

SHIRE

of

DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

COUNCIL CHAMBERS, JURIEN BAY

on

THURSDAY 25 JUNE 2020

COMMENCING AT 4.00PM

Table of Contents

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	1	
	.1 DECLARATION OF OPENING	1	
	.2 DISCLAIMER READING	1	
2	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE		
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2	
4	PUBLIC QUESTION TIME	2	
5	APPLICATIONS FOR LEAVE OF ABSENCE	3	
6	CONFIRMATION OF MINUTES	3	
	.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 28 MAY 2020	3	
7	NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION		
8	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	3	
9	REPORTS OF COMMITTEES AND OFFICERS	4	
	.1 CORPORATE & COMMUNITY SERVICES	4	
	9.1.1 ACCOUNTS FOR PAYMENT - MAY 2020	4	
	9.1.2 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 MAY 2020		
	.2 INFRASTRUCTURE SERVICES	7	
	.3 DEVELOPMENT SERVICES	7	
	9.3.1 PROPOSED GARAGE – 20 APIUM WAY, JURIEN BAY	7	
	.4 GOVERNANCE & ADMINISTRATION	10	
	9.4.1 JURIEN BAY COMMUNITY RESOURCE CENTRE LEASE PART 67 BASHFORD STREET JURIEN BAY	10	
	.5 COUNCILLOR INFORMATION BULLETIN	13	
	9.5.1 SHIRE OF DANDARAGAN - MAY 2020 COUNCIL STATUS REPORT	13	
	9.5.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – MAY 2020	13	
	9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – MAY 2020		
	9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – MAY 2020		
	9.5.5 SHIRE OF DANDARAGAN TOURISM / LIBRARY REPORT FOR MAY 2020	14	
10	NEW BUSINESS OF AN URGENT NATURE — INTRODUCED BY RESOLUTION OF THE MEETING	. 14	
11	CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC	. 14	

12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS	
	BEEN GIVEN	.14
13	CLOSURE OF MEETING	. 14

Doc ld: 157455 CONFIRMED BY COUNCIL

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 4.00pm and welcomed those present.

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

1.2 DISCLAIMER READING

The disclaimer was read aloud as there were 2 members of the public present.

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

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

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor L Holmes

Councillor P Scharf (Deputy President)

Councillor J Clarke

Councillor A Eyre

Councillor W Gibson

Councillor D Richardson

Councillor R Rybarczyk

Councillor R Shanhun

Staff

Mr B Bailey

Mr D Chidlow

Mr B Pepper

Ms R Headland

Mr R Mackay

Ms M Perkins

Mr T O'Gorman

(Chief Executive Officer)

(Executive Manager Development Services)

(Executive Manager Infrastructure)

(Council Secretary & Personal Assistant)

(Planning Officer)

(President)

(Manager Community & Customer Service)

(Economic Development Manager)

Doc ld: 157455 CONFIRMED BY COUNCIL

Apologies

Councillor D Slyns

Approved Leave of Absence

Nil

Observers

Mike Sheppard, Tim Bailey

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil

4 PUBLIC QUESTION TIME

Mr Mick Sheppard asked the following questions in relation to Sandy Cape:

1. Would the Shire supply firewood at Sandy Cape for campers to stop them from collecting it from the Reserve?

The Chief Executive Officer responded by saying that the Shire does not currently supply firewood to Sandy Cape. Noting Mr Sheppard's concerns the matter would be considered when the Shire completes the Sandy Cape Management Plan in 2020 / 2021 financial year.

2. What can be done about the people camping between Sandy Cape and North Head who are not self-sufficient with ablution facilities?

The Chief Executive Officer responded by saying that this matter would also be considered as part of the Sandy Cape Management Plan.

3. Can the Shire put up signs on the sand dunes to stop four wheel drive vehicles from driving on them up to the lookout and where the kids sandboard?

The Chief Executive Officer responded by saying that signs are currently in place advising that 4 wheel drives are prohibited from the sand dunes.

4. Would the Shire be looking at leasing the campground out as a Private Business Venture?

The Chief Executive Officer responded by saying that the Shire's current internal management arrangements was Council's preferred approach and that there was no plans in place to privatise the facility.

Mr Tim Bailey enquired about the future of the Jurien Bay Airport and Council's expenditure plans for the asset.

The Chief Executive Officer responded by saying that the draft budget is currently considering the construction of the East West runway and that funding

had recently been received from the Federal Government for the construction of a taxiway between the RFDS facility and the northern end of the runway.

5 APPLICATIONS FOR LEAVE OF ABSENCE

- **6 CONFIRMATION OF MINUTES**
 - 6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 28 MAY 2020

COUNCIL DECISION

Moved Cr Scharf, seconded Cr Clarke
That the minutes of the Ordinary Meeting of Council held 28 May
2020 be confirmed.

CARRIED 8 / 0

7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 ACCOUNTS FOR PAYMENT - MAY 2020

Location:

Shire of Dandaragan

Applicant:

N/A

Folder Path:

Business Classification Scheme / Financial Management /

Creditors / Expenditure

Disclosure of Interest:

None

Date:

15 June 2020

Author:

Scott Clayton, Executive Manager Corporate &

Community Services

Senior Officer:

Brent Bailey, Chief Executive Officer

PROPOSAL

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

BACKGROUND

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

COMMENT

The cheque, electronic funds transfer (EFT) and direct debit payments for May 2020 totalled \$1,001,583.19 for the Municipal Fund.

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

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

 Regulation 13 of the Local Government Financial Management Regulations 1997.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

Doc Id: 157455 CONFIRMED BY COUNCIL

 Cheque, EFT and direct debit listings for May 2020 (Doc Id: 156938)

(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Richardson That the Cheque and EFT listing for the period ending 31 May 2020 totalling \$1,001,583.19 be adopted.

CARRIED 8 / 0

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

Location:

Shire of Dandaragan

Applicant:

N/A

Folder

Business Classification Scheme / Financial Management / Financial Reporting / Periodic

Reports

Disclosure of Interest:

None 16 June 2020

Date: Author:

Scott Clayton, Executive Manager Corporate and

Community Services

Senior Officer:

Brent Bailey, Chief Executive Officer

PROPOSAL

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

BACKGROUND

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 31 May 2020.

COMMENT

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

1. Net Current Assets

Council's Net Current Assets [i.e. surplus / (deficit)] position as at the 31 May 2020 was \$2,605,621. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves and Restricted Assets. The current position indicates that Council can easily meet its short-term liquidity or solvency.

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

The amount raised from rates, shown on the Statement of Financial Activity (page 3), reconciles with note 5 (page 12) of the financial statements and provides information to Council on the budget vs actual rates raised.

2. Material Variances

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

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

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

 Financial statements for the period ending 31 May 2020 (Doc ld: 157074)

(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Eyre That the monthly financial statements for the period 31 May 2020 be adopted.

CARRIED 8 / 0

9.2 INFRASTRUCTURE SERVICES

9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED GARAGE – 20 APIUM WAY, JURIEN BAY

Location:

20 (Lot 482) Apium Way, Jurien Bay

Applicant:

C Sayers

File Ref:

Development Services Apps / Development

Application / 2020 / 25

Disclosure of Interest:

Nil

Date:

15 June 2020

Author: Senior Officer: Rory Mackay, Planning Officer

David Chidlow, Executive Manager of Development

Services

PROPOSAL

The proponent is seeking development approval for a garage upon 20 Apium Way, Jurien Bay.



BACKGROUND

The applicant is seeking development approval to construct a 9m x 3.5m, 31.5m² garage at a wall height of 3m and a ridge height of 4m on the 800m² property.

The garage will be setback 0.12m from the north-east side boundary adjoining 18 Apium Way, 5m from the road frontage boundary, and butt up to the existing patio of the house as shown on the attached plans.

The subject property is zoned Residential under the Shire's Local Planning Scheme No.7 with a density code of R12.5.

The proposed garage complies Council's *Local Planning Policy* 9.4: Outbuildings Residential Areas as detailed the following table:

	LPP9.4 Sizing	Proposed Garage
Area	40m ²	31.5m ²
Wall Height	3m	3m
Ridge Height	4.5m	4m

Local Planning Policy 9.10: Residential Design Codes – Side and Rear Boundary Setbacks provides the ability for the proposed garage to be built up to the boundary (within 0.6m of the boundary) and approved under delegated authority subject to the: design principles of section 5.1.3 P3.2 of the Residential Design Codes (R-Codes) being sufficiently addressed to the satisfaction of Shire planning staff; and no objection or concern has been raised by an adjoining landowner or residents.

In this instance, the adjoining landowner has objected to the proposal resulting in the application being before Council for a decision.

COMMENT

The neighbouring landowner has concerns that the bulk and scale of the 9m long, 3m high wall, 0.12m from their side boundary will have an adverse impact on their future house windows facing this boundary.

The R-Codes' design principles of section 5.1.3, P3.2 read as follow:

Buildings built up to boundaries (other than the street boundary) where this:

- makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas;
- does not have any adverse impact on the amenity of the adjoining property;
- does not compromise the design principle contained in clause 5.1.3 P3.1;
 - reduce impacts of building bulk on adjoining properties;
 - provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and
 - minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

The merits of the application are stated below in relation to these design principles:

- 1. The proposal complies with the design provisions of Local Planning Policy 9.4.
- 2. The proposed position of the garage adjacent the existing dwelling is a design characteristic consistent throughout the locality of the Beachridge Estate, Jurien Bay and provides the landowner with greater open space within their backyard

- 3. The affected side boundary is south-west to the adjoining neighbour resulting in clause 5.4.2 Solar access for adjoining sites (overshading) of the R-Codes being not applicable for the development, as overshading is only determined on a north to south lot boundary basis.
- 4. The adjoining 18 Apium Way is vacant, which provides this landowner with the ability to construct a residence to site characteristics in due course.
- 5. The materials and colours of the garage are complementary to the existing dwelling, to not detract from the streetscape or the amenity of neighbouring properties.
- 6. The front and rear roller door design of the garage provides continued vehicle access to the backyard where an existing 54m² is situated near the west rear property corner.

Given the above, the proposal is considered to achieve orderly and proper planning by the reporting officer. Therefore, Council is recommended to approve the subject development application.

CONSULTATION

The proposal was forwarded to the affected adjoining neighbour for comment who objected on the grounds listed above.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7:
 Clause 4.2 of the Scheme outlines State Planning Policy 3.1 Residential Design Codes is to read as part of the Scheme.
- Shire of Dandaragan Delegation Register

POLICY IMPLICATIONS

- Local Planning Policy 9.4 Outbuildings Residential Areas
- Local Planning Policy 9.10: Residential Design Codes Side and Rear Boundary Setbacks

FINANCIAL IMPLICATIONS

The applicant has paid the required \$147 fee for the development application.

STRATEGIC IMPLICATIONS

Strategic Community Plan - Envision 2029

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

ATTACHMENTS

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

Development application plans (Doc Id: 156935 & 156934)(Marked 9.3.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Richardson

That Council grant development approval for the proposed outbuilding on Lot 482 Apium Way, Jurien Bay subject to the following conditions and advice notes:

- 1. All development shall be in accordance with the plans submitted with the subject development application dated 2 June 2020 and shall not be altered without the prior written approval of the local government.
- 2. The roof and wall material being of non-reflective nature and colour consistent with the existing structure and/or predominant colours of the individual site.

Advice Notes:

- a) The applicant is advised this is planning approval only and not a building permit. A building permit must be obtained for this development.
- b) Stormwater is to be managed on site or directed to a suitable disposal system in accordance with AS3500 Plumbing and Drainage.

CARRIED 8 / 0

Cr Scharf declared an impartiality interest in Item 9.4.1 due to his wife being the chairperson of applicant.

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 JURIEN BAY COMMUNITY RESOURCE CENTRE LEASE PART 67 BASHFORD STREET JURIEN BAY

Location: 67 Bashford Street Jurien Bay

Applicant: Jurien Bay Community Resource Centre Inc

Committee

Folder Path: Business Classification Scheme / Council Properties

/ Leasing Out / Office Locations

Disclosure of Interest: None.
Date: 9 June 2020

Author: Tony O'Gorman, Economic Development Manager

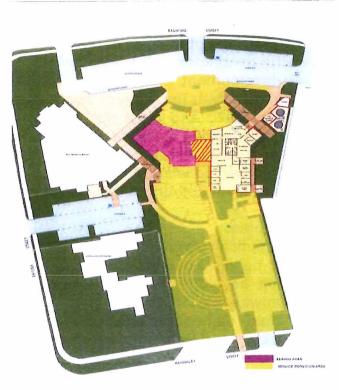
Senior Officer: Brent Bailey Chief Executive Officer

PROPOSAL

To provide a lease on a part of 67 Bashford Street Jurien Bay to the Jurien Bay Community Resource Centre Inc (JBCRC) for a period of five years with the option of a further five-year term with Council approval.

BACKGROUND

The Jurien Bay Community Resource Centre Inc currently hold a lease over part of 67 Bashford Street Jurien Bay. The group have held the lease for a period of five years to date. The Centre had an option of a further five-year term, The Shire wish to renegotiate the lease area and some terms to allow Shire staff from the Library and the Turquoise Coast Visitor Centre to access the staff lunchroom and ablution facilities within the JBCRC leased area.



Annexure 1 – Plan of Premises

The JBCRC previously operated the Library and Visitor Centre which meant that there was no need for Shire staff to access the staff lunchroom and ablution areas. The JBCRC no longer undertakes these roles on behalf of the Shire. It is necessary to vary the lease terms to allow access to those common areas for Shire staff.

The leased area outgoings have also caused some concern for both the Shire and the JBCRC. The original method as per Schedule 1 of the original lease provided for a complex method of determining the outgoings in respect of electricity costs. A simpler more practical method has been provided for in Schedule 1 of the proposed lease.

The Jurien Bay Community Resource Centre Inc provides both State and Federal Government Services through separate rooms each side of the CRC Reception desk. The CRC are keen to maintain free flowing access to these rooms so have requested that the circulation space not be impeded by the placement of displays in the circulation space.

COMMENT

Negotiations have been underway with the Jurien Bay CRC for several weeks. The draft lease has been presented to the Management Committee of the JBCRC for their agreement. The discussions have resulted in the draft lease being approved by the Jurien Bay CRC.

The proposed outgoings calculation for electricity charges are acceptable to the Executive Manager Corporate and Community Services and the Management Committee of the JBCRC.

CONSULTATION

- Jurien Bay Community Resource Centre Inc.
- Executive Manager Corporate and Community Services
- Chief Executive Officer
- Manager Customer and Community Services

STATUTORY ENVIRONMENT

Local Government Act 1995 - Section 3.58 - Disposing of property - Requires that the disposal of property whether by sale or lease be advertised for a period of two weeks.

Local Government (Functions and General) Regulations 1996 There is an exemption provided under Functions and General Regulations, *regulation 30 - Dispositions of property excluded from Act s. 3.58*

Land Administration Act 1997

POLICY IMPLICATIONS

Policy 6.2 - C-6R02 - Reserves

OBJECTIVE

To provide guidance regarding the usage and leasing arrangement of Shire Reserves

FINANCIAL IMPLICATIONS

There are no financial implications attached to this item as all costs for leases are typically borne by the groups applying for the lease.

STRATEGIC IMPLICATIONS

Strategic Community Plan - Envision 2029

04 - Community	The Shire's resident population will grow more than the WA regional average supported by increased community recreation and cultural opportunities and access to key liveability factors such as health and wellbeing services and educational opportunities.
Priority Outcomes	Our Roles
A region that develops and supports community leadership and collective values.	Provide an industry leading local government organisation promoting community confidence and support in our decision-making processes.

ATTACHMENTS

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

- Draft Lease Shire of Dandaragan and Jurien bay CRC (Doc Id 152653)
- Deed of Release (Doc Id 156276)
- Appendix A (Doc Id 152553) Signing Page (Doc Id 153721)
 (Marked 9.4.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Gibson That Council:

- 1. Lease the part of 67 Bashford Street Jurien Bay to the Jurien Bay Community Resource Centre Inc as indicated by the area coloured red on appendix "A"
- 2. Authorise the CEO to finalise negotiations with Jurien Bay Community Resource Centre Inc to complete a deed of surrender for the original lease.
- 3. Authorise the CEO to complete negotiations with the Jurien Bay Community Resource Centre Inc to provide a lease for a period of five years with an option to renew for a further five years with the approval of Council.

CARRIED 8 / 0

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN - MAY 2020 COUNCIL STATUS REPORT

Document ID: 157090

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 28 May 2020. (Marked 9.5.1)

9.5.2 SHIRE OF DANDARAGAN — EXECUTIVE MANAGER INFRASTRUCTURE REPORT – MAY 2020

Document ID: 157080

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

9.5.3 SHIRE OF DANDARAGAN - BUILDING STATISTICS - MAY 2020

Document ID: 156291

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

9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – MAY 2020

Document ID: 156290

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

9.5.5 SHIRE OF DANDARAGAN TOURISM / LIBRARY REPORT FOR MAY 2020

Document ID: 156993

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

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

Nil

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

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 4.20pm.

These minutes were confirmed at a meeting on 23 July 2020 Signed Signed		
Drouiding paragn at the macting at which the minutes were confirmed		
Presiding person at the meeting at which the minutes were confirmed		
Date 23 July 2020		

Doc Id: 157455