



SHIRE
of
DANDARAGAN

MINUTES
of the
ORDINARY COUNCIL MEETING
held at the
COUNCIL CHAMBERS, JURIEN BAY
on
THURSDAY 28 MAY 2020
COMMENCING AT 4.00PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 MAY 2020
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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 4.00pm 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 not read aloud as there were no members of the public present.

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

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

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

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

Staff

Mr B Bailey	(Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr D Chidlow	(Executive Manager Development Services)
Mr B Pepper	(Executive Manager Infrastructure)
Ms R Headland	(Council Secretary & Personal Assistant)
Mr R Mackay	(Planning Officer)
Ms M Perkins	(Manager Community & Customer Service)
Mr T O'Gorman	(Economic Development Manager)

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 MAY 2020**Apologies**

Nil

Approved Leave of Absence

Nil

Observers

Nil

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 CONFIRMATION OF MINUTES**6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 28 APRIL 2020****COUNCIL DECISION**

Moved Cr Eyre, seconded Cr Scharf

That the minutes of the Ordinary Meeting of Council held 28 April 2020 be confirmed.

CARRIED 9 / 0

7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

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9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 BADGINGARRA BOWLING CLUB INC - SELF-SUPPORTING LOAN

Location:	Badgingarra
Applicant:	Badgingarra Bowling Club Inc
Folder Path:	Business Classification Scheme / Grants and Subsidies / Applications / Community Groups
Disclosure of Interest:	Nil
Date:	4 May 2020
Author:	Tony O’Gorman Economic Development Manager
Senior Officer:	Brent Bailey Chief Executive Officer

PROPOSAL

To consider a request from the Badgingarra Bowling Club Inc to establish a \$50,000 self-supporting loan for the purposes of replacing the eleven-year-old carpet currently in use.

BACKGROUND

The Badgingarra Bowling Club Inc last replaced it’s grass bowling green in 2009 with the current synthetic surface they now play on. The Club received a one third grant from the then Department of Sport and Recreation through the Community Sport Recreation Facilities Fund (CSRFF). They also received a one third grant for the installation of the synthetic green from the Shire of Dandaragan Community Recreation Facilities Capital Works Fund. A condition of both of those grants was that a sinking fund be implemented to replace the surface in the future. The anticipated life of the green was ten years.

The Club has maintained a sinking fund over the past eleven years as evidenced by the Club term deposit statement attached. The Club have also undertaken several significant upgrades to the bowling green including erecting a retractable shade structure.

COMMENT

The Badgingarra Bowling Club Inc have been operating since 1979 and maintains a strong membership across the district. The Club is affiliated with the Badgingarra Community Association Inc. The Club has strong financial management and appropriate governance structure.

The club has maintained a sinking fund to replace the bowling green but in the current economic climate wishes to maintain a strong bank balance in case of future unforeseen circumstances. This loan will enable them to replace the bowling green without exhausting their funds on hand.

The loan application is recommended for support.

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CONSULTATION

- Badgingarra Bowling Club Inc
- WA Treasury Corporation

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.20

6.20. Power to borrow

(1) *Subject to this Act, a local government may —*

- (a) *borrow or re-borrow money; or*
- (b) *obtain credit; or*
- (c) *arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit,*

to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

(2) *Where, in any financial year, a local government proposes to exercise a power under subsection (1) (**power to borrow**) and details of that proposal have not been included in the annual budget for that financial year —*

- (a) *unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and*
- (b) *the resolution to exercise that power is to be by absolute majority.*

(3) *Where a local government has exercised a power to borrow and —*

- (a) *it does not wish to proceed with the performance of the function or the exercise of the power for which the power to borrow was exercised; or*
- (b) *after having completed the performance of the function or the exercise of the power for which the power to borrow was exercised, any part of the money borrowed, credit obtained or financial accommodation arranged has not been expended or utilized,*

the local government may resolve to expend the money or utilize the credit or financial accommodation for another purpose if one month's local public notice is given of the proposed change of purpose.*

1. * Absolute majority required.

POLICY IMPLICATIONS

Policy 3.3 C-3SSL03 - Self-Supporting Loans

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The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will undertake the provision of self-supporting loans in a fair, equitable and balanced process, to groups within the community, for the purpose of capital projects only.

FINANCIAL IMPLICATIONS

There are no net financial implications regarding this item.

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 safe, healthy, smart and active community that values its history and supports inter-generational relationships	Increase community-building by providing sustainable recreation infrastructure and services, off-peak events, community building programs and place-making concepts in our public spaces

ATTACHMENTS

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

- Request letter self-supporting loan (Doc Id: 153886)
- Quote and term deposit and current bank statement. (Doc Id: 153889)
- Treasury Corp Indicative Costs 5 Years (Doc Id: 153883)
- Annual Financials (Doc Id: 154902)

(Marked 9.1.1)

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

Moved Cr Richardson, seconded Gibson

That Council:

- 1. Support the Badgingarra Bowling Club Incorporated to replace the current synthetic green by providing access to a self-supporting loan to the value of \$50,000 over a period of five years.**
- 2. Authorise a budget amendment to include a self-supporting loan of \$50,000 to the Badgingarra Bowling Club Inc Incorporated to be taken over 5 years.**
- 3. Authorise the CEO to negotiate and finalise the loan agreement with the Badgingarra Bowling Club Incorporated; and**
- 4. Authorise public notice in accordance with Section 6.20 of the Local Government Act 1995 of the intention to borrow**

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money for the purposes of providing a self-supporting loan to the Badgingarra Bowling Club Incorporated.

CARRIED BY ABSOLUTE MAJORITY 9 / 0

9.1.2 ACCOUNTS FOR PAYMENT – APRIL 2020

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	6 May 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 April 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 April 2020 totalled \$1,391,657.27 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the April 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.

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STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Cheque, EFT and direct debit listings for April 2020 (Doc Id: 154027)
(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

Moved Cr Clarke, seconded Cr Shanhun

That the Cheque and EFT listing for the period ending 30 April 2020 totalling \$1,391,657.27.

CARRIED 9 / 0

9.1.3 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 30 APRIL 2020

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	12 May 2020
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To table and adopt the monthly financial statements for the period ending 30 April 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 30 April 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 30 April 2020 was \$2,561,587. The composition of this

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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 30 April 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 30 April 2020 (Doc Id: 154188)

(Marked 9.1.3)

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VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

Moved Cr Gibson, seconded Cr Shanhun

That the monthly financial statements for the period 30 April 2020 be adopted.

CARRIED 9 / 0

9.1.4 INTEGRATED PLANNING AND REPORTING FRAMEWORK – INFORMING STRATEGIES

Folder Path:	Business Classification Scheme / Corporate Management / Planning / Strategic Plan
Date:	18 May 2020
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

For Council to receive informing strategies as part of its Integrated Planning and Reporting suite of documents.

BACKGROUND

All local governments are currently required to produce a plan for the future under S5.56 (1) of the Local Government Act 1995 (Act).

The Integrated Strategic Planning and Reporting Framework provides the basis for improving the practice of strategic planning in local government. It addresses the minimum requirements to meet the intent of the Act and outlines processes and activities to achieve an integrated strategic plan at the individual local government level.

There are three major parties to the development of an integrated strategic plan:

1. The community – participates in a community planning process to determine major vision or intended big picture directions and also participates in regular reviews of those directions.
2. The Council – signs off the Strategic Community Plan (SCP) resulting from the community planning process, the four year reviews updating that plan, and the annual budget.
3. The local government administration – supports delivery of the Strategic Community Plan, the 4-yearly reviews, and annual budget through its corporate business planning.

The minimum requirement to meet the intent of the plan for the future is the development of:

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- A Strategic Community Plan; and
- A Corporate Business Plan (CBP).

In June 2019, Council adopted Envision 2029 (Envision), the Shires latest SCP.

Envision states;

“This Strategic Community Plan has been produced with consideration of the Shire’s current capacity and resources, and the anticipated capacity of future resources.”

In November 2019, Council adopted its CBP. The CBP provides an active link between the longer term direction and objectives of the Strategic Community Plan and the annual Shire budget.

The CBP includes the following statement;

“The Shire is taking a proactive approach to future planning by bringing together a range of long term plans to guide our investments, service levels and revenue strategy. The suite of integrated planning documents demonstrate how the Shire will reconcile the community's aspirations to the available resources of which the Shire is the custodian.

[These] documents make up the Shire's integrated planning framework. The documents are under regular review and update to respond to the community's aspirations, external environment and the resources available and projected for the Shire.”

COMMENT

To accurately assess and measure the Shire’s capacity to achieve the outcomes identified in the SCP and CBP consideration must be given to at least three key areas;

- Asset Management
- Workforce Planning
- Long Term Financial Planning

To document these areas the following “informing strategies” can be developed, refined and reviewed on an ongoing basis;

1. Asset Management Plans: Describes how the Shire’s assets will meet the service delivery needs of the community into the future. It plans for the long-term sustainable management of assets based on a “whole of life” and “whole of organisation” approach.
2. Workforce Plan: This will provide an outline of the Shire's workforce requirements and workforce strategies needed to deliver services into the future. It will plan for the long-term

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delivery of current and known future operations of the organisation.

3. Long-Term Financial Plan: This plan provides an outline of the financial position of the Shire over the longer term. It plans for the Shire's long-term financial sustainability and allows early identification of financial issues and their longer-term impacts.

Each of these documents in their current state should be considered the first rendition under the new SCP. The documents will develop maturity and refinement over coming years, particularly as the level of data validation and integrity is attained in the Asset Management Plans. . The current plans utilise best available information but rely on various broad assumptions and where information is lacking they maintain the status quo.

These Plans can be considered administrative documents that allow SCP and CBP development to be undertaken in a sustainable and achievable manner.

While there is no direct legislative requirement to produce these documents, various financial ratios required to be calculated annually as prescribed in the Local Government (Financial Management) Regulations 1996 refer to them by name.

Therefore, it is important that at all times the Shire has a current version of each document. These Plan's will be "live" documents and will go through many iterative versions as they improve. However, given Council has a role in the annual audit process through the audit committee it is important that the Plans are received by Council to acknowledge their content on an as required basis.

Asset Management Plans

Asset Management Plans are informed by, and in turn inform, the community aspirations and service requirements in the Strategic Community Plan. They are also integral to developing and delivering the local government's strategic direction, service plans, projects and operational plans in the Corporate Business Plan.

Asset management ensures that robust Long Term Financial Plans and Annual Budgets are developed and that local governments have the financial capacity to deliver their strategic priorities into the future.

All fixed assets are divided into the category of the service they support. There are four plans in all.

The Plans utilise information contained in the Shire's asset register and apply assumptions around effective lives, current condition

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and unit rates to develop a forecast of required renewal and replacement expenditure to maintain the current level of service.

The difference between the required renewal funding and the estimated actual funding is referred to as the renewal gap. The renewal gap can be closed by either increasing funding to renewal of assets and/or reducing the level of service to certain assets or class of asset.

As more robust data is collected about the Shire assets a clearer picture of the funding required to maintain them will develop. Levels of service can then be determined to ensure that the assets of the Shire can be maintained in a sustainable manner.

Workforce Plan

At the strategic level, a local government's Workforce Plan will take into account the community aspirations, priorities and objectives identified in SCP. The SCP sets out the longer term vision for the local government and highlight workforce needs.

The Workforce Plan then becomes an essential component of the CBP, where it identifies workforce requirements and strategies for current and future operations over the next four years or more.

This iteration of the Plan generally maintains the overall status quo in relation to the staff numbers and overall employee costs.

As a result of refined community direction from Envision 2029 the Shire is cognisant of the need to align its service delivery to respond to the following key issues:

1. Environmental Management
2. Effective Asset Management
3. Events and Community Development
4. The delivery of Marquee Projects

These items do not require any substantial changes to existing employee numbers. There will however be gradual shifts in roles and responsibilities over time, particularly when positions are reviewed following vacancies. In the near future there will need to be increased staff resources applied to developing effective asset management plans for the Shire. This will be delivered in a cross-organisational approach supported by the use of an external consultant.

Long Term Financial Plan

The Long Term Financial Plan is a rolling plan that informs the CBP in the activation of Strategic Community Plan priorities. The Long Term Financial Plan includes forecast budgets to accompany the CBP.

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From these planning processes, annual budgets that are aligned with strategic objectives can be developed.

The Long Term Financial Plan is therefore a key element of the Integrated Planning and Reporting Framework that enables local governments to set priorities, based on their resourcing capabilities, for the delivery of short, medium and long term community priorities.

It is also an indicator of a local government's long term financial sustainability and allows early identification of financial issues and their longer term impacts. The Long Term Financial Plan highlights linkages between specific plans and strategies and enhances the transparency and accountability of the council to the community.

This iteration of the plan takes into account projects identified in the CBP, the status quo in relation to Human Resources and renewal requirement contained in the Asset Management Plan while also maintaining the current levels of service offered by the Shire.

In formulating financial forecasts, consideration must be given to revenue sources to ensure the budget is balanced in accordance with Section 6.2 (2) of the Act.

This plan estimates an increase in non-operating grants on a year by year basis from historic levels as the Shire is committed to the development of long term project plans that will open up access to additional funding sources. However, a significant renewal gap still exists. The plan identifies this and in achieving an annual balanced budget factors in a required annual increase in rates of 2.0% above the consumer price index.

However, this increase is only a guide based on the best available information.

Maintaining downward pressure on rates in an important consideration and over future versions of this document there are opportunities to review levels of service offered by the Shire and the assets that support them.

This will be an ongoing improvement strategy moving forward.

Council are asked to receive these documents and the data that supports them to ensure that ratios can be calculated as required by the Act.

CONSULTATION

- Asset Infrastructure Management
- Chief Executive Officer

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- Planning Officer

STATUTORY ENVIRONMENT

Local Government Act 1995 S5.56 (a) - Planning for the future
 Local Government Act 1995 S6.2 (2) – Local Government to prepare annual Budget

5.56. Planning for the future

(1) *A local government is to plan for the future of the district.*

6.2. Local government to prepare annual budget

(2) *In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —*

- (a) *the expenditure by the local government; and*
- (b) *the revenue and income, independent of general rates, of the local government; and*
- (c) *the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

These plans provide the tools to match resources available to achieve outcomes contained within the SCP and CBP. They are integral in the development of annual budgets

STRATEGIC IMPLICATIONS

These plans are important components of the Integrated Planning and Reporting Suite of documents.

They provide the resourcing link to the SCP and CBP to ensure services can be delivered at a sustainable level while achieving the strategic objectives of the Shire of Dandaragan.

ATTACHMENTS

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

- Property Asset Management Plan Part 1 (Doc Id: 154762)
- Property Asset Management Plan Part 2 (Doc Id: 154763)
- Recreation Asset Management Plan Part 1 (Doc Id: 154770)
- Recreation Asset Management Plan Part 2 (Doc Id: 154772)
- Transport Asset Management Plan Part 1 (Doc Id: 154764)
- Transport Asset Management Plan Part 2 (Doc Id: 154765)
- Fleet, Equipment and IT Asset Management Plan Part 1 (Doc Id: 154773)

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- Fleet, Equipment and IT Asset Management Plan Part 2 (Doc Id: 154761)
 - Workforce Plan 2020 – 2029 (Doc Id: 154769)
 - Long Term Financial Plan 2020 – 2034 (Doc Id: 154766)
 - Long Term Financial Plan underlying data (Doc Id: 154768)
- (Marked 9.1.4)**

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Shanhun, seconded Cr Scharf

That Council:

1. receive the following Integrated Planning and Reporting informing strategies:
 - a) Property Asset Management Plan Part 1 (Doc Id: 154762)
 - b) Property Asset Management Plan Part 2 (Doc Id: 154763)
 - c) Recreation Asset Management Plan Part 1 (Doc Id: 154770)
 - d) Recreation Asset Management Plan Part 2 (Doc Id: 154772)
 - e) Transport Asset Management Plan Part 1 (Doc Id: 154764)
 - f) Transport Asset Management Plan Part 2 (Doc Id: 154765)
 - g) Fleet, Equipment and IT Asset Management Plan Part 1 (Doc Id: 154773)
 - h) Fleet, Equipment and IT Asset Management Plan Part 2 (Doc Id: 154761)
 - i) Workforce Plan 2020 – 2029 (Doc Id: 154769)
 - j) Long Term Financial Plan 2020 – 2034 (Doc Id: 154766)
2. Acknowledge that these informing strategies are administrative documents that will undergo constant review and refinement and do not require Council endorsement for updates to come into effect.

CARRIED 9 / 0

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9.2 INFRASTRUCTURE SERVICES

9.2.1 WHEATBELT SECONDARY FREIGHT NETWORK 2019/20 PROJECT DEVELOPMENT WORKS FUNDING

Location:	Shire of Dandaragan
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Roads / Monitoring / Road Traffic & Safety
Disclosure of Interest:	Nil
Date:	11 May 2020
Author:	Julie Rouse, Coordinator Infrastructure Services
Senior Officer:	Brad Pepper, Executive Manager Infrastructure Services

PROPOSAL

The purpose of this report is for Council to endorse the receipt and expenditure associated with project development works for Jurien East Road as part of identified Stage 1 Wheatbelt Secondary Freight Network (WSFN) projects within the 2019-2020 financial year.

BACKGROUND

The WSFN program of works is a result of a collaborative approach between RDA Wheatbelt, the Wheatbelt Development Commission, Main Roads WA and WA Local Government Association representatives, and has the full support of all 42 Wheatbelt Shires. The size of the collaboration has seen it recognised as the biggest local government collaboration in Australia.

In 2019, the Australian Government announced a \$70 million commitment through the Roads of Strategic Importance initiative for the WSFN. The WA Government and the 42 Shires across the Wheatbelt have committed \$17.5 million. Inclusion in the Infrastructure Priority List is considered to be a vital step for future funding opportunities for the balance of the WSFN program.

The first roadworks in this program were officially launched on 19 February 2020 by the Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development, the Hon Michael McCormack MP, with the Hon Melissa Price MP, Minister for Defence Industry, the WA Minister for Transport, the Hon Rita Saffioti MLA, Shire of Dandaragan Councillors and Staff, along with other invited guests at Mogumber in January 2020 to celebrate the commencement of on ground works.

Since then, and following recent advice from the Federal Government to accelerate expenditure relating to the WSFN program of works, the WSFN Steering Committee have formally approved the commencement of project development works for identified Stage 1 WSFN projects to be delivered over 5 years commencing in the 2019/20 financial year. This allows initial projects to be included in Councils' budget planning and subsequent delivery processes for 2020/21.

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As a result, the WSFN Steering Committee have confirmed that the Shire of Dandaragan's proposed project development funding allocation for 2019/20 is as follows:

Road	Start SLK	End SLK	Length (km)	Proposed Scope of Works	Year 2019-2020
Jurien East Road	24	34	10	Design and clearing permit progression	\$60,000

It is further anticipated that the WSFN Steering Committee will formally approve the 2020-2021 funding for project construction delivery at its next meeting scheduled for Friday, 22 May 2020.

The Shire of Dandaragan's project construction program for 2020-2021 is outlined in the below table and Shire officers are working closely to ensure each project is adequately planned, developed and budgeted for prior to 30 June 2020 to commence construction in 2020-2021.

Road	Start SLK	End SLK	Length (km)	Proposed Scope of Works	Year 2020-2021
Jurien East Road	14	23.9	9.9	Reconstruct and widen to Type 6 road with 2 coat seal	\$2.2mil
Watheroo Road	0	8.11	8.11	White lining	\$24.3k
Watheroo Road	10.74	42	31.26	White lining	\$93.78k

COMMENT

While the WSFN Steering Committee and Shire officers recognise that these works have been presented to individual local governments somewhat in haste, it is the Federal Government's express wish that the expenditure and delivery of the \$90million of funding over the next 5 years be undertaken in a timely, efficient and coordinated manner in accordance with the funding requirements.

Also, in light of the current COVID-19 situation, progression of these project construction works in 2020-2021 will continue to assist economic stimulus within local communities.

CONSULTATION

- Executive Manager Infrastructure
- Executive Manager Corporate and Community Services
- WSFN Project Manager

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STATUTORY ENVIRONMENT

Section 6.8 of the *Local Government Act 1995* as follows:

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

At the request of the WSNF Steering Committee to progress project development work identified for Stage 1 WSNF projects within the 2019-2020 financial year, a budget amendment is required.

The Shire's net contribution to this project is 1/15th of project costs (\$4,000 in total). Funding through the WSNF program of works is to be recouped through Main Roads' Regional Road Group process whereby claims will be paid on completion of staged works; i.e. 40%/40%/20%.

STRATEGIC IMPLICATIONS

Community Strategic Plan – Envision 2029

01 - Infrastructure	The Shire will sustain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and businesses.
Priority Outcomes	Our Roles
Our investments in public assets are based on responsible and sustainable asset custodianship.	Modernise the Shire's Asset Management Planning framework to sustainably manage our existing asset network and consider asset expansion within sustainable levels of service.
Our built environment responds to the accessibility and connectivity needs of all residents providing equitable access and opportunity for participation.	Provide a well-designed and safe transport and shared path network that connects people to their destinations and encourages non-motorised journeys within

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	our townsites.
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ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION**Moved Cr Shanhun, seconded Cr Gibson****That Council authorise a budget amendment to:**

- 1) approve the expenditure of \$60,000 for the purpose of project development works for Jurien East Road as part of the identified Stage 1 Wheatbelt Secondary Freight Network (WSFN) projects;**
- 2) recognise a non-operating grant of \$56,000 from the WSFN funding.**

CARRIED BY ABSOLUTE MAJORITY 9 / 0**9.2.2 SHIRE OF DANDARAGAN COVID-19 ECONOMIC STIMULUS PROJECTS**

Location:	Shire of Dandaragan
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Economic Development / Industries / Small Business
Disclosure of Interest:	None
Date:	14 May 2020
Author:	Julie Rouse, Coordinator Infrastructure Services
Senior Officer:	Brad Pepper, Executive Manager Infrastructure Services

PROPOSAL

The purpose of this report is for Council to approve expenditure for identified 2020/2021 projects to be brought forward as part of the Shire's COVID-19 Economic Stimulus initiatives.

BACKGROUND*Cervantes Townsite Connectivity Project (DUP)*

Over the past four (4) years the Department of Transport (DoT) and Shire officers have worked closely in the design and construction of multiple dual use pathways within Jurien Bay.

Each of these pathways constructed has been 50% co-funded by the DoT.

Last year Shire officers prepared two Expressions of Interest for new DUP projects to be constructed within the 2020-2021 and

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2021-2022 financial years within both Cervantes and Jurien Bay townsites.

Upon these Expressions of Interests being successful the DoT invited the Shire to submit official funding applications for both projects which were approved for funding late last year with the Department of Transport contributing 50% of costs for each project and each project to commence in the 2020-2021 financial year.

Recent correspondence received from the DoT has identified remaining funds from its 2019-2020 Regional Bike Network Grants round which they have advised they could make available to the Shire of Dandaragan if we chose to bring one of our 2020-2021/2021-2022 Regional Bike Network projects forward in the current financial year as long as the Shire can provide matching funds.

Cantabilling Road Culvert Replacement Project

As part of the Shire's asset management, last year Shire officers completed condition rating inspections of all culverts within the Shire.

These inspections identified a significant number of broken culverts along Shire roads for replacement.

Throughout the current financial year Shire officers engaged local contractors to commence the replacement of culverts along some roads (such as Watheroo, Agaton, Bidgerabbie, Gillingarra, Mimegarra and Cockleshell Gully Roads).

Ongoing funding for the continuation of replacing these damaged culverts across the Shire will also be included in the 2020-2021 annual budget process, and in coming years, until completed.

COMMENT

Given the current COVID-19 situation and the impact on local communities, staff propose to bring both these projects forward to the current financial year as a means to help stimulate our local economy through the engagement of local contractors and creating employment opportunities within our community.

CONSULTATION

- Executive Manager Infrastructure
- Executive Manager Corporate and Community Services
- Coordinator Infrastructure Services

STATUTORY ENVIRONMENT

Section 6.8 of the *Local Government Act 1995* as follows:

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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 local policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Shire officers are seeking a budget amendment to the current budget for the amount of \$105,000 from Council's Infrastructure Renewal Reserve account in order for these works to commence as soon as possible.

The DoT will co-fund 50% of project costs to be paid to the Shire in stages throughout the progress of the Cervantes Townsite Connectivity project; in total \$45,000 to be recouped within the 2019-2020 financial year.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

01 - Infrastructure	The Shire will sustain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and businesses.
Priority Outcomes	Our Roles
Our investments in public assets are based on responsible and sustainable asset custodianship.	Modernise the Shire's Asset Management Planning framework to sustainably manage our existing asset network and consider asset expansion within sustainable levels of service.
Our built environment responds to the accessibility and connectivity needs of all residents providing equitable access and opportunity for participation.	Provide a well-designed and safe transport and shared path network that connects people to their destinations and encourages non-motorised journeys within our townsites.

ATTACHMENTS

Nil

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VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

Moved Cr Shanhun, seconded Cr Rybarczyk

That Council authorise a budget amendment to:

- 1) approve the expenditure of \$150,000 for projects brought forward to the 2019-2020 financial year (\$90,000 for the Cervantes Townsite Connectivity (DUP) project, and \$60,000 for the installation of culvert replacement along Cantabilling Road;**
- 2) recognise a non-operating grant of \$45,000 from the Department of Transport for the Cervantes Townsite Connectivity (DUP) project; and**
- 3) to transfer the amount of \$105,000 from Council's Infrastructure Renewal Reserve account to the Municipal account for this purpose.**

CARRIED BY ABSOLUTE MAJORITY 9 / 0

9.3 DEVELOPMENT SERVICES

Cr Gibson & Cr Slys declared an impartially interest in Item 9.3.1 being the President and member respectively of the RSL Sub Branch

9.3.1 RESERVE VESTING – JURIEN BAY RSL FUNCTION CENTRE

Location:	Reserve 28541
Applicant:	RSLWA
File Path:	Business Classification Scheme / Recreation and Cultural Services / Museum and Galleries / Management
Disclosure of Interest:	Nil
Date:	18 May 2020
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager Development Services

PROPOSAL

The Returned & Services League of Australia WA Branch Incorporated (RSLWA) is seeking a management order for part of Reserve 28541 Jurien Bay where development approval was recently granted for the Jurien Bay RSL Sub Branch's function centre.

BACKGROUND

On 19 December 2019 Council made the following decision:

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That Council agree to lease part of Reserve 28541 to Returned Service League WA (RSLWA) for the purpose of RSL function centre and

- 1. authorise the Chief Executive Officer to formulate the lease agreement documentation with the following material terms to be forwarded to the Minister of Lands for final approval.

 - a. Authorised Use: Returned Services League WA.*
 - b. Term: 21 years*
 - c. Annual Rent: \$1*
 - d. Limiting the use of buildings to RSL related activities.**
- 2. waive the fees relevant for the development application (DA 107 / 2019) from the Returned Service League WA (RSLWA);*
- 3. grant development approval for a function centre upon Reserve 28541 to the RSLWA subject to following conditions and advice:

 - A. All development shall be in accordance with the submitted plans and documentation date stamped 19 December 2019 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government.*
 - B. Prior to the commencement of development, the following bushfire planning matters are to be addressed to the satisfaction of the Shire:

 - C. a BAL Contour Map or a BAL assessment;*
 - D. the identification of any issues arising from the BAL Contour Map or BAL assessment; and*
 - E. an assessment against the bushfire protection criteria contained within the State Planning Policy 3.7 Guidelines demonstrating compliance within the boundary of the development application.*
 - F. The building materials being of non-reflective nature and colour consistent with the predominant colours of the individual site.*
 - G. This development approval is valid for a period of three (3) years. If the development is not substantially commenced within this period, the approval shall lapse and be of no further effect.*
 - H. The use of building is to be limited RSL related activities.*
 - I. endorsement of the lease agreement prior to commencement of development.***

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

Reserve 28541 is attributed to all foreshore areas in Jurien Bay from the south marina wall to Island Point. The subject proposal is concerned with land within what is commonly known as 'Memorial Park'. An aerial image of the park is shown below.



The reserve is classified as 'Parks and Recreation' under the Shire's Local Planning Scheme No.7 and has a land title purpose of 'foreshore management and recreation' with the ability to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands.

The RSL have proposed a building with a predominate use for private functions associated with the RSL. The design of the building has a function hall, bar area and other multi use areas, in addition to a verandah linking it to an open landscaped area. The building is seated behind the existing memorial to the north, adjoining the existing grass area with the aim that the building is a harmonising inclusion into the natural landscape and linked with the existing north carpark for accessibility.

COMMENT

During recent lease and building construction discussions the RSLWA (head office) have identified that to provide an ongoing maintenance commitment towards the facility they would prefer more certainty over the land tenure for the portion of the reserve the function centre will situate. As the reserve is public land in nature, the process of converting a portion to freehold land would be onerous and longwinded. Therefore, it is identified that vesting part management of the portion of the reserve to be developed as the function centre to RSLWA is the most reasonable land certainty that can be obtained by the RSLWA. The portion of the reserve to be exercised in the above matter is shown above and attached.

The final decision on this matter rests with the Department of Planning, Lands and Heritage (DPLH). However, from the Shire point of view, removing any management of the RSL function centre raises no concern other than ensuring the future building is

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only used for RSL related purposes as conditioned within the development approval granted by Council. This condition will need to be monitored and enforced to ensure Council's intentions are aligned with the actual use of the reserve portion.

If vesting of a portion of the reserve is granted to the RSLWA all structural improvements (function centre) on the reserve portion will remain at law, their property.

Council is requested to endorse the RLSWA's approach for vesting of a portion of Reserve 28541. If moved, Shire staff will assist the RSLWA with processing this request with DPLH.

CONSULTATION

Given the nature of the proposal public consultation was not applicable.

STATUTORY ENVIRONMENT

- Local Planning Scheme No. 7
- Land Administration Act 1997
- Local Government Act 1995

POLICY IMPLICATIONS

Shire Policy 6.2 Reserves:

Lease Provisions

Where Council resolves to lease a Reserve Vested in its control or resolves to lease land owned by it to a local sporting or community organisation, the following notes are to form the basis for the lease agreement:

- (a) Length of lease to be for twenty-one (21) years unless otherwise terminated. (Maximum permissible under management order).*
- (b) Annual rental to be "a peppercorn".*
- (c) The Lessee shall not carry out any permanent structural improvements on the reserve without the prior written approval from the Council.*
- (d) All structural improvements on the reserve shall be and remain at law, the property of the Shire. The Club shall have the sole use, benefit and enjoyment of the reserve and all structural improvements thereon during the operation of the lease.*
- (e) The Lessee shall comply with all Acts of Parliament, Orders, Regulations, Local Laws, etc., that apply to the reserve and structural improvements.*
- (f) The Lessee shall keep the Reserve area and all structural improvements in a maintained, clean and tidy condition at all times and shall comply with any directions of the Council that may be issued requiring works to have the Reserve area and structural improvements placed in a maintained, clean and tidy condition.*

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- (g) *The Lessee shall not disturb the surface soil and vegetation in a manner likely to cause erosion. If erosion damage does occur, the Club shall take remedial action as directed by the Council.*
- (h) *The Lessee shall permit the Shire's officers access to the Reserve and structural improvements at all reasonable times to ensure that the lease conditions are being complied with.*
- (i) *The lease may be terminated by the Council if the Club fails to comply with provisions of the lease agreement. The Council shall give the Lessee at least thirty (30) days' notice in writing requiring the Club to rectify the breach of lease before taking action to terminate the lease under this provision.*
- (j) *The Lessee shall not assign or part with possession of any Crown lease without prior approval from the Council and the responsible Minister.*
- (k) *The Lessee shall meet all costs in relation to preparing and stamping the lease document.*
- (l) *Any leases entered into relating to Council's Reserves are to include a plan completed by a licensed surveyor depicting the area of land to be leased as an attachment to the lease document.*

FINANCIAL IMPLICATIONS

The RSL will be required to pay the costs of a survey for the lease area. The estimated cost for a deposited survey plan is \$1,000. However, there is no lease processing fee applicable.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029:

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

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ATTACHMENTS

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

- Portion of Reserve 28541 to be vested to RSLWA (Doc Id: 154477)
 - RSLWA's request (Doc Id: 154976)
- (Marked 9.3.1)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

Moved Cr Shanhun, seconded Cr Clarke

That Council endorses RSLWA's request for seeking vesting of a portion of Reserve 28541(as shown in attachment Doc Id: 154477) subject to RSLWA paying the associated survey costs.

CARRIED 9 / 0

9.3.2 JURIEN BAY WAYFINDING SIGNAGE STRATEGY

Location:	Jurien Bay townsite
Folder Path:	Business Classification Scheme / Economic Development / Service Provision / Civic Precinct
Disclosure of Interest:	Nil
Date:	13 May 2020
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager Development Services

PROPOSAL

To seek Council's adoption of the 'Jurien Bay Wayfinding Signage Strategy' (the Strategy).

BACKGROUND

In August 2019 Main Roads WA, the management authority for Bashford Street, Jurien Bay wrote to all business owners with A-frame signage fronting this road at the time seeking the removal of such signage within a reasonable timeframe. This irritated a large majority of local business operators who looked to the Shire for support and action.

Acting on this issue, the Manager of Economic Development formed a signage working group with interested local business representatives and relevant Shire staff (Chief Executive Officer, Executive Manager Development Services, Manager of Economic Development and Planning Officer. This group met fortnightly throughout the months of September and October, and once again in December 2019.

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The contemporary concept of wayfinding signage was introduced to the group and collectively agreed as the way forward for public signage in Jurien Bay. Wayfinding is about finding one's way and relates to how a person orientates him/herself and navigates through an area or place via directional signage that provides precise information at key decision points throughout the public domain.

The Strategy (as attached) was drafted by Shire staff and discussed with this group and Council in December 2019, and once again with the working group in May 2020 prior to formulating this item.

COMMENT

The proposed wayfinding signage system to be deployed throughout Jurien Bay is as follows:

Visitor information boards

Boards at the boundaries of Jurien Bay to indicate entry to the town - incorporating a Shire map, Jurien Bay map and comprehensive information relevant to visitors. Displays can be broken down into three basic categories: what can I see and do? (local history & attractions, activities & events, walk & drive trails); what services and facilities are available? (services & amenities, accommodation options, key contacts); How do I find what I'm looking for? (area and regional maps). Guidelines should be established, and all artwork approved before an advertising panel is approved for production and installation. All advertising should be for a set period of time and renewable every twelve months. An annual maintenance schedule for all of your Visitor Information Boards should be implemented.

Directional pillars

Guiding signs for choice of direction at key decisions points – which may be double-sided with generic directional information guiding to local destinations or may incorporate a Jurien Bay map scaled to pedestrian traffic on the reverse-side.

These signs are proposed to replace the existing 'hoop signs' on Bashford Street.

Directional fingers

Providing directional information at primary decision points at crossroads and in areas where pillars are not suitable. Fingers confirm and complement directions obtained on a directional pillar. These signs are proposed for directional guidance on secondary streets off Bashford street where required and as warning signs for each industrial area.

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Precinct pillars / wall signs

Directory signs for specific and detailed tenant information in a precinct. Incorporate a map of the precinct, tenant directory that is changeable and a poster promoting Jurien Bay events.

Precinct pillars and wall signs containing detailed maps of each precinct combined with tenancy listings are placed at strategic points to provide detailed information about each precinct.

To guide visitors from main pedestrian routes into precincts of Jurien Bay, directional pillars and finger signage will contain supporting pictograms giving information about what amenities can be found in each precinct. In this way, visitors will be encouraged to leave the main pedestrian routes to explore the more of Jurien Bay.

These signs are proposed for the entry point to each industrial area, adjacent Pioneer Park, the jetty and the shopping centre.

Visitor information handout maps

A good quality, accurate visitor information map contributes to a higher level of visitor enjoyment and gives a positive impression of the place. The maps should be designed in a way that they can be adapted for the tourism brand, message and priorities. They should be provided in online and print formats.

The strategy also includes examples designs and an implementation program (with estimated costs from a sign maker) developed by the working group.

Council is requested to formally adopt this strategy, and in doing so, authorise Shire staff to install the hierarchy of signs as funding sources become available in the future.

CONSULTATION

The Signage Working Group met recently on the 6 May 2020 to ensure this group agreed with the direction of staff through this agenda item. No objections to this item were raised by the group.

STATUTORY ENVIRONMENT

All signage within the road reserve of Bashford Street will require the approval of Main Roads WA as the authority in charge of overseeing the care and management of this State Road (Indian Ocean Drive). It is envisioned an approach to Main Roads WA would take place once the final concept design of the signs is in hand. This will provide Main Roads with the opportunity to ensure the signs comply with all applicable standards within a reasonable timeframe.

POLICY IMPLICATIONS

The Jurien Bay Wayfinding Signage Strategy has been drafted as an operational document for public signage in the townsite of

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Jurien Bay under Local Planning Policy 9.5 Advertising Devices (Signage).

FINANCIAL IMPLICATIONS

The supply and install of signage under this strategy would take place when funding became available given this project forms part of the following action items of Council's Corporate Business Plan: *Undertake planning for CBD revitalisation to guide future investments in carpark resurfacing, landscaping and public amenity to increase vibrancy, functionality and appeal of the town centre area.*

Implement a place making policy to guide the development and improvement of community spaces executing the fundamentals that are proven to make effective public places.

STRATEGIC IMPLICATIONS

Strategic Community Plan Envision 2029:

01 – infrastructure	The Shire will sustain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and businesses.
Priority Outcomes	Our Roles
Our investments in public assets are based on responsible and sustainable asset custodianship.	Work with community groups to review existing facilities, plan for renewal and ascertain the feasibility of any proposed new facilities.
Our built environment responds to the accessibility and connectivity needs of all residents providing equitable access and opportunity for participation.	Provide a well-designed and safe transport and shared path network that connects people to their destinations and encourages non-motorised journeys within townsites.

ATTACHMENTS.

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

- Jurien Bay Wayfinding Signage Strategy (Doc Id: 146459)
(Marked 9.3.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Richardson, seconded Cr Eyre

That Council:

- 1) Adopts the Jurien Bay Wayfinding Strategy as attached (Doc Id 146459).**
- 2) Prioritises the installation of the pillar signs at the following intersections utilising available funds from the Maintenance Road Signs budget account:**
 - a. Carmella Street; and**
 - b. Coalseam Drive**

CARRIED 9 / 0

9.3.3 ROAD CLOSURE – PORTION OF ARAGON STREET ROAD RESERVE AND EXTENSION OF RAC CERVANTES PINNACLES CARAVAN PARK

Location:	Reserve 30838, Lot 229 Aragon Street, Cervantes
Applicant:	Element on behalf of RAC Tourism Assets Pty Ltd
File Ref	Business Classification Scheme / Land Use and Planning / Design and Construction / Caravan and Camping Parks
Disclosure of Interest:	None
Date:	18 May 2020
Author:	David Chidlow, Executive Manager Development Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To commence the road closure process to extend the lease area of the RAC Cervantes Pinnacles Caravan Park to include portion of Aragon Street Road Reserve

BACKGROUND

The applicant has provided the following background information.

“The subject site is bound by a Parks and Recreation reserve to the west, Aragon Street to the north and east, and Talavera Road to the south. The northern portion of the Talavera Road reservation was previously closed in 2015.

Lot 300 is zoned ‘Tourist’ and is located within ‘Special Control Area No. 3 - Coastal Hazard Risk Area’ under the Shire of Dandaragan’s Local Planning Scheme No. 7 (LPS7). The area subject of this request forms part of a 40m wide road reserve. The road carriageway itself is approximately 7.5m wide, with the remaining area of land either side being verge. The portion of Aragon Street proposed to be included in the caravan park site is reserved as a local road.

Current Infrastructure

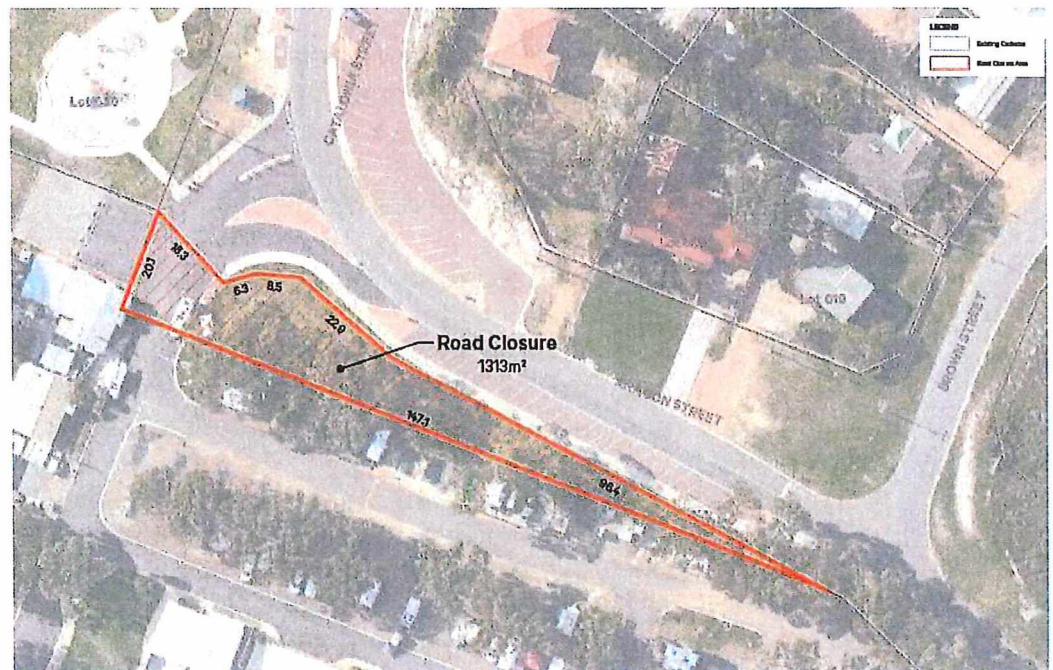
Existing servicing infrastructure (water and power) is currently located within the northern most extent of the road reservation and will not be impacted by or require to be protected as a result of this road closure process. The sewer service which bisects the property should also not be impacted. Accordingly, no infrastructure mains run through the proposed road closure area. Should minor modifications be required to the existing connection points within the site, these shall be undertaken on advice of the respective service providers. We note that NBN infrastructure is currently located within the southern portion of the Aragon Street

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road reserve, however, RAC are not proposing to build in this location of the boundary.

It is understood the Shire is currently undertaking master planning with project consultant UDLA for the nearby foreshore. The future proposed works within the local road reserve will not impede the ability of the road reserve to be used for local access purposes.

The proposal is to be considered by the Shire of Dandaragan Council prior to it being publicly advertised for a period of 35 days. Once submissions are considered by the Shire officers, the proposal is presented back to Council, where a recommendation is reached. Council's resolution is forwarded to the Department of Planning Lands and Heritage (DPLH) to finalise the application. Final determination is then reached by the Minister for lands. Following this, the state owned road reserve land would be amalgamated into the state owned Lot 300."



COMMENT

Council has previously supported the expansion of the RAC Cervantes Caravan Park with amalgamation of part of Talavera Road Reserve into the caravan park site at the 26 September 2013 Council meeting.

This proposed amalgamation of land with Aragon Street will provide for better access as well as enabling a more functional infrastructure and amenities precinct as part of the site's improvements.

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The Cervantes Foreshore Masterplan is supportive of amending the road access around the Caravan Park to achieve the following objectives:

Aragon Street Slow Condition

The slow condition along Aragon Street aims to make the space safer for pedestrians and create a sense of arrival to the Cervantes foreshore. This can be achieved through:

- *Change in road material to a cobble or other textural finish.*
- *Change parking from 45 to 90 degree and add to both sides of street where possible.*
- *Inclusion of a round-a-bout at the corner of Aragon and Catalonia Street.*
- *Inclusion of pedestrian crossings.*
- *Additional tree planting in avenues.*

These measures should be undertaken with advice from a traffic engineer and/planner during the detailed design phase.

Should the proposed partial road closure be agreed to by Council, it should be conditioned that the RAC Tourism Assets Pty Ltd only develop the portion of road reserve amalgamated into the caravan park to meet the objectives and recommendations of the Cervantes Foreshore Masterplan.

The proposed road closure area has some low lying areas that will be problematic for stormwater disposal from the roadway. There is a lower height differential of approximately 0.4m within the proposed land to be amalgamated and the height of Aragon Street and the internal levels of the caravan park.

The issue can be engineered to resolve any potential future disputes over responsibility for stormwater, it is recommended that the applicant provide details of how stormwater is to be managed to the satisfaction of the Shire prior to Council proceeding with the request to advertise the proposal.

CONSULTATION

The proposal is to be publicly advertised for a period of 35 days. During this period consultation is also undertaken with servicing authorities to ensure there are no critical impediments to the proposal and they consent to the closure.

STATUTORY ENVIRONMENT

The partial road closure process is to be undertaken in accordance with Part 5 of the Land Administration Act 1997.

POLICY IMPLICATIONS

There are no policy implications relevant for this item.

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FINANCIAL IMPLICATIONS

Once the proposal has been formally adopted by Council, the costs of the road closure process, surveying and dedication of road realignment shall be borne by RAC. The Shire will need to indemnify the Minister of all costs and charges in association with the closure.

There will most likely be additional lease fees due to the expansion of land. A revaluation would need to be undertaken the financial impact on the lease. The rent will be assessed in accordance with the *Valuation of Land Act 1978* to make a fair and equitable valuation conducted by the Valuer General or an independent licensed valuer agreed upon by both parties.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029:

01 – Infrastructure	The Shire will sustain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and businesses.
Priority Outcomes	Our Roles
Our communities contain vibrant, activated public open space and buildings with high levels of utilisation and functionality.	To manage and facilitate community assets that are flexible, vibrant, adaptable and enjoyable places to occupy employing the principals of place making and design thinking.

ATTACHMENTS

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

- Request from element for partial road closure (Doc Id: 153662)
 - Aragon Street partial road closure plan (Doc Id: 153662)
- (Marked 9.3.3)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

Moved Cr Eyre, seconded Cr Gibson

- 1. commence the road closure process of portion of Aragon Street Road Reserve in accordance with Section 58 of the Land Administration Act 1997 for the purpose of amalgamating the proposed closed section into Reserve 30838 and necessary amendments being made to the management order and lease agreement; and**
- 2. amend the lease agreement to ensure that RAC Tourism Assets Pty Ltd only develop the portion of road reserve amalgamated into the caravan park to meet the objectives and recommendations of the Cervantes Foreshore Masterplan; and**

3. prior to advertising the proposal, require the applicant to demonstrate to the satisfaction of the Shire of Dandaragan Executive Manager Infrastructure the proposed means of adequate disposal of stormwater from the roadway as well as off the subject property.

CARRIED 9 / 0

9.3.4 PROPOSED HOLIDAY HOME LARGE – 3 CORELLA LOOP, JURIEN BAY

Location:	Lot 1018 Corella Loop, Jurien Bay
Applicant:	J Hvala
File Ref:	Development Services Apps\Development Application/2020/21
Disclosure of Interest:	Nil
Date:	19 May 2020
Author:	Rory Mackay, Planning Officer
Senior Officer:	David Chidlow, Executive Manager of Development Services

PROPOSAL

The proponent is seeking development approval for a holiday home large as defined under Local Planning Policy 9.12 Holiday Homes (LPP9.12) at Lot 1018 (#3) Corella Loop, Jurien Bay



Location Map – 3 Corella Loop, Jurien Bay

BACKGROUND

Construction of the subject four-bedroom and two-bathroom single storey dwelling was completed on 27 November 2019. Since this date, the landowner has gone about furnishing and landscaping the property to an acceptable standard. With that standard now

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being reached the landowner has lodged a development application to use the dwelling as commercial holiday home for up to twelve guests at any one time for a maximum booking time of three months. The applicant has chosen to self-manage this property via taking bookings online via AirBnB's website.

This application was advertised to surrounding possible affected landowners for period of eighteen days. Three submissions objecting to the proposed development were received.

COMMENT

Twelve guests is the maximum number of guests permitted under Council's LPP9.12. Noting that the maximum number will be bring added attention in terms of safeguarding the residential amenity of the locality, the applicant has added additional information to standard code of conduct, property management plan, and, fire and emergency plan template provided by the Shire to holiday home applicants. This includes the following further statements about guests' vehicle parking, noise, general behaviour, fish cleaning, freezers, keys, fires, rubbish disposal, as well further neighbour dispute mechanisms and can be viewed within the attachments to this item.

Under health regulations, each person requires of 14 cubic meters of air space to sleep. Calculations across the house plans result in eight adults being able to sleep across the four bedrooms of the house. However, the house also has a living room, theatre and activity room which can be used to sleep three, three and one person, respectively, to provide the capability to sleep twelve guests as sought by the development application. However, the sleeping of guests in non-bedroom rooms whether they be adults or children is deemed inappropriate by the reporting officer.

The objections received from surrounding landowners based on amenity grounds are also well founded against the application for twelve guests. However, given the application seeks approval for twelve guests, Council cannot approve the application for a smaller number of guests, instead they will be required to refuse the application as submitted and advise the applicant that a future application for a smaller number of guests would be supported in principle.

Alternatively, if Council views the twelve guests across the listed rooms is appropriate in the context of the submissions received from the neighbouring landowners and on the proviso that the holiday rental market will determine if the house is ever booked to the maximum number of twelve guests given the room and comfort the house size provides; an alternative recommendation of development approval until June 2021 is provided as follows:

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ALTERNATIVE RECOMMENDATION

That Council grant development approval for a holiday home large at Lot 1018 Corella Loop, Jurien Bay subject to the following conditions and advice notes:

- 1. The operation of the Holiday Home (Large) shall not result in adverse impacts on the amenity of neighbouring properties or the surrounding area.*
- 2. The Shire should be notified of any changes to the Holiday Home (Large) that may be deemed to affect the approval of the dwelling for such a use.*
- 3. The total number of people to be accommodated in the Holiday Home (Large) shall not exceed twelve (12) guests at all times.*
- 4. This approval shall run with the land (Right in Rem). Therefore, if a subsequent purchaser buys the land, he or she is able to continue the use as stated in this approval and conditions imposed.*
- 5. The applicant is to display the property management plan, code of conduct, fire and emergency plan and certificate of registration within the premise at all times. Guests are to be made aware of these documents.*
- 6. All car parking is to be contained on-site and no verge area should be used for car parking.*
- 7. The applicant is to acquire another rubbish disposal service from the Shire than what is compulsory for approved Single Houses to sufficiently cater for guests' rubbish.*

Advice Notes:

- 1. As many residential public liability insurance policies exclude the use of premises for short term rentals, it is recommended that landowners/managers check this matter with their insurance providers.*
- 2. Development approval does not affect the existing and future use of the Holiday Home (Large) as a Single House.*
- 3. This approval shall expire on 30 June each year. Invoices for the annual renewal fees of development approval will be mailed to the applicant on 1 June each year. For successful renewal, invoices for fees are required to be paid before the 30 June expiry date. The first annual renewal fees will be waived for a Holiday Home or Holiday Home (Large) which receives initial development approval within 6 months of 30 June in the same calendar year.*
- 4. The following will be considered and weighted accordingly when assessing an application for renewal:
any complaints received during the annual period and responses by applicant to such complaints; and
if there is any change in the circumstances under which the previous approval was granted.*
- 5. The applicant be advised that should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005 (the Act). An*

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application for Review must be submitted in accordance with Part XIV of the Act within 28 days of the date of this decision to:

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

CONSULTATION

The following submissions were received from neighbouring landowners:

Submission	Comments
1	<p>This precinct is at present a quiet and respectable residential area which could, and probably will, be ruined by noise and social events if the above property is rented short term to as many as 12 people.</p> <p>This disruption to adjoining properties could be curtailed if rentals were confined to families only or groups of 6 people maximum. 12 people constitutes a serious noise potential which could detract enormously from the appeal of the area which is made up of high-quality single residences.</p> <p>We appeal to you to give this serious consideration.</p>
2	<p>We are totally against the changing of land use from dwelling (permanent residents) to holiday home large (short-stay guests) for the property listed above.</p> <p>This area is a prime residential area and to change the zoning would create an untenable conflict of interests, we don't think it should be changed to (short term guests) under any circumstances.</p> <p>We already absorb substantial noise from the light industrial area, airport and Seaward Drive (high flow of early morning traffic to boat harbour).</p> <p>There's a trend with these houses with a 12 guest's limit (and some) tend to be booked for people running parties and late night noise can become a common problem. At 12 guests it sounds like a small backpackers operation where a tenant could lease it then rotate guests at will.</p> <p>Does the Council have anyone actually monitoring and following up to make sure the tenants abide by the condition set in their contract?</p> <p>The owner of this property is an absentee owner and wouldn't be around to supervise tenants.</p> <p>So please don't approve this application.</p>
3	<p>The property at 3 Corella Loop has 4 bedrooms so I would consider a reasonable maximum number of guests at any one time to be up to eight persons, not twelve. Corella Loop and the adjacent streets are a quiet residential area comprised primarily of couples and families enjoying a peaceful life in Jurien Bay. It is quite possible that a large number of persons (12) would involve significant noise, parties, excessive alcohol consumption and increased traffic (both cars and boats requiring street parking) and they would be unlikely to be members of a family group. In</p>

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	<p>addition, the property owner resides [elsewhere], has no affiliation with Jurien Bay other than owning the subject property and isnot easily contactable in the event of problems occurring at the property. I don't wish to appear unreasonable, hence I would have no objection to a maximum of eight persons at any one time.</p>
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It is viewed that if the development is undertaken within the protocols listed it still may not result in satisfactory residential amenity outcomes for these and other neighbours if a full booking of twelve persons is taken by the applicant. The applicant has stated they will screen guests to ensure the home is not booked as a 'party house', but screening the one person who makes the booking by the stated online booking service of AirBnB can readily be disjointed from the actual guests that arrive and stay at a holiday premise with no on-site manager. Therefore, it is requested Council advise the applicant that a future revised application for eight guests (the capacity the bedrooms can sleep) would be supported. A capacity of eight guests is viewed by the officer to result in an acceptable guest hygienic and amenity (for surrounding permanent residents) outcomes, nonetheless any future application would be readvertised to the surrounding neighbours for comment.

STATUTORY ENVIRONMENT

Local Planning Scheme No 7

The subject property and surrounding area are zoned 'Residential' under the scheme. The Residential Zone has the following objective:

To provide for residential development at a range of densities with a variety of housing to meet the needs of different household types through the application of the Residential Design Codes. (Local government's intent is to provide a high standard of housing in the area within Jurien, bounded by Hastings Street, Bashford Street, Seaward Drive and Casuarina Crescent).

It is noted the property is located within the area of Jurien Bay outline in the brackets of the objective.

POLICY IMPLICATIONS

Local Planning Policy 9.12 Holiday Homes:

6.1 All applications will be assessed and evaluated for suitability in accordance with this Policy and any other legislation and policies reasonably related to the development application.

6.2 The operation of the Holiday Home or Holiday Home (Large) does not result in adverse impacts on the amenity of neighbouring properties or the surrounding area.

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FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

- Draft Local Planning Strategy 2019:
Economy –
Direction: Support growth of the tourism sector by assisting operators to provide a range of products to cater for differing consumer experiences and expectations.
Actions: Work with all levels of government and the tourism industry sector to ensure continuous improvement of tourism products and experiences within the Shire by focussing focus on access, accommodation, attractions, activities, and amenities.
- Strategic Community Plan – Envision 2029:

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.
The Shire is home to a successful and growing market for domestic and international tourism.	Support the development of new products and services that increase the attraction of the region to the tourism market, in particular Indigenous cultural experiences

ATTACHMENTS

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

- Holiday home management documents (Doc Id: 154647)
(Marked 9.3.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMEDATION

Moved Cr Eyre, seconded Cr Shanhun

That Council refuse the development application for the proposed holiday home large at Lot 1018 Corella Loop, Jurien Bay due to the following reasons:

1. the sleeping of guests in non-bedrooms is viewed as inappropriate and inconsistent with Council's *Local Planning Policy 9.12: Holiday Homes*.
2. the development is not compatible with the established residential area in which it is located and is, therefore, inconsistent with the objective of the Residential zone under the *Shire of Dandaragan Local Planning Scheme No.7*;

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3. the development would have an adverse impact on the amenity of the locality (clause 67(n) of the Deemed Provisions); and
4. approval of such development would set an undesirable precedent for similar applications in the future, in contravention of Council adopted policy.

Advice:

1. A revised holiday home large development application for a capacity of eight guests would be supported in principle by Council.
2. There is a Right of Review under the *Planning and Development Act 2005* (the Act). An Application for Review must be submitted in accordance with Part XIV of the Act within 28 days of the date of this decision to:

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

CARRIED 9 / 0

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 NATIONAL REDRESS SCHEME

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Business Classification Scheme / Corporate Management / Policy / Policy Register
Disclosure of Interest:	Nil
Date:	13 May 2020
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

This item considers the Shire's involvement in the National Redress Scheme. The recommendation is to endorse the Shire's participation in the scheme via a service level agreement with the State Government if a Redress application is received.

BACKGROUND

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

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The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

The implications of the Royal Commission's recommendations are twofold: the first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

The scope of this report addresses only the historical element of institutional child sexual abuse through the National Redress Scheme.

All levels of Australian society (including the WA local government sector and the Shire of Dandaragan) will be required to consider leading practice approaches to child safeguarding separately in the future.

National Redress Scheme

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access counselling, psychological services, an apology and a redress payment.

The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme.

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme.

The Western Australian Government (the State) started participating in the Scheme from 1 January 2019.

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Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), local governments may be considered a State Government institution.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's participation declaration. This was to allow consultation to occur with the sector about the Scheme, and for fuller consideration of how the WA local government sector could best participate.

COMMENT

Following extensive consultation, the State Government (December 2019):

- Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Noted the options for WA local government participation in the Scheme;
- Agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agrees to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the *State Records Act 2000*); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).

State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments are participating in the Scheme as a State Government institution, with the State being responsible for:

- Providing the State with the necessary (facilities and services) information to participate in the Scheme;

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- Resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and
- Costs associated with the delivery of a DPR (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

The WALGA State Council meeting of 4 March 2020:

1. Acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
2. Endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and
3. Endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.

The State and WALGA will sign a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.

State agencies (led by DLGSC), WALGA and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020 (or earlier, subject to completing the necessary arrangements).

The State's decision allows for the WA Government's Scheme participation declaration to be amended to include local governments and this report seeks endorsement for the Shire of Dandaragan's participation in the Scheme.

As an independent entity and for absolute clarity, it is essential that the Shire of Dandaragan formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress Scheme) and be included in the WA Government's amended participation declaration.

The Shire of Dandaragan will not be included in the State's amended declaration, unless it formally decides to be included.

The financial and administrative coverage offered by the State will only be afforded to WA local governments that join the Scheme as a State Government institution, as part of the State's amended declaration.

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The option also exists for the Shire of Dandaragan to formally decide not to participate in the Scheme (either individually or as part of the State's declaration).

Should the Shire of Dandaragan formally decide (via a resolution of Council) not to participate with the State or in the Scheme altogether, considerations for the Shire of Dandaragan include:

- Divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme (noting the Commonwealth's preparedness to name-and-shame non-participating organisations).
- Potential reputational damage at a State, sector and community level.
- Complete removal of the State's coverage of costs and administrative support, with the Shire of Dandaragan having full responsibility and liability for any potential claim.
- Acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the Shire of Dandaragan.

Considerations for the Shire of Dandaragan

Detailed below is a list of considerations for the Shire of Dandaragan to participate in the Scheme:

1. Executing a Service Agreement

All Royal Commission information is confidential, and it is not known if the Shire of Dandaragan will receive a Redress application. A Service Agreement will only be executed if the Shire of Dandaragan receives a Redress application.

The Shire of Dandaragan needs to give authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are 3 weeks for priority applications and 7 weeks for non-priority applications. A priority application timeframe (3 weeks) will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.

2. Reporting to Council if / when an application is received

Council will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make Council aware that an application has been received.

3. Application Processing / Staffing and Confidentiality

Administratively the Shire of Dandaragan will determine:

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- Which position(s) will be responsible for receiving applications and responding to Requests for Information;
- Support mechanisms for staff members processing Requests for Information.

The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements

4. Record Keeping

The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the *State Records Act 2000* (the Act) to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Shire of Dandaragan's record keeping practices as a result, have been modified to ensure the secure protection and retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in *The Act*.

5. Redress Decisions

The Shire of Dandaragan should note that decisions regarding Redress applicant eligibility and the responsible institution(s), are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State Government and the Shire of Dandaragan do not have any influence on the decision made and there is no right of appeal.

CONSULTATION

The State, through the Department of Local Government, Sport and Cultural Industries (DLGSC), consulted with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme with the aim of:

- raising awareness about the Scheme;

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- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments via:

- Webinars to local governments, predominately in regional and remote areas;
- Presentations at 12 WALGA Zone and Local Government Professional WA meetings;
- Responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations local governments were most commonly concerned about the:

- potential cost of Redress payments;
- availability of historical information;
- capacity of local governments to provide a Direct Personal Response (apology) if requested by Redress recipients;
- process and obligations relating to maintaining confidentiality if Redress applications are received, particularly in small local governments;
- lack of insurance coverage of Redress payments by LGIS, meaning local governments would need to self-fund participation and Redress payments.

LGIS published and distributed an update (April 2019) regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

The WALGA State Council meeting on 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

DLGSC representatives presented at a WALGA hosted webinar on 18 February 2020 and presented at all WALGA Zone meetings in late February 2020.

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The State's decision, in particular to cover the costs / payments to the survivor, has taken into account the feedback provided by local governments during the consultation detailed above.

STATUTORY ENVIRONMENT

The Shire of Dandaragan in agreeing to join the Scheme, is required to adhere to legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the *Local Government Act 1995*.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The State's decision will cover the following financial costs for local governments:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below).

The only financial cost the local government may incur will be the payment of the DPR's, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

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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 is the following item relevant to this report:

- Local Government Information Paper (December 2019) (Doc Id: 154328)
(Marked 9.4.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Slyns, seconded Cr Richardson

That Council:

- 1) Notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA local governments;**
- 2) Notes that the Shire of Dandaragan will not be included in the WA Government's amended participation declaration (and afforded the associated financial and administrative coverage), unless the Shire of Dandaragan makes a specific and formal decision to be included;**
- 3) Endorses the participation of the Shire of Dandaragan in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;**
- 4) Grants authority to the Chief Executive Officer to execute a service agreement with the State, if a Redress application is received;**
- 5) Notes that a confidential report will be provided if a Redress application is received by the Shire of Dandaragan.**

CARRIED 9 / 0

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9.4.2 DEVELOP JURIEBAY FORESHORE WORKING GROUP TERMS OF REFERENCE

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Land Use and Town Planning / Meetings / Community Forums / Jurien Bay Foreshore Redevelopment Working Group
Disclosure of Interest:	Nil
Date:	18 May 2020
Author:	Michelle Perkins, Manager Customer and Community Services
Senior Officer:	Scott Clayton, Executive Manager Corporate and Community Services

PROPOSAL

For Council to establish a working group for the Jurien Bay Foreshore Project and approve the Terms of Reference.

BACKGROUND

Following the January 2020 Ordinary Council Meeting (OCM), Council received the Jurien Bay and Cervantes Draft Foreshore Masterplans, and advertising commenced inviting public comments on the proposed concepts.

At the 26 March 2020 (OCM), Council adopted the foreshore masterplans, at which time it was noted that the role of a masterplan is a conceptual representation of how the foreshore could evolve and function to provide a series of themes and cues to assist in guiding detailed planning and design decisions.

The following stages of consultation have been undertaken in the development of the masterplan:

1. Inception meeting with Shire staff to discuss the scope of the project and any additional local information.
2. First workshop (2 days) – On-site walk-around at both Cervantes and Jurien Bay foreshores with architects with selected locals that have extensive knowledge of the foreshores. Followed by consultation with selected foreshore and community groups at the Lobster Shack and the Jurien Bay Shire office.
3. Second workshop (2 days) - Following first workshops, concept masterplans were drafted. These were presented to the first workshop participants and other groups that wished to attend. Held at the Cervantes Pinnacles Motel and the Jurien Bay Conference and Education Centre.
4. Community Presentation (2 days) – Following second workshops, the masterplans were amended considering community comments. Plans were presented as an open invite to the community to view copies of the masterplan drafts. Copies of the masterplans were set up at the Jurien Bay Visitor Centre and the Cervantes Country Club for a week, cumulating

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in the Architects being available to meet with the public to individually discuss the masterplans.

5. Council workshop (2020 February OCM and walk around the Jurien Bay Foreshore central area (March 2020).

In March 2020, the Shire was advised that it was successful in a funding application from Lotterywest and would receive \$1.127 million towards development of the Youth Precinct component of the foreshore masterplans. Items approved for funding included skatepark works, pump track, furnishings, including shelters, and lighting and landscaping.

COMMENT

In progressing the Jurien Bay Foreshore Project from masterplan to the next phase of detailed design and construction, Officers note the benefit of including the community at each stage. Establishment of a project working group would provide insight from the community informed by a diverse range of views and opinions from a broad cross-section of the community. This would reduce the risk of the project's built form being inconsistent with community values and producing negative community feedback.

This level of community participation in the project will highlight the Shire's commitment to meaningful engagement with the community on issues affecting the public, and on local issues that significantly impact on the community. Public participation and engagement is the foundation of good decision-making, and is mutually beneficial to the community and Council.

Due to the projects' high level of local impact on the community, a working group will ensure that development of the detailed design of the Jurien Bay Foreshore and Youth Precinct is representative of the community's values, whilst aligning with the key objective of delivering a contemporary, flexible and bespoke foreshore environment that retains Jurien Bay's sense of place and uniqueness and will ensure that local content, values, and interpretation are incorporated into detailed designs.

In addition, a working group will increase the opportunity that the site will be acknowledged as a meeting place for the Jurien Bay community and add significant value to the local tourism product in a sustainable manner and be viewed as uniquely Jurien Bay. Input from the working group would include furniture selection, build form design, landscaping element selection, colour palettes and environmental considerations and initiatives.

The Terms of Reference (TOR) for a working group will set out the operating guidelines for the Jurien Bay Foreshore Working Group including the purpose, structure and responsibilities of the group's members. An Expression of Interest for nomination of JBFWG

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members would be advertised, with nominations considered by Council at the next available Ordinary Council meeting.

CONSULTATION

The JBFWG will be a primary source of community consultation to guide the Jurien Bay foreshore development.

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

Establishment of the Jurien Bay Foreshore Working Group aligns with Policy 5.2 C-5CE02 – Community Engagement strategy 5 - Collaborate. This strategy involves partnering with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

STRATEGIC IMPLICATIONS

Strategic Community Plan - Envision 2029

01 Infrastructure	The Shire will sustain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and businesses.
Priority Outcomes	Our Role
Our communities contain vibrant, activated public open space and buildings with high levels of utilisation and functionality.	To manage and facilitate community assets that are flexible, vibrant adaptable and enjoyable places to occupy employing the principals of placemaking and design thinking. Increase activation of our public open space and buildings rather than increasing quantity without a demonstrated need.
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 Role
A Shire built on the strengths of community spirit and resilient, connected communities.	Recognise and support the value of our community volunteers and provide meaningful opportunities to contribute to Shire projects and improve local living.

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ATTACHMENTS

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

- Jurien Bay Foreshore Working Group Terms of Reference (Doc Id: 154577)
(Marked 9.4.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Shanhun, seconded Cr Rybarczyk

That Council:

- 1. Endorse the Jurien Bay Foreshore Working Group Terms of Reference as indicated in the attachments Doc Id: 154577**
- 2. Authorise the Chief Executive Officer to call for community member nominations on the Jurien Bay Foreshore Working Group.**

CARRIED 9 / 0

9.4.3 JURIEN BAY YOUTH PRECINCT / SKATE PARK

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Business Classification Scheme / Community Services / Service Provision / Youth Services
Disclosure of Interest:	Nil
Date:	15 May 2020
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

This item seeks Council endorsement for the Jurien Bay Youth Precinct / Skate Park concept plan. Endorsing the concept plan will facilitate the project moving to the procurement stage by calling tenders for final design and construction.

BACKGROUND

A new district level skate facility has been under design development by the Shire since 2017 when consultation with the community commenced although the broader consultation and demand for a new skate park has existed since 2003. While these facilities are generically referred to as skate parks the modern functionality is significantly broader and contemporary designs accommodate scooters, BMX and passive social space for youths.

The Shire has been working with Enlocus who are experienced in the design and construction of these facilities. Enlocus has to date facilitated the initial community consultation, site selection and

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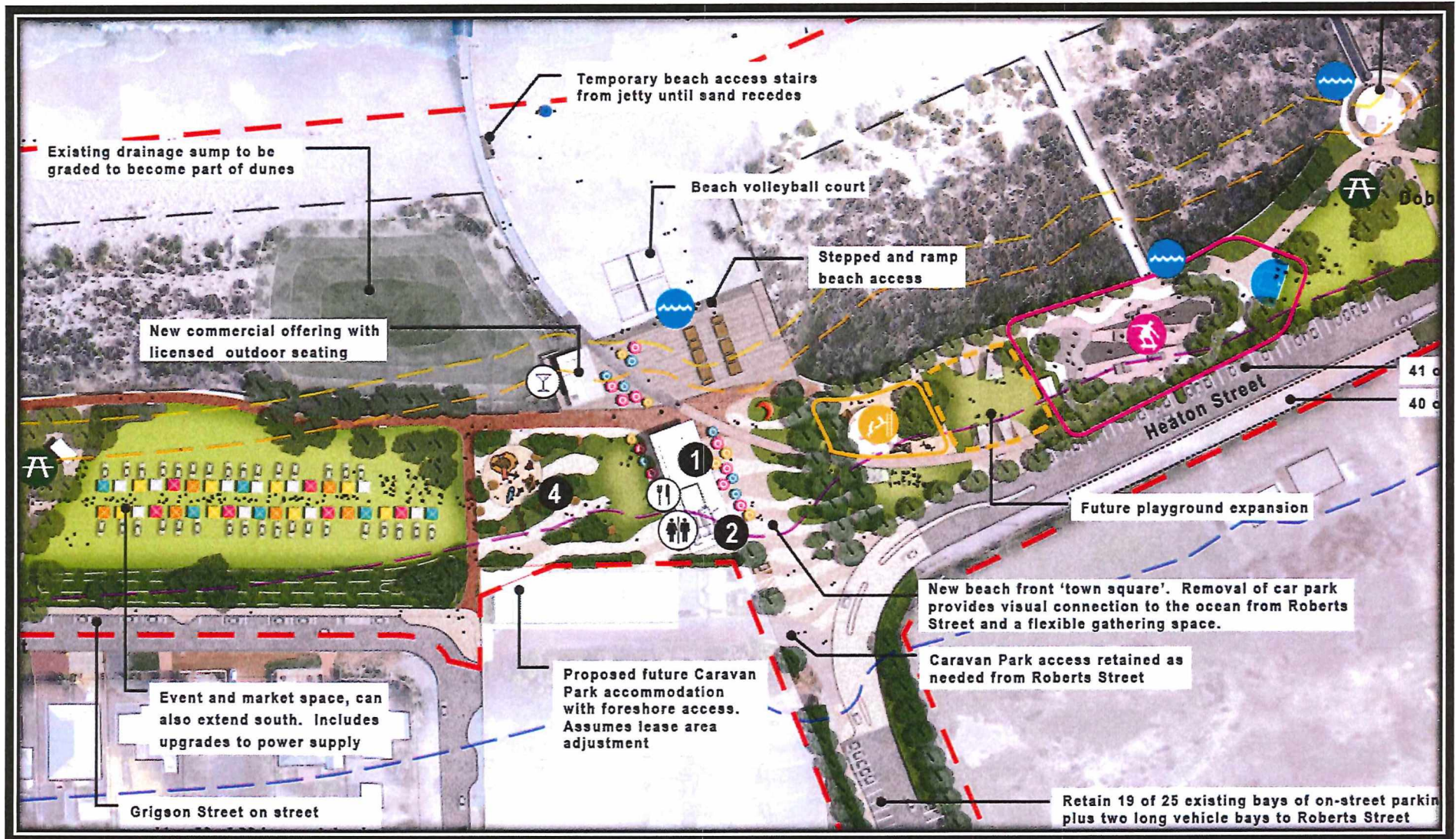
prioritisation, and following the finalisation of the location in the Jurien Bay Foreshore Masterplan has completed final concepts for Council consideration. A detailed concept development report is provided as Attachment 1, Doc Id: 154857.

To facilitate the development of the skate park an application has been approved by Lotterywest as part of the overall Dobbyn Park and Foreshore redevelopment project. In accordance with the Jurien Bay Foreshore Masterplan, an indicative Stage 1 of the redevelopment is proposed to include the following elements:

- 1) Jurien Bay Jetty wooden deck replacement.
- 2) Renewal of picnic and bbq facilities.
- 3) Replacement of the playground.
- 4) Development of a town square plaza pavilion.
- 5) Development of new foreshore ablutions.
- 6) Upgrade to Fauntleroy Park power supply to facilitate events.

The masterplan concept shown below guides the redevelopment of this area and the establishment of a Community Reference Group has been recommended within a separate agenda item. Council's 2020/2021 budget deliberations will also consider specific funding allocations for each element to guide procurement processes and construction.

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MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 MAY 2020COMMENT

The design has been based on the consultation process, foreshore masterplan and site constraints and the following commentary provides a summary of the key elements:

- 1) The skate park will run north south along Heaton Street with a “flow” based design being the predominant skate theme. A flow design is an undulating skate environment and carries the advantage of being more appealing to a broader age group and wheel types. A flow design also carries less “street” elements such as steel rails and flat areas which are generally considered to have greater noise impacts.
- 2) A medium sized skate bowl is proposed for the southern end of the facility approximately 1.8m at the deepest section. The bowl was the second most requested element during consultation and is a contemporary component expected to be a drawcard for the facility. The bowl is targeted at more advanced and older users and contributes to the fulfilment of a district level skate park scope. The achievement of a district level skate park is consistent with the funding approval from Lotterywest.
- 3) The northern end of the concept plan depicts a flow zone. This area allows multiple riders to ride simultaneously and will contain transition items such as waterfalls, rollovers, pump sections, quarter islands, pockets and extensions. The flow zone is likely to be most popular with younger users but suitable for a broader audience. This area is slightly further north than the original masterplan location to accommodate the width needed to facilitate gradient changes and turn radiuses. The final location of the basketball court can be flipped to the southern end to accommodate this change.
- 4) To complement the functionality, usability and aesthetic amenity of the facility sufficient lighting is proposed to allow for evening use of the skate park. Contemporary lighting technology allows for a gradual dimming or multiple flash warning to limit night time use to specified hours.
- 5) On the eastern side of the facility there will be again be a low retaining wall and balustrading which will prevent skate boards or scooters from entering the parking area while also doubling up as a viewing area. This will impact the currently unencumbered view of the ocean from Heaton Street for a small section of Dobbyn Park and presents a trade-off for the scale of the facility and need to construct level changes within the facility. While this face does not impede the views from the constructed short stay residences it will be vital to ensure this face is well landscaped and complemented with public art on final construction to maintain the visual appeal from Heaton Street. Through final construction drawings and depending on water table levels, maximising below ground level space will again reduce the impact.
- 6) The current concept has also indicated a change to parallel parking directly adjacent to the skate park. This change provides sufficient separation between vehicles and the facility

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while also allowing the construction of a footpath for improved accessibility. This parking infrastructure change will be explored further through the final design and construction process and only implemented if there is insufficient space to achieve adequate separation.

- 7) Shaded seating areas will also be incorporated through the final design and construction process to tie into the proposed picnic area and balance of foreshore furniture design.
- 8) In accordance with the foreshore masterplan, the Turquoise Way Path will traverse alongside the skate park to the west with physical separation by way of a gentle embankment that is retained by a low seating level retaining wall.

The project now requires Council to endorse the concept plan to include with tender documentation to guide the procurement phase. Once a suitably qualified contractor is selected, final construction drawings will be established and works will commence. Staff, supported by engineering and landscaping professionals will oversee the contract's implementation and integration with the broader Jurien Bay foreshore upgrades.

CONSULTATION

In 2003, a Management Plan for an Inter-Town Skateboard Facility was developed by Shire of Dandaragan Youth Council (no longer in existence) in collaboration with a Skateboarding Working Party which consisted of adults from Jurien Bay District High School, parent volunteers, and Shire staff. This resulted in some stand-alone skate ramps for Cervantes and Badgingarra but was not successful in the sharing of equipment and facilities to other towns in the Shire.

In 2010, Council formally acknowledged a youth-generated petition with 385 signatures requesting a skate park be built in Beachridge. A motion was carried by Council to facilitate the formation of a working group to investigate the idea. In 2011, the concept was considered a low priority for inclusion in the 2011/12 Shire budget with a plan to consider development of parks and reserves in Beachridge in the future.

In 2014, Jurien Bay Youth Group held a youth workshop which highlighted a new skate park as the first priority for project ideas that would contribute to the vision that young people had for Jurien Bay. Later that year, the CEO received an email from a young local member of the public identifying the dangerous condition of the Weld Park skate ramps and bowls and requesting it be repaired and the design upgraded and improved.

In 2015, a local adult skateboarder emailed requesting upgrades to the Jurien Bay skate park. Later that year, 11 young people again coordinated a petition with 238 signatures identifying the need to replace the skate park including identifying the need to consult with the public about the location, the type of builder,

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design requirements, and ideas for funding. At the time the petition was received by Council, it was requested that staff bring an item back to a future Council Forum for further discussion.

In 2017, the Shire of Dandaragan's draft Youth Friendly Community Plan highlighted that young people continue to request social infrastructure, particularly an upgraded skate park. In addition, Staff continue to receive comments on social media about the desire of young people to have a useable, well-designed skate park.

The first public Community workshop was in the Jurien Bay Education & Conference Centre on the 8th of March, 2018, and attracted a diverse range of community members; from experienced local riders to those who intended to learn, and from representatives from the council to those just generally interested in the skate space. Together the group discussed the positives and negatives of the shortlisted sites, and shared their aspirations for what the park would feature. A variety of consultation methods, including precedent imagery, group and individual discussions, and surveys and preferred park labelling activities, allowed us to build an initial snapshot of the skate, scoot and BMX community within Jurien Bay, and gave us an understanding of the current facilities and spots used by the group. Feedback from the session is contained in image 1 in the email.

In April 2018, the Shire teamed up with Enlocus and Skateboarding WA (SWA) to put on a skate clinic as a part of the Spray the Grey Youth Festival, where a variety of skate elements were brought in to create a temporary 'pop-up' skate park. With the youth festival taking place in the same location as the proposed skate park, and the clinic attracting the young riders in the area, it proved to be the perfect setting for Enlocus to set up a consultation stand with the preliminary concept design on display. We encouraged event participants to review, discuss, and provide informal and written feedback regarding the proposed skate park which has been reflected in the final report from Enlocus.

During foreshore redevelopment consultation in late 2019, the consultants were asked to include the proposal for a skate park on the foreshore in their considerations and consultation. The process and final masterplan has nominated the current site as the preferred location.

STATUTORY ENVIRONMENT

Local Government Act 1995

3.57. Tenders for providing goods or services

(1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*

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(2) Regulations may make provision about tenders.

POLICY IMPLICATIONS

Policy 1.1 - C-1PAT01 – PURCHASING AND TENDER

Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts or the State Common Use Agreement. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing. A Request for Quote (RFQ) number must be obtained from the Executive Manager of Corporate and Community Services.

\$250,000+ Public tender process to be undertaken unless excluded under Exemptions listed below. Prior to any documentation being issued a Request for Tender (RFT) number must be obtained from the Executive Manager of Corporate and Community Services, as applicable provided to maintain the Shire's Tender Register.

FINANCIAL IMPLICATIONS

The design scope for the project was based on the establishment of a District Level skate park. Similar projects within Western Australia have been delivered at the cost of approximately \$1M which incorporates the hard skate infrastructure and supporting design elements such as public art, lighting, security, pedestrian access and parking. This agenda item seeks approval to call tenders for the project which will be completed in conjunction with Council's budget process.

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 Shire built on the strengths of community spirit and resilient, connected communities	Support and promote inclusive events that enhance and celebrate community cultural spirit that bring our communities together. Recognise and support the value of our community volunteers and provide meaningful opportunities to contribute to Shire projects and improving local living

ATTACHMENTS

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

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 MAY 2020
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- Jurien Bay Foreshore Youth Space Design Development (Doc Id: 155872)

(Marked 9.4.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Slys, seconded Cr Shanhun

That Council:

- 1) Endorses the Jurien Bay Youth Precinct – Skate Park concept plan as provided in Attachment 1: Doc Id: 155872; and**
- 2) Authorises the Chief Executive Officer to call tenders for the construction of the Jurien Bay Youth Precinct – Skate Park; and**
- 3) Notes that final design elements including furniture selection and public art will be carried out with input from the Jurien Bay Foreshore Working Group.**

CARRIED 9 / 0

9.4.4 AMENDMENTS TO PURCHASING POLICY AND DELEGATIONS REGISTER

Location:	Shire of Dandaragan
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Corporate Management / Policy / Policy Register
Disclosure of Interest:	N/A
Date:	12 May 2020
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To amend policy C-1PAT01 – Purchasing and Tender and delegation 1.2.16 Tenders for Goods and Services to increase the tender threshold to \$250,000 to be consistent with recent legislative changes.

BACKGROUND

To support local governments during the current COVID-19 pandemic, a number of legislative changes have been made to the Local Government Act and regulations.

As a result, several changes of the Local Government (Functions and General) Regulations 1996 have been gazetted.

The primary purpose of these amendments is to increase the flexibility of the local government sector to contract with local suppliers during, and in the aftermath of, the State of Emergency Declaration under the Emergency Management Act 2005.

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An amendment made to regulation 11(1) increases the tender threshold to \$250,000 to align with State Government tendering thresholds. This will permit local governments to extend the use of their own purchasing policy and apply local content provisions more readily to goods and services acquired via written quotations.

Regulation 11(2) contains two further exemptions when tenders do not have to be publicly invited.

The first exemption, in new regulation 11(2)(aa), ensures the formal tender process does not need to be undertaken when sourcing and securing essential goods and services to respond to a state of emergency. As outlined in regulation 11(3), there must be a state of emergency declaration in force for the local government district or part of the district and the goods or services must be required to address needs arising from, or impacts or consequences of, the hazard to which the emergency relates.

The other exemption in regulation 11(2)(ja) gives a local government the discretion to renew or extend a contract that expires when a state of emergency declaration is in force, even though this option is not included in the original contract. This will overcome the practical difficulty of businesses responding to a formal tender process while they are shut down or in the transition period when normal business resumes. Limits on this apply: the original contract must have less than three months left to run, the renewal or extension cannot be for more than twelve months, and there must be a state of emergency declaration applying to the district or part of the district when the renewal or extension is entered into.

A further exemption in regulation 11(2)(h) has been updated to encourage local governments to purchase goods or services supplied by Aboriginal businesses. The exemption will now reflect the fact that the Chamber of Commerce and Industry administers the Aboriginal Business Directory. A new exemption has been added recognising goods or services may also be supplied by Supply Nation.

COMMENT

The increase to the tender threshold from \$150,000 to \$250,000 has created an inconsistency between legislation and Council's existing policy C-1PAT01 – Purchasing and Tender as well as delegation 1.2.16 Tenders for Goods and Services.

To ensure that this change can be correctly administered it is proposed that policy C-1PAT01 – Purchasing and Tender and delegation 1.2.16 Tenders for Goods and Services be amended to reflect the changes.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Functions and General) Regulations 1996
Regulation 11(1)

Local Government (Functions and General) Regulations 1996
Regulation 11(2)(aa),

Local Government (Functions and General) Regulations 1996
11(2)(h)

Local Government (Functions and General) Regulations 1996
Regulation 11(3)

11. When tenders have to be publicly invited

(1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.*

(2) *Tenders do not have to be publicly invited according to the requirements of this Division if—*

(aa) *the supply of the goods or services is associated with a state of emergency; or*

(h) *the following apply—*

(i) *the goods or services are to be supplied by—*

(l) *a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or*

(ll) *a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362;*

and

(ii) *the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and*

(iii) *the local government is satisfied that the contract represents value for money;*

(3) *For the purposes of subregulation (2)(aa) a supply of goods or services is associated with a state of emergency if—*

(a) *the contract for the supply is entered into while there is in force a state of emergency declaration applying to the district, or part of the district, of the local government; and*

(b) *the local government considers that the goods or services are required for the purposes of addressing a need arising from the hazard, or from the impact or consequences of*

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the hazard, to which the state of emergency declaration relates.

POLICY IMPLICATIONS

The proposed changes will be made to the Shire of Dandaragan Policy '1.1 C-1PAT01 – Purchasing and Tender'

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item

ATTACHMENTS

Amended policy 1.1 C-1PAT01 – Purchasing and Tender (Doc Id: 154299)

Amended Delegation 1.2.16 Tenders for Goods and Services (Doc Id: 154310)

(Marked 9.4.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

Moved Cr Eyre, seconded Cr Gibson

To ensure consistency with recent changes to Local Government (Functions and General) Regulations 1996 as a result of the COVID-19 response Council amend:

- 1. policy 1.1 C-1PAT01 – Purchasing and Tender as per attached (Doc Id: 154299), and;**
- 2. delegation 1.2.16 Tenders for Goods and Services as per attached (Doc Id 154310).**

CARRIED 9 / 0

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – APRIL 2020 COUNCIL STATUS REPORT

Document ID: 154475

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 23 April 2020. ***(Marked 9.5.1)***

9.5.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – APRIL 2020

Document ID: 154750

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

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9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – APRIL 2020

Document ID: 153944

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

9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – APRIL 2020

Document ID: 154002

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

9.5.5 SHIRE OF DANDARAGAN TOURISM / LIBRARY REPORT FOR APRIL 2020

Document ID: 152877

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

9.5.6 LOCAL GOVERNMENT (PARKING FOR PEOPLE WITH DISABILITIES) AMENDMENT

Document ID: 154094

Attached to the agenda is Ministerial Circular 2 Local Government (Parking for People with Disabilities) Amendment Regulations 2020 *(Marked 9.5.6)*

9.5.7 HON DAVID TEMPLETON MLA - LOCAL GOVERNMENT'S ROLE REGARDING THE EASING OF COVID-19 RESTRICTIONS

Document ID: 154213

Attached to the agenda is correspondence from the Minister for Local Government advising LG role regarding the easing of COVID-19 Restrictions *(Marked 9.5.7)*

9.5.8 MARK MCGOWAN MLA – TRANSITION TO COVIDSAFE AUSTRALIA

Document ID: 154247

Attached to the agenda is correspondence from the Premier Mark McGowan MLA with regard to transition to a Covidsafe Australia *(Marked 9.5.8)*

9.5.9 HON DAVID TEMPLETON MLA – LOCAL GOVERNMENT (COVID-19 RESPONSE) ORDER 2020

Document ID: 154248

Attached to the agenda is correspondence from the Minister for Local Government in relation to Local Government Amendment (COVID-19 Response) Act 2020 which was passed by Parliament on 16 April 2020 and came into effect on 21 April 2020 *(Marked 9.5.9)*

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

Nil

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11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

Nil

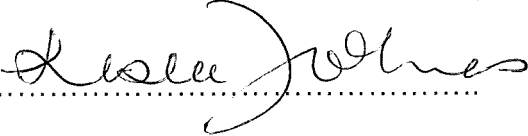
12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 4.11pm.

These minutes were confirmed at a meeting on 25 June 2020

Signed 

Presiding person at the meeting at which the minutes were confirmed

Date 25 June 2020