



SHIRE
of
DANDARAGAN

MINUTES
of the
ORDINARY COUNCIL MEETING
held at the
COUNCIL CHAMBERS, JURIEBAY
on
THURSDAY 25 JANUARY 2018
COMMENCING AT 4.05PM

(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 Acting Chief Executive Officer declared the meeting open at 4.05pm and welcomed those present.

1.2 DISCLAIMER READING

The disclaimer was read aloud as there were 9 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 (14) days."

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor W Gibson	
Councillor K McGlew	
Councillor D Richardson	
Councillor R Shanhun	
Councillor A Eyre	
Councillor J Clarke	

Staff

Mr S Clayton	(Acting Chief Executive Officer)
Mr G Yandle	(Executive Manager Infrastructure)
Mr D Chidlow	(Executive Manager Development Services)
Ms R Headland	(Council Secretary & PA)
Mr R Mackay	(Planning Officer)
Ms M Perkins	(Community Development Officer)
Mrs J Rouse	(Executive Secretary)

Apologies

Councillor D Slyn

Approved Leave of Absence

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018**Observers**

Mr Mike Sheppard, Mr Tim Bailey, Mr Wilfred Wimpler, Mrs Renate Wimpler, Mr Hamish Longbottom, Mr Andrew McBain, Mr Ben Purcell, Mr Russell Slaughter, Mr Richard Barker

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Mr Mike Sheppard asked that in view of recent reports that Senator Richard Di Natale contacting all Local Government Councils in order to push for a change of date for Australia Day

- Has Senator Di Natale or the Greens contacted this Shire?
- If so, what was this Council's reply?
- If not, what is this Council's position regarding Australia Day remaining on the 26 January?

The Acting Chief Executive Officer responded by saying that Council had not received any correspondence from Senate Di Natale or the Greens on the issue and that Council did not have a position on the matter.

Mr Hamish Longbottom asked would the Shire support the establishment of a community group e.g. "Friends of Turquoise Coast" who's activities would include conservation activities along Turquoise Way Path and Hill River Estuary? e.g. brushing, vegetation trimming, weed monitoring, rubbish pick-up.

The President responded by saying that Council thought that this would be a great idea and Council would support the forming of such group and asked Mr Longbottom is he would head this committee.

Mr Tim Bailey asked about having the star pickets removed from around the trees at the Jurien Bay Cemetery,

The Executive Manager Infrastructure advised that he would have the Parks and Gardens crew remove them.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 CONFIRMATION OF MINUTES**6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 21 DECEMBER 2017**

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018**COUNCIL DECISION**

Moved Cr Shanhun, seconded Cr Eyre

That the minutes of the Ordinary Meeting of Council held 21 December 2017 be confirmed.

CARRIED 8 / 0

7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil


8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 ACCOUNTS FOR PAYMENT – DECEMBER 2017

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	12 January 2018
Senior Officer:	Scott Clayton, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To accept the cheque, EFT and direct debit listing for the month of December 2017.

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) and direct debit payments for December 2017 totalled \$1,303,593.43 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the December 2017 Accounts for payment, please do not hesitate to contact the Acting Chief Executive Officer 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

- Acting Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and leading local government</i>	
Business as Usual	k) Finance

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ATTACHMENTS

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

- Cheque, EFT and direct debit listings for December 2017
(Doc Id: 104735)

(Marked 9.1.1)

VOTING REQUIREMENT

Simple Majority


OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Scharf

That the Municipal Fund cheque and EFT listing for the period ending 31 December 2017 totalling \$1,303,593.43 for the Municipal Fund be accepted.

CARRIED 8 / 0

9.1.2 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 DECEMBER 2017

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	15 January 2018
Senior Officer:	Scott Clayton, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 December 2017

BACKGROUND

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 31 December 2017.

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 December 2017 was \$6,582,671. 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

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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

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

Note 14 of the attached report details any significant variances.

Should Councillors wish to raise any issues relating to the 31 December 2017 financial statements, please do not hesitate to contact the Acting Chief Executive Officer 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

- Acting 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

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and leading local government</i>	
Business as Usual	k) Finance

ATTACHMENTS

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

- Financial statements for the period ending 31 December 2017 (Doc Id: 104765)
(Marked 9.1.2)

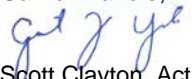

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr Richardson, seconded Cr Shanhun****That the monthly financial statements for the period 31 December 2017 be adopted.****CARRIED 8 / 0**

Cr Clarke declared a financial interest in Item 9.2.1 being one of the tenders and left the Chamber at 4.12pm.

9.2 INFRASTRUCTURE SERVICES**9.2.1 SHIRE OF DANDARAGAN PANEL OF PRE-QUALIFIED SUPPLIERS ASSESSMENT**

Location:	Whole of Shire
Applicant:	Numerous
Folder Path:	Business Classification Scheme / Corporate Management / Tendering / Tender Evaluations
Disclosure of Interest:	Nil
Date:	16 January 2018
Author:	Garrick Yandle, Executive Manager Infrastructure
Signature of Author:	
Senior Officer:	Scott Clayton, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

That Council consider the assessment recommendations of the Request for Applications for the Shire of Dandaragan Panel of Pre-qualified Suppliers following the advertised process undertaken in October and November 2017.

BACKGROUND

In 2013 the Shire of Dandaragan conducted a tender process to establish a panel for the "Supply of various goods and services and plant hire". This panel contract was for a period of 2 years and allowed Shire officers to procure a range of goods and services from a list of suppliers, predominantly local, without the necessity to undertake an exhaustive procurement process each time regular goods or services were required. This panel expired in 2015.

In September 2015 amendments were made to the Local Government (Functions and General) Regulations 1996, Part 4 - *Provision of goods and services, Division 3 - Panels of pre-qualified suppliers*. This provided further clarity to local government authorities regarding how to set up pre-qualified supplier panels. Since this amendment was introduced Shire officers have received ongoing advice from both the Department of Local Government, Sport and Cultural Industries (the Department or DLGCI) as well as staff from Western Australian Local Government Association (WALGA) in an effort to ensure the Shire

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of Dandaragan's procurement process for establishing a new Prequalified Supplier Panel is undertaken in accordance with the requirements of the Local Government (Functions and General) Regulations 1996, Part 4 - *Provision of goods and services*, Division 3 - *Panels of pre-qualified suppliers*.

Key aspects of the feedback from these parties indicated Shire officers that following was required as part of the procurement documentation and advertising process:

- The procurement process of Pre-qualified Supplier Panels should be run as a Request for Application (RFA) as opposed to a Request for Tender (RFT).
- Council should update their Purchasing Policy such that it outlines how the Pre-qualified Supplier Panel will operate within Council's overall procurement processes in accordance with Local Government (Functions and General) Regulations 1996, Part 4 - *Provision of goods and services*, Division 3 - *Panels of pre-qualified suppliers*.
- The Request for Application documentation is to outline key aspects of the panel including:
 - Scope of services required and specifications where relevant.
 - An indicative number of minimum and maximum panel members.
 - Indicative spending amounts of Council regarding services being sought.
 - Proposed length of panel contract.
 - Details of panel membership.
 - Details of the operation of the panel.
 - Details regarding exclusivity of the panel.
 - Outline there will be no guarantee that it will purchase goods and services from the pre-qualified suppliers on the panel.

COMMENT

Shire officers initially advertised the process in August 2017 as a Request for Tender. Further advice during this process indicated that the RFT documentation process was not appropriate and that Council's Purchasing Policy was inadequate to appropriately meet the requirements of Local Government (Functions and General) Regulations 1996, Part 4 - *Provision of goods and services*, Division 3 - *Panels of pre-qualified suppliers*.

Shire officers withdrew the RFT prior to the closing date for applications and sought further advice from the Department and WALGA as to what was required to adequate update the relevant documentation.

Council's *Purchasing Policy and Tender Guide* (Doc Id; 97141) was updated and presented to the August 2017 Council Meeting and endorsed by Council.

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Shire officers revised the procurement documentation to *Request for Application* and this was advertised as follows:

- Opening Date: Saturday 7 October 2017
- Closing Date: Friday 10 November 2017

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>A) Capabilities Outline the key services, skills, personnel and equipment that your company can provide the Shire of Dandaragan.</p> <p>i. Key services and skills (10%) ii. Key personnel (10%) iii. Relevant equipment (5%)</p>	25%
<p>B) Relevant experience in providing this service (include referees) Provide details of previous successful delivery of services:</p> <p>i. Up to a maximum of 5 projects (20%) ii. 1 paragraph description outlining scope of work (10%), iii. Cost (5%), iv. Timeframe (5%) v. Referee (10%) - Must include referee details.</p> <p>Scaling of Project Clients</p> <ul style="list-style-type: none"> - Shire of Dandaragan (scale 1). - Regional WA local government authorities (scale 0.8). - WA local government authorities (scale 0.6). - State Government agencies (scale 0.4) - Other clients (scale 0.2). 	50%
<p>C) Local Supplier Outline the primary location of your business</p> <p>i. Shire of Dandaragan (max 25%) ii. Neighbouring local government authority (max 20%) iii. Regional WA (max 15%) iv. Perth (max 10%) v. Other (max 5%)</p>	25%
<p>D) Price Provide unit rates for the following relevant items where applicable</p> <p>i. Service ii. Personnel iii. Equipment iv. Other</p>	For reference purposes only Use to compare Similar Applications.

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.

The quantity and quality of submissions was mixed across the various categories. Shire officers are able to make recommendations for a significant number of categories, but feel both the quantity and quality of submissions for some categories was insufficient to make recommendations for these categories. Officers would recommend the process be run again in the near

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future to determine if there are potentially any additional suitable suppliers who could be added to the panel. This would also enable Shire officers to articulate to previous applicants and additional potential suppliers how their applications could be improved such that their submissions appropriately address compliance and selection criteria.

As part of the application process applicants were also asked if they were WALGA Preferred Suppliers or members of the WA State Government Common User Agreement (CUA) Panel. Where such applicants are members of these panels this will be noted.

As part of the panel development process Shire officers will continue to work with all applicants to ensure their application meets the relevant requirements outlined in the RFA documentation. This will be undertaken on a supplier by supplier basis and should any supplier not meet the expectations outlined within the RFA documentation during the process their endorsement will be withdrawn. Issues with applicants to be verified include:

- Conditions of Contract
- Proposed Pricing Schedules
- Proposed Price Mechanism Variations
- Insurances

The following provides a summary of the number of submissions received for each category.

01/17 – Building & Mechanical Services	Submissions Received
1. Roofing	2
2. Demolition Works	3
3. Registered Builder	2
4. Carpenter	0
5. General Handyman	0
6. Brick Laying and Paving	0
7. Glazing Works	0
8. Working at Heights Services	3
9. Painting	0
10. Plumber	4
11. Electrician	3
12. Mechanical Services	5
13. Fabrication and Welding	5
02/17 – Civil Works	Submissions Received
1. Engineering Services	8
2. Road Building and Bulk Earthworks	12
3. Urban Road Construction	11
4. Earthmoving Equipment	14
5. Haulage and Freight	11

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6. Road and Street Maintenance	8
7. Provision of earthmoving Equipment at a Fire	8
8. Supply of Bulk Materials	9
03/17 – Technical Services	Submissions Received
1. Strategic Community Development Consultancy Services	6
2. Engineering Consultancy Services	11
3. Environmental Consultancy Services	7
4. Asset Management Services	9
5. Architectural Services	5
04/17 – Town Maintenance	Submissions Received
1. Vegetation Management	6
2. Turf Management	1
3. Irrigation Services	0
4. Fencing	0
5. Street Sweeping	2
6. Drainage Pipe Clearing and Cleaning	1

The following tables provide an overview assessment overview of the submissions received based upon the Qualitative Criteria assessment. Sections highlighted in green indicate applicants who received a score of 70 or greater which was deemed to be cut off score for endorsement.

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	Submissions Received	No. Recommended Contractors	Barnes Hydraulic Services	Elite Electrical Contracting	Shadbolt Electrical	Leeman Plumbing and Excavation	Innes Air and Electrical	Jurien Plumbing	Last Drop Plumbing Company	Turquoise Coast Plumbing Gas and Excavation	Swan Aussie Sheds	Mid Coast Contracting	Jurien Tyre & Auto	Cervantes Aluminium & Steel	Lowman Engineering	Acerco Construction Pty Ltd	Coastal Trimming
01/17 – Building & Mechanical Services																	
1. Roofing	2	1						X			X						
2. Demolition Works	3	2						X			X					X	
3. Registered Builder	2	1									X					X	
4. Carpenter	0	0															
5. General Handyman	0	0															
6. Brick Laying and Paving	0	0															
7. Glazing Works	0	0															
8. Working at Heights Services	3	2		X					X		X						
9. Painting	0	0															
10. Plumber	4	3				X		X	X	X							
11. Electrician	3	3		X	X							X					
12. Mechanical Services	5	3	X				X			X			X		X		
13. Fabrication and Welding	5	2	X								X			X	X		X
WALGA Preferred Supplier																	
CUA Member																	
Qualitative Criteria Ranking			90	100	100	93	46	91	98	51	57	95	100	68	93	75	48

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	Submissions Received	No. Recommended Contractors	GMF Contractors Pty Ltd	Russ Hills Contracting	Breakaway Earthmoving	Desert Run	Dandaragan Concrete	Brooks Hire Services Pty Ltd	AN & A Whybrow	Sherrin Rentals	Brook & Marsh Pty Ltd	Greenfield Technical Services	Thurkles Dozing	Axiis Contracting Pty Ltd	Jurien Bay Concrete and Earthworks Pty Ltd	AAM Pty Ltd	Anspach Agricultural Contracting	Auscavations Plant Hire	Pinnacles Traffic Management Services	Lendlease	Jurien Concrete Services WA Pty Ltd	Robert K Roach	Jurien Signs	Tony Phillip Dolton	WCP Civil Pty Ltd	Direct Contracting Pty Ltd	Jurien Trenching and Excavation	Jurien Garden Soils
02/17 – Civil Works																												
1. Engineering Services	8	7					X			X	X					X			X			X		X	X			
2. Road Building and Bulk Earthworks	12	9		X	X	X	X	X				X					X	X		X	X			X	X			
3. Urban Road Construction	11	7	X			X	X					X	X				X	X		X	X			X	X			
4. Earthmoving Equipment	14	11		X	X	X	X	X	X			X		X	X		X	X			X			X	X	X		
5. Haulage and Freight	11	10		X	X	X	X	X						X	X		X	X					X	X	X			
6. Road and Street Maintenance	8	6			X	X											X	X		X				X	X	X		
7. Provision of earthmoving Equipment at a Fire	8	7			X	X	X	X									X	X						X	X			
8. Supply of Bulk Materials	9	9			X			X							X		X				X	X	X	X	X		X	
WALGA Preferred Supplier												X	X	X											X	X		
CUA Member														X														
Qualitative Criteria Ranking			55	98	90	54	91	79	100	45	78	77	70	65	98	75	85	85	95	60	93	67	86	98	85	100	98	84

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	Submissions Received	No. Recommended Contractors	Talis	River Engineering	GHD Pty Ltd	Range To Reef Environmental	WML Consultants	APV Valuers & Asset Management	Greenfield Technical Services	Preston Consulting Pty Ltd	Water Infrastructure Science Engineering	McDowall Affleck	MGC Architects Pty Ltd	Altus Planning	Porter Consulting Engineers	360 Environmental Engineering Pty Ltd	Shawmac Pty Ltd	Engineering Technology Consultants	Asset Infrastructure Management	MP Rogers & Associates Pty Ltd	Wilkes Architects	Tourism Direction	Creating Communities Australia Pty Ltd	Scribe Group Pty Ltd
03/17 – Technical Services																								
1. Strategic Community Development Consultancy Services	6	6			X								X	X							X	X	X	
2. Engineering Consultancy Services	11	11	X	X	X		X				X	X			X	X	X	X		X				
3. Environmental Consultancy Services	7	6	X	X	X	X			X	X					X									
4. Asset Management Services	9	9	X	X	X			X			X				X			X	X	X				
5. Architectural Services	5	3			X				X				X							X				X
WALGA Preferred Supplier			X	X	X		X	X			X	X		X		X	X	X	X	X				
CUA Member								X																
Qualitative Criteria Ranking			85	90	80	53	80	75	80	75	80	75	80	75	85	75	75	75	83	85	75	70	75	60

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	Submissions Received	No. Recommended Contractors	Emulch Pty Ltd	Treecare WA	Anspach Agricultural Contracting	Allbush Pty Ltd	Cleanflow Environmental Solutions	Breakaway Earthmoving	Dave Watson Contracting Pty Ltd	Vari Skilled	Desert Run
04/17 – Town Maintenance											
1. Vegetation Management	6	4	X	X	X	X		X	X		X
2. Turf Management	1	1								X	
3. Irrigation Services	0	0									
4. Fencing	0	0									
5. Street Sweeping	2	0					X				
6. Drainage Pipe Clearing and Cleaning	1	0					X				
WALGA Preferred Supplier											
CUA Member											
Qualitative Criteria Ranking			55	75	85	88	65	68	95	95	54

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018CONSULTATION

- Former Chief Executive Officer, Tony Nottle
- Acting Chief Executive Officer, Scott Clayton
- Department of Local Government, Sport and Cultural Industries
- WALGA

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

Policy 1.15 Shire of Dandaragan Purchasing Policy and Tender Guide

FINANCIAL IMPLICATIONS

As per the Shire of Dandaragan *Purchasing Policy and Tender Price* information listed in the Panel submissions, specifically unit rates for various items of equipment and services will provide Shire officers with an indicative pricing schedule for the various items. 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.

Once the pre-qualification process endorses suppliers and the applicable pricing method, the value for money assessment on each and every scope of work will be based upon the principles such as availability and capacity to deliver within timeframes, specific methodology and approach to meet the scope of work, plus any other requirements to meet the specific task.

Each Panel will outline a list of pre-qualified suppliers that allows Shire staff the discretion and flexibility to identify and engage a suitable supplier when undertaking procurement of specified goods and services.

The selection and engagement of Panel members will be on a project by project basis, at the relevant Shire officer's discretion, utilising the thresholds of Section 6 of Council's *Purchasing Policy and Tender Guide* to provide the best suitable outcome for the Shire of Dandaragan when procuring each individual service. These thresholds as outlined in the Policy are:

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018

Amount of Purchase	Policy
Up to \$5,000	<p>Direct purchase from a supplier using a Purchase Order or Corporate Credit Card issued by the Shire; or obtain at least one (1) oral or written quotation from a suitable supplier, either from:</p> <ul style="list-style-type: none"> • a local supplier listed on an existing panel of pre-qualified suppliers administered by the Shire; or • from the open market.
\$5,001 - \$10,000	<p>Direct purchase from a supplier using a Purchase Order or Corporate Credit Card issued by the Shire; obtaining at least one (1) oral or written quotation from a suitable supplier, either from:</p> <ul style="list-style-type: none"> • a local supplier listed on an existing panel of pre-qualified suppliers administered by the Shire; or • from the open market.
\$10,001 - \$19,999	<p>Obtain at least three verbal or written quotations, from a suitable supplier, either from:</p> <ul style="list-style-type: none"> • a local supplier listed on an existing panel of pre-qualified suppliers administered by the Shire; or • from the open market.
\$20,000 - \$39,999	<p>Obtain at least three (3) written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <ul style="list-style-type: none"> • a local supplier listed on an existing panel of pre-qualified suppliers administered by the Shire; or • from the open market.
\$40,000 - above	<p>Obtain at least three (3) written quotations from suppliers by formal invitation under a Request for Quotation, containing price and detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from:</p> <ul style="list-style-type: none"> • an existing panel of pre-qualified suppliers administered by the Shire; or • from the open market.

STRATEGIC IMPLICATIONS
2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and Leading Local Government</i>	
Objectives	How the Shire will contribute
5.2 High performing Administration	c) Compliance in all legislative requirements and functions

ATTACHMENTS

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

- Revised Policy 1.15 Shire of Dandaragan Purchasing Policy and Tender Guide (Doc Id: 97141)
- Minute Extract August 2017 Meeting (Doc Id: 97344)

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018

- RFA 01 – Building & Mechanical Services (example of RFA documentation) (Doc Id: 104396)
- Extract Division 3 Panels of pre-qualified suppliers RFA Summaries (Doc Id: 104901)
(Marked 9.2.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr McGlew

That Council:

- 1. endorse the recommendations for the Shire of Dandaragan Pre-qualified Supplier Panel based upon the assessment of the Qualitative Criteria of the Request for Applications as per the following tables:**

	No. Recommended Contractors	Barnes Hydraulic Services	Elite Electrical Contracting	Shadbolt Electrical	Leeman Plumbing and Excavation	Jurien Plumbing	Last Drop Plumbing Company	Mid Coast Contracting	Jurien Tyre & Auto	Lowman Engineering	Acero Construction Pty Ltd
01/17 – Building & Mechanical Services											
1. Roofing	1					X					
2. Demolition Works	2					X					X
3. Registered Builder	1										X
4. Carpenter	0										
5. General Handyman	0										
6. Brick Laying and Paving	0										
7. Glazing Works	0										
8. Working at Heights Services	2		X				X				
9. Painting	0										
10. Plumber	3				X	X	X				
11. Electrician	3		X	X				X			
12. Mechanical Services	3	X							X	X	
13. Fabrication and Welding	2	X								X	

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018

	No. Recommended Contractors	Russ Hills Contracting	Breakaway Earthmoving	Dandaragan Concrete	Brooks Hire Services Pty Ltd	AN & A Whybrow	Brook & Marsh Pty Ltd	Greenfield Technical Services	Jurien Bay Concrete and Earthworks Pty Ltd	AAM Pty Ltd	Anspach Agricultural Contracting	Auscavations Plant Hire	Pinnacles Traffic Management Services	Jurien Concrete Services WA Pty Ltd	Jurien Signs	Tony Phillip Dolton	WCP Civil Pty Ltd	Direct Contracting Pty Ltd	Jurien Trenching and Excavation	Jurien Garden Soils
02/17 – Civil Works																				
1. Engineering Services	7				X		X	X		X			X				X	X		
2. Road Building and Bulk Earthworks	9		X	X	X	X					X	X		X			X	X		
3. Urban Road Construction	7			X					X		X	X		X			X	X		
4. Earthmoving Equipment	11	X	X	X		X			X		X	X		X			X	X	X	
5. Haulage and Freight	10	X	X	X		X			X		X	X				X	X	X		
6. Road and Street Maintenance	6		X								X	X					X	X	X	
7. Provision of earthmoving Equipment at a Fire	7		X	X		X					X	X					X	X		
8. Supply of Bulk Materials	9		X			X			X		X			X	X	X		X		X

	No. Recommended Contractors	Talis	River Engineering	GHD Pty Ltd	WML Consultants	APV Valuers & Asset Management	Greenfield Technical Services	Preston Consulting Pty Ltd	Water Infrastructure Science Engineering	McDowall Affleck	MGC Architects Pty Ltd	Altus Planning	Porter Consulting Engineers	360 Environmental Engineering Pty Ltd	Shawmac Pty Ltd	Engineering Technology Consultants	Management	MP Rogers & Associates Pty Ltd	Wilkes Architects	Tourism Direction	Creating Communities Australia Pty Ltd
03/17 – Technical Services																					
1. Strategic Community Development Consultancy Services	6			X							X	X							X	X	X
2. Engineering Consultancy Services	11	X	X	X	X				X	X			X	X	X	X		X			
3. Environmental Consultancy Services	6	X	X	X			X	X						X							
4. Asset Management Services	9	X	X	X		X			X					X			X	X	X		
5. Architectural Services	3			X			X				X								X		

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	No. Recommended Contractors	Treecare WA	Anspach Agricultural Contracting	Allbush Pty Ltd	Dave Watson Contracting Pty Ltd	Vari Skilled
04/17 – Town Maintenance						
1. Vegetation Management	4	X	X	X	X	
2. Turf Management	1					X
3. Irrigation Services	0					
4. Fencing	0					
5. Street Sweeping	0					
6. Drainage Pipe Clearing and Cleaning	0					



2. **establish the Shire of Dandaragan Pre-qualified Supplier Panel consisting of the recommended applicants subject to them meeting all relevant conditions and compliance criteria outlined in the Request for Applications documentation.**
3. **acknowledge WALGA Preferred Suppliers who did not meet the criteria cut off score of 70 and have their details included in the Pre-qualified Supplier Panel list for reference purposes.**

CARRIED 7 / 0

Cr Clarke re-entered the Chambers at 4.15pm

9.3 GOVERNANCE & ADMINISTRATION

9.3.1 APPLICATION OF COMMON SEAL

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Governance / Authorisations / Council Seal
Disclosure of Interest:	None
Date:	14 August 2017
Author:	Julie Rouse, Executive Secretary
Signature of Author	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To seek Council's endorsement for the application of the Shire of Dandaragan's Common Seal to the Self-Supporting Loan Agreement for Jurien Sport and Recreation Centre.

BACKGROUND

The Shire of Dandaragan's common seal is applied in circumstances where the Shire enters into a legal agreement, lease or undertakes the disposal or acquisition of land.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018

Application of the seal is accompanied by the signatures of the President and Chief Executive Officer.

A register is maintained to record all occasions on which the seal is applied.

Generally, the common seal is only applied in circumstances where the Council has specifically resolved to enter into an agreement, lease or dispose of or acquire land. There are however, occasions where the seal is required to be applied urgently and Council's endorsement is sought retrospectively.

CONSULTATION

Not applicable

STATUTORY ENVIRONMENT

Section 9.49A of the Local Government Act 1995 applies to the affixing of the Common Seal.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and leading local government</i>	
Objectives	How the Shire will contribute
5.2 High performing Administration	c) Compliance in all legislative requirements and functions

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION


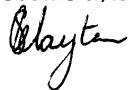
Moved Cr McGlew, seconded Cr Shanhun

That Council authorise the President and Chief Executive Officer to execute the relevant documentation and endorse the affixing of the Shire of Dandaragan's Common Seal to the Self-Supporting Loan Agreement for Jurien Sport and Recreation Centre between the Shire of Dandaragan and the Jurien Sport and Recreation Centre.

CARRIED 8 / 0

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9.3.2 APPLICATION OF COMMON SEAL

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Governance / Authorisations / Council Seal
Disclosure of Interest:	None
Date:	15 January 2018
Author:	Denaye Yandle, Executive Secretary
Signature of Author	
Senior Officer:	Scott Clayton, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To seek Council's endorsement for the application of the Shire of Dandaragan's Common Seal to the Contract for the Provision of Medical Services to Jurien Bay between the Shire of Dandaragan and Spectrum Health Group Pty Ltd.

BACKGROUND

The Shire of Dandaragan's common seal is applied in circumstances where the Shire enters into a legal agreement, lease or undertakes the disposal or acquisition of land.

Application of the seal is accompanied by the signatures of the President and Chief Executive Officer.

A register is maintained to record all occasions on which the seal is applied.

Generally, the common seal is only applied in circumstances where the Council has specifically resolved to enter into an agreement, lease or dispose of or acquire land. There are however, occasions where the seal is required to be applied urgently and Council's endorsement is sought retrospectively.

CONSULTATION

Not applicable

STATUTORY ENVIRONMENT

Section 9.49A of the Local Government Act 1995 applies to the affixing of the Common Seal.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

2016 - 2026 Strategic Community Plan

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018
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<i>Goal 5: Proactive and leading local government</i>	
Objectives	How the Shire will contribute
5.2 High performing Administration	c) Compliance in all legislative requirements and functions

ATTACHMENTS

Nil



VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr Shanhun, seconded Cr Eyre**

That Council authorise the President and Chief Executive Officer to execute the relevant documentation and endorse the affixing of the Shire of Dandaragan's Common Seal to the Contract for the Provision of Medical Services to Jurien Bay between the Shire of Dandaragan and Spectrum Health Group Pty Ltd.

CARRIED 8 / 0**9.4 DEVELOPMENT SERVICES****9.4.1 REQUEST FOR AMENDMENTS TO PLANNING APPROVAL – YANDIN WINDFARM**

Location:	Various locations within the locality of Dandaragan
Applicant:	Wind Prospect WA Pty Ltd on behalf of Yandin Wind Farms Pty Ltd.
File Ref:	Development Services App / Development Application / 2011 / 14 &15
Disclosure of Interest:	None
Date:	5 January 2018
Author:	David Chidlow, Executive Manager Development Services
Signature of Author:	
Senior Officer:	Scott Clayton, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

This application is to amend the Yandin Wind Farm planning permit submitted by Wind Prospect Pty Ltd (WPPL) on behalf of the proponent, Yandin Wind Farm Pty Ltd.

BACKGROUND

"This item was deferred at the December Council 2017 Council meeting pending receipt of additional photo montages showing the impact of raising the height of the towers along Dandaragan Road and at the Yathroo Homestead as per the below resolution;"

Moved Cr Shanhun, seconded Cr McGlew

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That Council defer this item until such time as the applicant submits a photomontage from Dandaragan Road and the Yathroo Homestead to provide a visual representation of the impact of the installations.

CARRIED 9 / 0

At the time of writing this report the applicant was in the process of undertaking this task. Copies will be sent with this agenda or shortly thereafter. Copies will also be sent to the submitters by the applicant for comments back to the Shire.

The proposed Yandin Wind Farm is located approximately 3.3km south of the township of Dandaragan within the Shire of Dandaragan, Western Australia and 170km north of Perth. The site covers an area of approximately 15,000 hectares.

A planning permit for the Yandin Wind Farm was issued by the Shire of Dandaragan in January 2012. In April 2015 the Shire approved an application to extend the Yandin Wind Farm planning permit until January 2020. In September 2017 the Shire approved the relocation of the transmission line route to the west of Brand Highway, in accordance with the wind farm planning permit advice note.

This application comprises a request to approve the following amendments to the current planning permit for the Yandin Wind Farm:

1. Amendment to the dimensions of wind turbines including an increase to the maximum tip height of the wind turbines (the height from ground level to the highest point of the blade tip of each wind turbine) from 152 metres to 180 metres and increasing the maximum hub height of the wind turbines (the height from ground level to the central point of blade rotation) from 100 metres to up to 112 metres.
2. Minor amendments to the wording of existing planning permit conditions.
3. Increase the number of permanent wind monitoring masts from three to six and their height from 100 metres to up to 112 metres.

This application for the proposed amendments to the planning permit is to be assessed in line with the provisions of:

- Shire of Dandaragan Local Planning Scheme No. 7 (LPS7);
- Shire of Dandaragan Local Planning Strategy - Rural Land Use and Rural Settlement;
- Planning Bulletin 67 – Guidelines for Wind Farm Development;
- Environment Protection Bulletin no.21 – Guidance for wind farm developments; and

The original planning permit application lodged in 2011 was referred to the Environmental Protection Agency (EPA) for assessment with a decision of “Not Assessed – Public Advice Given”.

COMMENT

The applicant has submitted the following comments and details in support of the amendments;

Amendment to the dimensions of wind turbines

Wind turbine technology has been continually advancing since the original planning permit was issued for the Yandin Wind Farm in 2012. The latest generation of wind turbines available are increasingly exceeding the dimensions provided for in the original planning permit approval being a tip height of 152 metres (the height from ground level to the highest point of the blade tip of each wind turbine) and a hub height of 100 metres (the height from ground level to the central point of blade rotation). Raising the maximum allowable tip height of the wind turbines from 152 metres to 180 metres and the maximum allowable hub height of the wind turbines from 100 metres to up to 112 metres at the Yandin Wind Farm will allow for more modern wind turbine models to be installed which are generally more efficient, quieter and cost-effective. In addition, the additional clean electricity generated by the larger wind turbines would allow the generation from the site to be maximised.

The original planning permit application and the original planning permit conditions did not specify a maximum wind turbine capacity and confirmation is sought that no such maximum wind turbine capacity therefore applies to the permit.

Updates to the wording of the existing planning conditions

Proposed amendments to the wording of existing planning permit conditions with an explanation for the proposed amendment are detailed in the **Table** below. The existing planning permit conditions are provided in full in the attachments.

Table

Proposed amendments to the wording of existing planning permit conditions with justification for the proposed amendment.

Approval condition no.	Proposed amendment	Explanation
8	The proponent shall notify property owners with land within 5km of approved wind turbine locations of the potential for interference to TV reception from the wind farm and offer residents with a dwelling located within 5km of a wind turbine a pre-construction and post-construction assessment of television reception. The proponent shall remedy any reception problems attributable to the presence of the wind farm at dwellings located within 5km of	The term 'nearby' in the current Condition 8 is imprecise and open to interpretation.

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	approved wind turbine locations as at January 2012.	
12	Reference to WA EPA noise guidance 2007; replace 'dated' with 'as at'? Reference to the SA EPA Noise Guidelines 'July 2009'.	To align with the updated Guidelines that have been applied in the updated attached noise report.
13	Add "or background +5dB whichever is the higher" after the words "exceed 45dB(A)".	Depending on the level of background noise, the limit could otherwise be less for noise sensitive premises located within the wind farm boundary compared with those located outside the wind farm boundary.
14	Replace reference to '10 minutes LAeq' with 'LA90'.	This reflects the relevant reference from the 2009 SA EPA Noise Guidelines, consistent with the proposed amendment to Condition 12.
18	Remove this condition in its entirety	This is a requirement by law and is therefore not required as a planning permit condition.
20	Replace 'Department of Environment Conservation' with 'Department of Biodiversity, Conservation and Attractions'	Department of Environment Conservation (DEC) no longer exists. Department of Biodiversity, Conservation and Attractions (DBCA) has taken over the relevant functions of DEC.
24	Replace the current condition with "The proponent shall provide an appropriate viewing area and/or information display at appropriate location(s) agreed with Council."	The amendment provides greater flexibility for the Shire to determine what is most appropriate at the time of construction.
25	Add "except where higher security fencing is required for safety and security purposes" after the words "post and wire".	Rural construction fencing is not appropriate for all applications and could lead to unacceptable OHS and security risks at locations such as the on-site substation, operations and maintenance compound and temporary construction compounds.

Increase the number of permanent wind monitoring masts from three to six

The original planning permit allowed for the construction of three permanent wind monitoring masts. An amendment to the number of permanent monitoring masts is sought that increases the number from three to six. An amendment is also sought for an increase to the height of the masts from 100 metres to up to 112 metres to align the masts with the proposed increase to the wind turbine hub height. The field of wind monitoring, wind forecasting and the terms and conditions of wind turbine warranties are evolving and these amendments will ensure that the wind resource monitored at the project site post construction can adequately meet its required functions.

Proposed deletion of Condition 18 has been raised as an issue in discussions with neighbours. The current condition states;

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018

18. *In relation to the concerns raised in the letter from the Western Australian Department of Environment and Conservation dated 02 June 2011, the proponent shall, prior to commencement of construction, implement necessary strategies to mitigate any future noise non-compliance that may arise from the construction or operation of the Wind Farm.*

This matter was discussed extensively in the Council Minutes 15 December 2011. The following is part of that discussion. A copy of the full minuted comments are provided in the attachments.

With respect to the possibility of one of the neighbouring landowners seeking to construct an additional dwelling in the area potentially exposed to non-compliant noise levels, while there are approximately 3532ha around the Yandin wind farm, it is questionable whether landowners would choose to locate an additional dwelling within these portions of their property. If they did, the additional dwelling would be a permitted use under Local Planning Scheme No.7 (i.e. a use not requiring planning approval). There are some smaller lots north of the Yandin Wind Farm that are entirely within the modelled 35dB(A) contour line, a couple having frontage to a public road. All of these lots form part of larger landholdings. There is a possibility that the small lots with existing road frontage could be sold and application made to construct a dwelling. There is also a possibility that application could be made to rationalize boundaries of existing landlocked lots to create lots within the 35dB(A) contour line with road frontage, thereby creating the same potential situation.

The Shire of Dandaragan draft Local Planning Strategy - Rural Land Use and Rural Settlement indicates planning approval should be required for any additional dwellings on lots in the Rural zone. The local planning scheme could be amended to give Council discretion to approve applications for planning approval within the modelled 35dB(A) noise contour and to factor consideration of noise buffer requirements for the wind farms into the assessment of those proposals, as recommended by the Office of the EPA. This would, however, transfer responsibility for resolving the problem of land use conflict to the local government via its local planning scheme. It would be preferred if the matter could be appropriately addressed by Wind Prospect as part of gaining approval. To this end, recommended Condition 18 requires the proponent to implement necessary strategies to mitigate any future noise non-compliance that may arise from the construction or operation of the Wind Farm prior to commencement of construction.

Wind Prospect is in the process of preparing legal agreements to send to affected surrounding landowners hoping to get their agreement to not do anything to cause new dwellings to be located in the potentially noise affected area. If landowners refuse

to sign the agreement, then there is a possibility of a dwelling being placed on lots owned by them in the affected area. In the absence of a planning or legal mechanism to prevent this from occurring, there is a risk for Wind Prospect and/or the future developer in leaving this possibility open because if noise levels as a result of the adjoining wind farm are found to not comply with noise regulations, the wind farm operator could be required to take such remedial actions as required to ensure compliance. Recommended Condition 18 requires the potential for this situation to arise to be addressed prior to construction and Wind Prospects is already working towards achieving that.

Noise Assessment

ViPAC prepared a Noise Impact Assessment for the Yandin Wind Farm in December 2010 to support the Environmental Statement that comprised the original planning permit application. ViPAC has reviewed this assessment and produced a revised assessment of the potential impacts of the proposed amendments to the planning permit for the Yandin Wind Farm, modelling a worst case wind turbine model compared to other potential candidate wind turbine models. Their report is provided in Attachment 10 (in the report sent by DropBox link). A summary of their findings is provided below.

- Given the proposed amendment of increasing the maximum hub height, the predicted noise levels are assessed against the SA EPA “Environmental Noise Guidelines: Wind Farms 2009” (using hub height wind speeds); this would also provide for compliance with the 2003 guidelines used in the original assessment;
- The predicted noise levels for the wind turbine layout satisfies the criteria and requirements of the SA EPA “Environmental Noise Guidelines: Wind Farms, 2009” at all relevant (not involved in the wind farm) receivers. The noise levels also comply with the criteria for the receivers that are involved with the wind farm;
- Due to the absence of noise characteristics (such as tonality, impulsiveness, modulation or low frequency components), no penalty adjustments are required to be applied to the levels;
- A noise assessment of the proposed substations and transmission lines has shown that there are likely to be no noise impacts;
- Even though noise levels may meet the criteria, people residing near wind farms may experience or be aware of the noise generated by the wind farm. This new type of noise source may have a character with which people may be initially unfamiliar and, even though wind farm noise is typically steady and broadband in nature, people may notice features at times, usually barely or faintly.

Conditions 12 to 18 of the current planning permit relate to noise and require that the final wind farm design meets applicable noise standards and that a post-construction monitoring program be

implemented to verify compliance. Variations to some of these conditions have been proposed.

Avifauna and Fauna Assessment

RPS Australia completed the following assessment reports for the Yandin Wind Farm to support the Environmental Statement that comprised the original planning permit application.

- Fauna Assessment in October 2010;
- Avifauna Assessment in November 2010;
- Flora and Vegetation – Environmental Impacts and Management in March 2010 (prepared by Outback Ecology for RPS Australia); and
- Targeted Level 1 Vegetation and Flora Assessment in March 2010 (prepared by Outback Ecology for RPS Australia).

RPS Australia has reviewed the assessment reports prepared in 2010 with regard to the original proposed infrastructure layout and considered any potential impacts associated with the proposed increase in wind turbine tip height from 152 metres to 180 metres. Their findings are reported in a statement, a copy of which is provided in Attachment 12. A summary of their findings is provided below.

- The proposed increase in tip height from 152m to 180m increases the potential rotor swept area of the wind turbines, which previously ranged between 40 metres to 152 metres above the ground level, to range from 12 metres to 180 metres above the ground level;
- The open country (cleared) locations selected for wind turbine sitings are of relatively low habitat value for birds, with greatest species diversity associated with areas of structurally diverse native vegetation;
- RPS (2010a) identified that the conservation significant fauna species that may be potentially impacted by Yandin Wind Farm were Carnaby's Black Cockatoo and the Peregrine Falcon;
- Carnaby's Black Cockatoo were recorded flying through the lower lying areas and valleys and not at the higher topographies on which the wind turbines are located by RPS (2010a), indicating that the wind turbines are located outside of existing flight paths of this species. The presence of Peregrine Falcons at the Yandin Wind Farm is only known from one recording of the species (RPS 2010a), indicating that the wind farm site does not represent significant habitat for this species;
- Informed by the findings of RPS (2010a) and RPS (2010b), the risk to these conservation significant bird species from the proposed 28 metre increase to the size of the minimum and maximum wind turbine tip height is not expected to significantly increase;
- The approved wind turbine locations within the Yandin Wind Farm have been placed to avoid areas that may be used extensively by flying bats and insects in order to minimise the hazards and potential impacts to local bat species;

- RPS (2010b) considered that the potential adverse effects on terrestrial fauna from the wind turbines would be limited to collisions of bats with wind turbine blades and assessed the level of risk to terrestrial fauna to be low. This is because the species likely to be present on site and that may fly at rotor swept area of the wind turbines are common and widespread.

Condition 19 of the current planning permit requires that a clearing permit is obtained in accordance with the provisions of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. A clearing permit was obtained from the Department of Conservation in February 2012 in relation to the original proposed infrastructure layout. This clearing permit has expired and a new application will be made to the Department of Environment Regulation. Condition 20 requires the development and implementation of an Avian Fauna Collision Risk Monitoring Program.

Landscape and Visual Impact Assessment

GHD prepared a Report for Landscape and Visual Impact Assessment for the Yandin Wind Farm in September 2010 to support the Environmental Statement that comprised the original planning application. GHD has reviewed this assessment and assessed the potential impacts of the proposed amendments to the planning permit for the Yandin Wind Farm and reported their findings in an addendum report, a copy of which is provided in Attachment 9. A summary of their findings is provided below. Photomontage images and Zone of Visual Influence (ZVI) diagrams to inform the GHD assessment are included in the GHD report in Attachment 9 (in the report sent by DropBox link).

- There would be a marginal to imperceptible increase in impacts associated with the increase of tip height of the turbines from 152 metres to 180 metres even when taking the marginal increase in hub height from 100 metres to up to 112 metres into account. Much of the change to the updated view-sheds relates to the middle ground and middle-distance views where the increased height may result in more turbines being visible;
- The nature of the study area landscape is such that it has an inherently large capacity to absorb a land use with pronounced structures, such as a wind farm. The wind turbines can be regarded as an 'additional' man-made element within a broad landscape that contains many other man-made structures, including power lines, transmission towers, farm buildings, roads, fence-lines, etc.;
- Within the Dandaragan township the visibility of wind turbines will be moderated and obstructed by street and residential landscaping, buildings and other township structures. The most northerly wind turbines are likely to be more visible from the southernmost point of the Dandaragan township when travelling south, with the closest turbine being 3.3 km away. Substantial roadside vegetation on the west side of this road will obstruct views of the western side of the wind farm. The proposed

increased height will have an imperceptible impact on the overall visibility from this location;

- While the western edge of the proposed Yandin Wind Farm site will be visible from sections of the Brand Highway for both north bound and south bound traffic, this visibility is in fact very limited in extent and duration. There would be a marginal to imperceptible increase in visibility due to the increase of the height of the turbines;
- As previously assessed, the Yandin Road Lookout is orientated toward the more distant westerly views, although it was acknowledged that the western end of the wind farm will encroach on this view, to some extent, on the north and south margins of this panorama. The proposed height increase will have a limited overall impact on visibility at this location;
- Concurrent with the previous assessment, the addendum report concludes that there would be marginal visual impacts on the regional or local landscape quality;
- The proposed increase to the wind turbine tip height and hub height will also be marginal with an imperceptible difference between the current approved and proposed amended wind farm envelope.

Shadow Flicker Assessment

Wind Prospect Pty Ltd prepared a shadow flicker analysis to inform the Environmental Statement that comprised the original planning application in 2011. This shadow flicker analysis was recently repeated by Wind Prospect to assess any potential increased impact of shadow flicker at sensitive receptors, such as dwellings, resulting from the proposed increase to wind turbine tip height from 152 metres to 180 metres. Wind Prospect's findings are reported in Attachment 13, which includes an image showing predicted shadow flicker with a wind turbine tip height of 180 metres. The results are summarised below.

- In the absence of specific guidelines relating to shadow flicker in WA, the most restrictive limits from relevant German and Australian guidelines were used as a benchmark. These guidelines set a limit of 30 hours of shadow flicker per year within 50 metres of a residence and 30 minutes of shadow flicker in any one day at a given shadow flicker receptor;
- Calculations have been made based on worst case conditions which exclude the effects of clouds, obstacles, and the variability of wind speed and direction, all of which would reduce the amount of shadow flicker experienced in reality relative to the levels predicted in the Shadow Flicker Assessment;
- Two proposed dwellings and one existing dwelling are predicted to experience more than 30 hours of shadow flicker within 50 metres of the dwelling. All three dwellings are owned by landowners involved in the project;
- Of the nine residences which might expect to receive some shadow flicker, eight belong to landowners involved in the project, with the other dwelling being unoccupied;

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- The Shadow Flicker Assessment will be repeated prior to construction once a wind turbine model has been determined for construction. Mitigation strategies will be implemented if necessary to reduce shadow flicker at residences, with the agreement of the relevant landowner.

Electromagnetic Interference Assessment

Electromagnetic interference (EMI) can affect radio and TV communication services. Laurie Derrick & Associates completed the following assessments in June 2009 and September 2010 respectively to support the Environmental Statement that comprised the original planning permit application:

- Investigation of Possible Impacts on Radio communication Services; and
- Investigation of Possible Impacts on TV Broadcasting Services. Laurie Derrick & Associates has reviewed these previous assessments and assessed the potential impacts of the proposed amendments to the planning permit for the Yandin Wind Farm and reported their findings in a statement, a copy of which is provided in Attachment 14. A summary of their findings is provided below.
- New radio link and site mapping was generated from data from the latest ACMA Licencing Database (RRL) to ensure that any new radio or decommissioned links or sites were taken into account for determining if adequate clearance from turbines exists.
- The analysis demonstrated that all current links have sufficient clearance to the turbine blade tips. It also showed that radio sites have sufficient buffer distances to wind turbines.
- No impact on FM or AM radio reception has been reported in Australia or overseas due to wind turbines and is not expected at this wind farm.
- The proposed larger diameter wind turbines could cause slightly greater interference potential with dwellings close to the turbines however the VAST service is available as an alternative source of TV from this satellite service which is not likely to be impacted by turbines due to the high angle of elevation to the satellite.
- The proposed wind farm amendments are predicted to have negligible impact on broadcasting and radio communications services.

Condition 8 of the current planning permit relates to EMI and requires that nearby residents are offered pre- and post-construction assessment of television reception and the remedy of any problems attributable to the wind farm.

CONSULTATION

The Shire undertook advertising by way of letters to all affected and surrounding landowners, government agencies and aviation authorities as well as advertisements in the Redgum Reports and Sandpaper newspapers and on the Shire website. There were no

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submissions received during the advertising period. However notice was given of a late response from one landowner that had not been received at the time this report was prepared.

The applicant undertook the following consultation;

Key stakeholders were sent notification of the proposed amendments to the wind farm planning permit inviting comments and further engagement. The consultation process commenced in April 2017 and is ongoing.

This notification and consultation has consisted of:

- *Letters addressed to specific stakeholders advising of the proposed amendments distributed by email and/or mail;*
- *Newsletter, including invitation to the Information Days, distributed by email and to mailboxes at the Dandaragan post office;*
- *Face-to-face meetings and discussions with interested neighbouring residents;*
- *Advertising of the Information Days in two local publications (Mid West Times and Craytales) leading up to the Information Days with the Newsletter issued to the Shire of Dandaragan for distribution;*
- *The Information Days held at the Dandaragan Community Recreation Centre on 31st August and 1st September; and,*
- *Launching of the updated www.yandinwindfarm.com.au website in August 2017, which contains information about the Yandin Wind Farm and the proposed amendments to the planning permit.*

Copies of the newsletter and advertisement as well as responses from stakeholders are summarised in the attachments

As the Yandin Wind Farm project progresses, engagement with stakeholders will be ongoing using newsletters, letters, emails, meetings and updates to the website.

STATUTORY ENVIRONMENT

- Shire of Dandaragan Local Planning Scheme No. 7 (LPS7);
- Shire of Dandaragan Local Planning Strategy - Rural Land Use and Rural Settlement;
- Planning Bulletin 67 – Guidelines for Wind Farm Development;
- Environment Protection Bulletin no.21 – Guidance for wind farm developments; and

The original planning permit application lodged in 2011 was referred to the Environmental Protection Agency (EPA) for assessment with a decision of “Not Assessed – Public Advice Given”

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

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FINANCIAL IMPLICATIONS

A planning application fee to the value of \$1,000 shall be paid by the applicant, being an estimate of the costs of advertising and offer time preparing report.

STRATEGIC IMPLICATIONS

2016 – 2026 Community Strategic Plan

<i>Goal 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.2 Ensure effective and efficient development and building services	a) Process development applications and undertake building regulation functions and services
1.4 Ensure Shire is "open for business" and supports industry and business development	b) Identify and engage with future new business and industry opportunities

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

ATTACHMENTS

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

- Yandin Wind Farm Project report part 1 (Doc Id: 103551)
- Yandin Wind Farm Project report Part 2 is available via dropbox link (Doc Id: 103607)
- Map showing properties consulted (Doc Id: 103554)
- Copy of Extract from Council Minutes 15 December 2011 – Condition 18 (Doc Id: 103553)
- Additional photomontages from Dandaragan Road and Yathroo homestead (Doc Id: 105219) (Confidential)

(Marked 9.4.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Eyre

That Council grant the following amendments to the current planning approval for wind farm to Yandin Wind Farm Pty Ltd;

- 1. Amendment to the dimensions of wind turbines including an increase to the maximum tip height of the wind turbines (the height from ground level to the highest point of the blade tip of each wind turbine) from 152 metres to 180 metres and increasing the maximum hub height of the wind turbines (the height from ground level to the central point of blade rotation) from 100 metres to up to 112 metres.**

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2. Minor amendments to the wording of existing planning permit conditions as detailed in the table below;

Approval condition no.	Proposed amendment
8	The proponent shall notify property owners with land within 5km of approved wind turbine locations of the potential for interference to TV reception from the wind farm and offer residents with a dwelling located within 5km of a wind turbine a pre-construction and post-construction assessment of television reception. The proponent shall remedy any reception problems attributable to the presence of the wind farm at dwellings located within 5km of approved wind turbine locations as at the commencement of construction of the Yandin Wind Farm
12	Reference to WA EPA noise guidance 2007; replace 'dated' with 'as at'? Reference to the SA EPA Noise Guidelines 'July 2009'.
13	Add "or background +5dB whichever is the higher" after the words "exceed 45dB(A)". Replace reference to '10 minutes LAeq' with 'LA90'.
14	Replace reference to '10 minutes LAeq' with 'LA90'.
20	Replace 'Department of Environment Conservation' with 'Department of Biodiversity, Conservation and Attractions'
24	Replace the current condition with "The proponent shall provide an appropriate viewing area and/or information display at appropriate location(s) agreed with Council."
25	Add "except where higher security fencing is required for safety and security purposes" after the words "post and wire".

3. Increase the number of permanent wind monitoring masts from three to six and their height from 100 metres to up to 112 metres.

CARRIED 8 / 0

9.4.2 PROPOSED 60 METRE GUYED MAST AND ASSOCIATED EQUIPMENT – RESERVE 43284 - GREY

Location: Reserve 43284 Indian Ocean Drive/Grey Access Road


Applicant: Telstra Corporation Ltd (Telstra), Deighton Pty Ltd and Department of Biodiversity, Conservation and Attractions

Folder Path: Development Services App / Development Application


Disclosure of Interest: None

Date: 9 January 2018

Author: David Chidlow, Executive Manager Development Services

Signature of Author: 

Senior Officer: Scott Clayton, Acting Chief Executive Officer

Signature of Senior Officer: 

PROPOSAL

Telstra Corporation Ltd (Telstra) has sought approval from the Department of Biodiversity, Conservation and Attractions (DBCA) to construct a mobile phone base station in a portion of Reserve No. 43284 being Lot 302 Indian Ocean Drive, Grey. The proposal involves the construction of a 60-metre guyed mast structure, an adjacent equipment building to house Telstra's infrastructure along with a solar array and backup diesel-fuelled generator.

The Department of Biodiversity, Conservation and Attractions are the managing authority for this reserve and therefore the applicant requires the Departments approval for the proposed facility. DBCA have advised that as the Crown is exempt from seeking planning approval for public works, DBCA has advised Telstra that a development application is not required in this instance. DBCA would however be pleased to receive any comments that the Shire of Dandaragan may wish to make on the proposed works.

BACKGROUND

The site is being built under the federal government's Mobile Black Spot Program and will also be funded in part by the State Government's Royalties for Regions Program. The facility will provide improved emergency services communications and mobile telephone communications to the area.

Indian Ocean Drive Planning Guideline March 2014

"The Indian Ocean Drive Planning Guideline (IOD Guideline) is an operational policy intended to guide the location, siting and design of various land uses and development in the locality of the road. It provides an integrated approach to land use decision making across the five local governments, with the purpose of retaining the rural and natural landscape and enhancing the provision of services and facilities available to all users of the road.

The IOD Guideline sets out issues to be considered at scheme amendment and development stages of planning. It does not apply to land use and development within the townships of Jurien Bay and Leeman, or to existing development precincts along the road. Outside the town sites, people are encouraged to consider the Guideline when reconstruction, improvements or maintenance of existing development, or landscaping, is to occur." (source www.planning.wa.gov.au).

The IOD Guideline applies specifically to a 500-metre corridor on either side of the IOD road reserve from the Woodridge rural settlement, south of Guilderton, to the intersection of IOD with the Brand Highway. It also applies more generally to land that is outside of that corridor but may be prominently viewed from IOD. The IOD Guideline is applicable to both private and public land.

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A Visual Impact assessment was carried out by Aurecon Australasia Pty Ltd. Their conclusions are:

There is no doubt that the proposed facility will be prominent when viewed from many vantage points including from the IOD and the Grey Settlement access road. It is also clear that the selected location has been identified following substantial community and stakeholder consultation. Furthermore, the location is constrained by the Blackspot Program's service objective to provide network services to the Grey Settlement in addition to the IOD. The terrain coupled with need for some physical separation from the coast and the shacks has dictated that the antenna's elevation must far exceed the surrounding landscape. It is a reasonable conclusion that completely mitigating visual impact whilst still achieving the coverage objective is impossible.

Balancing visual impact against the community benefit the technology will bring is; therefore, the primary consideration of carriers and determining authorities. As identified in the Limitations and Assumptions statement it is beyond the scope of this VLA to pass judgement on this consideration.

This judgement will need to be made by the DBCA also taking into consideration heritage clearances, the town planning submission by Deighton Pty Ltd and flora and fauna considerations.

The nature of telecommunications infrastructure (base stations) is such that height is an integral part of the successful functioning of a network. The Western Australian State Administrative Tribunal (WASAT) has indeed ruled that height is an integral part of a mobile phone base station, and that visibility in itself does not necessarily equate to adverse visual impact.

"While it is true that the tower will be higher than any other point in the immediate vicinity of the subject land, such height is an integral part of the successful functioning of the infrastructure, a matter recognised by SPP 5.2, cl 2.3 ('mounted clear of surrounding obstructions')." Optus Mobile v City of Stirling [2008] WASAT 238 [59]

"The planning framework does not require the tower to be invisible." Telstra Corporation v Shire of Waroona [2012] WASAT 179

Conclusion

The fact that part of the proposed development will be visible does not, of itself, mean that the proposed development will have a negative impact on the visual amenity of the locality.

NBN Co Limited v City of Albany [2016] WASAT 61 [52]

The State Planning Policy 5.2 Telecommunication Infrastructure (SPP 5.2) recognises that the location of new mobile telephone base stations needs to be carefully considered in relation to

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existing base stations, to ensure that the network functions effectively. This network imperative needs to be balanced with appropriate siting and designing to minimise visual impact. The objectives of SPP 5.2 include to:

- *facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs; and,*
- *manage the environmental and, cultural heritage, visual and social impacts of telecommunications infrastructure.*

The proposed facility is not located in a recognised area of cultural heritage and is removed from any community sensitive use (such as schools, hospitals and childcare facilities). The Yued claimant group have been consulted regarding the location of the proposed facility and will be in attendance to assist the preparation of an anthropological survey. Monitoring during construction has also been requested by the Yued Working Party.

Ground level infrastructure will not be visible from the local road network, beaches or any identified walking trails. Visual impact is; therefore, limited to the guyed mast itself.

The greatest visual impact is for motorists travelling toward the Grey Settlement along the initial 150m of the access road. It is reasonable to expect that perceptions of this impact will somewhat mitigated given these motorists are 'locals' who directly benefit from the essential infrastructure.

Motorists travelling northwards on the IOD will also be impacted given there are few focal points when approaching the Grey Settlement access road to otherwise distract attention from what will be a focal point. Mitigating factors include the posted highway speed and degree of physical separation between the proposed facility and the IOD. The proposed facility will be a focal view for a relatively short period.

The lattice design of the guyed mast enables visual permeability which is more effective for longer rang views, particularly when viewed against lighter backgrounds such as the sky. The structure design and finish utilise blending techniques prescribed by the Manual.

The Indian Ocean is not visible on this approach or when approaching from the north, but does come into view in the immediate vicinity of the access road. This ocean view is not a panoramic view from the IOD.

It is important to note that panoramic ocean views from the IOD are not impacted by the proposed facility. The facility will also not be visible when viewed from the Grey Settlement beach, Hangover Bay, Pinnacles Drive or the Pinnacles themselves, or

when observing mobile dunes. It is our assertion that these view perspectives are the most important to protect.

COMMENT

Although the proposal would be located on Crown land, Sections 5 and 6 of the *Planning and Development Act 2005* apply, such that the Act binds the Crown, and the right to carry out a public work may only be exercised having regard to the operational planning scheme and orderly and proper planning.

The landscape along this stretch of Indian Ocean Drive is valued by the community, as it is a key scenic coastal tourist route. SPP 2 indicates that, for valued landscapes, planning decision-makers should consider the level or capacity of the landscape to absorb new activities and to incorporate appropriate planning and building design and siting criteria to ensure that new development is consistent with and sensitive to the character and quality of the landscape. SPP 5.2 recommends that infrastructure should not be located on sites where visual landscape values may be compromised. The proposal does not appear to be consistent with the purpose and intent of the relevant State planning policies.

The proposal is located within a landscape character unit that anticipates the future requirement for telecommunications infrastructure, and indicates that if it is not feasible for them to be built in such a way that they are 'inevident' from Indian Ocean Drive, they should be located where they blend with the landscape. The proposed mast would be a landmark that is featured on the horizon directly ahead in northward views from a section of the road identified in the Guideline as providing important views. The proposed mast may be visible for a distance of up to 4km away, depending on atmospheric conditions.

Section 5.2.5 of the Indian Ocean Drive Guideline provides five recommendations for utility infrastructure to ensure that the proposed tower blends with the landscape. The proposal could comply with recommendations 2, 3 and 5, as the style of the mast as a guyed mast is less visually intrusive than the alternative options of a lattice tower or monopole, and the ground level ancillary structure can potentially be screened from view from Indian Ocean Drive, by careful siting behind dunes and/or screen planting.

However, the proposal is contrary to recommendations 1 and 4 of Section 5.25, as the facility is proposed to be located prominently within the landscape, close to Indian Ocean Drive and on the road's coastal side.

Due to the limitations of the assessment report, it is unclear if the proposed site is a functional necessity or whether other, less visually intrusive, sites would have provided adequate telecommunications coverage for users of Indian Ocean Drive. An

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analysis of the site options available, including the phone coverage for each, and the degree of overlap with existing coverage would have provided further clarification on the most appropriate location for this infrastructure.

Given Council's scheme requires a development approval and that the proposal is broadly inconsistent with relevant State policies, it is not clear how DBCA has an 'exemption' from seeking the Shire's approval, or has satisfied the requirements of the Act regarding orderly and proper planning. Council should, of course, seek its own advice on this matter.

CONSULTATION

- Discussions with the Local office of Department of Biodiversity, Conservation and Attractions – Parks and Wildlife.
- Department of Planning, Lands & Heritage - Wheatbelt section

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.

POLICY IMPLICATIONS

- State Planning Policy 5.2 Telecommunication Infrastructure.
- Western Australian Planning Commission Planning Bulletin No 46 – Applications for Telecommunications Infrastructure.
- Indian Ocean Drive Planning Guideline March 2014

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.5 Facilitate population and visitor attraction and growth to expand and diversify the regional economy	a) Tourism and marketing with a focus on promotion and product development based on natural assets in partnership with the Department of Parks and Wildlife

ATTACHMENTS

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

- Visual Landscape Assessment (Doc Id: 104573)
 - Department of Planning, Land and Heritage Letter (Doc Id: 104904)
 - Department of Planning, Land and Heritage Comments (Doc Id: 104906)
 - Department of Planning, Land and Heritage Sketch (Doc Id: 104905)
- (Marked 9.4.2)**

VOTING REQUIREMENT

Simple Majority

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

That Council advise the Department of Biodiversity, Conservation and Attractions that Council does not support the proposed location of the mobile telecommunications tower and associated infrastructure at portion of Reserve No. 43284 being Lot 302 Indian Ocean Drive, Grey for the following reasons:

Due to the limitations of the assessment report, it is unclear if the proposed site is a functional necessity or whether other, less visually intrusive, sites would have provided adequate telecommunications coverage for users of Indian Ocean Drive. An analysis of the site options available, including the phone coverage for each, and the degree of overlap with existing coverage would provide further clarification on the most appropriate location for this infrastructure.



Visual Impact Assessment deficiencies:

- 1. No view shed mapping, so it is not known where the mast would be visible from along IOD.**
- 2. No identification of key individual views or sequences of views in which the mast would be prominent, making it difficult to determine how significant the impact would be.**
- 3. No simulation of key individual views to show how they may be impacted.**
- 4. No information on the ground elevation of the site, making it difficult to envisage where the top of the mast would sit in the landscape.**
- 5. No images of ancillary ground facilities, making it difficult to predict how the facility will look when viewed from its immediate surrounds including the intersection of Grey Road and IOD.**
- 6. No image of a guyed mast of similar height making it difficult to envisage the proposed facility.**
- 7. Discrepancies between the site's exact location (as specified by latitudinal and longitudinal coordinates), and the site location apparently used for analysis (in Appendices B, D and F).**
- 8. "Grey Ocean Views" map does not define the terms used in relation to ocean views, and contains inaccuracies. For example, the ocean is continuously visible looking south immediately north of Grey Road, not just a 'broken view' as mapped.**
- 9. The assessment generally underestimates the likely impact of the mast on IOD views.**
- 10. The assessment misinterprets the IOD Planning Guideline; for example, Figure 5 in the guideline identifies sections of road that provide important views, including**

the stretch from just north of the Wedge bend, to just south of Grey. The mast would be dominate on the horizon as seen from this stretch of road, heading northwards. The proposed mast site is outside this stretch but would be prominent when viewed from it.

CARRIED 8 / 0

9.4.3 WESTERN AUSTRALIAN PLANNING COMMISSION (WAPC) – PROPOSED SUBDIVISION OF LOT 3751 MUNBINEA ROAD NAMBUNG

Location:	Lot 3751 Munbinea Road, Nambung
Applicant:	WAPC and Scanlan Surveys Pty Ltd
File Ref:	Business Classification Scheme/Land Use and Planning /Subdivision / Requests / WAPC 156106
Disclosure of Interest:	None
Date:	11 January 2018
Author:	Rory Mackay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Executive Manager Development Services
Signature of Senior Officer:	

PROPOSAL

To consider an application for the subdivision of Lot 3751 Munbinea Road and make recommendations to the Western Australian Planning Commission (WAPC).

BACKGROUND

This application is for subdivision of Lot 3751 Munbinea Road (1939 Ha) into two lots of approximately 1668.8 ha and 270.2 ha respectively.

The subject land is zoned "Rural".

Subdivision of rural zoned land is guided by State and local government planning policies and controls. State Planning Policy 2.5 Rural Planning (SPP 2.5), seeks to protect rural land from incompatible uses.

SPP 2.5 does not provide a minimum lot size and requires this matter to be addressed in the Local Planning Strategy but apart from specific circumstances, subdivision of broadscale agricultural land is not encouraged.

It is the view of the WAPC that there are sufficient, suitably sized and located rural lots to cater for intensive and emerging primary production land uses. Creation of new rural lots through ad-hoc, unplanned subdivision will not be permitted.

In contemplating subdivision proposals on rural land, WAPC policy is:

- (a) the creation of new or smaller rural lots will be by exception and in accordance with *Development Control Policy 3.4: Subdivision of rural land*;
- (b) the creation of new or smaller rural lots by exception may be provided for in other State Planning Policies and/or a local planning strategy or scheme;
- (c) no other planning instruments besides those listed at (a) or (b) can provide for the subdivision of rural land; and
- (d) the introduction of new dwelling entitlements or other sensitive land uses should not limit or prevent primary production from occurring.

Local planning guidance on the matter is given in the Shire's:

Local Planning Strategy - Rural Land Use and Settlement 2012

8.1.2 Intensive Agriculture

In order to protect the productive capacity of agricultural land and the basis of the State, regional and local economies, there is a general presumption against future subdivision of land less than 300 ha in the Rural zone, except where it can be clearly demonstrated that subdivision will be beneficial to viable and sustainable agricultural production and land management on the subject land and will not be prejudicial to similar production and management of adjoining lands.

Subdivision may be supported for intensive agricultural development where the lot is a minimum of 40ha in area and all of the following criteria are met:

- *An agronomists report or similar demonstrates that each new lot will contain a minimum of 30 ha of land with a high capacity rating (class 1 or 2) for annual or perennial horticultural production;*
- *A hydrologists report or similar demonstrates that each new lot has long term, secure access to a supply of water of a sufficient quantity and quality as applicable to the potential agricultural production of that land and the Department of Environment and Conservation is prepared to agree that the capture of the water is within the limits of an endorsed water allocation management plan or is within the sustainable yield for that sub catchment; and*
- *The total lot area incorporates the minimum area of 30ha of high capability land, plus the water capture and/or storage area (as necessary) plus an area for farm infrastructure and buildings with sufficient setback from adjoining properties so as not to restrict potential agricultural productivity on those properties, setbacks from watercourse and wetlands, plus the retention of any remnant vegetation that should be protected from clearing.*

Draft Local Planning Strategy 2016

(This strategy will supersede Local Planning Strategy - Rural Land Use and Settlement 2012)

5.3 Rural land Strategic direction

- *Retain rural land for agricultural production and the protection of biodiversity.*
- *Support subdivision only where it provides for improved agricultural outcomes and land management, such as boundary realignments, homestead lots, environmental and landscape enhancement.*
- *Facilitate more intensive and diverse use of rural land for higher value agricultural products which are compatible with land capability attributes and surrounding farming practises, subject to availability of adequate water supply.*
- *Support non-rural uses that are compatible with and complement the primary use of the land.*

COMMENT

The subject land is identified as within extreme and moderate bushfire zones. Details of any bushfire management plan has not been provided.

Council has received an application for planning approval from AAA Egg Company Pty Ltd for the development of a free range egg farm on the smaller lot of the proposed subdivision (future Lot 42, 270Ha). The application is currently out for advertisement with comments due by Tuesday 6 February 2018. The proposed 12 shed egg farm has essentially the same design features as the existing recently developed egg farm at Lot 4 Mimegarra Road, Cataby.

This item is presented at this meeting as comments to the WAPC on the proposed subdivision are due by 20 February 2018.

CONSULTATION

Department of Planning, Lands and Heritage

STATUTORY ENVIRONMENT

- Planning and Development Act 2005
- Local Planning Scheme No 7
- State Planning Policy 2.5 - Rural Planning
- Development Control Policy 3.4 - Subdivision of rural land

POLICY IMPLICATIONS

There are no local policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

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<i>Goal 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.1 Ensure planning and land availability provides opportunity for sustainable growth and lifestyle options / choices	a) Strategic land use planning across the Shire, with a focus on coastal settlement and town centre strategy

- Local Planning Strategy - Rural Land Use and Settlement 2012
- Draft Local Planning Strategy 2016 (advertised)

ATTACHMENTS

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

- Application for Subdivision / Amalgamation (Doc Id 104530)
(Marked 9.4.3)

VOTING REQUIREMENT

Simple Majority

OFFICE RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Richardson

That the Western Australian Planning Commission be advised that Council supports the proposed application for a 2 lot subdivision at Lot 3751 Munbinea Road and provides the following recommended standard conditions:

1. Suitable arrangements being made with the Shire of Dandaragan for the provision of vehicular crossovers to service the lots shown on the approved plan of subdivision.
2. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision.
3. A compliance certificate/report for the BAL Contour Map relating to the approved subdivision shall be completed prior to the issuing of titles to the satisfaction of the Western Australian Planning Commission.
4. A notification, pursuant to Section 165 of the Planning and Development Act 2005, is to be placed on the certificates of title of the proposed lots with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:
'This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is/may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land'

CARRIED 8 / 0

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – DECEMBER 2017 COUNCIL STATUS REPORT

Document ID: 104197

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 21 December 2017. *(Marked 9.5.1)*

9.5.2 SHIRE OF DANDARAGAN – BUILDING STATISTICS – DECEMBER 2017

Document ID: 104383

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for December 2017. *(Marked 9.5.2)*

9.5.3 SHIRE OF DANDARAGAN – PLANNING STATISTICS – DECEMBER 2017

Document ID: 104253

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for [Month Year]. *(Marked 9.5.3)*

9.5.4 WALGA – VACANCIES ON BOARDS AND COMMITTEES

Document ID: 103807

See link below for current vacancies on Boards and Committees, with closing date of 12 February 2018.

WALGA website at <http://walga.asn.au/Policy-Advice-and-Advocacy/Governance-and-Strategy/Committee-Vacancies.aspx>.

9.5.5 SHIRE OF CHITTERING – COUNCIL REPRESENTATIVE ON NORTHERN GROWTH ALLIANCE

Document ID: 103008

Attached to the agenda is notification from Shire of Chittering advising representatives for the Northern Growth Alliance Committee *(Marked 9.5.5)*

9.5.6 JURIE BAY DISTRICT HIGH SCHOOL – PRESENTATION AWARDS 2017

Document ID: 103564

Attached to the agenda is correspondence from the Jurie Bay District High School thanking us for donation and advising of award winners *(Marked 9.5.6)*

9.5.7 WALGA 2018-19 STATE BUDGET SUBMISSION

Document ID: 103577

In recent months, WALGA has been working with Members through its Zone process to prepare its submission to the State Government in advance of the 2018-19 Budget. Attached to the agenda is correspondence. *(Marked 9.5.7)*

9.5.8 BADGINGARRA PRIMARY SCHOOL – PRESENTATION AWARDS 2017

Document ID: 103796

Attached to the agenda is correspondence from the Badgingarra Primary School thanking us for donation and advising of award winners *(Marked 9.5.8)*

9.5.9 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – 2018 AUSTRALIA’S FUTURE: LET’S MAKE IT LOCAL

Document ID: 104172

I have no doubt that 2018 will be a huge year for Local Government in Australia. It is becoming increasingly likely there will be a federal election. The Australian Local Government (ALGA) is well advanced in planning for the next election and, with your support, we can influence the national agenda before, during and after the election.

Attached to the agenda is correspondence in its entirety *(Marked 9.5.9)*

9.5.10 LAURIE GRAHAM MLC – BEACH EMERGENCY NUMBERS SIGNAGE

Document ID: 104182

Following a fatal shark bite incident at Falcon, there were concerns raised about the possible delays for emergency services in locating the incident. Mr Gerring’s brother Rick put forward the idea of Beach Emergency Number (BEN) signage at beach access points and the McGowan Government made an election commitment to assist local governments with the installation of the BEN signs. I am pleased to advise that the McGowan Government’s commitment is being fulfilled through the provision of grants to local government (south of Geraldton) to contribute towards the installation of BEN signs at beach access points and encourage you to apply for a grant of \$50,000.

9.5.11 DEPARTMENT OF THE PRIME MINISTER AND CABINET

Document ID: 104189

I am writing to provide you with information about per- and poly-flouroalkyl substances (PFAS), and work being undertaken by the Australian Government and state and territory governments to ensure consistent, evidence-based responses that support affected communities.

Attached to the agenda is content of correspondence *(Marked 9.5.11)*

9.5.12 HEALTHWAY – SPRAY THE GREY YOUTH FESTIVAL 2018

Document ID: 104421

I am pleased to advise that your application to Healthway has successful and a health message promotion sponsorship of \$2,500 is approved.

Attached to the agenda is sponsorship agreement *(Marked 9.5.12)*

9.5.13 STATE LIBRARY OF WA – MID-WEST REGION ACTIVITY PLAN 2017-18

Document ID: 104191

Attached to the agenda is a copy of the Regional Model Mid-West Region Activity Plan 2017-2018 and 2016-17 Report **(Marked 9.5.13)**

9.5.14 HON MARTIN ALDRIDGE MLC – ENEWS DECEMBER 2017

Document ID: 104164

Attached to the agenda is a copy of eNews – December 2017 from Hon Martin Aldridge MLC **(Marked 9.5.14)**

9.5.15 D BROWN – CHANGE OF AUSTRALIA DAY 26 JANUARY – A NEW PERSPECTIVE

Document ID: 104168

Attached to the agenda is correspondence on a new perspective as to not celebrating Australia Day on 26 January **(Marked 9.5.15)**

9.5.16 WALGA – CONSULTATION WITH MEMBERS – THIRD PARTY APPEAL RIGHTS IN PLANNING

Document ID: 102903

Attached to the agenda is the Outcomes of Consultation – Third Party Appeal Rights in Planning **(Marked 9.5.16)**

9.5.17 MINUTES OF AGM OF FIRE CONTROL OFFICERS

Document ID: 103050

Attached to the agenda are the Minutes of the Annual General Meeting of Fire Control Officers held 15 November 2017 **(Marked 9.5.17)**

9.5.18 SHANE LOVE MLA – MOORA RESIDENTIAL COLLEGE

Document ID: 104609

Attached to the agenda is correspondence from Shane Love MLA Member for Moore regarding the Labor Government's decision to slash \$64 million from the State education budget. **(Marked 9.5.18)**

9.5.19 LANDCORP – PROPOSED RESIDENTIAL SUBDIVISION – RESERVE 3074 CAMM ROAD DANDARAGAN

Document ID: 104742

“During the 2012 Regional Development Assistance Program (RDAP) application round, the Shire of Dandaragan lodged an application with LandCorp to undertake a residential development on Reserve 3074 Camm Road. The Shire identified there was a shortage of residential land in Dandaragan at the time.”

9.5.20 HON DAVID TEMPLEMAN MLA – COUNTRY LOCAL GOVERNMENT FUND – YOUTH DEVELOPMENT TRAINEESHIP

Document ID: 104830

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Attached to the agenda is correspondence from Hon. David Templeman, MLA advising Council that we have successfully secured funding through the Council Local Government Fund (CLGF). **(Marked 9.5.20)**

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

10.1 GOVERNANCE & ADMINISTRATION

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

The following item requires urgent consideration by Council:

For Council to discuss the Youth Development Traineeship Program.


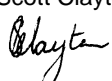
OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Richardson

That the following new business of an urgent nature be considered by Council: Youth Development Traineeship Program.

CARRIED 8 / 0

10.1.1 YOUTH DEVELOPMENT TRAINEESHIP PROGRAM

Location:	Shire of Dandaragan
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Grants and Subsidies / Programs / Workforce
Disclosure of Interest:	Nil
Date:	23 January 2018
Author:	Alison Slyns, Economic Development Coordinator
Signature of Author:	
Senior Officer:	Scott Clayton, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

For Council to endorse the employment of two trainees through the Country Local Government Fund Youth Development Traineeship Program and to authorise a budget amendment for grant income of \$34,023.00 and expenditure of the same amount.

BACKGROUND

The Country Local Government Fund Youth Development Traineeship Program (YDTP) is distributed by the Department of Local Government and Communities. The 2017/18 round was open from 13 September 2017 to 26 October 2017 and offered up to \$15,000.00 in wage subsidies and up to \$5,000.00 for course fees.

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Two applications were submitted by the Shire of Dandaragan and confirmation letters were received 15 January 2018 that both applications were successful.

COMMENT

The applications submitted for trainees through the YDTP were as follows:

Traineeship	Wages paid by grant	Course fees paid by grant	Wages paid by Shire of Dandaragan	Course fees paid by Shire of Dandaragan
Certificate III Community Services (with youth and community development electives)	\$15,000.00	\$2,973.00	\$16,972.00	\$0.00
Certificate III Tourism (with library electives)	\$15,000.00	\$1,050.00	\$16,972.00	\$0.00

The wages for the tourism / library trainee will be paid from the existing salaries budget for the visitor centre / library. When Council did not renew the Agreement for Provision of Services at the Council Meeting 25 August 2016 the previous service agreement fee of \$60,000.00 was allocated to salaries at the visitor centre and library for Monday to Friday operations, as follows:

COUNCIL DECISION

Moved Cr Sheppard, seconded Cr Richardson

That Council:

1. *not renew the Agreement for Provision of Services between the Shire of Dandaragan and the Jurien Bay Community Resource Centre following a review in accordance with Section 1.3 of the Agreement;*
2. *undertake the services outlined in the Provision of Services (Doc ID: 34022) with Shire of Dandaragan staff following the termination of the Agreement between the Shire of Dandaragan and the Jurien Bay Community Resource Centre, which is to include a sixty-day termination period unless otherwise agreed in writing by both parties;*
3. *authorises a budget amendment in the 2016/17 financial year, allocating the balance of the \$60,000 service fee remaining at the termination of the Agreement to Shire of Dandaragan wages and salaries*

CARRIED BY AN ABSOLUTE MAJORITY 6 / 2

Both traineeships will be for a 12-month period and although there is no additional budget allocated for the Community Services

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(Youth) trainee over and above the grant amount, due to staff vacancies salaries are currently running approximately \$50,000 less than budget so there are available funds without the need for a budget amendment for salaries.

CONSULTATION

Scott Clayton, Acting Chief Executive Officer
Council via Council forum
North West Metropolitan TAFE

STATUTORY ENVIRONMENT

Local Government Act 1995

6.8 Expenditure from municipal fund not included in annual budget

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The Shire of Dandaragan was successful in obtaining two grants from the Department of Local Government and Communities under their Youth Development Traineeship Program in the amount of \$34,023.00.

A budget amendment is required to recognise grant income of \$34,023.00 and corresponding expenditure of the same amount.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.5 Facilitate population and visitor attraction and growth to expand and diversify the regional economy	(c) Expand and improve the visitor centres' network
<i>Goal 3: A Strong and Connected Community</i>	
Objectives	How the Shire will contribute
3.5 Support and develop youth	(a) Develop a Youth Friendly Community Plan and activate where financially sustainable (b) Develop a youth policy and strategy
<i>Goal 5: Proactive and Leading Local Government</i>	
Objectives	How the Shire will contribute
5.4 Provide high standard of customer	(a) Provide customer service to the

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JANUARY 2018	
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service	community via front counter, telephone and email
5.5 Implement integrated planning and reporting	(c) Maximise grant and alternative income sources to minimise burden on ratepayers

ATTACHMENTS

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

- 20180123 CLGF YDTP letter of confirmation (Doc Id: 104830) **(Marked 10.1.1)**

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Eyre

That Council:

- 1. authorise a budget amendment to receive a Country Local Government Fund grant to the amount of \$34,023.00;**
- 2. authorise a budget amendment to expend \$34,023.00 (plus \$33,944 from the existing salaries and wages budget) to complete two Youth Development Traineeship Programs as follows:**
 - a) employment of two staff each on a 12-month traineeship;**
 - b) wages and salaries in the amount of \$63,944;**
 - c) traineeship course fees in the amount of \$4,023.00.**

CARRIED BY ABSOLUTE MAJORITY 8 / 0

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13 CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 4.32pm.

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These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date