



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

**MINUTES**  
**of the**  
**ORDINARY COUNCIL MEETING**  
**held at the**  
**CERVANTES COUNTRY CLUB, CERVANTES**  
**on**  
**THURSDAY 26 NOVEMBER 2020**  
**COMMENCING AT 4.08PM**

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

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<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 26 NOVEMBER 2020</b>
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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

### 1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 4.08pm and welcomed those present.

*"I would like to acknowledge the traditional owners of the land we are meeting on today, the Yued people of the great Nyungar Nation and we pay our respects to Elders both past, present and emerging."*

### 1.2 DISCLAIMER READING

The disclaimer was read aloud as there were 8 members of the public present.

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

*It is strongly advised that persons do not act on what is heard, and should only rely on written confirmation of Council's decision, which will be provided within fourteen days."*

## 2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

### Members

Councillor L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor J Clarke	
Councillor A Eyre	
Councillor D Richardson	
Councillor R Rybarczyk	
Councillor R Shanhun	
Councillor D Slyn	

### Staff

Mr B Bailey	(Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr D Chidlow	(Executive Manager Development Services)
Mr B Pepper	(Executive Manager Infrastructure)
Mr R Mackay	(Planning Officer)

### Apologies

Councillor W Gibson

### Approved Leave of Absence

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 26 NOVEMBER 2020**

Nil

**Observers**

Mr B Glew, Mr C McMullen, Ms T Stanton, Ms T Randall, Mrs G White, Mrs M Gazeley, Mr M Beckingham, Ms B Green

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

Nil

**4 PUBLIC QUESTION TIME**

Nil

**5 APPLICATIONS FOR LEAVE OF ABSENCE****COUNCIL DECISION**

Moved Cr Eyre, seconded Cr Slyns

That the following request for leave of absence be approved:

Councillor W Gibson 27 November 2020 – 17 December 2020

Councillor P Scharf – 28 January 2021 – 15 February 2021

**CARRIED 8 / 0**

**6 CONFIRMATION OF MINUTES****6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 22 OCTOBER 2020****COUNCIL DECISION**

Moved Cr Clarke, seconded Cr Slyns

That the minutes of the Ordinary Meeting of Council held 22 October 2020 be confirmed.

**CARRIED 8 / 0**

**7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The President announced that Cr Richardson who represents the Badgingarra Community will be resigning from Council as of 31 January 2021. The President acknowledged the outstanding contribution Cr Richardson had made to the Shire and community of Badgingarra and wished her all the best in her future endeavours.

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

Chris McMullen and Brad Glew from Wedge Island Protection Association (WIPA) presented to Council regarding their aspirations for the future and ongoing license negotiations with the Department of Biodiversity, Conservation and Attractions. WIPA are continuing to seek solutions for longer term tenure for shack owners and requested future dialogue with the Shire.

The Shire President acknowledged the announcement on the day that the High Court of Australia had dismissed all special leave applications challenging the registration of the South West Native Title Settlement Agreements and that this would have a significant bearing on the future of the Wedge Island area.

Gloria White, representing the Cervantes Historical Society, made a presentation to Council seeking support for Council to acquire the building the Historical Society currently occupies on their behalf. A business case to support the Historical Society's request will be presented to Council in the near future.

Mike Beckingham from Seafront Estate made a presentation to Council regarding the new skate park at the Jurien Bay foreshore. Mr Beckingham outlined his concerns about the lack of direct consultation with owners within the Estate and the perceived nuisances a skate park was likely to cause such as noise, light spill and impacts to their vista of the ocean. Mr Beckingham sought Council's consideration for making the facility a daytime use only facility to avoid the installation of lighting.

Mr Beckingham acknowledged that he had met with the CEO and was working through a number of potential solutions including landscaping and minor adjustments to the built form to mitigate some of their identified issues.

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## 9 REPORTS OF COMMITTEES AND OFFICERS

### 9.1 CORPORATE & COMMUNITY SERVICES

#### 9.1.1 ACCOUNTS FOR PAYMENT – OCTOBER 2020

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	6 November 2020
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

#### PROPOSAL

To accept the cheque, EFT, BPAY and direct debit listing for the month of October 2020.

#### BACKGROUND

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

#### COMMENT

The cheque, electronic funds transfer (EFT), BPAY and direct debit payments for October 2020 totalled \$1,598,382.97 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the October 2020 Accounts for payment, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting, in order that research can be undertaken and details provided either at the time of the query or at the meeting.

#### CONSULTATION

- Chief Executive Officer

#### STATUTORY ENVIRONMENT

- Regulation 13 of the Local Government Financial Management Regulations 1997.

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

#### STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

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ATTACHMENTS

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

- Cheque, EFT and direct debit listings for October 2020 (Doc Id: 165616)

**(Marked 9.1.1)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

**Moved Cr Eyre, seconded Cr Shanhun**

**That the Cheque and EFT listing for the period ending 31 October 2020 totalling \$1,598,382.97 be adopted.**

**CARRIED 8 / 0**

## 9.1.2 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 OCTOBER 2020

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	17 November 2020
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 October 2020.

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 October 2020.

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 [i.e. surplus / (deficit)] position as at the 31 October 2020 was \$5,208,289. 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 and Restricted Assets. The current position indicates that Council can easily meet its short-term liquidity or solvency.



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The Net Current Asset position is reflected on page 12 and reconciled with the Statement of Financial Activity on page 3 of the financial statements.

The amount raised from rates, shown on the Statement of Financial Activity (page 3), reconciles with note 6 (page 13) of the financial statements and provides information to Council on the budget vs actual rates raised.

2. Material Variances

During budget adoption a 10 percent and \$10,000 threshold for these variances to be reported was set.

Note 12 of the attached report details any significant variances. Should Councillors wish to raise any issues relating to the 31 October 2020 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 31 October 2020 (Doc ID 165935)  
**(Marked 9.1.2)**

VOTING REQUIREMENT

Simple majority

<b>OFFICER RECOMMENDATION / COUNCIL DECISION</b>
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**Moved Cr Richardson, seconded Cr Scharf**

**That the monthly financial statements for the period 31 October 2020 be adopted.**

CARRIED 8 / 0

## 9.2 INFRASTRUCTURE SERVICES

### 9.2.1 SHIRE OF DANDARAGAN PANEL OF PRE-QUALIFIED SUPPLIERS – ADDITIONAL APPLICANTS FOR CONSIDERATION

Location:	Shire of Dandaragan
Applicant:	Various
Folder Path:	Tenders / Tenders 2017 / Request for Applications / New Applicants for Consideration
Disclosure of Interest:	Nil
Date:	12 November 2020
Author:	Julie Rouse, Coordinator Infrastructure Services
Senior Officer:	Brad Pepper, Executive Manager Infrastructure

#### PROPOSAL

That Council consider additional applicants to join the Shire of Dandaragan's Panel of Pre-Qualified Suppliers. The officer's recommendation is to appoint the following organisations to the panel:

- Midcoast Hydraulic Services
- Grassgrowers Organic Recycling
- Innes Air & Electrical
- VHM Solutions

#### BACKGROUND

The purpose of establishing a Pre-Qualified Suppliers Panel (Panel) allows Shire officers to procure a range of goods and services from a list of suppliers, predominantly local, without the necessity to undertake exhaustive procurement processes each time regular goods or services are required. Furthermore, Shire officers are required to abide with legislative requirements under the *Local Government (Functions and General) Regulations 1996, Part 4 - Provision of goods and services, Division 3 - Panels of pre-qualified suppliers.*

The initial establishment of a Shire of Dandaragan Pre-Qualified Suppliers Panel took place in 2013.

Upon expiry of this initial Panel arrangement, Shire officers undertook a Request for Application (RFA) process in 2017 to invite applicants to apply to join a new Panel of Pre-Qualified Suppliers for various services. These services included:

- RFA 01/17 Building & Mechanical Services
- RFA 02/17 Civil Works
- RFA 03/17 Technical Services
- RFA 04/17 Town Maintenance

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The scope of services required was advertised across 4 x RFA documents for the following categories and scope of services

**01/17 – Building & Mechanical Services**

1. Roofing
2. Demolition Works
3. Registered Builder
4. Carpenter
5. General Handyman
6. Brick Laying and Paving
7. Glazing Works
8. Working at Heights Services
9. Painting
10. Plumber
11. Electrician
12. Mechanical Services
13. Fabrication and Welding

**02/17 – Civil Works**

1. Engineering Services
2. Road Building and Bulk Earthworks
3. Urban Road Construction
4. Earthmoving Equipment
5. Haulage and Freight
6. Road and Street Maintenance
7. Provision of earthmoving Equipment at a Fire
8. Supply of Bulk Materials

**03/17 – Technical Services**

1. Strategic Community Development Consultancy Services
2. Engineering Consultancy Services
3. Environmental Consultancy Services
4. Asset Management Services
5. Architectural Services

**04/17 – Town Maintenance**

1. Vegetation Management
2. Turf Management
3. Irrigation Services
4. Fencing
5. Street Sweeping
6. Drainage Pipe Clearing and Cleaning

The Qualitative Selection Criteria was advertised as follows:

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Description of Qualitative Criteria	Weighting %
<p><b>A) Capabilities</b>  <b>Outline the key services, skills, personnel and equipment that your company can provide the Shire of Dandaragan.</b></p> <ul style="list-style-type: none"> <li>i. Key services and skills (10%)</li> <li>ii. Key personnel (10%)</li> <li>iii. Relevant equipment (5%)</li> </ul> <p><b>Scaling of Project Clients</b></p> <ul style="list-style-type: none"> <li>- Shire of Dandaragan (scale 1).</li> <li>- Regional WA local government authorities (scale 0.8).</li> <li>- WA local government authorities (scale 0.6).</li> <li>- State Government agencies (scale 0.4)</li> <li>- Other clients (scale 0.2).</li> </ul>	25%
<p><b>C) Local Supplier</b>  <b>Outline the primary location of your business</b></p> <ul style="list-style-type: none"> <li>i. Shire of Dandaragan (max 25%)</li> <li>ii. Neighboring local government authority (max 20%)</li> <li>iii. Regional WA (max 15%)</li> <li>iv. Perth (max 10%)</li> <li>v. Other (max 5%)</li> </ul>	25%
Description of Qualitative Criteria	Weighting %
<p><b>D) Price</b>  <b>Provide unit rates for the following relevant items where applicable</b></p> <ul style="list-style-type: none"> <li>i. Service</li> <li>ii. Personnel</li> <li>iii. Equipment</li> <li>iv. Other</li> </ul>	<p>For reference purposes only            Use to compare Similar Applications.</p>

All submissions received were evaluated against the qualitative criteria. Where information within the submissions was unclear or required further clarification, applicants were sent a written query via email for clarification. Each submission was given an overall qualitative ranking score out of 100. Upon review of all submissions with relevance to the number of submissions, quality of submissions and services required it was deemed that the minimum cut off score to be considered for recommendation to the panel was 70.

Applications that met the minimum cut off score or above were presented to Council at its Ordinary Meeting held 25 January 2018 and, following Council's endorsement, a panel booklet was compiled containing all successful applicants and their relevant details.

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**COMMENT**

Following the initial RFA process, it was acknowledged that should additional applicants wish to apply to join the panel they were encouraged to do so and their application would be reviewed as per the original process and presented to Council for endorsement.

The following table provides an overview of recent additional submissions received for Council consideration onto the current panel following the Qualitative Criteria assessment process. These applicants have exceeded the minimum cut-off score and their addition fill current gaps in the various categories of the panel.

RFA 01/17 – Building & Mechanical Services	Innes Air & Electrical	VHM Solutions
1. Roofing		
2. Demolition Works		
3. Registered Builder		Y
4. Carpenter		Y
5. General Handyman		
6. Brick Laying & Paving		Y
7. Glazing Works		
8. Working at Heights Services		Y
9. Painting		
10. Plumber		
11. Electrician	Y	
12. Mechanical Services	Y	
13. Fabrication and Welding		Y
WALGA Preferred Supplier		
CUA Member		
Qualitative Criteria Score	93	75

RFA 02/17 – Civil Works	Midcoast Hydraulic Services
1. Engineering Services	Y
2. Road Building and Bulk Earthworks	
3. Urban Road Construction	
4. Earthmoving Equipment	Y
5. Haulage and Freight	

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6.	Road and Street Maintenance	
7.	Provision of Earthmoving Equipment at a Fire	Y
8.	Supply of Bulk Materials	
	WALGA Preferred Supplier	N
	CUA Member	N
	Qualitative Criteria Score	93

	RFA 04/17 – Town Maintenance	Grassgrowers Organic Recycling
1.	Vegetation Management	Y
2.	Turf Management	
3.	Irrigation Services	
4.	Fencing	
5.	Street Sweeping	
6.	Drainage Pipe Clearing and Cleaning	
	WALGA Preferred Supplier	N
	CUA Member	N
	Qualitative Criteria Score	78

### CONSULTATION

- Executive Management Team

### STATUTORY ENVIRONMENT

Local Government (Functions and General) Regulations 1996, Part 4 - Provision of goods and services, Division 3 - Panels of pre-qualified suppliers.

### POLICY IMPLICATIONS

- 1.1 C-1PAT01 Purchasing and Tender; and
- 1.2 C-1PPS02 Pre-qualified Panels of Suppliers

The selection and engagement of Panel members will be on a project by project basis, at the relevant Shire officer's discretion, utilising the expenditure thresholds within Council's Purchasing and Tender Policy to provide the best suitable outcome for the Shire of Dandaragan when procuring each individual service. The panel does not provide exclusivity over any capital and operational expenditure and it is common practice for officer's to seek quotes from a broad range of local suppliers to ensure value for money is delivered for the community.

### FINANCIAL IMPLICATIONS

As per the Shire of Dandaragan Purchasing and Tender Policy, information listed in the Panel submissions, specifically unit

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rates for various items of equipment and services, will provide Shire officers with an indicative pricing schedule for various items required. This has enabled officers to undertake a value for money assessment of comparable services as part of the pre-qualification selection process. It will allow the Shire to engage the relevant contractor at a predetermined rate for specific services where the work required can be on a simple schedule of rates basis.

**STRATEGIC IMPLICATIONS**

Strategic Community Plan – Envision 2029

02 Prosperity	The Shire will experience broad economic and population growth with decreasing economic barriers, diversified agriculture and fisheries output and vibrant visitor economy.
Priority Outcomes	Our roles
Jurien Bay continues to grow as a regional centre that services and delivers benefits throughout the Shire	Leverage public and private sector partnerships to deliver new infrastructure required to achieve sustainable economic and population growth.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Shanhun, seconded Cr Clarke**

**That Council endorse the following suppliers to the Shire of Dandaragan Pre-qualified Supplier Panel based upon the assessment of the Qualitative Criteria of the Request for Application under the relevant categories as follows:**

RFA 01/17 – Building & Mechanical Services	Innes Air & Electrical	VHM Solutions
1. Roofing		
2. Demolition Works		
3. Registered Builder		Y
4. Carpenter		Y
5. General Handyman		
6. Brick Laying & Paving		Y
7. Glazing Works		
8. Working at Heights Services		Y
9. Painting		
10. Plumber		

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11. Electrician	Y	
12. Mechanical Services	Y	
13. Fabrication and Welding		Y
WALGA Preferred Supplier	N	N
CUA Member	N	N

RFA 02/17 – Civil Works	Midcoast Hydraulic Services
1. Engineering Services	Y
2. Road Building and Bulk Earthworks	
3. Urban Road Construction	
4. Earthmoving Equipment	Y
5. Haulage and Freight	
6. Road and Street Maintenance	
9. Provision of Earthmoving Equipment at a Fire	Y
10. Supply of Bulk Materials	
WALGA Preferred Supplier	N
CUA Member	N

RFA 04/17 – Town Maintenance	Grassgrowers Organic Recycling
1. Vegetation Management	Y
2. Turf Management	
3. Irrigation Services	
4. Fencing	
5. Street Sweeping	
6. Drainage Pipe Clearing and Cleaning	
WALGA Preferred Supplier	N
CUA Member	N

**CARRIED 8 / 0**



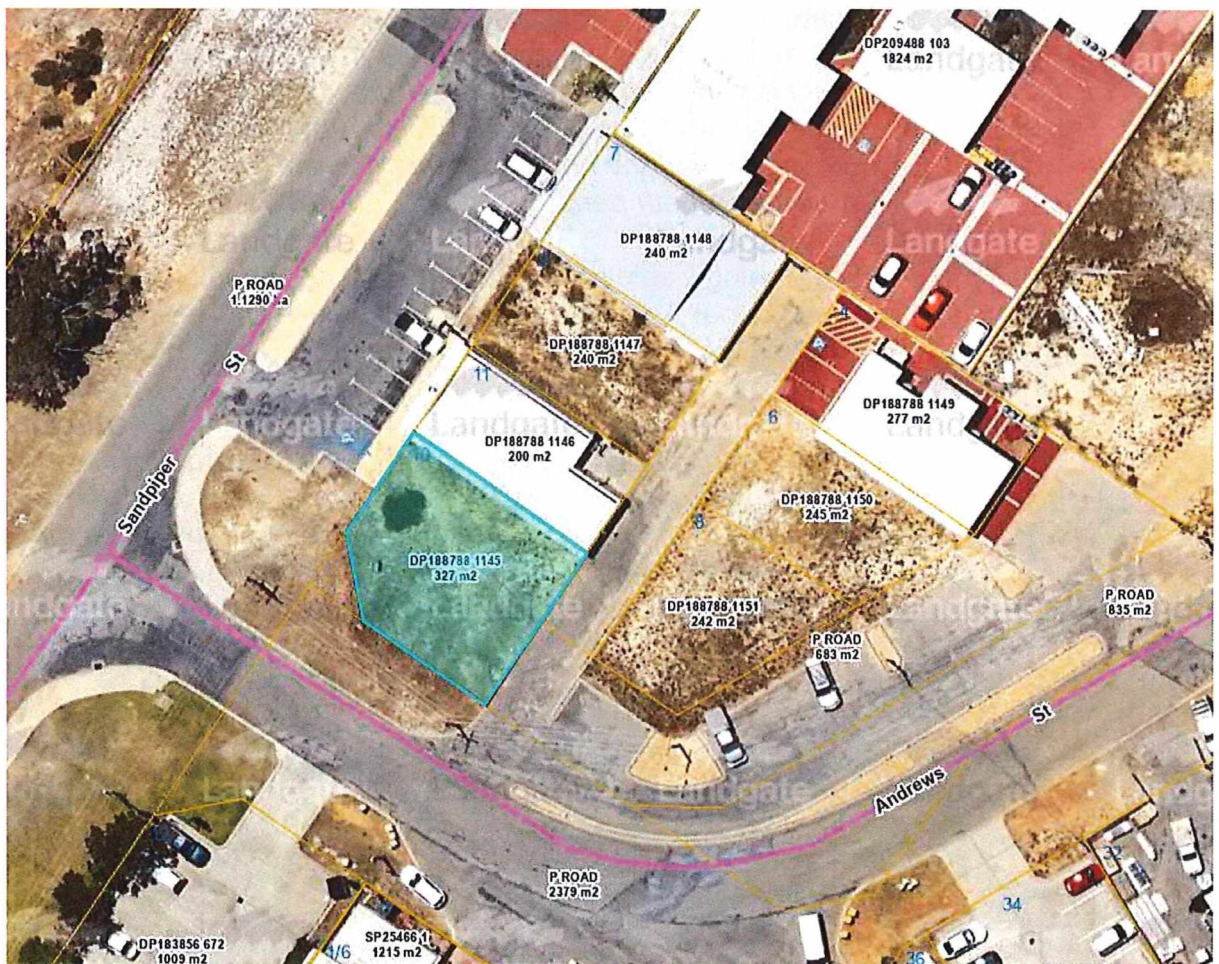
### 9.3 DEVELOPMENT SERVICES

#### 9.3.1 PROPOSED SERVICED APARTMENT – 10 ANDREWS STREET, JURIEN BAY

Location:	Lot 1145 corner of Sandpiper & Andrews Streets, Jurien Bay
Landowner:	CG & RA Muir
Applicant:	Trend Developments Pty Ltd
File Ref:	Development Services Apps / Development Applications / 2020 / 74
Disclosure of Interest:	Nil
Date:	4 November 2020
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager of Development Services

#### PROPOSAL

The proponent is seeking development approval for the development of a serviced apartment upon 10 Andrews Street, Jurien Bay.



The subject property shown in light blue on the above locational map

#### BACKGROUND

The subject 327m<sup>2</sup> property is currently vacant and zoned 'Regional Centre' under the Shire's *Local Planning Scheme No.7* (the Scheme). The objectives of the Regional Centre zone are:

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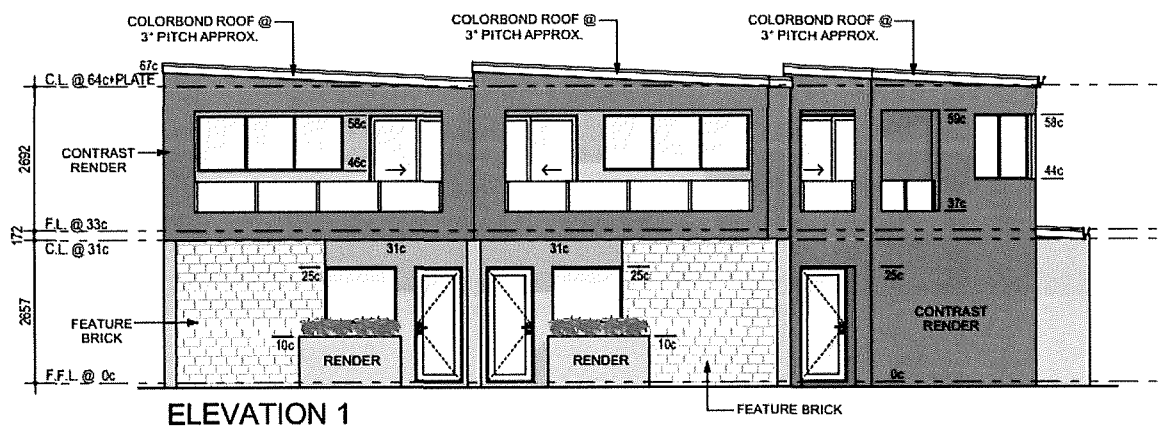
- Provide a range of services and uses to cater for both the local and regional community, including but not limited to specialty shopping, restaurants, cafes and entertainment.
- Ensure that there is a provision to transition between the uses in the regional centre and the surrounding residential areas to ensure that the impacts from the operation of the regional centre are minimised.
- Provide a broad range of employment opportunities to encourage diversity and self-sufficiency within the Centre.
- Encourage high quality, pedestrian-friendly, street-oriented development that responds to and enhances the key elements of the Regional Centre, to develop areas for public interaction.
- Ensure that the provision of residential opportunities within the Regional Centre, including high density housing and tourist accommodation that supports the role of the regional centre and meets the needs of the community.

The proposed land use of 'serviced apartment' is defined by the Scheme as the following:

*means a complex where all units or apartments provide for self-contained accommodation for short-stay guests, where integrated reception and recreation facilities may be provided, and where occupation by any person is limited to a maximum of three months in any 12-month period.*

The Zoning Table of the Scheme lists serviced apartment as an 'D' (discretionary) use for the Regional Centre zone. This means that the use is not permitted unless the Shire has exercised its discretion by granting development approval.

A triplex townhouse 3-bedroom, 2-bathroom design is proposed with double garage vehicle parking to be provided from rear right of way access to the property. A 2m setback to the primary street of Sandpiper and a 1m setback to the secondary street of Andrews is proposed to the townhouses.



*Proposed Sandpiper Street Front Elevation*

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An offer on the sale of the property from the current listed landowners to the proponent has been accepted subject to this development application being approved by Council.

COMMENT

The Scheme provides specific provisions for development within the Regional Centre zone. The relevant provisions to this application are:

- *Development to be in accordance with the Jurien Bay City Centre Strategy Plan or any successive document.*
- *Development shall address matters including, but not limited to, achieving high quality built form, appropriate setbacks to street boundaries and adjoining residential zoned lots, site responsive design, landscaping, efficient access and parking to the satisfaction of the local government.*

The Jurien Bay City Centre Strategy Plan (the strategy) denoted the subject property within a designated commercial area with the ambition to accommodate shops, restaurants, licensed premises, markets, and offices. Residential units and tourist accommodation are outlined as only being permitted above ground level only. The strategy area vision was to create a shopping street environment along Sandpiper and Andrews Street with shops built up to the street boundaries.

Recent development in this area has gone against the Strategy position with the Jurien Bay Motel Apartments, a standalone tourist venture spanning across two properties in this precinct and providing accommodation on the ground floor level. Seafront tourist estate and Lot 62 Roberts Street, both with their designated tourist uses are also both adjacent this development on Sandpiper Street. These developments to date have set a precedent for future developments in this precinct.

The Strategy states that development needs to ensure activities occur at ground level which create interest, surveillance, and a comfortable human scale, with a sheltered environment for pedestrians. Building forms should have flat or low-pitched roofs with awnings or verandahs over the footpath and can reflect more contemporary design and materials. Conversely, the proposed design given its sole accommodation purpose does not entail awnings or an active public use on the ground floor, instead the habitable outdoor living space of each balcony and large windows to each external upper floor wall provide for natural surveillance of the precinct by guests. There are no areas of the design which provide opportunities for concealment and entrapment. A porch is provided to each townhouse to be inviting to and shelter visitors. A low skillion roof in keeping with the Strategy is proposed.

The impact of the development on the community as a whole is viewed as a positive one. The short stay development is in keeping with Jurien Bay's identity and character as a coastal

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tourist town. The development will provide visitors to Jurien Bay the ability, once arrived, to put their away vehicle and explore the townsite on foot or cycle given the central location of the subject property and the surrounding public infrastructure. Conversely, guests can use the development as the basis for wider day trips in the Shire and the wider Wheatbelt / central coast region.

For the reasons explained, it is recommended Council approve the development application subject to conditions, which include, but are limited to, the call for a verge landscaping plan and a site construction management plan.

*Alternative motion:*

*"That a determination on the development application for a serviced apartment upon Lot 1145 Andrews Street, Jurien Bay be deferred until the Jurien Bay CBD Urban Design Plan (of which the subject property is within) is a seriously entertained proposal."*

**CONSULTATION**

Consultation was not required, nor deemed necessary for this development application.

**STATUTORY ENVIRONMENT**

Local Planning Scheme No 7.

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item

**FINANCIAL IMPLICATIONS**

The proponent has paid the required development application fee.

**STRATEGIC IMPLICATIONS**

- Local Planning Strategy 2020:  
*Tourism Strategic Directions – Plan for a range of tourism accommodation options to meet the needs of short-stay visitors.*

*Economy Strategic Directions – Support growth of the tourism sector by assisting operators to provide a range of products to cater for differing consumer experiences and expectations.*

- Strategic Community Plan – Envision 2029:

02 – Prosperity	The Shire will experience broad economic and population growth with decreasing economic barriers, diversified agriculture and fisheries output and vibrant visitor economy.
<b>Priority Outcomes</b>	<b>Our Roles</b>
Our Shire has a contemporary land use planning system that responds to, and creates, economic opportunities.	Ensuring that our planning framework is modern and meets the needs of industry, small business and emerging opportunities

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ATTACHMENTS.

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

- Development Application 74/20 (Doc Id: 164858)
- Landscaping Plan (Doc Id: 166583)

**(Marked 9.3.1)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council grant development approval for a serviced apartment upon Lot 1145 Andrews Street, Jurien Bay subject to the following conditions and advice:

Conditions:

1. Development may be carried out only in accordance with the details of the application as approved herein and any approved plan.
2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the Shire of Dandaragan.
3. The development must not cause nuisance or degrade the amenity of the locality in any way, including by reason of the emission of noise, light, odour, fumes, smoke, vapour or other pollutant, or impact on public safety or otherwise; to the satisfaction of the Shire of Dandaragan.
4. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Shire of Dandaragan.
5. Guests of the development are to be short stay only, meaning no guest shall occupy the tourist development for more than a total of three months in any one twelve-month period.
6. Prior to lodging an application for a building permit, the landowner must execute and provide to the Shire of Dandaragan a notification pursuant to Section 70A of the *Transfer of Land Act 1893* (as amended) to be registered on the Certificate of Title advising prospective purchasers that the use of the land is subject to the short stay accommodation restriction set out in Condition 5 to the satisfaction of the Shire of Dandaragan.
7. All stormwater must be contained and disposed of on-site at all times, to the satisfaction of the Shire of Dandaragan.
8. All piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters and bin storage areas must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Shire of Dandaragan, prior to lodging an

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- application for a building permit.
9. Prior to occupation of the development, the existing landscaping must be upgraded, reticulated or irrigated in accordance with the approved landscaping plan and maintained thereafter to the satisfaction of the Shire of Dandaragan.
  10. The approved landscaping and reticulation plan must be fully implemented within the first available planting season after the initial occupation of the development, and maintained thereafter, to the satisfaction of the Shire of Dandaragan. Any species which fail to establish within the first two planting seasons following implementation must be replaced in consultation with and to the satisfaction of the Shire of Dandaragan.
  11. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Shire of Dandaragan, and thereafter implement to the satisfaction of the Shire of Dandaragan, a Construction Management Plan addressing the following matters:
    - a) How materials and equipment will be delivered and removed from the site;
    - b) How materials and equipment will be stored on the site;
    - c) Construction waste disposal strategy and location of waste disposal bins;
    - d) How risk of wind and/or water borne erosion and sedimentation will be minimised during and after the works; and
    - e) Other matters likely to impact on the surrounding properties.

Advice:

- A. The applicant/landowner is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of the Shire of Dandaragan.
- B. Should the Applicant be aggrieved by the decision (in part or whole) there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such an Application must be lodged within twenty-eight (28) days from the date of the decision.
- C. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire of Dandaragan to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire of Dandaragan's attention.
- D. This is a development approval of the Shire of Dandaragan

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under its *Local Planning Scheme No.7*. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.

- E. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the *Shire of Dandaragan Local Planning Scheme No.7* and may result in legal action being initiated by the Shire of Dandaragan.

### **COUNCIL DECISION**

**Moved Cr Richardson, seconded Cr Eyre**

**That a determination on the development application for a serviced apartment upon Lot 1145 Andrews Street, Jurien Bay be deferred until the Jurien Bay CBD Urban Design Plan (of which the subject property is within) is a seriously entertained proposal.**

**CARRIED 8 / 0**

*Reason for variation: Council chose to defer the application pending the detailed investigations into, amongst other design planning, retail space within the CBD as a component of the Jurien Bay Urban Design Plan, which is currently in progress. The outcomes of the design plan will guide Council's decision as to the suitability of the proposal taking into account the supply and future needs of retail space in the locality.*

### **9.3.2 JURIEN BAY AIRPORT LEASES**

Location:	Reserve 35408 Airstrip Road, Jurien Bay
Applicant:	Pearce Flying Club, Ross Campbell
File Path:	Business Classification Scheme / Traffic & Transport / Service Provision / Airports & Landing Facilities
Disclosure of Interest:	Nil
Date:	11 November 2020
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager Development Services

### **PROPOSAL**

For Council to consider leasing two separate portions of the Jurien Bay Airport to the Pearce Flying Club (PFC) and Mr Ross Campbell respectively.

BACKGROUND

The PFC have been looking for a new airfield to base their operations from since the Royal Australian Air Force (RAAF) evicted them from the RAAF bases at Pearce (Bullsbrook) and Gingin in early 2017. The PFC was also evicted from their subsequent base at Greenside Airfield (Muchea) in mid-2019. Currently, PFC have temporary arrangements to utilise Jandakot Airport as an operation base.

For some years, the Pearce Flying Club has been interested in leasing a portion of both the Jurien Bay and Cervantes Airfields as some of their members are ratepayers/active visitors to the Shire of Dandaragan. PFC confirmed their position through their active involvement in the formulation of the Jurien Bay Airport Masterplan (Masterplan) in the 2018/19 financial year.

A formal approach by the PFC to seek a lease of the Jurien Bay Airport to develop a club hangar and then a club facility building was moved at their recent general meeting.

Ross Campbell, both a member of the PFC and the Jurien Bay Airport Working Group (AWG) has also sought Council approval to lease a portion of the airport for the development of a flying school.

Both lease approaches were supported in principle by the Jurien Bay Airport Working Group at their meetings on 31 August and 12 October 2020 for the general area denoted below between the Royal Flying Doctor Service apron and the north airport accessway.



General area approved in principle for the flying club and flying school sites shown in blue highlight.

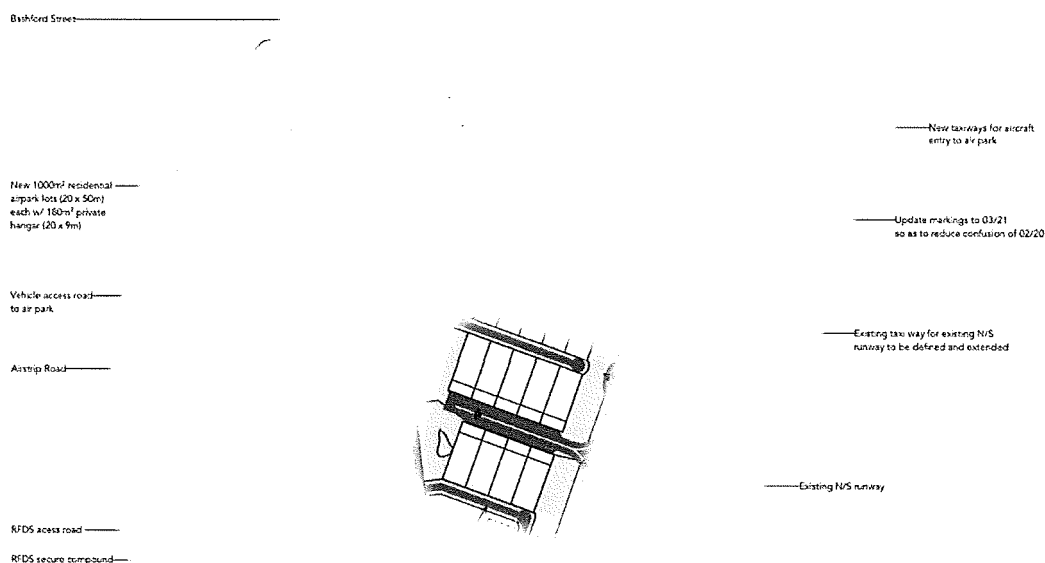
COMMENT

The Masterplan denoted the area in question as forming part of a



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future airpark (residence and hangar on the same site) as shown in the following snippet. A total of 40, 1000m<sup>2</sup> lots are shown. The AWG support utilising some of this area for the social flying club and flying school uses, which require larger hangars than that of the existing private hangars located at the central airport apron. Some 20-30 airpark lots could still be created in the medium to long term future in accordance with the Masterplan.



**Masterplan airpark configuration**

A defined square metre area for both applicants has yet to be formally agreed however it is not anticipated both lease sites will be more than 2500m<sup>2</sup>. Therefore, Council is requested to provide the Chief Executive Officer with authorisation to finalise the lease arrangements with both parties for respective sites up to 2500m<sup>2</sup>. Before the leases are executed a final site plan completed by a licensed surveyor depicting the area of land to be leased to each party will be formulated and included as an attachment to both lease documents.

### CONSULTATION

Jurien Bay Airport Working Group

Mr Ian Hurst, PFC President and Mr Ross Campbell have been invited to address Council at the agenda briefing session on 23 Monday 2020.

### STATUTORY ENVIRONMENT

Land Administration Act 1997:

The Shire currently holds a management order over Reserve 35408 (Lot 502 on Deposited Plan 64265) with the ability to lease for no longer than 21 years for the purposes of the classification of the reserve, 'Landing Ground'. A flying club and flying school align with classification and therefore leases for both can be processed subject to final approval from the Minister for Lands.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 26 NOVEMBER 2020**

**POLICY IMPLICATIONS**

Jurien Bay Airport Masterplan – as outlined.

**FINANCIAL IMPLICATIONS**

All costs associated with the lease process, including valuation and legal agreements, will be borne by the applicants.

**STRATEGIC IMPLICATIONS**

Strategic Community Plan – Envision 2029

02 – Propensity	The Shire will experience broad economic and population growth with decreasing economic barriers, diversified agriculture and fisheries output and vibrant visitor economy.
Priority Outcomes	Our Roles
Our Shire has a contemporary land use planning system that responds to, and creates, economic opportunities.	Identify and activate underutilised economic and land assets to promote employment and economic activity.

**Economic and Tourism Development Strategy 2020**

<b>Economic and Tourism Development Strategy</b>	<b>Outcome</b>
4 - Advocacy and Infrastructure Development	
Maximise the private sector utilisation of the Shire's airports facilitating leases and building new infrastructure.	

**ATTACHMENTS**

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

- Lease request from Pearce Flying Club (Doc Id 166248)
  - Lease request from Mr Ross Campbell (Doc Id 166337)
- (Marked 9.3.2)***

**VOTING REQUIREMENT**

Absolute majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Eyre, seconded Cr Clarke**

**That Council:**

- 1. Agree to dispose of land via lease of up to 2500m2 portion of the Jurien Bay Airport (Reserve 35408) to Pearce Flying Club for the development of a club premises and hangar subject to meeting the requirements of Section 3.58(3) and 3.58(4) of the Local Government Act 1995.**
- 2. Agree to dispose of land via lease of 2500m2 portion of the Jurien Bay Airport (Reserve 35408) to Mr Ross Campbell for the development of a flying school hangar and office**

subject to meeting the requirements of Section 3.58(3) and 3.58(4) of the Local Government Act 1995.

3. Authorise the Chief Executive Officer to negotiate and finalise the respective lease agreement documentation to be forwarded to the Minister for Lands for final approval.

CARRIED BY ABSOLUTE MAJORITY 8 / 0

#### 9.4 GOVERNANCE & ADMINISTRATION

#### 9.5 COUNCILLOR INFORMATION BULLETIN

##### 9.5.1 SHIRE OF DANDARAGAN – OCTOBER 2020 COUNCIL STATUS REPORT

Document ID: 165991

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held October 2020. *(Marked 9.5.1)*

##### 9.5.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – OCTOBER 2020

Document ID 166075

Attached to the agenda is a copy of the Shire of Dandaragan's Executive Manager Infrastructure Report for October 2020. *(Marked 9.5.2)*

##### 9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – OCTOBER 2020

Document ID: 165317

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for October 2020. *(Marked 9.5.3)*

##### 9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – OCTOBER 2020

Document ID: 165313

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for October 2020. *(Marked 9.5.4)*

##### 9.5.5 SHIRE OF DANDARAGAN TOURISM / LIBRARY REPORT FOR OCTOBER 2020

Document ID: 165454

Attached to the agenda is monthly report for Tourism / Library for October 2020. *(Marked 9.5.5)*

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 26 NOVEMBER 2020**

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

Nil

**11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC**

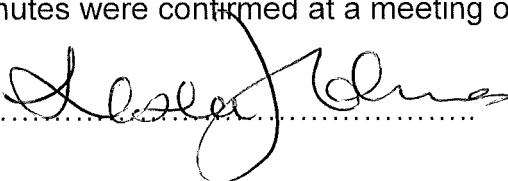
Nil

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

Nil

**13 CLOSURE OF MEETING**

The presiding member declared the meeting closed at 5.12pm.

These minutes were confirmed at a meeting on 17 December 2020  
Signed   
Presiding person at the meeting at which the minutes were confirmed  
Date 17 December 2020