uploaded to the Department's website.

Operational Guideline No. 9 - *Audit in Local Government* is now available, replacing previous Guideline No. 9 - *Audit Committees in Local Government* and Guideline No. 13 - *The Relationship between Internal and External Audit*.

Copy of correspondence is attached. **(Marked 9.7.26)**

9.7.27 WALGA STATE COUNCIL AGENDA - DECEMBER 2013

Document ID: 20387

Copy of WALGA's State Council agenda for the meeting held in December 2013 has been received.

9.7.28 SURF LIFE SAVING WA - 2013 WA COASTAL SAFETY REPORT AND THE NEW BEACHSAFE COASTAL AQUATIC SAFETY INITIATIVE

Document ID: 20770

A copy of Surf Life Saving WA's 2013 WA Coastal Safety Report has been received along with a copy of their new BeachSAFE Coastal Aquatic Safety Initiative which was launched on the 29 November 2013.

9.7.29 TR HOMES - COMMUNITY NETWORK PROGRAM AND LGMA

Document ID: 20701

As a follow on to the recent LGMA State Conference where TR Homes was part of the trade exhibition, correspondence has been received providing further information on TR's Community Network Program and the manager's role with local government.

9.7.30 RAC - AUSTRALIAN ROAD ASSESSMENT PROGRAM 2013

Document ID: 20699

A copy of RAC's Australian Road Assessment Program 2013 report has been received.

9.7.31 WHEATBELT GP NETWORK - 2013 YEAR IN REVIEW

Document ID: N/A

A copy of the Wheatbelt GP Network's achievements for 2013 overview has been received.

9.7.32 DEPARTMENT OF FIRE & EMERGENCY SERVICES - GENERAL CIRCULAR NO 02 / 2014 - NEW SMARTPHONE APP - *Emergency+*

Document ID: 21651

A new Smartphone app ***Emergency+*** is now available to encourage people across Australia to call the right number for assistance in emergency and non-emergency situations. ***Emergency+*** was developed by the Triple Zero Awareness Work Group, a National body that represents emergency call-taking agencies and their government and industry partners throughout Australia. The ***Emergency+*** app uses the existing GPS functionality of Smartphones to enable callers to provide emergency call-takers with their location as determined by their smartphone. The ***Emergency+*** app includes the option of calling SES 132 500 and PAL 131 444 numbers along with details of other relevant national numbers, such as Crime Stoppers and Health Direct Australia.

9.7.33 TRANSFIELD SERVICES - ROUND 19 RECREATIONAL BOATING FACILITY SCHEME

Document ID: 21623

Correspondence has been received advising that Transfield Services could assist in the development of an application towards seeking a recreational boating facility grant. Transfield Services is an experienced multi-discipline organisation that comprises a local team that deliver design, project management and construction

services to terrestrial and marine based assets along 3,300km of WA coastline.

There are four categories of grants under the Recreational Boating Facility Scheme (RBFS) being:

1. Planning
2. Works
3. Maintenance dredging planning
4. Maintenance dredging works

Applications for the RBFS close 4 February 2014.

(Marked 9.7.33)

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

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13 CLOSURE OF MEETING