



SHIRE
of
DANDARAGAN

MINUTES - PUBLIC

of the

ORDINARY COUNCIL MEETING

held at the

COUNCIL CHAMBERS, JURIEN BAY

on

THURSDAY 28 JULY 2022

COMMENCING AT 4.02PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

Table of Contents

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	1
1.1	DECLARATION OF OPENING.....	1
1.2	DISCLAIMER READING.....	1
2	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	2
4	PUBLIC QUESTION TIME	2
5	APPLICATIONS FOR LEAVE OF ABSENCE	2
6	CONFIRMATION OF MINUTES.....	2
6.1	MINUTES OF THE ORDINARY COUNCIL MEETING HELD 23 JUNE 2022	2
7	NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	2
8	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS.....	2
9	REPORTS OF COMMITTEES AND OFFICERS.....	3
9.1	CORPORATE & COMMUNITY SERVICES.....	3
9.1.1	ACCOUNTS FOR PAYMENT – JUNE 2022	3
9.1.2	INTERIM FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 30 JUNE	4
9.1.3	SHIRE OF DANDARAGAN 2022 / 2023 ANNUAL MUNICIPAL BUDGET	6
9.2	INFRASTRUCTURE SERVICES	16
9.2.1	SHIRE OF DANDARAGAN SHARED PATH NETWORK PLAN 2022 – 2032	16
9.3	DEVELOPMENT SERVICES.....	19
9.3.1	PROPOSED HOLIDAY HOUSE – LOT 694 (NO. 37) BETTONG AVENUE, JURIE BAY	19
9.3.2	PROPOSED EXTENSION TO ILUKA RESOURCES WORKFORCE ACCOMMODATION CAMP	25
9.3.3	PROPOSED AMENDMENT TO MOORA PIGGERY WIND TURBINES	32
9.4	GOVERNANCE & ADMINISTRATION	37
9.4.1	ADOPT DISABILITY ACCESS AND INCLUSION PLAN	37
9.5	COUNCILLOR INFORMATION BULLETIN.....	41
9.5.1	SHIRE OF DANDARAGAN – JUNE 2022 COUNCIL STATUS REPORT	41
9.5.2	SHIRE OF DANDARAGAN – BUILDING STATISTICS – JUNE 2022	41
9.5.3	SHIRE OF DANDARAGAN – PLANNING STATISTICS – JUNE 2022	41
9.5.4	SHIRE OF DANDARAGAN TOURISM / LIBRARY / COMMUNITY ACTIVITIES REPORT FOR JUNE 2022	41
10	NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING.....	41

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC 41

11.1 GOVERNANCE & ADMINISTRATION 42

 11.1.1 AMENDMENTS TO CIVIC CENTRE LEASE – DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS 43

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN..... 43

13 CLOSURE OF MEETING..... 44

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022</p>
--

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 4.02pm and welcomed those present.

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

1.2 DISCLAIMER READING

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

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

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

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor J Clarke	
Councillor A Eyre	
Councillor W Gibson	
Councillor R Glasfurd	
Councillor M McDonald	
Councillor R Rybarczyk	
Councillor R Shanhun	

Staff

Mr B Bailey	(Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr L Fouché	(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 Customer & Community Service)

Apologies

Nil

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022**Approved Leave of Absence**

Nil

Observers

Mrs K Anda, Mrs J Rouse

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 23 JUNE 2022****COUNCIL DECISION****Moved Cr Eyre, seconded Cr Scharf****That the minutes of the Ordinary Meeting of Council held be confirmed.****CARRIED 9 / 0****7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

The Shire President asked Cr Scharf to provide a prayer to reflect on residents and family members with current health conditions and illness.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

9 REPORTS OF COMMITTEES AND OFFICERS**9.1 CORPORATE & COMMUNITY SERVICES****9.1.1 ACCOUNTS FOR PAYMENT – JUNE 2022**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	SODR-2042075298-36502
Disclosure of Interest:	None
Date:	12 July 2022
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To accept the cheque, EFT, BPAY and direct debit listing for the month of June 2022.

BACKGROUND

In accordance with the Local Government Act 1995, and Financial Management Regulations 1996, a list of expenditure payments is required to be presented to Council.

COMMENT

The cheque, electronic funds transfer (EFT), BPAY and direct debit payments for June 2022 totalled \$1,607,927.88 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the June 2022 Accounts for payment, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting, in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

ATTACHMENTS

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

Cheque, EFT and direct debit listings for June 2022 (Doc Id: SODR-2042075298-38951)

(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Clarke, seconded Cr Eyre

That the Cheque and EFT listing for the period ending 30 June 2022 totalling \$1,607,927.88 be adopted.

CARRIED 9 / 0

9.1.2 INTERIM FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 30 JUNE 2022

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	SODR-1743450996-1912
Disclosure of Interest:	None
Date:	18 July 2022
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To table and adopt the interim financial statements for the period ending 30 June 2022.

BACKGROUND

In accordance with 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 June 2022.

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 June 2022 was \$3,049,541.00. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves and Restricted Assets. The current position indicates that Council can easily meet its short-term liquidity or solvency.

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022</p>
--

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

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

2. Material Variances

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

Note 12 of the attached report details any significant variances. Should Councillors wish to raise any issues relating to the 30 June 2022 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 June 2022 (Doc Id: SODR-1743450996-2225)

(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr McDonald

That the interim financial statements for the period 30 June 2022 be adopted.

CARRIED 9 / 0

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

9.1.3 SHIRE OF DANDARAGAN 2022 / 2023 ANNUAL MUNICIPAL BUDGET

Location:	N/A
Applicant:	None
Folder Path:	SODR-1034602345-10846
Disclosure of Interest:	Nil
Date:	21 July 2022
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To adopt the Shire of Dandaragan's Budget for the 2022 / 2023 financial year together with supporting schedules, including striking of the municipal fund rates, adoption of fees and charges, setting of elected members fees for the year and other consequential matters arising from the budget papers.

BACKGROUND

The 2022 / 2023 draft budget has been prepared in accordance with the presentations made to councillors at budget workshops held in June and July 2022.

COMMENT

The budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

Council budget workshops have considered a range of budget savings measures and strategic projects. After prioritising strategic project commitments and funding necessary asset renewal, to yield the deficiency as identified in the draft budget it was necessary to impose an overall 7% rate increase for 2022/2023.

The estimated opening surplus includes an advance WA Local Government Grants Commission grant payment of \$1,764,990.

Budget highlights include;

- \$3.0m for the continuation of upgrade of the Wheatbelt Secondary Freight Network
- \$1.6m for the commencement of sealing Agaton Road.
- \$1.2m for upgrade to Bibby Road
- \$4.2m for other road reconstruction and renewal works.
- \$1.1m for renewal works on various community and civic buildings.
- Replacement public ablution facilities in Badgingarra and Sandy Cape.
- Replacement footpaths along Lindsay Street in Jurien Bay
- \$1.6m towards road maintenance works including, maintenance grading, shoulder maintenance, verge spraying and slashing and road patching

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

The budget includes a capital works program of almost \$12.5m. Such a large program would not be possible without external funding. The Shire has secured an unprecedented amount of non-operating grant funding to facilitate this program. The \$9.1m of non-operating grant funding in the budget includes;

- \$3.6m from the Wheatbelt Freight Network
- \$900k from Regional Road Group
- \$146k from Commodity Route Funding
- \$1.6m from Local Roads and Community Infrastructure
- \$554k from Roads to Recovery
- \$1.4m from the Remote Rural Upgrade Pilot Program

Other key expenditure includes;

- Partnering with Shire's of Gingin and Victoria Plains to employ a Bushfire Risk Mitigation Coordinator.
- Partnering with the Shires of Gingin and Coorow, and NACC NRM to manage coastal impacts of vehicles north of Perth through the NRM Community Stewardship Grant Program.
- Facilitation of the planning for the Karda mountain bike track development with DBCA.
- Jurien Bay recreation precinct masterplan
- First year of the annual allocation of 1% of rates towards public art.

CONSULTATION

- Chief Executive Officer
- Executive Manager Development Services
- Executive Manager Infrastructure
- Key Community Groups

STATUTORY ENVIRONMENT

Section 6.2 of the Local Government Act 1995 requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 5 and 6 of the Local Government Act 1995 refer to the setting of budgets and raising of rates and charges. The Local Government (Financial Management) Regulations 1996 details the form and content of the budget. The draft 2022 / 2023 budget as presented is considered to meet statutory requirements.

Section 6.2 of the Local Government Act 1995 deals with the waiving of debts.

POLICY IMPLICATIONS

The budget is based on the principles contained in the Strategic Community Plan.

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022</p>
--

FINANCIAL IMPLICATIONS

Specific financial implications are itemised in the draft 2022 / 23 budget attached for adoption.

STRATEGIC IMPLICATIONS

The draft 2022 / 2023 budget has been developed based on the Strategic Community Plan.

ATTACHMENTS

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

- Shire of Dandaragan Draft 2022 / 2023 Annual Municipal Budget
(Doc Id: SODR-1034602345-10824)
(Marked 9.1.3)

VOTING REQUIREMENT

OFFICER RECOMMENDATION 1 Absolute majority

OFFICER RECOMMENDATION 2 Simple majority

OFFICER RECOMMENDATION 1

PART A – MUNICIPAL FUND BUDGET FOR 2022 / 2023

Pursuant to the provisions of Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the Council adopt the Budget as contained in Attachment 9.1.2 (Doc Id: SODR-1034602345-10824) of this agenda and the minutes, for the Shire of Dandaragan for the 2022 / 2023 financial year which includes the following:

- *Statement of Comprehensive Income by Nature and Type showing a net profit result for that year of \$3,708,921.*
- *Statement of Cash Flows.*
- *Rate Setting Statement showing an amount required to be raised from rates of \$7,103,855.*
- *Notes to and forming part of the Budget.*
- *Budget Program Schedules.*
- *Transfers to / from Reserve Accounts.*

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

1. for the purpose of yielding the deficiency disclosed by the Budget adopted at Part A above, Council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the general and minimum rates on Gross Rental Values and general and minimum rates on Unimproved Values.

1.1 General Rates

- *General (GRV) 8.8874 cents in the dollar.*
- *General (UV) 0.6688 cents in the dollar.*

1.2 Minimum Rates

- *General Minimum \$1,054.*
- *Lesser Minimum – Badgingarra and Dandaragan \$796.*
- *Lesser Minimum - Mining \$995.*
- *Lesser Minimum – Other UV \$765.*

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

2. pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council nominates the following due dates for the payment in full or by instalments:
 - Full payment and 1st instalment due date 23 September 2022.
 - 2nd instalment due date 23 November 2022.
 - 3rd instalment due date 23 January 2023.
 - 4th and final instalment due date 23 March 2023.
3. pursuant to Section 6.46 of the Local Government Act 1995, Council offers a discount of 5% to ratepayers who have paid their rates in full, including arrears and service charges, on or before 23 September 2022 or 35 days after the date of service appearing on the rate notice, whichever is the later.
4. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$6.67 (\$20 total) for each instalment after the initial instalment is paid.
5. In accordance with the Local Government (COVID-19 Response) Amendment Order 2020, for the purpose of section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 3.0% where the owner has elected to pay rates and service charges through an instalment option.
6. In accordance with the Local Government (COVID-19 Response) Amendment Order 2021, for the purpose of section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 7% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

PART C – FEES AND CHARGES FOR 2022 / 2023

1. pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges included in the draft 2022 / 2023 budget (Doc Id: SODR-1034602345-10824) attached to this agenda and minutes.
2. pursuant to section 6.16 of the Local Government Act 1995, Council cap the maximum any one customer, as individually identified by the “customer ID” held by Avdata, will pay for the 2022 / 2023 financial year towards landing fees at \$20,000 ex GST
3. pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, Council adopt the following charges for the proper disposal of waste:

<i>Rubbish Service Level 1</i>	
<i>Collection of one rubbish bin weekly and one recycling bin fortnightly</i>	\$357.00
<i>Pensioner Rate</i>	\$309.00
<i>Rubbish Service Level 2</i>	
<i>Collection of one rubbish bin weekly and two recycling bin fortnightly</i>	\$434.00

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

<i>Pensioner Rate</i>	\$386.00
<i>Rubbish Service Level 3</i>	
<i>Collection of one rubbish bin weekly and three recycling bin fortnightly</i>	\$511.00
<i>Pensioner Rate</i>	\$463.00
<i>Rubbish Service Level 4</i>	
<i>Collection of one rubbish bin weekly and four recycling bin fortnightly</i>	\$588.00
<i>Pensioner Rate</i>	\$540.00
<i>Rubbish Service Level 5</i>	
<i>Collection of one rubbish bin weekly and five recycling bin fortnightly</i>	\$665.00
<i>Pensioner Rate</i>	\$617.00

4. pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, and section 6.16 of the Local Government Act 1995 Council adopt the following charges for the deposit of domestic and commercial waste:

<i>General refuse</i>	<i>per m3</i>	\$28.00\$
<i>§ General waste, generated by the activities of an incorporated community group based in the Shire of Dandaragan will incur a charge equal to 25% of the fee otherwise payable.</i>		
<i>Builders Waste</i>	<i>per m3</i>	\$28.00
<i>Clean bricks and concrete slabs (resaleable)</i>		Free
<i>Separated recyclables</i>		Free
<i>Clean fill</i>		
<i>Scrap metal</i>		Free
<i>Motorcycle Tyres</i>	<i>each</i>	\$3.00
<i>Car Tyres without rims</i>	<i>each</i>	\$5.00
<i>4x4 Tyres without rims</i>	<i>each</i>	\$10.00
<i>Truck Tyres without rims</i>	<i>each</i>	\$23.00
<i>4x4 & Car tyres with rims</i>	<i>each</i>	\$20.00
<i>Truck Tyres with rims</i>	<i>each</i>	\$56.00
<i>Car tyres contaminated</i>	<i>each</i>	\$12.50
<i>Light truck contaminated</i>	<i>each</i>	\$25.00
<i>Truck tyre contaminated</i>	<i>each</i>	\$56.00
<i>Super single tyre uncontaminated</i>	<i>each</i>	\$44.00
<i>Super single tyre contaminated</i>	<i>each</i>	\$113.00
<i>Bobcat tyre</i>	<i>each</i>	\$17.00
<i>Bobcat tyre contaminated</i>	<i>each</i>	\$50.00
<i>Tractor tyre 0m – 1m</i>	<i>each</i>	\$100.00
<i>Tractor tyre Large 1m to 2m</i>	<i>each</i>	Not accepted
<i>Earth mover tyre small 0m – 1m</i>		Not accepted
<i>Earth mover tyre large 1.m - 1.5m</i>		Not accepted
<i>Earth mover tyre large 1.5m – 2m</i>		Not accepted
<i>Asbestos (1m3 or less)</i>	<i>flat fee</i>	\$40.00

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

<i>Asbestos (Quantities greater than 1m3)</i>	<i>Per m3</i>	<i>\$75.00</i>
<i>Freezers, Fridges, Air conditioners (see note 1)</i>	<i>each</i>	<i>\$15.00</i>
<i>Used Oil</i>	<i>per litre</i>	<i>Free</i>
<i>Oil Filters</i>	<i>each</i>	<i>Free</i>
<i>Uncontaminated green waste i.e. No weeds</i>		<i>Free</i>
<i>Large tree stumps</i>	<i>per m3</i>	<i>\$28.00</i>
<i>Power Poles</i>	<i>per m3</i>	<i>\$28.00</i>
<i>Problematic wastes (See note 2))</i>	<i>per m3</i>	<i>\$75.00</i>
<i>Emergency opening fee</i>	<i>per hour</i>	<i>\$100.00</i>

PART E – ELECTED MEMBERS’ FEES AND ALLOWANCES FOR 2022 / 2023

1. pursuant to section 5.99 of the Local Government Act 1995 and regulation 34 of the Local Government (Administration) Regulations 1996, Council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

<i>President</i>	<i>\$ 24,720</i>
<i>Councillors</i>	<i>\$ 15,965</i>

2. pursuant to section 5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996, Council adopts the following annual allowances for elected members:

<i>ICT Allowance</i>	<i>\$ 3,500</i>
----------------------	-----------------

3. pursuant to section 5.98(5) of the Local Government Act 1995 and regulation 33 of the Local Government (Administration) Regulations 1996, Council adopts the following annual local government allowance to be paid in addition to the annual meeting fee:

<i>President</i>	<i>\$ 16,000</i>
------------------	------------------

4. pursuant to section 5.98A of the Local Government Act 1995 and regulations 33A of the Local Government (Administration) Regulations 1996, Council adopts the following annual local government allowance to be paid in addition of the annual meeting allowance:

<i>Deputy President</i>	<i>\$ 4,000</i>
-------------------------	-----------------

PART F – MATERIAL VARIANCE REPORTING FOR 2022 / 23

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2022 / 2023 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

ALTERNATIVE MOTION / COUNCIL DECISION**Moved Cr Scharf, seconded Cr Rybarczyk****PART A – MUNICIPAL FUND BUDGET FOR 2022 / 2023**

Pursuant to the provisions of Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the Council adopt the Budget as contained in Attachment 9.1.2 (Doc Id: SODR-1034602345-10852) of this agenda and the minutes, for the Shire of Dandaragan for the 2022 / 2023 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type showing a net profit result for that year of \$3,650,810.
- Statement of Cash Flows.
- Rate Setting Statement showing an amount required to be raised from rates of \$ 7,045,744.
- Notes to and forming part of the Budget.
- Budget Program Schedules.
- Transfers to / from Reserve Accounts.

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

1. for the purpose of yielding the deficiency disclosed by the Budget adopted at Part A above, Council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the general and minimum rates on Gross Rental Values and general and minimum rates on Unimproved Values.
 - 1.1 General Rates
 - General (GRV) 8.8366 cents in the dollar.
 - General (UV) 0.6626 cents in the dollar.
 - 1.2 Minimum Rates
 - General Minimum \$1,044.
 - Lesser Minimum – Badgingarra and Dandaragan \$788.
 - Lesser Minimum - Mining \$985.
 - Lesser Minimum – Other UV \$758.
2. pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council nominates the following due dates for the payment in full or by instalments:
 - Full payment and 1st instalment due date 23 September 2022.
 - 2nd instalment due date 23 November 2022.
 - 3rd instalment due date 23 January 2023.
 - 4th and final instalment due date 23 March 2023.
3. pursuant to Section 6.46 of the Local Government Act 1995, Council offers a discount of 5% to ratepayers who have paid their rates in full, including arrears and service charges, on or before 23 September 2022 or 35 days after the date of service appearing on the rate notice, whichever is the later.
4. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$6.67 (\$20 total) for each instalment after the initial instalment is paid.

5. In accordance with the Local Government (COVID-19 Response) Amendment Order 2020, for the purpose of section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 3.0% where the owner has elected to pay rates and service charges through an instalment option.
6. In accordance with the Local Government (COVID-19 Response) Amendment Order 2021, for the purpose of section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 7% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

PART C – FEES AND CHARGES FOR 2022 / 2023

1. pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges included in the draft 2022 / 2023 budget (Doc Id: SODR-1034602345-10824) attached to this agenda and minutes.
2. pursuant to section 6.16 of the Local Government Act 1995, Council cap the maximum any one customer, as individually identified by the “customer ID” held by Avdata, will pay for the 2022 / 2023 financial year towards landing fees at \$20,000 ex GST
3. pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, Council adopt the following charges for the proper disposal of waste:

Rubbish Service Level 1	
Collection of one rubbish bin weekly and one recycling bin fortnightly	\$357.00
Pensioner Rate	\$309.00
Rubbish Service Level 2	
Collection of one rubbish bin weekly and two recycling bin fortnightly	\$434.00
Pensioner Rate	\$386.00
Rubbish Service Level 3	
Collection of one rubbish bin weekly and three recycling bin fortnightly	\$511.00
Pensioner Rate	\$463.00
Rubbish Service Level 4	
Collection of one rubbish bin weekly and four recycling bin fortnightly	\$588.00
Pensioner Rate	\$540.00
Rubbish Service Level 5	

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

Collection of one rubbish bin weekly and five recycling bin fortnightly	\$665.00
Pensioner Rate	\$617.00

4. pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, and section 6.16 of the Local Government Act 1995 Council adopt the following charges for the deposit of domestic and commercial waste:

General refuse	per m3	\$28.00\$
§ General waste, generated by the activities of an incorporated community group based in the Shire of Dandaragan will incur a charge equal to 25% of the fee otherwise payable.		
Builders Waste	per m3	\$28.00
Clean bricks and concrete slabs (resaleable)		Free
Separated recyclables		Free
Clean fill		
Scrap metal		Free
Motorcycle Tyres	each	\$3.00
Car Tyres without rims	each	\$5.00
4x4 Tyres without rims	each	\$10.00
Truck Tyres without rims	each	\$23.00
4x4 & Car tyres with rims	each	\$20.00
Truck Tyres with rims	each	\$56.00
Car tyres contaminated	each	\$12.50
Light truck contaminated	each	\$25.00
Truck tyre contaminated	each	\$56.00
Super single tyre uncontaminated	each	\$44.00
Super single tyre contaminated	each	\$113.00
Bobcat tyre	each	\$17.00
Bobcat tyre contaminated	each	\$50.00
Tractor tyre 0m – 1m	each	\$100.00
Tractor tyre Large 1m to 2m	each	Not accepted
Earth mover tyre small 0m – 1m		Not accepted
Earth mover tyre large 1.m - 1.5m		Not accepted
Earth mover tyre large 1.5m – 2m		Not accepted
Asbestos (1m3 or less)	flat fee	\$40.00
Asbestos (Quantities greater than 1m3)	Per m3	\$75.00
Freezers, Fridges, Air conditioners (see note 1)	each	\$15.00
Used Oil	per litre	Free
Oil Filters	each	Free
Uncontaminated green waste i.e. No weeds		Free
Large tree stumps	per m3	\$28.00
Power Poles	per m3	\$28.00
Problematic wastes (See note 2))	per m3	\$75.00

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022
--

Emergency opening fee	per hour	\$100.00
-----------------------	-------------	----------

PART E – ELECTED MEMBERS’ FEES AND ALLOWANCES FOR 2022 / 2023

1. pursuant to section 5.99 of the Local Government Act 1995 and regulation 34 of the Local Government (Administration) Regulations 1996, Council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

President	\$ 24,720
Councillors	\$ 15,965

2. pursuant to section 5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996, Council adopts the following annual allowances for elected members:

ICT Allowance	\$ 3,500
---------------	----------

3. pursuant to section 5.98(5) of the Local Government Act 1995 and regulation 33 of the Local Government (Administration) Regulations 1996, Council adopts the following annual local government allowance to be paid in addition to the annual meeting fee:

President	\$ 16,000
-----------	-----------

4. pursuant to section 5.98A of the Local Government Act 1995 and regulations 33A of the Local Government (Administration) Regulations 1996, Council adopts the following annual local government allowance to be paid in addition of the annual meeting allowance:

Deputy President	\$ 4,000
------------------	----------

PART F – MATERIAL VARIANCE REPORTING FOR 2022 / 23

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2022 / 2023 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

CARRIED BY ABSOLUTE MAJORITY 9 / 0

Reason for variation from Officer’s Recommendation:

Council elected to limit the rate increase for the 2022/2023 financial year to 6%. In addition to a reduction in rates income for 2022/2023 the following changes were made to the draft budget that was included in the officer recommendation to maintain a balanced budget;

- 1. Removal of Lindsay Street footpath replacement*
- 2. Reduction in transfers from the Plant Reserve of \$8,695.90*
- 3. Addition of a transfer to the Infrastructure Renewal Reserve of \$23,193.15*

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022</p>
--

OFFICER RECOMMENDATION 2 / COUNCIL DECISION 2

Moved Cr Eyre, seconded Cr McDonald

In accordance with Section 6.12 of the Local Government Act 1995, Council waive 100% of the Jurien Bay Airstrip / Aerodrome Landing Fee for the first four landings each calendar month for each customer as individually identified by the “customer ID” held by Avdata.

CARRIED 9 / 0

9.2 INFRASTRUCTURE SERVICES

9.2.1 SHIRE OF DANDARAGAN SHARED PATH NETWORK PLAN 2022 - 2032

Location:	Jurien Bay
Applicant:	Shire of Dandaragan
Folder Path:	SODR-872172829-2431
Disclosure of Interest:	Nil
Date:	7 June 2022
Author:	Julie Rouse, Coordinator Infrastructure Services
Senior Officer:	Brad Pepper, Executive Manager Infrastructure

PROPOSAL

This report seeks Council’s endorsement of the Shire of Dandaragan’s draft Shared Path Network Plan 2022 – 2032 for the purpose of advertising for a period of 30 days to seek comment from the public, and the Department of Transport’s WA Bike Network team by request.

BACKGROUND

In 2015 the Shire of Dandaragan was successful in obtaining a Regional Bike Network (RBN) Local Government Grant to the value of \$12,500 to develop a Bike Network Plan (Plan) for Jurien Bay and Cervantes, and which was authorised by Council in the Shire’s 2014/2015 budget.

A Request for Quote for the development of a Bike Network Plan for both Cervantes and Jurien Bay townsites was issued in December 2014 using WALGA preferred panel suppliers. Opus International Consultants were the chosen supplier and in January 2015 were engaged to undertake the development of the Plan. This Plan was completed in June 2015 and adopted by Council at its Ordinary Meeting held on 27 August 2015.

This Plan has since expired in 2020 with new paths identified within it constructed, and existing paths widened or extended. Shire Officers recently engaged Porters Consulting Engineers, to undertake a review of this document to update the content and provide a construction program to act as a guide for the Shire to deliver as potential capital projects over the next 10 years.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

Following review of the draft document by the Shire's Executive Team, Council was presented with a first draft of the document via email and hard copies were also distributed to those Elected Members present at an Agenda Briefing session held on Monday, 20 June 2022. Further discussion of the draft Plan by Councillors and Shire Officers took place at a Council Forum held on Thursday, 23 June 2022, where Council provided feedback on the document's content following their review. This feedback, and any necessary changes, have since been made to the document, and Shire officers are now seeking Council's endorsement to advertise the draft Plan to the community.

COMMENT

The purpose of this plan is to prioritise network infrastructure investment required to create a functional shared path network. Reference to Network Planning refers to the planning of shared path routes and the setting of a prioritised schedule of works for a specific area, or network, with no need to plan or design for a specific project.

The purpose of preparing such a Plan identifies existing network gaps, allows for the completion of a desktop review and audit of existing network, and the undertaking of community consultations, while also taking into consideration external influences that will benefit our local communities such as public safety, promotion of improved health benefits, construction standards, local policies, and an increase in cycle tourism.

Key areas identified within each of the Shire's townsites were community recreation centres, town centre connectivity, and other local strategic locations.

It is recommended that Council endorse the draft Plan for the purpose of advertising for a period of 30 days to seek comment from the public, and the Department of Transport's WA Bike Network team by request.

On cessation of this advertising period all submissions will be considered accordingly in the final modification of the plan to be re-presented to Council for adoption.

CONSULTATION**Internal**

Councillors
Executive Management Team
Coordinator Infrastructure Services

External

Porters Consulting Engineers
Department of Transport WA Bike Network Team

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

STATUTORY ENVIRONMENT

There is no statutory environment relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Budget implications will be based upon future annual budgets adopted by Council over a 10-year period as outlined in the new Plan in identifying priority network projects and subject to future external funding avenues.

STRATEGIC IMPLICATIONS

Strategic Community Plan - Envision 2029

01 - Infrastructure	The Shire will work cooperatively with private enterprise and government agencies to develop and maintain 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 spaces 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.
Our investments in public assets are based on responsible and sustainable asset custodianship.	<p>Modernise the Shire's Asset Management Planning framework to sustainably manage our existing asset network and consider asset expansion within sustainable levels of service.</p> <p>Work with community groups to review existing facilities, plan for renewal and ascertain the feasibility of any proposed new facilities.</p> <p>Increase activation of our public open spaces and buildings rather than increasing quantity without a demonstrated need.</p>
Our built environment responds to the accessibility and connectivity needs of all residents providing equitable access and opportunity for participation.	<p>Provide a well-designed and safe transport and shared path network that connects people to their destinations and encourages non-motorised journeys within townsites.</p> <p>Progressively implement the accessibility recommendations from our Age Friendly Community Plan and Disability Access and Inclusion Plan.</p>

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

ATTACHMENTS

Circulated with the agenda is the Shire of Dandaragan's Shared Path Network Plan 2022 – 2032 relevant to this report (Doc Id: SODR-1637154062-486)

(Marked 9.2.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Eyre

That Council endorse the Shire of Dandaragan's Shared Path Network Plan 2022 – 2032 for the purpose of advertising for a period of 30 days to seek comment from the public, and the Department of Transport's WA Bike Network team by request.

CARRIED 9 / 0

9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED HOLIDAY HOUSE – LOT 694 (NO. 37) BETTONG AVENUE, JURIEN BAY

Location:	Lot 694 (No.37) Bettong Avenue, Jurien Bay
Applicant/Landowner:	Darren Mortimer & Rachel Gunn
File Ref:	SODR-1262144384-14390
Disclosure of Interest:	Nil
Date:	22 June 2022
Author:	Rory Mackay, Planning Officer
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

The proponent is seeking development approval for the use of 37 Bettong Avenue, Jurien Bay as a commercial holiday house.



Location Map – 37 Bettong Avenue, Jurien Bay

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022**BACKGROUND**

A four-bedroom single-storey dwelling exists on the subject property. The proponent has lodged a development application to seek approval to accommodate up to eight guests for short stay bookings, not exceeding three consecutive months.

The application was advertised to immediate neighbouring landowners from 6 June 2022 until 27 June 2022. One submission was received which objected to the proposal, resulting in a Council determination being required for the application in accordance with Delegation 9.1.2 (Town Planning – Other Use and Development).

The subject property and surrounding area are zoned 'Residential' under the Shire's *Local Planning Scheme No.7* (Scheme). The objective of the Residential zone is 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.

The proposed land use of 'Holiday House' is listed within the zoning table of the Scheme as a 'discretionary' land use, meaning the use is not permitted unless Council has exercised discretion in its decision making.

Local Planning Policy 9.12 Holiday Homes (Policy) is adopted by Council to guide the assessment of holiday home development applications. The subject application for up to eight guests is classified as a 'Holiday Home (Large)' under the Policy which categorises this as a holiday home for guest numbers between seven and twelve. The Policy has the following objectives:

- *To recognise the increasing market demand for holiday accommodation and to provide operators and other stakeholders with clarity on the issues that the Shire wishes to address.*
- *To establish clear guidelines whereby holiday homes can be permitted and controlled in the Regional Centre and Residential zones of Cervantes and Jurien Bay.*
- *To ensure that these types of uses do not compromise the amenity of Residential zoned areas or nearby residents.*
- *To support the role of holiday homes as part of the tourism industry.*
- *To encourage the provision of good quality, well managed holiday homes.*

There is only one commercial holiday home approved in close proximity to this proposal at 20 Adriana Parade.

COMMENT

Dwellings provide places for people to shelter, to retreat, to eat and to gather. While temporary accommodation (such as a holiday house) may be said to also provide these, the intensity, and the manner of these two land uses is not the same. This is because in the context of a holiday house, the premises are not being occupied

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

as a dwelling (permanent residence) but for tourist accommodation.

For example, it was noted in Hope and City of Joondalup [2007], that outdoor areas are routinely used more intensively and for longer hours in short stay accommodation than would often be the case for permanent residential use. Additionally, each time a booking begins, and ends, people enter and leave the premises; this regular movement of different people into and out of the premises has consequential amenity impacts on the surrounding locality.

'Amenity' is defined within the Deemed Provisions of LPS7 to mean:

All those factors which combine to form the character of an area and include the present and likely future amenity.

It is for the reasons above that holiday house development applications have to be considered carefully, because if the premises is deemed suitable for use as a holiday house, then those who choose to stay there, should be entitled to use the premises in an ordinary manner that one may use a holiday house.

It is acknowledged that this tourist land use within an established residential area of Jurien Bay can negatively affect the amenity of nearby permanent residents. The objection received raised this concern as detailed in the consultation section below.

The premises will be managed locally by Ray White Jurien Bay who currently manages fifteen (15) commercial holiday houses in Jurien Bay with no incidents reported to the Shire to date. This management arrangement provides a point of call for neighbouring landowners/tenants surrounding the proposed holiday home.

The proposed guest capacity of eight adults across the four-bedroom and two-bathroom dwelling is compliant with health legislation referenced for assessment which requires each adult to have 14m³ of bedroom airspace per person for sleeping purposes.

The holiday home application also complies with the new draft policy, which has become a seriously entertained planning proposal, as the policy, has completed a period of public comment and the adoption of the new policy is imminent, with its final form predominantly known.

Given the above, granting development approval is recommended until 30 June 2023. On cessation of this period, any complaints received against the premises will be reviewed before renewal for another 12-month period is provided (if forthcoming).

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

CONSULTATION

The following submission was received from a neighbouring landowner.

Comments
<p>I object to the property change because I believe it will impact on potential purchasers of any property near or adjacent to the proposed change.</p> <p>I am in the process of trying to sell my property and believe that having a potential holiday property next door will devalue the land.</p> <p>Holiday makers are more inclined to be noisier than permanent residents. There is also the potential increase of up to 8 vehicles and traffic at the premises at any one time.</p>

No evidence has been forthcoming from the submitter or other source to demonstrate that the property values have decreased in the locality as the result of commercial holiday home land uses being permitted by the Shire.

Other outlined concerns are subjective views on the reasonable standard of living and fellow resident/visitor behaviour which pessimistically assesses the potential of the proposed holiday home being insufficiently managed. Nonetheless, should such issues arise and be substantiated against the subject proposal, an approach can be made to the property manager to rectify any irregularities in management in a timely matter. If this does not occur, the Shire can enforce the approved conditions.

STATUTORY ENVIRONMENT

- Local Planning Scheme No.7 – as outlined.
- Health Local Laws 2005:

Overcrowding

3.2.2 The owner or occupier of a house shall not permit—

- a) a room in the house that is not a habitable room to be used for sleeping purposes; or*
- b) a habitable room in the house to be used for sleeping purposes unless—*
 - (i) for every person over the age of 10 years using the room there is at least 14 cubic metres of air space per person; and*
 - (ii) for every person between the ages of 1 and 10 years there is at least 8 cubic metres of air space per person; or*
- c) any garage or shed to be used for sleeping purposes.*

Restriction on use of Rooms for Sleeping

8.2.10 (1) Subject to subsection (3) and Section 8.3.10, a keeper shall not use or permit to be used as a sleeping apartment a room in a lodging house –

- (c) which is used as a kitchen, scullery, storeroom, dining room, general sitting room, lounge room or for the preparation or storage of food;*

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

POLICY IMPLICATIONS

Local Planning Policy 9.12 Holiday Homes – as outlined.

FINANCIAL IMPLICATIONS

The applicant has paid the required fee for the development application.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

02 - Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy
Priority Outcomes	Our Roles
Our Shire has a contemporary land use planning system that responds to, and creates, economic opportunities.	Ensuring that our planning framework is modern and meets the needs of industry, small business and emerging opportunities.

ATTACHMENTS

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

- Development application 54/22 (SODR-1262144384-14019) (SODR-1262144384-14020)

VOTING REQUIREMENT

Simple majority.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Glasfurd

That Council approve the development application for the proposed Holiday House land use of the existing Single House at Lot 694 (No.37) Bettong Avenue, Jurien Bay; subject to following conditions and advice:

Conditions

1. All development shall be in accordance with the approved development plans (attached), which form part of this development approval, to the specifications and satisfaction of the Shire of Dandaragan.
2. The Holiday House must not cause nuisance or degrade the amenity of the neighbourhood in any way, including by reason of the emission of noise, light, odour, fumes, smoke, vapour or other pollutant, or impact on public safety or otherwise, to the satisfaction of the Shire of Dandaragan.
2. The total number of people to be accommodated in the Holiday House shall not exceed eight (8) guests at all times.
3. The Holiday House shall be operated be in accordance with the 'Code of Conduct', and the 'Fire and Emergency Plan' submitted with the subject development application date stamped 21 April 2022.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

4. The listed 'Property Manager' shall undertake the duties listed on the 'Property Management Plan' submitted with the subject development application date stamped 21 April 2022.
5. All vehicle parking must be confined to the Holiday House premises.
6. This development approval is valid until the 30 June 2023. The Holiday House land use should cease before or on this date unless otherwise approved in writing by the Shire of Dandaragan.
7. A sign up to 0.2m² in area listing the approved manager's contact details is to be erected/placed on a frontage wall, fence or entry statement to the premises to the satisfaction of the Shire of Dandaragan.

Advice Notes:

- A. This is a development approval of the Shire of Dandaragan under its *Local Planning Scheme No.7*. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
- B. Development approval does not affect the existing and future use of the premises as a Single House.
- C. Under the *Shire of Dandaragan Health Local Laws 2005* each guest of a holiday home requires fourteen cubic metres of airspace to sleep; additionally, holiday home guests are not permitted to sleep in a room which is used as a kitchen, scullery, storeroom, dining room, general sitting room, lounge room or for the preparation or storage of food.
- D. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be submitted within 28 days of the determination.

CARRIED 9 / 0

Cr Glasfurd declared a proximity interest in item 9.3.2 being an adjoining property neighbour and left room at 4.12pm.

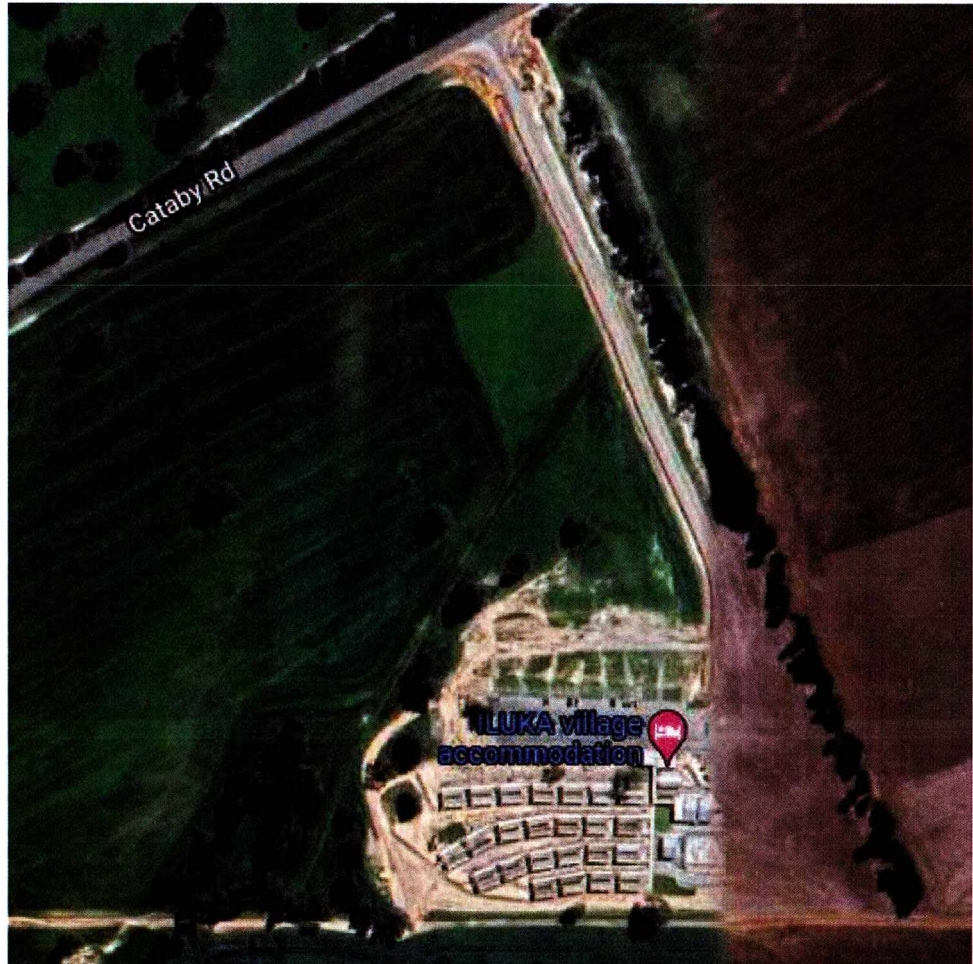
MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

9.3.2 PROPOSED EXTENSION TO ILUKA RESOURCES WORKFORCE ACCOMMODATION CAMP

Location:	Lot M2080 (No.239) Yandin Road, Dandaragan
Applicant:	BM Projects Collective Pty Ltd on behalf of Iluka Resources Cataby
Landowner:	Aranville Pty Ltd (Hugh Roberts)
Folder Path:	SODR-1262144384-14155
Disclosure of Interest:	Nil
Date:	1 June 2022
Author:	Rory Mackay, Planning Officer
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

To consider a development application for an extension to the existing Iluka Resources workforce accommodation camp at Lot M2080 Yandin Road, Dandaragan. Consideration of the use not listed provision in Clause 3.4.2 of Local Planning Scheme No.7 is also required.



Existing Iluka Village accessed off Cataby Road, Cataby

BACKGROUND

In August 2012 the then Wheatbelt Joint Development Assessment Panel granted development approval to Iluka Resources for the development of their own workforce accommodation camp on the subject property (accessed from Cataby Road) and a new workforce accommodation camp for Tronox nearby at Lot 2065

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

Cataby Road (as result of Tronox's former camp being on land to be mined by Iluka Resources).

In February 2017 Council approved a reduction in the size of the original workforce accommodation camp for Iluka Resources as depicted in the following table:

2012 Development Approved	2017 Development Approved
Car and bus parking 100 bays + 64 temporary construction bays	123 bays + motorcycle bays
Bus pick-up/drop off area	Location amended
Administration building	Location amended
Managers house	Deleted
174 accommodation units – permanent, with full en-suite facility	174 accommodation units – permanent, with full en-suite facility
100 accommodation units – for use during construction, with full en-suite facility	Deleted
Kitchen/Mess	Location amended
Laundries	Location amended
BBQ/Pool area	BBQ
Recreation/games building	Gymnasium building/Sport Court
Gymnasium building	Gymnasium building/Sport Court
Firewater tanks and system	Location amended
Wastewater treatment plant	Wastewater treatment plant with sprayfield
Water treatment plant – Reverse Osmosis (RO) system and evaporation pond if required	Water treatment plant – Reverse Osmosis (RO) system
Service and maintenance area and building	Location amended
Estimated cost of development	Estimated cost of development
\$19,400,000	\$8,234,768

In July 2019 Council approved an extension of a further twenty-four (24) single occupant units to the workforce camp, taking the total number of units to one hundred and ninety-eight (198).

The subject proposed development seeks approval for the following:

- a further fifty-six (56) single occupant units to be built immediately
- a further sixteen (16) single occupant units to be built when required in future years
- two (2) additional laundries
- extension of existing dry mess dining hall
- extension of cold and dry storage
- expansion of onsite sewage treatment
- expansion of potable water storage facility

The subject property is zoned 'Rural' under the *Shire of Dandaragan Local Planning Scheme No.7* (Scheme). The approved 'workforce accommodation camp' land use is not listed under the Zoning Table

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022</p>
--

of the Scheme. In accordance with Clause 3.4.2 of the Scheme, Council determined in 2017 that the use was consistent with the following objective of the Rural zone:

To provide for a range of rural activities such as broadacre and diversified farming so as to retain the rural character and amenity of the locality, in such a way as to prevent land degradation and further loss of biodiversity.

The *Planning and Development (Local Planning Schemes) Regulations 2015* define 'workforce accommodation' as a: *premises, which may include modular or relocatable buildings, used:*

- a) *primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
- b) *for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.*

As this is a new application, Council is required to confirm that the proposed use is consistent with the objective of the Rural zone.

The Western Australian Planning Commission (WAPC) have additionally released a position statement on workforce accommodation. The purpose of the Position Statement is to provide guidance to local governments on the role of the planning framework in the planning and development of workforce accommodation. The position statement states that where practicable, workforce accommodation should be provided in established towns.

The Shire's *Local Planning Strategy 2020* (Strategy) states the following in regards to workforce accommodation:

The Shire encourages operators to locate non-key permanent staff in established townsites. Where this is not possible due to the remoteness of a mining activity, the Shire will consider the on-site provision of temporary and permanent workers accommodation based on the merits of specific applications by considering the following:

- *suitable access to the property being provided;*
- *the availability of services and infrastructures;*
- *the management of potential adverse impacts and land use conflict;*
- *consideration of fire risks and management;*
- *adequate landscaping and screening;*
- *the need for security and lighting and associated impacts; and*
- *rehabilitation of the site after the cessation of operations.*

COMMENT

An assessment against the above criteria is made below.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022Suitable access to the property being provided

The development is accessed by a sealed driveway with suitable sightlines onto a straight stretch of Cataby Road.

The availability of services and infrastructures

The development currently has sufficient power, communication, potable water and wastewater services. The proposed extension requires the potable water and wastewater services to be expanded to cater for the extra number of accommodation units to be installed.

The management of potential adverse impacts and land use conflict

Given the land use is already established on the subject property, it is deemed compatible with the Rural zone. Therefore, the application to extend the accommodation camp is anticipated to have limited to no substantial impacts on any nearby landowners or residents.

Consideration of fire risks and management

The subject site is not located within a 'Bushfire Prone Area', nonetheless an emergency evacuation plan is in place for the workforce camp under health and safety protocols.

Adequate landscaping and screening

The development is visible from Cataby Road at a setback distance of approximately 200m; this is considered negligible.

The need for security and lighting and associated impacts

Given the workforce camp has been operational for several years, the proposed extension is also considered negligible in this aspect, provided external lighting is baffled and consistent with dark sky principles of: eliminate light spill; avoid over-lighting; use energy-efficient bulbs; ensure lights are not directed towards reflective surfaces; and use warm white colours.

Rehabilitation of the site after the cessation of operations

A current development approval condition requires the proponent to remove all infrastructure and return the site to its former agricultural use. It is recommended that this condition also be applied to this camp extension development application.

Further considerations relevant for this proposal are as follow.

Traffic

The proposed development is not expected to have a significant increase to traffic numbers for the following reasons:

- buses and carpooling are used to transport staff to and from the accommodation camp to the minesite.
- traffic movements are staggered around shift swaps to ensure each shift travels at different times to one another.

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022</p>
--

Car parking

A substantial sealed car park is already provided at the accommodation camp, with a paddock overflow area which is used from time to time at peak periods when swings overlap. The proponent notes that the overflow area could be laid out with bays, compacted and gravel surface established to ensure any potential sediment/ erosion is controlled.

In summary, it is recommended that Council grant conditional development approval to the proposed extension to the existing workforce accommodation camp.

CONSULTATION

The application was advertised to surrounding landowners from 25 May 2022 to 13 June 2022. No submissions were received.

STATUTORY ENVIRONMENT

Local Planning Scheme No 7

3.4.2. *If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may —*

- a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 64 of the deemed provisions in considering an application for development approval; or*
- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.*

Planning and Development (Local Planning Schemes) Regulations 2015

POLICY IMPLICATIONS

Western Australian Planning Commission – Position statement: Workforce accommodation January 2018:

Under the *Planning and Development Act 2005* planning decision-makers can control the following in regard to workforce accommodation development applications:

1. The terms of an approval related to: timeframe; setbacks; landscaping; parking and access; location and appearance of buildings; integration with surrounding areas; and any other land use planning matters relevant to the site.
2. The ability to approve/refuse a proposal considering local planning scheme requirements.

FINANCIAL IMPLICATIONS

The applicant has paid the required development application in accordance with the Shire's Fees and Charges.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

STRATEGIC IMPLICATIONS

- Local Planning Strategy 2020 – as outlined.
- Strategic Community Plan – Envision 2029

02 - Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy
Priority Outcomes	Our Roles
Our Shire has a contemporary land use planning system that responds to, and creates, economic opportunities.	Ensuring that our planning framework is modern and meets the needs of industry, small business and emerging opportunities.

ATTACHMENTS.

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

- Development application 57/22 (SODR-1262144384-14290, SODR-1262144384-14291)

(Marked 9.3.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Clarke

That, in relation to the proposed extension to the workforce accommodation camp upon Lot M2080 Yandin Road, Dandaragan, Council:

- A. Determines that the use is consistent with the objectives of the Rural zone and is therefore permitted in accordance with Clause 3.4.2 a) of the *Shire of Dandaragan Local Planning Scheme No. 7*.**
- B. Grant development approval for the workforce accommodation subject to the following conditions and advice:**

Conditions:

- 1. All development shall be in accordance with the approved development plans (attached), which form part of this development approval, to the specifications and satisfaction of the Shire of Dandaragan.**
- 2. This approval is for 'Workforce Accommodation' as shown on approved plans and defined in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
- 3. All external lighting shall comply with the requirements of *AS4282 – Control of Obtrusive Effects of Outdoor Lighting* and the Western Australian Planning Commission's Dark Sky Principles to prevent light spill from the site to the satisfaction of the Shire of Dandaragan.**

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

4. The proponent shall provide and maintain a potable water supply to the development with sufficient on-site storage for a minimum of 48 hours peak usage to the satisfaction of the Shire of Dandaragan.
5. All stormwater must be contained and disposed of on-site at all times, to the satisfaction of the Shire of Dandaragan.
6. The development shall only be occupied by mine site workers to the satisfaction of the Shire of Dandaragan. No accommodation is permitted to third parties without written confirmation from the Shire of Dandaragan.
7. Upon the closure or cessation of use of the workforce accommodation land use, the proponent shall remove all infrastructure and return the site to its former agricultural use, or a use otherwise agreed by the Shire of Dandaragan.
8. The proponent shall maintain the solid and liquid waste management program for the approved development to the satisfaction of the Shire of Dandaragan.

Advice notes:

- A. Waste/rubbish (e.g. plastic, spoilt food, kitchen waste etc.) should be stored as to prevent animals or humans from dispersing the contents. The bins should be located on a hard stand and constructed in a way as to prevent liquids and other forms of waste from escaping into the environment and contaminating the site. Segregation of waste materials should be undertaken to ensure they are appropriately disposed of.
- B. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire of Dandaragan to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire of Dandaragan's attention.
- C. This is a development approval of the Shire of Dandaragan under its *Local Planning Scheme No.7*. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
- D. If the development, the subject of this approval, is not substantially commenced within a period of two (2) years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- E. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

F. Should you be aggrieved by this decision, or any conditions imposed, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be submitted within twenty-eight (28) days of the determination.

CARRIED 8 / 0

Cr Glasfurd re-entered the room at 4.14pm.

9.3.3 PROPOSED AMENDMENT TO MOORA PIGGERY WIND TURBINES

Location:	Lot 3616 (No.898) Agaton Road, Dandaragan
Applicant:	Advanced Energy Resources on behalf of Westpork
Folder Path:	SODR-1262144384-14402
Disclosure of Interest:	Nil
Date:	23 June 2022
Author:	Rory Mackay, Planning Officer
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

Advanced Energy Resources seeks an amendment to the development approval granted on 22 April 2021 for the erection of up to eight wind turbines on Westpork's Moora Piggery development site (898 Agaton Road, Dandaragan).



Map of subject property from Northwest Road

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022
BACKGROUND

On 1 May 2017, the Midwest / Wheatbelt Joint Development Assessment Panel granted three (3) year conditional development approval for a 68,000 head piggery on the subject property. On 26 July 2018, Council provided a further two (2) year extension to this development, of which is now under construction and operating at limited capacity.

On 22 April 2021, Council granted development approval for the installation of eight wind Turbines on the subject property as follows:

Moved Cr Shanhun, seconded Cr Scharf

That Council:

- A. *determine in accordance with clause 3.4.2(b) of Local Planning Scheme No.7 that the proposed development is consistent with the objective for Rural zone; and*
- B. *grant development approval for the installation of eight wind turbines upon Lot 3616 Agaton Road, Dandaragan subject to the following conditions:*
 1. *The development shall be generally in accordance with the approved plans and specifications unless otherwise conditioned by this approval.*
 2. *This approval is for up to maximum of eight wind turbines.*
 3. *The proponent shall provide a Traffic Management Plan to Main Roads WA and the Shire of Dandaragan prior to the commencement of construction. The Traffic Management Plan shall address: transportation of materials to the development site; obtaining the necessary written approvals / permits from Main Roads Heavy Vehicle Services branch; and any upgrades required to the local road network to facilitate the development's heavy haulage. All costs applicable shall be borne by the proponent.*
 4. *The proponent shall repair any damage to the local road network as reasonable determined to be connected with the development as determined by and to the satisfaction of the Shire of Dandaragan. All costs applicable shall be borne by the proponent.*
 5. *The transportation of materials, goods and commodities to and from the development shall be conducted so that dust emissions have minimal impact on the locality.*
 6. *The proponent shall develop and implement a post construction noise monitoring program at the noise sensitive receptors to assess compliance of the operational Wind Farm with the noise limits to the satisfaction of the Shire of Dandaragan.*
 7. *The proponent shall implement a bird mortality monitoring program for the life of the development to the satisfaction of the Shire of Dandaragan.*
 8. *Decommissioning of the above ground plant and equipment on the subject land will commence within a period of twelve (12) months from termination of operations and be completed within a time period to the satisfaction of the Shire of*

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

Dandaragan. This will occur following submission by the proponent of a plan outlining the process of decommissioning.

Advice Notes:

- A. Should the Applicant be aggrieved by the decision (in part or whole) there is a right pursuant to the Planning and Development Act 2005 to have the decision reviewed by the State Administrative Tribunal. Such an application must be lodged within twenty-eight (28) days from the date of the decision.*
- B. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire of Dandaragan to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire of Dandaragan's attention.*
- C. This is a development approval of the Shire of Dandaragan under its Local Planning Scheme No.7. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.*
- D. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Dandaragan Local Planning Scheme No.7 and may result in legal action being initiated by the Shire of Dandaragan.*

CARRIED 8 / 0

Since this approval, the proponent has been able to source slightly larger and more efficient wind turbines. Comparison between the previous turbine design and the amendment design sought are listed in the following table.

	Approved Design	Amended Design
Rated capacity	500kW	1800kW
Tower height	65m	70m
Blade diameter	21m	35m
Maximum tip height	86m	105m

The proponent has indicated that the amended wind turbine design will allow greater flexibility in the final wind turbine selection and is likely to result in the installation of fewer than the requested eight turbines.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

The proposed wind turbines will supply power for the piggery's shed heating, cooling and ventilation, in addition to offsetting electricity imported from the local electricity network, which has limited capacity.

COMMENT**Local Planning Scheme No.7**

As this application is an amendment to an existing approval, a determination in accordance with clause 3.4.2(b) (that the proposed development is consistent with the objective for Rural zone), is not required.

Environmental impact

The amended development poses insignificant environmental impacts as no vegetation clearing will be required for the development as it will be sited on existing cleared farmland accessways. The collective development footprint is 3ha of the 1480ha property. Additionally, industry standard bird strike and dieback protocols will be put in place for the development.

Traffic impact

The proponent advises that internal farm tracks will require minor upgrading to allow construction vehicles to access the turbine locations. Road materials will be sourced from an existing gravel pit within the property. Hard stands of 20m x 10m will be built next to each turbine site to allow the assembly and erection of tower sections, nacelle and rotor blades. No additional clearing is required to construct the tracks and hard stands.

Noise impact

The turbines are isolated from residential dwellings, with the closest turbine proposed 2.9km from the nearest neighbouring residential dwelling. With the proposed wind turbines being much smaller in scale and quieter than other existing wind turbines within the Shire, it is expected that there will be very limited to no noise buffer areas on adjoining land which will be above the 35 dB (A) industry noise limit.

Even though noise levels may meet the criteria, people residing near wind farms may experience or be aware of the noise generated by the wind farm. This new type of noise source may have a character with which people may initially be unfamiliar with and, even though wind farm noise is typically steady and broad-band in nature, people may notice features at times, usually barely or faintly.

The National Health and Medical Research Council (NHMRC) state the following regarding human health and wind farms:

There is no direct evidence that exposure to wind farm noise affects physical or mental health. While exposure to environmental noise is associated with health effects, these effects occur at much higher

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

levels of noise than are likely to be perceived by people living in close proximity to wind farms in Australia. The parallel evidence assessed suggests that there are unlikely to be any significant effects on physical or mental health at distances greater than 1.5 kilometres from wind farms.

Nonetheless, a previous condition of development approval will remain in force to ensure the proponent implements a post construction noise monitoring program at noise sensitive receptors (dwellings) to assess compliance of the operational wind farm with industry noise limits.

Visual and landscape impact

Noise restrictions as outlined above are the design factor in setback distances from neighbouring dwellings. It is generally accepted that turbines are kept at a sufficient distance from the nearest dwelling to ensure that noise does not become an issue.

With the initial development application, the proponent supplied a view shed analysis taken along Agaton Road looking north-east at the location of the turbines at approximately the same topography to show limited visual impact of the development. The increase in turbine size is seen as negligible given the recently developed Yandin and Badgingarra Wind Farms will have turbines of a design over 40% larger.

It is recommended Council approve the amendment to the wind turbine design previously approved. This decision will not alter the conditions of development approval previously imposed.

CONSULTATION

Comment was sought from surrounding landowners and no submissions were received.

STATUTORY ENVIRONMENT

Local Planning Scheme No.7 – as outlined

POLICY IMPLICATIONS

Western Australian Planning Commission Position Statement: Renewable energy facilities.

NHMRC Statement: Evidence on Wind Farms and Human Health – as outlined.

FINANCIAL IMPLICATIONS

The applicant has paid the required development application fee.

STRATEGIC IMPLICATIONS

Local Planning Strategy 2020 – *Assess applications for wind farms and other alternative energy infrastructure, having regard to visual landscape issues and other relevant matters set out in Position Statement on Renewable Energy Facilities.*

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

Strategic Community Plan – Envision 2029

02 - Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy
Priority Outcomes	Our Roles
Our Shire has a contemporary land use planning system that responds to, and creates, economic opportunities.	Ensuring that our planning framework is modern and meets the needs of industry, small business and emerging opportunities.

ATTACHMENTS

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

- Amendment Cover Letter (SODR-1262144384-14403)
(Marked 9.3.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Clarke, seconded Cr Shanhun

That Council grant approval for the amendment to wind turbine design as outlined in attachment (SODR-1262144384-14403) for the approved wind turbine development (DA14/21) at Lot 3616 (No.898) Agaton Road, Dandaragan and advise the applicant that this decision does not alter the conditions of development approval previously imposed by Council on 22 April 2021.

CARRIED 9 / 0

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 ADOPT DISABILITY ACCESS AND INCLUSION PLAN

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	SODR-1876983588-1084
Disclosure of Interest:	Nil
Date:	15 July 2022
Author:	Michelle Perkins, Manager Customer and Community Services
Senior Officer:	Scott Clayton, Executive Manager Corporate and Community Services

PROPOSAL

To seek Council approval to adopt the Shire of Dandaragan Disability Access and Inclusion Plan.

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022</p>
--

BACKGROUND

The Shire of Dandaragan's first Disability Service Plan (DSP) was developed in 1996 to address the access barriers within the community. Since the inception of Disability Access and Inclusion Plans (DAIP) in 2004, the Shire's DAIP has undergone 4 reviews, including this most recent review.

Since the adoption of the initial DSP, the Shire has implemented many initiatives and made significant progress towards better access, including partnering with the Jurien Bay Community Resource Centre in the purchase and management of a beach (all-terrain) wheelchair, redevelopment of a disability beach ramp at the Jurien Bay marina, biennial access audits across the Shire, and more consultation with people with disability during development and planning of new infrastructure.

During this review, a public survey was distributed to the general public and targeted individuals and organisations working in the disability space to get feedback on how the public rate the Shire's customer service, buildings and facilities, and other services for people with disability. In addition, information from an internal survey distributed to all staff and Councillors was sourced to get a better understanding of ways to improve service and support to members of the community with disability, or their carers or family.

As a result of the initial consultation results, a draft DAIP was prepared and presented to Council at the 28 April 2022 Ordinary Council Meeting where Council resolved:

COUNCIL DECISION

Moved Cr Eyre, seconded Cr Clarke

That Council endorse the draft Disability Access and Inclusion Plan (DAIP) for public advertising.

CARRIED 9 / 0

The draft DAIP was open for public comment for a period of three (3) weeks during May and June 2022.

COMMENT

Jurien Bay Progress Association, submitted the only comments during the public comment period. They were generally in support of the draft DAIP, however requested the following changes be made:

- Outcome 2 Built Infrastructure – Ensure that recreational areas are accessible: change wording from “Respond to reasonable...” to “Evaluate and respond appropriately...”
- Outcome 6 Consultation – change wording of task from “Create a Disability Access and Inclusion Reference Group that meets once per year prior to budget consideration” to Create a Disability Access and Inclusion Reference Group that meets a minimum of

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022</p>
--

four times each year with one meeting prior to the annual budget consideration”.

This feedback was reviewed by staff and it was determined that a minimum of four meetings per year would not be achievable considering that Shire officers would be providing administrative support, however an increase from one meeting per year to twice per year with one meeting prior to annual budget consideration would be achievable and enable appropriate and realistic planning and implementation timelines for Shire staff and would not put onerous expectations on community reference group members.

CONSULTATION

A comprehensive community consultation phase was held during March-May 2021 when a public survey was distributed for a period of thirty-seven (37) days. Surveys were available on the Shire website and on social media. Hard copies were available at the Jurien Bay Health Centre, Shire Administration Centre, libraries and community centres around the Shire, at the visitor centre, and the Shire marquee at Spray the Grey Youth Festival. Information about the survey was distributed in Shire Matters, and at that time, staff advertised that in-person and phone assistance to complete surveys was available. Emails were sent to approximately 100 individual members of the public.

The draft DAIP was advertised from May to June 2022 and was emailed to approximately 100 members of the public including community groups and interested individuals.

STATUTORY ENVIRONMENT

Disability Services Act 1993 Part 5 — Disability access and inclusion plans by public authorities

28 (5) A public authority may review its disability access and inclusion plan at any time.

(8) After reviewing its disability access and inclusion plan, a public authority may amend the plan or prepare a new plan. If at any time a public authority amends its disability access and inclusion plan or prepares a new plan, whether after a review or not, it must lodge the amended or new plan with the Commission as soon as practicable after doing so.

(10) A public authority must undertake public consultation in accordance with the procedure specified in the regulations when preparing, reviewing, or amending a disability access and inclusion plan.

DPLH DAIP Legislation and Disability in Australia (for State Government) – Part 4 - Disability Services Regulations 2004

(10) Procedure for public consultation by authorities (section 29E)
1. For the purposes of section 29E of the Act, a public authority is to undertake consultation in relation to its disability access and

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

inclusion plan by calling for submissions either generally or specifically:

- a) by notice in a newspaper circulating throughout the State or, in the case of a local government, the district of that local government under the Local Government Act 1995 and (Regulation 10 amended June 2013)*
 - b) and on any website maintained by or on behalf of the public authority.*
2. *Nothing in sub regulation (1) prevents a public authority from also undertaking any other consultation.*

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Adoption of this Plan would commit to consideration of funds allocation for improvements for disability access and inclusion each budget cycle.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

04 Community	The Shire's resident population will be the fastest growing population in the region 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 intergenerational relationships.	Take an asset-based community development approach to working with community groups, youth, seniors and people with disability within the Shire.

ATTACHMENTS

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

- Shire of Dandaragan Disability Access and Inclusion Plan (DAIP) 2021-2025 (Doc Id: SODR-437506902-9424)
(Marked 9.4.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Shanhun

That Council adopt the Disability Access and Inclusion Plan (DAIP) 2021-2025 (Doc Id: SODR-437506902-9424).

CARRIED 9 / 0

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

9.5 COUNCILLOR INFORMATION BULLETIN**9.5.1 SHIRE OF DANDARAGAN – JUNE 2022 COUNCIL STATUS REPORT**

Document ID: [SODR-1739978813-5356]

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 23 June 2022. **(Marked 9.5.1)**

9.5.2 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JUNE 2022

Document ID: [SODR-2045798944-485]

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for June 2022. **(Marked 9.5.2)**

9.5.3 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JUNE 2022

Document ID: [SODR-2045798944-484]

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for June 2022. **(Marked 9.5.3)**

9.5.4 SHIRE OF DANDARAGAN TOURISM / LIBRARY / COMMUNITY ACTIVITIES REPORT FOR JUNE 2022

Document ID: [SODR-1876983588-1083]

Attached to the agenda is monthly report for Tourism / Library for June 2022. **(Marked 9.5.4)**

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

Nil

All members of the Public left the meeting at 4.18pm.

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

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

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

For a decision to be recorded in the minute a formal motion must be passed by Simple majority clearly stating the reason for the closure in accordance with Section 5.23 of the Local Government Act 1995.

Local Government Act 1995

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

5.23. *Meetings generally open to public*

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

Local Government (Administration) Regulations 1996

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

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

11.1 GOVERNANCE & ADMINISTRATION

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Scharf, seconded Cr Shanhun

That the meeting be closed to members of the public at 4:19pm in accordance with Section 5.23 (2) (h) of the Local Government Act 1995 and Regulation 4A of the Local Government (Administration) Regulations 1996 to allow Council to discuss Item 11.1.1 Amendments

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022

to Civic Centre Lease – Department of Biodiversity, Conservation and Attractions.

CARRIED 9 / 0

The Executive Manager Development Services declared a financial interest in Item 11.1.1 due to family member being employed by company contracting to DBCA and left the room at 4.19pm.

11.1.1 AMENDMENTS TO CIVIC CENTRE LEASE – DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	SODR-1792953452-2329
Disclosure of Interest:	Nil
Date:	20 July 2022
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	N/A

This report has been abridged due to the confidential nature of the content that is contained within this report.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr McDonald

That Council:

- 1) Endorse the proposal to increase the lease area within the Jurien Bay Civic Centre to the Minister for Works in accordance with the Deed of Extension and Variation of Existing Lease and Lease of Additional Premises Doc Id: SODR-1540645505-1354.**
- 2) Authorise the Chief Executive Officer to execute the relevant contractual documentation associated with the lease extension and variation.**

CARRIED 9 / 0

COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Rybarczyk

That the Meeting be reopened to the public at 4.19pm.

CARRIED 9 / 0


12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JULY 2022**13 CLOSURE OF MEETING**

The presiding member declared the meeting closed at 4.20pm.

These minutes were confirmed at a meeting on 25 August 2022

Signed 

Presiding person at the meeting at which the minutes were confirmed

Date 25 August 2022