



SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

DANDARAGAN COMMUNITY RESOURCE CENTRE

on

THURSDAY 21 MARCH 2013

COMMENCING AT 5.00PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 5.00pm and welcomed those present.

1.2 DISCLAIMER READING

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

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

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

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members	Councillor W Gibson	(President)
	Councillor L Short	(Deputy President)
	Councillor M Russell	
	Councillor L Holmes	
	Councillor K McGlew	
	Councillor M Sheppard	

Staff	Mr T Nottle	(Chief Executive Officer)
	Mr I Rennie	(Deputy Chief Executive Officer)
	Mr D Chidlow	(Manager Planning)
	Mr S Clayton	(Manager Corporate Services)

Apologies Councillor D Kent

Approved Leave of Absence Councillor T Bailey

Observers Trish Cahill, Graeme Betteridge, Mac Hewlett and John Cook

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

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5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF ORDINARY MEETING HELD 28 FEBRUARY 2013

In item 11.1.1 there is no explanation as to why the officer recommendation was not adopted.

Insert:

Notation: The Officer Recommendation was not adopted due to the need to have details of the proposed long term lease to come back to Council.

COUNCIL DECISION

Moved Cr Russell, seconded Cr McGlew

That the minutes of the Ordinary Meeting of Council held 28 February 2013 with changes be confirmed.

CARRIED 6 / 0

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

Cr Bailey

- 13 March 2013 Jurien Bay Community Resource Centre Committee

Cr Short

- 6 March 2013 Avon Midland Zone WALGA State Council Meeting
- 8 March 2013 Moore Catchment Council
- 15 March 2013 Aggies Cottage Management Committee (Wolba Wolba)
- 20 March 2013 Rural Water Council

Cr Russell

- 6 March 2013 Cervantes Ratepayers and Progress Association

Cr Sheppard

- 20 March 2013 Jurien Bay Chamber of Commerce

Cr Holmes

- 11 March 2013 Cervantes Chamber of Commerce

Cr McGlew

Nil

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COUNCIL DECISION

Moved Cr Russell, seconded Cr Short


That the delegates' reports to 21 March 2013 as presented be accepted.

CARRIED 6 / 0

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

9 REPORTS OF COMMITTEES AND OFFICERS
9.1 FINANCE
9.1.1 STATUTORY COMPLIANCE RETURN 2012

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Corporate Management / Audit / Internal
Disclosure of Interest:	None
Date:	1 March 2013
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

PROPOSAL

To adopt the Statutory Compliance Return for the period 1 January 2012 to 31 December 2012.

BACKGROUND

Local governments in Western Australia are required to complete, on an annual basis, a Compliance Audit Return (CAR). The Return is a self-assessment of compliance with Local Government (Audit) Regulation 13 and covers compliance in the areas of Caravans and Camping, Cemeteries, Commercial Enterprises, Delegations, Disclosure of Interest, Disposal of Property, Elections, Executive Functions, Finance, Local Government Employees, Grants Commission, Local Laws, Meeting Process, Miscellaneous Provisions, Official Conduct, Swimming Pools and Tenders.

In December 2011, Mr Castrilli announced a reduction of 20 per cent to the size of the compliance audit return with a further 70 per cent reduction in 2012, meaning local governments will deal with eight, not 27 pages.

The remaining questions relate to areas of compliance considered high risk, such as:

- financial interest disclosures;
- procurement and tendering;
- delegation and use of delegated power; and

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- the recruitment and appointment of the Chief Executive Officer.

The completed CAR is required to be adopted by Council and submitted with the minute extract to the Department of Local Government.

COMMENT

For the period 1 January 2012 to 31 December 2012 the CAR demonstrates that the Shire has achieved a high level of compliance with zero non-compliance identified in the areas under review.

CONSULTATION

- Manager Corporate Services

STATUTORY ENVIRONMENT

The contents of the Compliance Audit Return relates to a range of local government legislation.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Compliance Audit Return 2012 (Doc Id: 12059)
(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Sheppard, seconded Cr Russell



That Council adopt the Compliance Audit Return as per attached for the period 1 January 2012 to 31 December 2012.

CARRIED 6 / 0

9.1.2 SUBMISSION OF REGIONAL AIRPORTS DEVELOPMENT SCHEME – APPLICATION FOR FUNDING 2013 - 2015

Location:	Reserve 35408 Bashford Street, Jurien Bay
Applicant:	Shire of Dandaragan
File Path:	Business Classification Scheme / Traffic and Transport / Service Provision / Airports and Landing Facilities
Disclosure of Interest:	None

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Date:	8 March 2013
Author:	Ian Rennie, Deputy Chief Executive Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To endorse an application submitted to the Department of Transport for funding under the Regional Airports Development Scheme 2013 – 2015.

BACKGROUND

At the Council Forum held 14 February 2013 the proposed application for funding to the Department of Transport for proposed hangar lease areas was discussed by Council. The outcome of the discussions was to submit an application to the Department for funding.

COMMENT

There is a growing requirement for hangar space at the existing Jurien Bay Airstrip and the proposal if supported, will provide between six and eight hangar sites between the area set aside for the flying doctor to the north and to the Department of Environment and Conservation area used for water bombing to the south. Access will also be provided to these sites.

Over recent times, several aero clubs have expressed an interest in hangar space and adhoc enquiries are received from individuals.

To date, the leasing of the existing hangar sites has occurred on an as required basis when requests have been received. If Council supports the application for the preparation of the area to create the six to eight sites, then it will be far easier for Council to allocate sites and save time.

Approximate cost estimates have been obtained in order to clear a taxi way and provide a hangar area of approximately 200m in length and for this area to be constructed to a sealed standard, including clearing of the site, boxing out of the taxiway, construction of the sealed taxiway and stabilising of the hangar sites. This cost is approximately \$58,000.

It was the intention that part or all of the cost associated with the construction work would be recovered when leases were approved by Council. Lessees would either pay this through their annual lease or as a lump sum and an annual lease fee.

Applications to the Department of Transport closed on 22 February 2013. This was prior to the February Ordinary Meeting of Council and has been submitted and staff are now seeking endorsement. Council will also need to consider 50 per cent funding on the 2013 / 2014 Budget based on 50 per cent of the

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cost estimate.

CONSULTATION

- Chief Executive Officer
- Council

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 the grant is approved by the Department of Transport then Council will need to consider 50 percent of the funding ie \$29,000 in the 2013 / 2014 Budget.

STRATEGIC IMPLICATIONS

The development of the area in question is in accordance with the approved Jurien Bay Aerodrome Development Plan.

Under the Shire of Dandaragan Strategic Community Plan 2011 – 2021 the issue is not specifically addressed however, under Goal No.1 “Strong Economic Base and Enabling Infrastructure” Objective to “ensure timely provision of essential and strategic infrastructure to ensure investment and growth of the Shire is maximised”.

ATTACHMENTS

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

- RADS 2013 – 2015 Application (Doc Id: 11922)
- Plans and Aerial Photographs (Doc Id: 12326)

(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION

Moved Cr Short, seconded Cr Holmes

That Council endorse the application made to the Department of Transport under the Regional Airports Development Scheme 2013 – 2015 for the provision of land for hangar space at the Jurien Bay Airport.

CARRIED 6 / 0

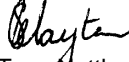

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr Short, seconded Cr Russell

That Council agree to consider on the 2013 / 2014 Municipal Budget provision of \$29,000 subject to a grant being provided by the Department of Transport towards the project.

CARRIED 6 / 0

9.1.3 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 28 FEBRUARY 2013

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	March 2013
Author:	Scott Clayton, Manager Corporate Services
Signature of Author:	
Senior Officer:	Tony Mottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To table and adopt the monthly financial statements for the period ending 28 February 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 28 February 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 28 February 2013 was \$4,002,831.00. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves, Restricted Assets and Trust. The current position indicates that Council can easily meet its short-term liquidity or solvency.

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

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

2. Material Variances

The Statement of Financial Activity provides variances to budget by way of percentages. Council's adopted policy states a 10 percent threshold for these variances to be reported. An

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explanation of these variances is as follows:

Governance

Income is at 186.2% of Y-T-D budget and is due to a grant to assist with the formulation of a workforce plan. This grant will help offset the new position of Coordinator of Integrated Planning.

Recreation and Culture

Expenditure is at 84.5% of Y-T-D budget. This is due to salaries and materials and contracts being less than budgeted. In the July monthly statements, advice from the Manager of Technical Services and Works was that this variance is as a result of parks and gardens staff being redirected to road works including patching, verge maintenance, carpark construction and footpath maintenance. This redirection is expected and is being monitored by the Manager of Technical Services and Works.

Economic Services

Expenditure is at 77.6% of Y-T-D budget. This is primarily due to employee costs being less than budgeted as a result of a vacancy for the Special Projects Officer earlier in the year.

Other Property and Services

Income is at 113.5% of Y-T-D budget and is due to additional private work income from firebreak compliance. This income is equally offset by contract labour.

Expenditure is as 147.6% of Y-T-D budget and is due to on-cost allocations of plant operations. The Y-T-D budget attempts to allocate the plant operation costs to individual jobs through timesheets. However, the Y-T-D budget evenly distributes these on-costs and does not give consideration of the timing of the actual expenses. When the budget is set each year a certain level of machinery hours is estimated so that an hourly cost can be calculated. If actual machinery use varies from these estimates allocations can vary while true costs are still incurred.

Should Councillors wish to raise any issues relating to the 28 February 2013 financial statements, please do not hesitate to contact the Manager Corporate Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 28 February 2013 (12256)

(Marked 9.1.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

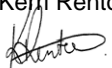
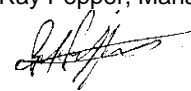
Moved Cr Short, seconded Cr Russell

That the monthly financial statements for the period ending 28 February 2013 be adopted.

CARRIED 6 / 0

9.2 WORKS AND PLANT

9.2.1 TECHNICAL SERVICES AND WORKS MONTHLY REPORT – FEBRUARY 2013

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Roads / Reporting / Summaries
Disclosure of Interest:	None
Date:	13 March 2013
Author:	Kerri Renton, Works Support Officer
Signature of Author:	
Senior Officer:	Ray Pepper, Manager Technical Services and Works
Signature of Senior Officer:	

PROPOSAL

To notify Council on the progress of the Technical Services and Works department of the Shire of Dandaragan.


BACKGROUND

Details of completed and commenced works that have been undertaken within the Shire of Dandaragan's operations over the previous month.

COMMENT

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This report provides a program summary of the Technical Services and Works for the Jurien Bay and Dandaragan Depots for the month of February 2013 for Council's information and or discussion.

	FEBRUARY WORKS REPORT 2013	TECHNICAL SERVICES AND WORKS
Location	Work Details	
ALL SHIRE ROADS		
ROAD MAINTENANCE		
Various Roads throughout Shire	Slashing	
UNSEALED ROADS NETWORK		
Scenic Dr, Capitella Rd, Barberton West Rd, Koodjen Pool Rd, Koodjee Rd, Dambadgie Rd, Cantabilling Rd, Jurien Airstrip Rd, Dewars Rd, Coomberdale Rd, Gillingarra Rd, Boothendarra Rd, Dewars Rd, Coalara Rd, Marine Dr, Hanson Bay Rd and Hanover Bay Rd,	All had single cut grade	
SEALED ROADS NETWORK		
Dandaragan Rd South (RRG002)	Completed/ready for seal	
Dandaragan Rd (RRG002A)	Waterbinding then ready for seal	
PARKS AND OPEN SPACE NETWORK – Gardens, Parks, Ovals, POS, Swales		
Cervantes	Regular reticulation maintenance	
REFUSE SITES		
Cervantes	Excavation of new hole for Builders rubble	
INFRASTRUCTURE		
Disable access Dobbyn Park toilet		
Jurien Air Port	Slashing and spraying	
FOOTPATHS		
VERGE MAINTENANCE		
Beachridge	Verges and swales clean ups ongoing	
Main Streets	Tree trimming for new mower height	
SEPTIC		
Various locations	9 Cleanouts	
DEPOT MAINTENANCE		
Jurien Bay	Major Clean up	
DRAINAGE		
DEC Cervantes	Cleaning up of Sump	

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CONSULTATION

- Parks and Gardens Supervisor Jurien Bay
- Works Supervisor Dandaragan
- Manager Technical Services and Works

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority


OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Russell, seconded Cr Sheppard

That the progress report of the Technical Services and Works department of the Shire of Dandaragan for the month of February 2013 be received and noted.

CARRIED 6 / 0

9.3 ADMINISTRATION**9.3.1 COUNCIL MEETING SCHEDULE 2013 / 2014**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Corporate Management / Meetings / Meetings
Disclosure of Interest:	None
Date:	25 February 2013
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

PROPOSAL

To determine a Council meeting schedule for the period 1 July 2013 to 30 June 2014 and to consider start times for Council Meetings.

BACKGROUND

On an annual basis, local governments in Western Australia are required to establish and advertise a schedule of Council

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meetings. The Shire of Dandaragan's current schedule sets meetings up to 30 June 2013 and as such it is timely to adopt a new schedule. Discussion took place at the Corporate Discussion of 28 February 2013 on start times for Council Meetings.

COMMENT

Currently, Council meets every fourth Thursday of the month, excepting December. Other changes can occur due to public holidays.

In previous years, Council has allocated one Ordinary Meeting of Council to be held in Cervantes, Dandaragan and Badgingarra. The town that holds the Annual General Meeting of Electors also has the Ordinary Meeting of Council held the same day in that location. In this year's situation, the Annual General Meeting of Electors is to be held in Jurien Bay. In each of the other three towns there is only one Ordinary Council Meeting.

In regard to Council Meeting start times, this matter was discussed at the Corporate Discussion session held 28 February 2013. Some of the comments made by Councillors at that time included:

- flexible start times;
- combined Forums and Ordinary Council Meetings;
- need to encourage new Councillors;
- problem is not so much Council Meetings but other meetings that Councillors are involved in ie Forums;
- holding of Forums in the evenings;
- set start and finish times ie 6.30pm – 8.00pm; and
- if Forums and Council Meetings are held at night, there will be issues with receiving Delegations.

In regard to this matter, Council set the 5.00pm start times which have been in place since July 2012. This time was adopted by Council when the dates for the 2012 / 2013 Council Meeting Schedule was adopted.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 requires the advertising of a local government's ordinary meetings of Council.

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.

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ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

That Council adopt the following meeting schedule for the 2013 / 2014 financial year;

DAY	DATE	TIME	MEETING VENUE
Thurs	25 July 2013	5.00pm	Jurien Bay
Thurs	22 August 2013 (School Visit)	11.00am	Jurien Bay
Thurs	26 September 2013	5.00pm	Dandaragan
Thurs	24 October 2013	5.00pm	Jurien Bay
Thurs	28 November 2013	5.00pm	Jurien Bay
Thurs	19 December 2013	5.00pm	Jurien Bay
Thurs	23 January 2014	5.00pm	Jurien Bay (AGM of Electors)
Thurs	27 February 2014	5.00pm	Jurien Bay
Thurs	27 March 2014	5.00pm	Jurien Bay
Thurs	24 April 2014	5.00pm	Badgingarra
Thurs	22 May 2014	5.00pm	Jurien Bay
Thurs	26 June 2014	5.00pm	Cervantes

CARRIED 5 / 1

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr Sheppard, seconded Cr Russell

That Council consider the issue of the start times for the Ordinary Council Meetings following the elections to be held in October 2013.


CARRIED 6 / 0

9.3.2 COUNCIL FORUMS SCHEDULE 2013 / 2014

Location:
Applicant:

Shire of Dandaragan
N/A

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 21 MARCH 2013

Folder Path: Business Classification Scheme / Corporate Management / Meetings / Meetings
 Disclosure of Interest: None
 Date: 25 February 2013
 Author: Tony Nottle, Chief Executive Officer
 Signature of Author: 

PROPOSAL

To determine a Council forum meeting schedule for the period commencing 1 July 2013 to 30 June 2014.

BACKGROUND

Council generally hold forums on the second Thursday of each month, at Jurien Bay commencing at 9.00am.

COMMENT

Discussion also needs to take place regarding start times for Council Forums.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Financial implications relate to the Councillors travel expenses and catering and are not deemed to be significant.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

That Council adopt the following Council forum dates / times for the purpose of informally progressing issues of policy, strategy and to receive delegations and presentations:

DAY	DATE	TIME	Venue
Thursday	11 July 2013	9.00am	Jurien Bay
Thursday	8 August 2013	9.00am	Jurien Bay
Thursday	12 September 2013	9.00am	Jurien Bay

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DAY	DATE	TIME	Venue
Thursday	10 October 2013	9.00am	Jurien Bay
Thursday	14 November 2013	9.00am	Jurien Bay
Thursday	12 December 2013	9.00am	Jurien Bay
Thursday	9 January 2014	9.00am	Jurien Bay
Thursday	13 February 2014	9.00am	Jurien Bay
Thursday	13 March 2014	9.00am	Jurien Bay
Thursday	10 April 2014	9.00am	Jurien Bay
Thursday	8 May 2014	9.00am	Jurien Bay
Thursday	12 June 2014	9.00am	Jurien Bay

CARRIED 5 / 1


OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr Russell, seconded Cr Sheppard

That Council consider Start Times for Council Forums following the elections to be held in October 2013.

CARRIED 6 / 0

9.3.3 COUNCIL VACANCY – EXTRAORDINARY ELECTION

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Governance / Elections / Electoral Commission
Interest:	Nil
Date:	11 March 2013
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

PROPOSAL

To consider holding the extraordinary election for the vacancy created by the resignation of Mr Shane Love, in conjunction with the October 2013 Elections.

BACKGROUND

Council is already aware of the resignation of Mr. Shane Love due to his recent election to the State Legislative Assembly.

As a result of the resignation, it is necessary for an extraordinary election to be held to fill the vacancy. In view of the relatively short timeframe until the next Local Government Elections (7 months) in October 2013, it is suggested that this extraordinary vacancy be held over until this time.

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COMMENT

To conduct an extraordinary election now would mean utilising an old electoral roll and there would be extra time and expense associated (outside of budgetary considerations) in holding this election in the near future.

Following the resignation of Mr Shane Love the now vacant position expires in October 2015.

If Council was agreeable to hold over the election until October 2013, it would be necessary to obtain the approval of the Electoral Commissioner in accordance with the Local Government Act (1995). Staff are supportive of the postponement of the election for the extraordinary vacancy.

Consultation with the Western Australian Electoral Commission (WAEC) has confirmed that a request from Council would be sufficient and approval would likely be given due to the fact that we have no ward boundaries, and still have 80% or more of the number of offices (8 out of 9) filled.

CONSULTATION

- Western Australian Electoral Commission

STATUTORY ENVIRONMENT**4.16. Postponement of elections to allow consolidation**

- (4) If a member's office becomes vacant under section 2.32 —
- (a) after the third Saturday in January in an election year; but
 - (b) before the third Saturday in July in that election year, the council may, with the approval of the Electoral Commissioner, fix the ordinary elections day in that election year as the day for holding any poll needed for the extraordinary election to fill that vacancy.

4.17. Cases in which vacant offices can remain unfilled

- (3) If a councillor's office becomes vacant under section 2.32 and under subsection (4A) this subsection applies, the council may, with the approval of the Electoral Commissioner, allow* the vacancy to remain unfilled and, subject to subsection (4), in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.

** Absolute majority required.*

- (4A) Subsection (3) applies —
- (a) if —
 - (i) the office is for a district that has no wards; and

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- (ii) at least 80% of the number of offices of member of the council in the district are still filled;
- or
- (b) if —
- (i) the office is for a ward for which there are 5 or more offices of councillor; and
- (ii) at least 80% of the number of offices of councillor for the ward are still filled.

POLICY IMPLICATIONS

There is no current policy relevant to this item.

FINANCIAL IMPLICATIONS

Council has not budgeted for an extraordinary election for the vacancy that has occurred. It has estimated that costs in the vicinity of \$15,000 would be applicable to hold an extraordinary election.

The officer's recommendation suggests that Council write to the Electoral Commissioner requesting to postpone the election to coincide with the Ordinary Election in October 2013. Costs for the 2013 Ordinary Election will already be budgeted for in that financial year.

STRATEGIC IMPLICATIONS

5.14.5 GOAL NUMBER FIVE: Build a proactive and leading Local Government

OBJECTIVE 1: Build capacity of Elected Councillors and staff to ensure Shire of Dandaragan is a highly performing local government which attracts high quality Councillors and staff

ATTACHMENTS

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

- Resignation from Council Mr Shane Love (Doc Id: 12264)
- Acceptance of Resignation from Council (Doc Id: 12299)

(Marked 9.3.3)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Russell

That Council authorise the CEO to write to the Electoral Commissioner of the Western Australian Electoral Commission requesting to hold over the extraordinary election for the vacancy created by the resignation of Mr Shane Love, and that the extraordinary election be held in conjunction with the October 2013 Ordinary Election.

CARRIED BY ABSOLUTE MAJORITY 6 / 0

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9.4 TOWN PLANNING**9.4.1 PLANNING APPROVAL – R-CODE VARIATION – LOT 368 GREVILLEA WAY, JURIEN BAY**

Location:	Lot 368 Grevillea Way, Jurien Bay
Applicant:	Adam Peacock (Bush to Beach Builders)
Folder Path:	Development Services Apps / Development Application / 2013 / 13
Disclosure of Interest:	None
Date:	7 March 2013
Author:	Rob Casella, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

PROPOSAL

The applicant is seeking planning approval for a single storey dwelling on Lot 368 Grevillea Way, Jurien Bay (subject lot) with a total lot area of 800m².

BACKGROUND

The subject lot is located within the Lookout Bay development which has a restrictive covenant on all lots to ensure design and materials comply with the developers (Ardross Estates) requirements.

The proponent is well aware of the restrictive covenants on the lot but wishes to proceed with the planning application despite requiring approval from Ardross Estates following approval from Council. Compliance with the covenant is not a Shire matter and is to be dealt with by the two parties separately. The issue regarding this report is the compliance of the proposed dwelling with the R-Codes.

The proposed development complies with the side and front setbacks under the R-Codes with the encroachment of the garage into the setback area being compensated with open space behind prescribed street setback area as illustrated in Figure 1b of the R-Codes.

The issue at hand is the built structure proposing to be developed within the 6 metre rear setback, a variation of the R-Codes as required under Table 1 for a dwelling in a residential density of R12.5.

COMMENT

The required rear setback of 6m is imposed to protect neighbouring properties and the subject property from privacy issues whilst also providing solar access to the properties, taking into account the potential of development to overshadow. The building setbacks from boundaries, other than street boundaries, are so as to provide adequate direct sun and ventilation to the building and adjoining properties and assist in protecting the

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privacy between adjoining properties.

The rear setback is also aimed at providing sufficient open space around the building to complement the building and to allow attractive streetscapes.

The design of the house has been granted a 6 star energy rating for the 'family pod' and a 6.4 star energy rating for the 'living pod' of the dwelling. The design concept takes advantage of the direct sunlight and ventilation, assisting in minimising heating and cooling energy requirements.

Much of the open space has been compensated in the design of the dwelling with only 28.22m² of the family pod in the setback area, intruding roughly 4.96m into the 6 metre rear setback, with the corner of the pod, being the furthest point.

On inspection of the site, it was observed that the rear boundary fence has been raised on approximately 1.5m limestone wall, extending the total height of the rear fence. This will ultimately reduce any impact on privacy, ventilation and direct sunlight.

It is for this reason, that Officers recommend Council grant planning approval.

CONSULTATION

In accordance with Part 4 of the R-Codes, neighbour consultation has been undertaken, requesting comment from land owners. Submission period closed 21 March 2013.

A Schedule of submissions will be presented to Council on the day of the Meeting, following any submissions.

STATUTORY ENVIRONMENT

- R-Codes; and
- Local Planning Policy No 7.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant is to pay a standard planning application fee of \$1,024.00.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Site Plan (Doc Id: 12121)

(Marked 9.4.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Russell

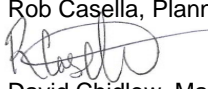

That Council grant approval to Bush to Beach Builders on behalf of the owner for a proposed dwelling at Lot 368 (11) Grevillea Way Jurien Bay, subject to the development being carried out in accordance with the approved plans dated 25 February 2013 as well as the specifications submitted with the application and shall not be altered and or modified without the approval of the Shire.

Advice:

- **That the applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.**
- **The applicant should refer the approved application to the other party involved with the restrictive covenants seeking an agreement by both parties.**

CARRIED 6 / 0

9.4.2 PLANNING APPROVAL – PROPOSED SHED (R-CODE VARIATION) – LOT 56 PADBURY STREET, JURIEN BAY

Location:	Lot 56 Padbury Street, Jurien Bay
Applicant:	A & L Katnich
Folder Path:	Development Services App / Development Application / 2013 / 9
Disclosure of Interest:	None
Date:	8 March 2013
Author:	Rob Casella, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for an 8m x 12m outbuilding covering a total area of 96m² with a wall height of 3.5m at lot 56 Padbury Street, Jurien Bay having a total lot area of 1214m².

BACKGROUND

Currently the applicant has an existing shed on Lot 56 Padbury Street, Jurien Bay (subject lot). The owner has been notified that the shed has to be demolished due to the presence of asbestos, prompting the applicant to make an application for a proposed outbuilding to the rear of the block.

Under the Shire of Dandaragan's (the Shire) Local Planning Policy 8.6 – Outbuildings 'Residential Areas' (the Policy) Clause 6 requires Shire Officers to have regard to the performance criterion contained in section 6.10.1 P1 of the Residential Design Codes,

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

Clause 7 of the Policy requires all outbuildings to maintain a minimum rear / side setback in accordance with the R-Codes Tables 2a and 2b and any variation to these setback requirements will require the submission of a planning application with adjoining property owner's comment for a council decision.

COMMENT

Under the Policy, the maximum permitted area of an Outbuilding is 80m² with a maximum of 3.6m wall height. The applicant proposes to establish an outbuilding with a total area of 90m² with a maximum wall height of 3.5m. It should be recognised that property is predominately large and can accommodate an outbuilding in excess of the permitted area under the Shires Policy without impacting on the owners or neighbours quality of living.

The required setbacks for the shed, with wall lengths of 8m (side) and 12m (rear) in accordance with the R-Codes Table 2a is to have minimum set back of 1m (side) and 1.5m (rear) respectively. As illustrated in the site plan within the attachments, the applicant proposes a 1.5m side setback and a 1m rear setback, a variation of 0.5m of the rear setback requirement.

To provide compensation, the outbuilding slopes from a roof height of 3.5m in the front to a rear roof height of 3m, reducing the impact of overshadowing and ventilation to the rear property.

Also in support for the application, the rear property has an outbuilding established on the S/W corner boundary, directly behind the proposed shed. Also this property has an established 2 storey dwelling close to the rear boundary. This proposal will provide additional screening opportunity for the subject lot.

CONSULTATION

In accordance with Clause 9.4.3 of the Scheme, a notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval.

The advertising period closed on 15 March 2013. Currently there have been no submissions. A copy of the schedule of submissions will be presented to Council on the day if any comments are received in that time.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

- Local Planning Policy 8.6 – Outbuildings – Residential Areas

FINANCIAL IMPLICATIONS

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The applicant has paid the standard application fee 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:

- Proposed site plans (Doc Id: 12181)
(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Sheppard, seconded Cr Russell

That Council grant planning approval for the proposed shed on Lot 56 Padbury Street, Jurien Bay in accordance with the attached approved plans date stamped 27 February 2013 on the following conditions:

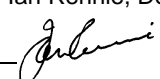
- 1. all development shall be in accordance with the attached approved plans submitted with the application and subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government; and**
- 2. the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

Advice

- **This is planning approval only and not a building permit. A building permit must be obtained for this development.**
- **The existing asbestos shed shall be demolished and disposed of appropriately, that is, properly wrapped in plastic prior to transportation, then notifying Jurien tip to arrange a suitable time to dispose of the asbestos.**

CARRIED 6 / 0

9.4.3 DEVELOPMENT ASSESSMENT PANEL – COUNCILLOR NOMINATION

Location:	N/A
Applicant:	Department of Planning
File Ref:	Business Classification Scheme / Development and Building Controls / Legislation / Regulations
Disclosure of Interest:	Nil
Date:	11 March 2013
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

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PROPOSAL

For Council to replace Shane Love's DAP nomination to the Department of Planning with a serving Council member.

BACKGROUND

Council at the February 2013 meeting nominated the following members;

Cr Shane Love and Cr Michael Sheppard
as DAP members

and

Cr Lawrie Short and Cr Tim Bailey
as alternate DAP members

With the election of Shane Love to State Parliament and resignation from Council, a different nominee will need to be lodged with the Department of Planning for appointment by the Minister as our DAP member.

COMMENT

DAP regulations prevent a DAP member from attending a meeting without first completing mandatory training. As soon as DAP members are appointed training will commence. DAP members who successfully complete the training are entitled to the payment of \$400 from the Department. Members who are not entitled to payment of sitting, training and DAP attendance fees include Federal, state and local government employees, active or retired judicial officers and employees of public institutions.

Council should be aware that failure to nominate a total of four names by the said due date, the Minister will appoint members from the community.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

- Part 11A of the Planning and Development Act 2005
- Planning and Development (Development Assessment Panels) Regulations 2011

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Russell

That Council nominate Cr Lawrie Short as a DAP member and Cr Wayne Gibson as Deputy DAP member and forward that nomination to the Minister for Planning.

CARRIED 6 / 0

9.5 HEALTH

9.6 BUILDING

9.7 COUNCILLOR INFORMATION BULLETIN

9.7.1 LOCAL GOVERNMENT NEWS – ISSUE NO 7.13 – 25 FEBRUARY 2013

Document ID: 11959

Inside this issue:

- Local Government Cemetery Management
- Survey On Corella And Rainbow Lorikeet Damage
- Officer Training
- Elected Member Training
- Launch Of Emergency Management Online Training
- Process For The Installation Of Signs And Pavement Markings In The Perth Metro Area
- Will You Bless The Roads This Easter
- February Eco – News Out Now
- Sustainable Event Management System

9.7.2 WALGA INFOPAGE – UPDATE – DECLARING CALTROP A PEST PLANT ON THE STATE REGISTER

Document ID: 11958

Key Issues:

- WALGA has been examining whether caltrop should be declared a pest plant on the State Register;
- A successful submission is unlikely under the current legislation;
- The current legislation will be superseded in 2013, and a successful submission is more likely under new legislation; and
- WALGA will wait until new legislation is in force before determining whether a submission to declare caltrop a pest plant should be entered.

9.7.3 WALGA INFOPAGE – EVALUATION OF STATE PLANNING POLICY 5.4 – ROAD AND RAIL TRANSPORT NOISE AND FREIGHT CONSIDERATIONS IN LAND

Document ID: 11957

Key Issues:

- The Department of Planning is undertaking an evaluation of State Planning Policy 5.4; and
- Your input is sought to help identify issues to inform a future review of the policy.

Comments returned to WALGA by Thursday 28 March 2013.

9.7.4 JURIEBAY BAY PROGRESS ASSOCIATION INC – PROPOSED JURIEBAY ENTRY STATEMENT DESIGN

Document ID: 11953

The Juriebay Bay Progress Association are thankful for the opportunity to be engaged in the design of the Juriebay Bay Entry Statements however, they are concerned that the lack of professional input in this process may lead to a situation whereby unqualified officers or Councillors may be required to make the final decision.

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

9.7.5 CERVANTES RATEPAYERS & PROGRESS ASSOCIATION (INC) – FISH CLEANING FACILITY IN CERVANTES

Document ID: 11913

“Over the past few months there has been an increase of folk cleaning fish on the beach in Cervantes and leaving carcasses to decay when finished. This is due firstly to their lack of respect for the aesthetic beauty of the area, but mainly to the lack of a fish cleaning facility in the area.”

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

9.7.6 CERVANTES RATEPAYERS & PROGRESS ASSOCIATION (INC) – CANCELLATION OF BUS TRANSPORT ON INDIAN OCEAN DRIVE

Document ID: 11912

“Many tourists, especially backpackers have been using the above services to visit the Turquoise Coast and its attractions. Locals without private transport also used the service to get to medical and other appointments either at Joondalup, Perth or Midland.”

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

9.7.7 CERVANTES RATEPAYERS & PROGRESS ASSOCIATION (INC) – RECENT RATEPAYERS MEETING AND TOWN INSPECTION IN CERVANTES

Document ID: 11911

“At the February meeting of the above Association regret was

voiced that the Shire did not advertise the above meeting and town inspection in the local Cervantes Newsletter thus resulting in several locals not attending.”

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

9.7.8 JURIE COMMUNITY CENTRE ASSOCIATION (INC) – JURIE COMMUNITY CENTRE

Document ID: 11910

“At the AGM there were no applicants for any of the positions on the Committee. Discussions then took place as to the future running of the JCC and it was the view of those present and of many others that the operations and handling of the JCC should be done by the Shire.”

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

9.7.9 LOCAL GOVERNMENT NEWS – ISSUE NO 6.13 – 18 FEBRUARY 2013

Document ID: 11874

Inside this issue:

- October 2013 Election – Implications For Local Government Of Early Resignation Of Elected Members
- Overseas Recruitment
- Launch Of Emergency Management Online Training
- Reminder: Banners In The Terrace Reservation Form Due
- Earth Hour “Switch To Renewables”
- Officer Training
- Elected Member Training

9.7.10 WALGA INFOPAGE – NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS (NDRRA) – DETERMINATION 2012

Document ID: 11873

Key Issues:

- The Commonwealth released a new Determination on 18 December 2012 for the Natural Disaster Relief and Recovery Arrangements (NDRRA);
- The Determination provides guidelines for the implementation of State arrangements including Western Australian Natural Disaster Relief and Recovery Arrangements (WANDRRA);
- The Determination introduces and seeks to define an ‘essential public asset’ and provides guidelines for ‘betterment’ of essential public assets when making a claim under Category D.
- The Determination also introduces amendments to Category C measures and the compulsory acknowledgement that funding is from the Commonwealth.

9.7.11 WALGA INFOPAGE – TECHNICAL ADVISORY GROUP – LIVEABLE NEIGHBOURHOODS REVIEW

Document ID: 11871

Key Issues:

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- The Department of Planning has initiated the review of the WAPC's Liveable Neighbourhoods and related planning policies.
- A Technical Advisory Group (TAG) is being established to assist in the review process; WALGA is a member of the TAG.
- WALGA will be establishing several LN Local Government Advisory groups to ensure that local government views and issues are incorporated into the review.

9.7.12 DEPARTMENT OF COMMUNITIES – ‘MY MONEY MY LIFE’

Document ID: 12010

‘My Money My Life’ was produced in partnership between the City of Joondalup and the Department for Communities late last year. It offers practical and up-to-date information and advice for young people about managing money, including tips on budgeting and contact details for further information.

A copy is on hand.

9.7.13 DEPARTMENT OF SUSTAINABILITY, ENVIRONMENT, WATER, POPULATION AND COMMUNITIES – NATIONAL TELEVISION AND COMPUTER RECYCLING SCHEME

Document ID: 12011

The National Television and Computer Recycling Scheme (the Scheme) provides Australian households and small business with greater options for recycling unwanted televisions, computers and computer products (such as printers, mice and keyboards). The scheme is funded and run by the television and computer industry and regulated by the Australian Government under the *Product Stewardship Act 2011* and the *Product Stewardship (Television and Computers) Regulations 2011*.

More information is on hand.

9.7.14 THE ROYAL AUTOMOBILE CLUB OF WA (INC) – “FATAL AND SERIOUS INJURIES ON WA ROADS – 2012” REPORT

Document ID: 12009

Western Australia has once again experienced an appalling start to the year in terms of deaths and serious injuries on our roads. At one stage in late January WA were averaging almost a death per day and by mid-February more than 30 people had lost their lives on Western Australia's roads.

More information is on hand.

9.7.15 CENTRAL MIDLANDS SENIOR HIGH SCHOOL NEWSLETTER – 26 FEBRUARY 2013

Document ID: 12026

Inside this issue:

- Reasons To Celebrate
- New Staff
- Some Reminders
- Finally – Great Start To 2013
- Free Dockers Visit

- Contributions And Charges
- HPV Vaccination 2013
- School Council Elections
- Dates To Remember
- Central Midlands P & C Needs You

9.7.16 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2013

Document ID: 12033

This year's National General Assembly of Local Government (NGA) will be held in Canberra from 16 – 19 June.

The NGA 2013 promises to be politically charged and of critical importance to local government. With the federal election announced for 14 September, ALGA anticipates key federal politicians accepting their invitation to address the NGA.

9.7.17 WASTE AUTHORITY – LOCAL GOVERNMENT WASTE AND RECYCLE DATA MANAGEMENT: PROJECT UPDATE

Document ID: 12025

The aim of the project is to develop mechanisms to assist local governments in the collection and reporting of waste and recycling data.

More information is on hand.

9.7.18 DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS – SUPERTOWNS – FINAL JURIEBAY SUPERTOWN GROWTH PLAN – STATE AGENCY REVIEW

Document ID: 12039

As part of the SuperTown growth planning and finalisation process, the State Government agencies that initially provided comment on the Shire's interim Growth Plans (feedback presented in July 2012) were again invited to review the final SuperTown Growth Plans.

Agencies were requested to review amendments based on the interim feedback and note policy and capital works related to their portfolio. Feedback has been collated and is attached.

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

9.7.19 WALGA – ELECTED MEMBER TRAINING AND PROFESSIONAL DEVELOPMENT

Document ID: 12088

One of the most important debates of the ongoing local government reform process revolves around the need for greater attention and resourcing to be directed towards elected member training and professional development.

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

9.7.20 DEPARTMENT OF ENVIRONMENT AND CONSERVATION – THE WESTERN AUSTRALIAN GUIDELINES FOR BIOSOLIDS MANAGEMENT 2012

Document ID: 12089

In 2002, the first guidelines for biosolids use and management, known as the *Western Australian guidelines for direct land application of biosolids and biosolids products 2002*, were produced by the former Biosolids Working Group. These guidelines were released as a working draft to enable easy update as new information became available from stakeholders or from ongoing research into the beneficial use of biosolids.

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

9.7.21 THE HON MARTIN FERGUSON AM PM & THE HON SIMON CREAN MP – TOURISM 2020

Document ID: 12090

The Australian Government has recently delivered some important initiatives to strengthen the Australian tourism industry and to progress the implementation of *Tourism 2020*. *Tourism 2020* is a whole of government approach to increasing overnight visitation to between \$115 billion and \$140 billion by 2020.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.21)**

9.7.22 MUNICIPAL WASTE ADVISORY COUNCIL INFORMATION BULLETIN – ISSUE 170 – FEBRUARY 2013

Document ID: 12091

Inside this issue:

- Cash For Containers Support
- Waste Revolution
- Save The Date
- What's Happening With C&D
- Political Promises
- Metro Review – Waste Implications
- State Planning – Including Waste
- AWT Accreditation
- Plastic Free Freo
- City Under Surveillance
- Expressions of Interest
- Tidiest Towns
- Community Waste Winners
- Sustainable Events - ISO
- Countdown For Clean-Up Australia Day 2013
- ACT Residents Support Bag Ban
- SA Softies
- Make A Gift Of An Unwanted Gift

9.7.23 WALGA LOCAL GOVERNMENT NEWS – ISSUE NO 8.13 – 4 MARCH 2013

Document ID: 12092

Inside this issue:

- Warning Insurance / Indemnity Clauses – WA Tourism Commission and Local Governments
- National Heavy Vehicle Regulator Update: Main Roads Info Sheet
- Review of the Emergency Services Acts – Local Government Consultation
- MWAC Information Bulletin Out Now
- Biosolid Guidelines Now Available
- Reminder – Launch of Emergency Management Online Training
- 2013 / 2014 Riverbank Grants Scheme Now Open
- Officer Training
- Elected Member Training

9.7.24 JURIE BAY DISTRICT HIGH SCHOOL – ANNUAL REPORT 2012

Document ID: 12182

Inside this Annual Report:

- School Mission Statement
- School Literacy Beliefs
- School Profile
- Behaviour
- Year 12 Performance Data
- Priorities for 2013
- 2012 School Highlights
- Teacher Participation in Professional Learning
- School Captain and School Councilor
- Parent, Student, Teacher Satisfaction
- Financial Report

9.7.25 WESTERN AUSTRALIAN PLANNING COMMISSION – LOCAL PLANNING STRATEGY – RURAL LAND USE AND RURAL SETTLEMENT

Document ID: 12130

In reference to the Shire of Dandaragan's letter dated 18 December 2012 the WAPC advise that the modifications have been compiled in accordance with the Western Australian Planning Commission's letter of 26 September 2012.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.25)**

9.7.26 JURIE BAY DISTRICT HIGH SCHOOL – STUDENT BUS STOPS

Document ID: 12236

“Due to the Public Transport Authority new evergreen contracts, we as contractors need to have safe and signed bus stops for picking up and dropping off students.”

Currently there are some concerns with some of the bus stops in

Alta Mare and Jurien Bay Heights.

More information is on hand.

9.7.27 WALGA – PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER – 8 MARCH 2013

Document ID: 12243

In this issue:

- Local Government (Uniform Local Provisions) Amendment Regulations 2013
- Technical Advisory Group Liveable Neighbourhood Review
- LotteryWest Trails Grants Closing
- Local Governments Role in Reducing Alcohol Related Harm
- Launch of Emergency Online Training
- Draft Guidelines on Managing Exposure to Electric and Magnetic Fields
- Aquatics Strategic Facilities Plan – Perth and Peel Metropolitan Region
- Community Safety and Crime Prevention Advisory Group Update
- Disaster and Emergency Management Conference
- Australian Injury Prevention & Safety Promotion Conference
- Heritage Management Planning Seminar
- Upcoming Building Commission Seminars

9.7.28 DEPARTMENT OF LOCAL GOVERNMENT – CAT ACT IMPLEMENTATION GRANTS PROGRAM

Document ID: 12255

The Department operates under the Whole of Government corporate shared services environment. Under this arrangement, grant payments are made directly by the Department of Finance Shared Services.

A request for \$2,535 ex GST has been registered with Shared Services for payment to the Shire of Dandaragan.

More information is on hand.

9.7.29 DEPARTMENT OF TRANSPORT – CYCLE INSTEAD BIKEWEEK 2013

Document ID: 12261

Cycle Instead Bikeweek is an annual event promoting cycling in Western Australia. The 2013 calendar of events includes more than 80 different cycling activities to be held across metropolitan and regional Western Australia.

Bikeweek will be launched with the Merredin Triathlon on Sunday 17 March and conclude with the Corrigin Bike Rally on Sunday 24 March. Other activities include bike to work breakfast, family social rides, workplace and school events, tours and trail rides.

Visit www.transport.wa.gov.au/bikeweek to view or download all of the Bikeweek 2013 promotional materials, including separate

calendars for regional WA, the Peel region and metropolitan Perth.

9.7.30 SHANE LOVE – LETTER OF RESIGNATION – SHIRE PRESIDENT

Document ID: 12264

‘As you are aware, I am now the member elect for the seat of Moore and as such, cannot continue in my role as Shire President of the Shire of Dandaragan.

I wish to tender my resignation as both Shire President and Councillor for the Shire of Dandaragan.

I wish you and Council all the very best in the future and look forward to a good working relationship.”

9.7.31 WALGA 2013 ASSOCIATION HONOURS

Document ID: 12295

Nominations for the 2013 WA Local Government Association Honours program opened on 11 March 2013 and close on Friday 17 May 2013.

The Honours program is a significant public recognition and celebration of the outstanding achievements and lasting contributions made by Elected Members and Officers to their respective Councils, to Local Government as a sector and to the wider community. Awards given as part of the Honours program will be presented to recipients at an awards ceremony held during the 2013 Local Government Convention at the Perth Convention Centre.

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

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

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

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

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

For a decision to be recorded in the minute a formal motion must be passed by Simple majority clearly stating the reason for the closure in

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 21 MARCH 2013
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accordance with Section 5.23 of the Local Government Act 1995.

Local Government Act 1995

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees;
 - (b) the personal affairs of any person;
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
 - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

Local Government (Administration) Regulations 1996

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

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

11.1 ADMINISTRATION

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Sheppard

That the meeting be closed to members of the public at 5:35pm in accordance with Section 5.23 (2) (e) (ii) of the Local Government Act

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 21 MARCH 2013
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1995 and Regulation 4A of the Local Government (Administration) Regulations 1996 to allow Council to discuss Item 11.1.1 Application for Extension Of Lease (35 years) – Jurien Bay Tourist Park – Lot 271 Roberts Street, Jurien Bay.

CARRIED 6 / 0

Members of the public left the meeting at 5.35pm

Cr Leslee Holmes disclosed and impartiality interest at 5.35pm

11.1.1 APPLICATION FOR EXTENSION OF LEASE (35 YEARS) – JURIEN BAY TOURIST PARK – LOT 271 ROBERTS STREET, JURIEN BAY

Location:	Reserve 27406, Lot 271 Roberts Street, Jurien Bay
Applicant:	Jurien Bay Tourist Park (John and Danuta Layman)
File Path:	Business Classification Scheme / Council Properties / Leasing Out / Caravan Parks
Disclosure of Interest:	None
Date:	8 March 2013
Author:	David Chidlow, Manager Planning
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Russell, seconded Cr Sheppard

That Council advise the owners of the Jurien Bay Tourist Park that it is not prepared to consider supporting up to a 35 year lease (seven 5 year performance based renewals) for the caravan park at Lot 271 Roberts Street until such time as a master plan/development program for the Tourist Park is addressed.

Advice

- **As part of any new lease there will be:**
 - **A requirement for the lessee to assume responsibility for the maintenance and replacement of all infrastructure and equipment within the Tourist Park.**
 - **The requirement to maintain a defined number of sites for each type of accommodation, i.e. chalets, semi permanents, caravans and camping unless alternate parks are developed in Jurien Bay to cater for these markets and any variations subject to the approval of Council supported by justifications.**
 - **The initial lease will be for a 5 year period and subject to satisfactory progress on the development plan, renewed each 5 years up to the maximum of 35 years. The development plan may be reviewed at the completion of each 5 year lease.**
- **The following matters (as a minimum) are required to be addressed in the development/ master plan:**

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 21 MARCH 2013
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- List of improvements, including upgrades or replacement to core infrastructure; refurbishment of existing facilities and provision of additional facilities.
- Plans of the park showing existing and future development and infrastructure as well as road networks/traffic flows.
- The number and location of permanent, semi-permanent, cabin/chalet, onsite van and caravan bay/camping sites, with no reduction in the number of sites.
- The provision of appropriate and separate facilities for permanent and short stay tenants.
- Any reduction in the number of caravan bays/camp sites through conversion to chalet style development will require the submission of a comprehensive justification.
- The existing caravan park provides poor visual amenity with closed fencing and limited shade tree landscaping along the street frontages, particularly White Street. This should be improved and a relevant comparison is the street frontage treatment of the Cervantes Caravan Park, with open style fencing and mature trees along the street boundary.
- The relationship of this site to the adjacent streets – particularly Roberts Street is critical for the Town Centre.
- All other potential street entry/exits to be addressed.
- Time frames for improvements based on 5 year increments, reviewable after each 5 year period. It is recognized that as the town centre and markets for tourist accommodation change that there should be some flexibility in the development program. Any reviews of the development plan will be subject to the approval of Council.

CARRIED 6 / 0

COUNCIL DECISION

**Moved Cr Short, seconded Cr Holmes
That the meeting be reopened to the public.**

CARRIED 6 / 0

Members of the public reentered the meeting at 5.45pm

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13 CLOSURE OF MEETING

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 21 MARCH 2013

The presiding member declared the meeting closed at 5.45pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date