



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

**MINUTES**

**of the**

**ORDINARY COUNCIL MEETING**

**held at the**

**COUNCIL CHAMBERS JURIEBAY**

**on**

**THURSDAY 25 JULY 2013**

**COMMENCING AT 5.07 PM**

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

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<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013</b>
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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

### 1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 5.07pm and welcomed those present.

### 1.2 DISCLAIMER READING

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

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

*It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting."*

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

### Members

Councillor L Short	(Deputy President / Presiding Member)
Councillor M Russell	
Councillor D Kent	
Councillor T Bailey	
Councillor K McGlew	
Councillor L Holmes	

### Staff

Mr T Nottle	(Chief Executive Officer)
Mr I Rennie	(Deputy Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr B Wall	(Executive Manager Infrastructure & Major Projects)
Mr D Chidlow	(Manager Planning)
Miss D Kerr	(Council Secretary & PA)

### Apologies

Councillor W Gibson	(President)
Councillor M Sheppard	

### Approved Leave of Absence

**Observers** There were 2 members of the public present.

## 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013</b>
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**4 PUBLIC QUESTION TIME**

Nil

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**6 CONFIRMATION OF MINUTES**

**6.1 MINUTES OF ORDINARY MEETING HELD 27 JUNE 2013**

**COUNCIL DECISION**

**Moved Cr Russell, seconded Cr Holmes**

**That the minutes of the Ordinary Meeting of Council held 27 June 2013 be confirmed.**

**CARRIED 6 / 0**

**7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION AND COUNCIL APPOINTED DELEGATES REPORTS**

*Those present at the meeting observed one minutes silence in memory of former Councillor Lee Smith who passed away earlier in the week.*

**Cr Short**

- 3 July 2013                      WALGA Budget Workshop
- 3 July 2013                      WALGA State Council Meeting
- 4 July 2013                      Development Assessment Panel
- 5 July 2013                      Rural Water Council Meeting – Dumbleyung
- 8 July 2013                      Moore Catchment Council
- 15 July 2013                     Road Safety Local Government and Community Grants Committee
- 17 July 2013                     Coastal Hazard Risk Management Adaption Planning Workshop
- 17 July 2013                     Water Corporation Customer Advisory Council
- 19 July 2013                     Road Safety Local Government Community Grants
- 22 July 2013                     Wolba Wolba Management Committee

**Cr Russell**

- 3 July 2013                      Cervantes Ratepayers and Progress Association Meeting
- 17 July 2013                     Coastal Hazard Risk Management Adaption Planning Workshop
- 23 July 2013                     Badgingarra Community Centre Management Committee Meeting



<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013</b>
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Cr Kent

- 3 July 2013                      Jurien Bay Progress Association
- 17 July 2013                    Coastal Hazard Risk Management Adaption  
Planning Workshop



Cr Holmes

- 2 July 2013                      Cervantes Chamber of Commerce
- 11 July 2013                    Department of Parks and Wildlife (DEC)

**COUNCIL DECISION****Moved Cr Russell, seconded Cr Kent****That the delegates' reports to 25 July 2013 as presented be accepted.****CARRIED 6 / 0****8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil

**9 REPORTS OF COMMITTEES AND OFFICERS****9.1 FINANCE****9.1.1 ACCOUNTS FOR PAYMENT – JUNE 2013**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	11 July 2013
Author:	Scott Clayton, Manager Corporate Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

To accept the cheque and direct debit listing for the month of June 2013.

**BACKGROUND**

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

**COMMENT**

The cheque and electronic funds transfer (EFT) listing for June 2013 totalled \$860,687.06 for the Municipal Fund.

**CONSULTATION**

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013</b>
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- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 13 of the Local Government Financial Management Regulations 1997

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- cheque and direct debit listings for June 2013 (Doc Id: 15140) **(Marked 9.1.1)**

VOTING REQUIREMENT

Simple majority



**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Russell, seconded Cr Kent**

**That the Municipal Fund cheque and EFT listing for the period ending 30 June 2013 totalling \$860,687.06 be accepted.**

**CARRIED 6 / 0**

**9.1.2 SHIRE OF DANDARAGAN 2013 / 2014 ANNUAL MUNICIPAL BUDGET**

Location:	N/A
Applicant:	None
Folder Path:	Business Classification Scheme / Financial Management / Budgeting / Allocations
Disclosure of Interest:	None
Date:	23 July 2013
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To consider and adopt the Shire of Dandaragan's Budget for the 2013/2014 financial year together with supporting schedules, including striking of the municipal fund rates, adoption of fees and charges, establishment of new reserve funds, setting of elected members fees for the year and other consequential matters arising from the budget papers.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013**BACKGROUND

The 2013/2014 draft budget has been prepared in accordance with the presentations made to Councillors at the budget workshops held between May and July 2013.

Proposed differential rates were advertised in the Weekend West 22-23 June 2013 for public comment. No submissions were received by 12 July 2013 when the public comment period closed.

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. The main features of the draft budget include:

- The budget has been prepared with a 3.0% rate increase.
- A capital works programme totalling \$9.78m for investment in infrastructure and buildings is planned. Including significant progress of the supertowns projects and the conversion of the Jurien Bay Wellness Centre.
- A new Reserve Account - Public Open Space Renewal Reserve is included with the purpose being, "to be used to fund capital renewal of Public Open Space and associated infrastructure as identified in the Asset Management Plan".
- An estimated surplus of \$3.49m is anticipated to be brought forward from 30 June 2012. However this is unaudited and may change. Any change will be addressed as part of a future budget review. This surplus can primarily be attributed to three key areas. Firstly, numerous capital works projects were not completed and have been carried over into the draft budget. Secondly, additional grant funding including an advance grants commission payment were received in late June 2013. Finally, there has been an under spend for wages and contracts and materials within the road works and parks and gardens maintenance.
- Principal additional grant funding for the year is estimated from:
  - Royalties for Regions - \$449,991.
  - Regional Road Group Funding - \$445,238.
  - Roads to Recovery - \$469,003.
  - Local Roads State Initiative - \$300,000.

CONSULTATION

- Chief Executive Officer
- Deputy Chief Executive Officer
- Executive Manager Infrastructure / Major Projects

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.

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013</b>
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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 2012/13 budget as presented is considered to meet statutory requirements.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

Specific financial implications are as outlined in the Detail section of this report and as itemised in the draft 2013/14 budget attached for adoption.

**STRATEGIC IMPLICATIONS**

The draft 2013/2014 budget has been developed based on the Strategic Community Plan and Corporate Business Plan.

**ATTACHMENTS**

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

- Shire of Dandaragan Draft 2013 / 2014 Annual Municipal Budget (Doc Id: 15343)  
**(Marked 9.1.2)**

**VOTING REQUIREMENT**

Absolute majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Russell**

**PART A – MUNICIPAL FUND BUDGET FOR 2013/2014**

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 of this agenda and the minutes, for the Shire of Dandaragan for the 2013 / 2014 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type showing a net result for that year of (\$448,393).
- Statement of Comprehensive Income by Department showing a net result for that year of (\$448,393).
- Statement of Cash Flows.
- Rate Setting Statement showing an amount required to be raised from rates of \$5,006,334.
- 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 following differential general and minimum rates on Gross Rental Values and general and minimum rates on Unimproved Values.

#### 1.1 General Rates

- General (GRV) 6.99 cents in the dollar.
- Vacant Residential (GRV) 17.70 cents in the dollar.
- General (UV) 0.7010 cents in the dollar.
- Mining (UV) 0.7010 cents in the dollar.

#### 1.2 Minimum Rates

- General (GRV) \$584.
- Vacant Residential (GRV) \$584.
- General (UV) \$584.
- Mining (UV) \$726.

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 1<sup>st</sup> instalment due date 17 September 2013.
- 2<sup>nd</sup> instalment due date 19 November 2013.
- 3<sup>rd</sup> instalment due date 21 January 2014.
- 4<sup>th</sup> and final instalment due date 21 March 2014.

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 17 September 2013 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. Pursuant to 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 5% where the owner has elected to pay rates and

service charges through an instalment option.

6. Pursuant to 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 10% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

**PART C – RESERVE FUNDS – NEW RESERVE ESTABLISHED**

Pursuant to section 6.11 of the Local Government Act 1995 a Public Open Space Renewal reserve be established.

The purpose of this Reserve is to be used to fund capital renewal of Public Open Space and associated infrastructure as identified in the Asset Management Plan.

**PART D – FEES AND CHARGES FOR 2013/2014**

1. Pursuant to section 6.16 of the Local Government Act 1995, council adopts the Fees and Charges included in the draft 2013/2014 budget included as Attachment 9.1.2 of this agenda and minutes.
2. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, council adopt the following charges for the removal and deposit of domestic and commercial waste:

Name	Description of Service	Rubbish Rate	Pensioner Rubbish Rate
Rubbish Service Level 1	Collection of one rubbish bin weekly and one recycling bin fortnightly	\$313	\$272
Rubbish Service Level 2	Collection of one rubbish bin weekly and two recycling bin fortnightly	\$379	\$338
Rubbish Service Level 3	Collection of one rubbish bin weekly and three recycling bin fortnightly	\$451	\$410
Rubbish Service Level 4	Collection of one rubbish bin weekly and four recycling bin fortnightly	\$518	\$476
Rubbish Service Level 5	Collection of one rubbish bin weekly and five recycling bin fortnightly	\$584	\$543

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3. 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 cubic meter)	\$26.00
Separated recyclables	Free
Clean fill	Free
Scrap metal	Free
Car Tyres without rims (each)	\$3.60
4x4 Tyres without rims (each)	\$4.80
Truck Tyres without rims (each)	\$12.00
4x4 & Car tyres with rims (each)	\$12.00
Truck Tyres with rims (each)	\$33.00
Asbestos (per cubic meter)	\$72.00
Asbestos – Minimum Charge	\$72.00
Freezers, Fridges, Air conditioners (each)	\$15.00
Used Oil (per litre)	\$0.30
Oil Filters (each)	\$1.00
Uncontaminated green waste i.e. No weeds	Free
Uncontaminated concrete/ bricks	Free
Problematic wastes (per cubic meter)#	\$72.00
Emergency opening fee (per hour)	\$72.00

**PART E – ELECTED MEMBERS’ FEES AND ALLOWANCES FOR 2013 / 2014**

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	\$ 24,000
Councillors	\$ 15,500

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:

Telecommunications Allowance	\$ 500
Information Technology Allowance	\$ 1,000

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	\$ 8,000
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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	\$ 2,000
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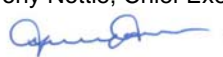
#### **PART F – MATERIAL VARIANCE REPORTING FOR 2012/2013**

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 2013 / 2014 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

**CARRIED BY ABSOLUTE MAJORITY 6 / 0**

## **9.2 WORKS AND PLANT**

### **9.2.1 PERMANENT CLOSURE OF ROAD RESERVES**

Location:	Road 1 - road reserve adjacent to Lot 3 Mimegarra Road Road 2 - road reserve running between Dambadjie / Lupin Valley Road
Applicant:	Geoff Wardle, Dianne Porter, G T & J A Marriot and J & J Glasfurd
Folder Path:	Business Classification Scheme / Roads / Road Closures / Permanent
Disclosure of Interest:	Nil
Date:	8 July 2013
Author:	Brian Wall, Executive Manger Infrastructure & Major Projects
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### **PROPOSAL**

Council to authorise formal application to the Minister of Lands for permanent road reserve closures to the following road reserves:

- Road 1 - road reserve adjacent to Lot 3 Mimegarra Road
- Road 2 - road reserve extending between Dambadjie / Lupin Valley Road

#### **BACKGROUND**

At the Ordinary Meeting held Thursday 24 January 2013, the following items were put forward to Council:

- Item 9.2.2 – Portion of unmade road reserve in the vicinity of Lot 3 Mimegarra Road – permanent road reserve closure request; and
- Item 9.2.3 – Closure of unmade section of road reserve running between Dambadjie and Lupin Valley Roads.

At this meeting it was resolved:



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*Moved Cr Bailey, seconded Cr Russell*

1. *That Council supports the proposal from Mr G Wardle to have the registered unmade road reserve on the title of Lot 3 Mimegarra Road permanently closed; and*
2. *that staff commence proceedings to close the unmade road reserve as shown on figure 1 and report back to Council following the statutory advertising period as to whether any objections were received.*

*CARRIED 9 / 0*

*Moved Cr Bailey, seconded Cr Russell*

*That:*

1. *Council supports the proposal from the request of Mr Glasfurd and Mr Marriott in the closure of the section of unmade road reserve separating Lot 1 of Location 1131 and Lot 2384 Dambadjie Road; and*
2. *staff commence proceedings to close the unmade road reserve as shown on figure 1 and report back to Council following the statutory advertising period as to whether any objections were received.*

*CARRIED 9 / 0*

#### COMMENT

In accordance with the requirements of the *Land Administration Act 1997 Section 58(3) - Closing Roads*, an advertisement was placed in the Advocate newspaper on 7 February to notify the public that Council intends to seek approval of the Minister of Lands to close the section of unmade road reserve on the title of Lot 3 Mimegarra Road and the section of unmade road reserve dividing Lot 1 of Location 1131 and Lot 2384 Dambadjie Road, Dandaragan permanently.

Written submissions about the proposal were to be received up to 4.00pm on Wednesday 20 March 2013. No submissions were received.

#### CONSULTATION

Advertisements as per statutory requirements.

#### STATUTORY ENVIRONMENT

*Land Administration Act 1997 Section 58 – Closing Roads*

1. *When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection 3, request the Minister to close the road.*
2. *When a local government resolves to make a request under subsection 1, the local government must in accordance with the regulations prepare and deliver the request to the Minister.*
3. *A local government must not resolve to make a request*

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*under subsection 1 until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item.

**FINANCIAL IMPLICATIONS**

Apart from advertising costs, all associated costs with formal closure of the road reserves will be borne by applicants.

**STRATEGIC IMPLICATIONS**

There are no strategic implications relevant to this item.

**ATTACHMENTS**

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

- Letters from Mr John Glasfurd and Mr G Marriott (Doc Id: 7785)
- Map (Doc Id: 10815)
- LAA 1997 Excerpt (Doc Id: 10816)

***(Marked 9.2.1)***

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**



**Moved Cr McGlew, seconded Cr Bailey**

**That Council authorise the Chief Executive Officer to apply to the Minister of Lands for permanent closure of the road reserves:**

- 1. portion of road reserve in the vicinity of Lot 3 Mimegarra Road; and**
- 2. section of road reserve extending between Dambadjie and Lupin Valley Roads.**

**CARRIED 6 / 0**

**9.2.2 JURIEB BAY ENTRY STATEMENT**

Location:	Bashford Street Jurien Bay
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Council / Committees / Marketing and Promotions
Disclosure of Interest:	N/A
Date:	10 July 2013
Author:	Brian Wall, Executive Manager Infrastructure & Major Projects
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013**

Council to consider the removal of remaining half of entry statement, north entrance, Bashford Street.

**BACKGROUND**

The entry statement was built and funded by the community in the 1980's. Council has been considering the construction of a new entry trail / statement for both ends of Jurien Bay for the past three to four years.

In May 2013, the entry statement on the western side of Bashford Street was recently demolished by a vehicle colliding into it. The statement was entirely demolished and could not be repaired without full replacement.

**COMMENT**

The entry statement has not as yet been replaced due to the belief of its relevance and impending new entry trail / statement project still to be finalised and developed. The current remaining half of the entry statement now unbalanced in its purpose and nonsensical in its wording detracts from the entry into Jurien Bay. Given the impending changes forecasted for Bashford Street and the entry trail / statements into Jurien Bay it seems uneconomical to replace the demolished half of the entry statement only to have it removed again when the new entry trail / statement is confirmed. However, leaving half the statement reflects badly on town management and a decision to remove the existing structure or rebuild the demolished half is required.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

There are no statutory implications relevant to this item.

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item.

**FINANCIAL IMPLICATIONS**

Demolition of the remaining statement will be undertaken within Council road maintenance budget.

**STRATEGIC IMPLICATIONS**

There are no strategic implications relevant to this item.

**ATTACHMENTS**

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

- Photos of the entry statement (Doc Id: 15252)

**(Marked 9.2.2)**

**VOTING REQUIREMENT**

Simple majority

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**OFFICER RECOMMENDATION**

That Council authorise the removal of the remaining entry statement half, located on Bashford Street verge, north entrance to the Jurien Bay townsite.

**COUNCIL DECISION**

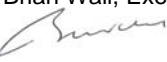

**Moved Cr Bailey, seconded Cr Holmes**

**That Council authorise the remaining entry statement be retained and refurbished until such time as a new entry statement is constructed.**

**CARRIED 4 / 2**

*The Officer Recommendation was not adopted due to Council wishing to maintain the current entry statement into Jurien Bay until such time that a new entry statement is constructed.*

**9.2.3 SCHOOL BUS POLICY AND PROCEDURE**

Location:	Jurien Bay
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Corporate Manager / Policy / Policy Register
Disclosure of Interest:	N/A
Date:	17 July 2013
Author:	Brian Wall, Executive Manager Infrastructure / Major Projects
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

Council to consider endorsing a School Bus Stop Location and Design Policy and Procedure

**BACKGROUND**

Shire received a letter from the Jurien Bus Contractor advising that to maintain their contract with Evergreen they needed to ensure bus stops complied to a PTA safety standard and requested the Shire upgrade all the bus stops to a safe and usable condition.

Attached to the letter was a map from Jurien Bus Contractors that showed all the stops on their route. On this request the bus stops in Alta Mare and Jurien Bay Heights were audited and assessed based on the PTA guidelines.

As all the existing bus stops were deemed to be unsafe either through the officers audit (based on PTA guidelines) or in the Bus Companies opinion, a tour of the route was undertaken with the Bus contractor to discuss the possible changes that may or may not need to be done.

The Bus contractor and the PTA agreed to the route and the bus stop pull off area for the stops as required were constructed.

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### COMMENT

On the completion of the relocation of some bus stops based on the safety audit outcome some residents contacted the Shire questioning the reason for relocation, expressing that the new site was too far for their children to walk and actually constituted another safety risk, with the children walking on the road.

After discussion with the community and local Councillors, the Executive Manager Infrastructure and Major Projects proposed a draft Local Bus Stop Location and Design Policy and procedure that clearly identified a process to follow and provide some flexibility in regards to requirements and local conditions, appreciating that the PTA guidelines whilst effective did not consider local locations and conditions.

### CONSULTATION

- Local community
- School Bus Contractor Jurien Bay Heights & Alta Mare

### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

### POLICY IMPLICATIONS

This proposed new policy will form the future direction in relation to school bus stops in the future.

### FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

### STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

### ATTACHMENTS

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

- Letter from Jurien Bus Contractors (Doc Id: 12236)
- Jurien Bay Heights and Alta Mare Bus Stops approved by Shire of Dandaragan and Jurien Bus Contractors (Doc Id: 13657)
- Shire of Dandaragan School Bus Stop – Location and Design Procedures (Doc Id: 15249)
- Shire of Dandaragan School Bus Stop Policy (Doc Id: 15250)

**(Marked 9.2.3)**

### VOTING REQUIREMENT

Simple majority

### OFFICER RECOMMENDATION

Moved Cr Russell, seconded Cr Holmes

That Council endorse the Bus Stop Location and Design Policy and Procedure and authorise the Chief Executive Officer to advertise the Bus Stop Location and Design Policy and Procedure for public comment.

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**AMENDMENT**

Moved Cr McGlew, seconded Cr Bailey

That Council endorse the Bus Stop Location and Design Procedure and authorise the Chief Executive Officer to advertise the Bus Stop Location and Design Procedure for public comment.

CARRIED 5 / 1

*The amendment became the motion.*

**COUNCIL DECISION**

Moved Cr McGlew, seconded Cr Bailey

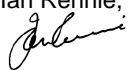

**That Council endorse the Bus Stop Location and Design Procedure and authorise the Chief Executive Officer to advertise the Bus Stop Location and Design Procedure for public comment.**

CARRIED 5 / 1

*The Officer Recommendation was not adopted due to the 'Policy and' being removed from the motion.*

**9.3 ADMINISTRATION**

**9.3.1 DEPARTMENT OF FIRE AND EMERGENCY SERVICES (DFES)  
– OPTION TO TRANSFER LOCAL BUSH FIRE BRIGADES  
IMPACT ASSESSMENT**

Location:	Shire of Dandaragan
Applicant:	Department of Fire and Emergency Services (DFES)
Folder Path:	Business Classification Scheme / Emergency Services / Volunteers / Brigade
Disclosure of Interest:	Nil
Date:	5 July 2013
Author:	Ian Rennie, Deputy Chief Executive Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

For Council to consider a request from Department of Fire and Emergency Services (DFES) asking local governments across the State to consider the option for local governments to transfer the responsibility for bush fire brigade operations and administration to DFES.

**BACKGROUND**

The DFES has for a number of years been conducting a review of Emergency Services Legislation.

The 2006 Community Development and Justice Standing Committee – Inquiry into Fire and Emergency Services

Legislation, provided the following recommendations.

**Recommendation 55**

*The emergency services legislation is to provide for FESA (now DFES) and local government to enter into an agreement for the purpose of local government transferring the following responsibilities to FESA on a permanent basis:*

- *Emergency Incident Control;*
- *Bush fire brigade operations and administration;*
- *The determination and administration of ESL (Emergency Services Levy), in relation to the capital and recurring costs associated with bush fire brigades.*

**Recommendation 56**

*Such an agreement is only to be entered into if both FESA and the local government agree to terms and conditions.*

**Recommendation 58**

*Any additional costs of transfer of bush fire brigades from local governments to FESA, apart from those normally funded under the ESL, are to be borne by the State.*

**COMMENT**

As a result of the aforementioned recommendations, DFES has corresponded to all local governments seeking a response in relation to the following question:

*If future legislation provided the option for local governments to transfer the responsibility for bush fire brigade operations and administration to DFES, would your local government be likely to retain or transfer the responsibility?*

This question implies that DFES will take over full control of the local government bush fire brigade activities, including personnel, infrastructure and vehicles, etc.

The correspondence, dated 23 May 2013 and received on 28 May 2013, required a response by 10 June 2013. However, the Chief Executive Officer contacted DFES via email and advised that a matter such as this will require Council consideration and a response will not be available until after consultation has taken place with brigades and fire control officers.

It should be noted that DFES already provides a great deal of assistance to local government with emergency services operations and functions such as provision of training (at no cost), and through the Emergency Services Levy (ESL). Also DFES provides 60% of the funding for the Community Emergency Services Manager program.

As a department DFES would need to be suitably resourced to meet the new proposed requirements and employ additional

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personnel to satisfactorily manage what is currently done by local government and volunteers.

The proposal would have impact on the local volunteers as they would no longer be able to simply request certain activities and materials from Council and all requests would need to go through the DFES. Also volunteer training standards and requirements may be substantially upgraded to meet DFES requirements.

The proposal needs to be more carefully considered prior to Council being in a position to provide a response. Far more details are required in relation to:

1. actual impact on volunteers and their current operations, including brigade infrastructure and machinery etc; and
2. greater detail, information, clarification and direction on what is actually being proposed and how it is proposed to work.

#### CONSULTATION

- Local governments
- Bush fire brigades

#### STATUTORY ENVIRONMENT

- Review of Emergency Services Legislation
- SESVA Secretary and IWG Member

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

Without knowing the finer detail, there doesn't appear to be any direct financial implications for Council in considering this matter. However, it would be logical to conclude there would be an increase in the ESL if there were to be major changes to the structures of bush fire brigades as proposed.

#### STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

#### ATTACHMENTS

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

- Copy of correspondence from Department of Fire and Emergency Services (Doc Id: 14095)

**(Marked 9.3.1)**

#### VOTING REQUIREMENT

Simple majority

<b>OFFICER RECOMMENDATION / COUNCIL DECISION</b>
--------------------------------------------------

**Moved Cr Bailey, seconded Cr Russell**

**That Council advise the Department of Fire and Emergency Services that Council opposes the proposal for local**

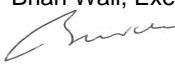



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**governments to transfer the responsibility for bush fire brigades operations and administration to the Department of Fire and Emergency Services.**

**CARRIED 6 / 0**

### **9.3.2 MARKETING AND PROMOTIONS COMMITTEE MEETING HELD FRIDAY 3 MAY 2013**

Location:	N/A
Folder Path:	Business Classification Scheme / Economic Development / Industries / Tourism
Disclosure of Interest:	None
Date:	15 July 2103
Author:	Brian Wall, Executive Manager Infrastructure & Major Projects
Signature of Author:	
Senior Officer:	Tony Nottle Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To receive the minutes of the meeting held 3 May 2013 and consider the recommendations presented by the Marketing and Promotions Advisory Committee.

#### BACKGROUND

The Marketing and Promotions Advisory Committee meeting was held on 3 May 2013. At this meeting, a number of issues were discussed for Council consideration.

#### COMMENT

##### *Item 1*

The terms of reference for the Marketing and Promotions Advisory Committee currently includes a provision to make recommendations to the Council regarding requests from outside organisations seeking funding from the budget allocation and standing commitments, it is the intention that this be amended and the Marketing and Promotions Committee have a strategic focus on marketing and promoting only.

Given the proposed changes to the Marketing and Promotions Advisory Committee the Committee is suggesting an introduction of a local Grants and Events Committee. The intention of this committee will be to formally assess grant and event applications making recommendations to Council regarding requests from community and outside organisations seeking funding and Council support for events.

The Marketing and Promotions Advisory Committee has made the following recommendation to Council in respect to this item:

**COMMITTEE RECOMMENDATION / COMMITTEE DECISION**

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*Moved: Christine Sparrow Seconded: Mike Sheppard*

1. *That the Committee recommend to Council that the following be removed from the Marketing and Promotions terms of reference:*

*“To provide recommendation to Council in regards to requests for funding from Council’s Marketing and Tourism budget.”*

2. *That the Committee recommend to Council the following terms of reference for the Marketing and Promotions Committee be endorsed:*

- *To provide advice to Council in relation to the marketing and promotion of tourism and business within the Shire of Dandaragan:*
- *To make recommendation for Council consideration in regards to future opportunities that will enhance the attractions of the Shire to business and tourism.*
- *To monitor budget expenditure to ensure correct allocation for the marketing and promotions committee.*

*The Marketing and Promotions Committee propose Council form a Local Events and Grants Committee with the following terms of reference:*

- *Assess all community GRANT applications for the community groups and community events, ensuring they comply with application requirements:*
- *Provide recommendations to Council in regards to requests for funding from Council’s Events/Grants Committee budget, based on application assessments: and*
- *Assess all community EVENT applications to ensure they comply with council policy and statutory requirements making recommendation to Council for endorsement.*

**CARRIED UNANIMOUSLY**

*Officer Comment*

A local Events and Grants Committee is not required given the process of assessing grant requests is covered by Council policy.

*Item 2*

Annual Budget allocation.

**COMMITTEE RECOMMENDATION / COMMITTEE DECISION**

*Moved: Leslie Holmes Seconded: Christine Sparrow*

1. *That the Committee recommend to Council an annual budget allocation of \$80,000 for the Marketing and Promotions Advisory Committee to assist in promoting the region and invest in initiatives that will encourage both tourists and business to visit and invest in our Shire.*

*In summary the budget will cover costs such as:*

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- *Attendance at appropriate tourism shows, ie Caravan and Camping.*
  - *Memberships.*
  - *Advertising.*
  - *Special Projects.*
2. *That the Committee recommend to Council a budget allocation of \$35,000 for the Grants and Events committee to support local community groups and events.*

*In summary the budget will cover costs such as:*

- *Community group grants.*
  - *Local community events (Australia Day and Anzac Day Celebrations).*
  - *The annual Indian Ocean Drive Festival.*
3. *Council to consider the Indian Ocean Festival as the Shire premier flagship event.*

**CARRIED UNANIMOUSLY**

*Officer Comment*

Council has allocated \$40,000 for Marketing and Promotions Committee for the coming year and that this budget could be used to assist in developing a Strategic Marketing and Promotions Plan for the community.

There is already budget allocation for events and grants in accordance with Policy.

There is a \$5,000 allocation in its draft budget for 2013 / 2014 for the Indian Ocean Festival.

*Item 3*

The Marketing and Promotions Advisory Committee recognise that the Shire needs to start focussing more on community services than in the past to attract new residents to the town. The Committee feels that the Shire of Dandaragan should also consider more community focus. The location of the Community Development Officer at the Jurien Community Centre (JCC) will provide a relaxed child friendly environment for all members of community and sporting groups to visit and discuss community related issues. The Marketing and Advisory Committee propose the following recommendation in regards to community services within the Shire of Dandaragan.

**COMMITTEE RECOMMENDATION / COMMITTEE DECISION**  
*Moved: Mike Sheppard Seconded: Christine Sparrow*  
*That the new Community Development Officer be placed permanently at the Jurien Community Centre (JCC).*

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*The Committee feels that a Community Development Officer located at the JCC will promote a stronger focus on Community Service delivery within the Shire. Benefits of this new location include:*

- *Free up office space at the Dandaragan Shire Office*
- *More effectively utilise existing office space at the JCC*

**CARRIED UNANIMOUSLY**

*Officer Comment*

Shire is currently managing the JCC for a period of six months, in an attempt to attract a sporting club to manage the facility. Council may wish to wait until such time as this process is completed to ascertain the most effective option in regards to the management of the JCC and location of the Community Development Officer.

**ATTACHMENTS**

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

- Marketing and Promotions Advisory Committee Meeting Minutes – Friday 3 May 2013 (Doc Id: 13745)  
**(Marked 9.3.2)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**



**Moved Cr Holmes, seconded Cr Kent**

**That Council receive the minutes of the Marketing and Promotion Advisory Committee meeting held 3 May 2013 and adopt the following recommendations from the minutes:**

- 1. That Council remove the following section from the Marketing and Promotions Advisory Committee terms of reference:**
  - **To provide recommendation to Council in regards to requests for funding from Council's Marketing and Tourism budget.**
- 2. That Council endorse the following terms of reference for the Marketing and Promotions Advisory Committee:**
  - **To provide advice to Council in relation to the marketing and promotion of tourism and business within the Shire of Dandaragan:**
    - **To make recommendation for Council consideration in regards to future opportunities that will enhance the attractions of the Shire to business and tourism.**
    - **To monitor budget expenditure to ensure correct allocation for the Marketing and Promotions Advisory Committee.**
- 3. That Council endorse the Indian Ocean Festival as the Shire's premier flagship event.**

CARRIED 6 / 0

### 9.3.3 APPLICATION OF COMMON SEAL – WATER CORPORATION – DEVELOPER FUNDED AND CONSTRUCTED WORKS SCOPING AGREEMENT

Location: N/A  
 Applicant: Shire of Dandaragan  
 Folder Path: Business Classification Scheme / Governance / Authorisations / Council Seal  
 Disclosure of Interest: None  
 Date: 17 July 2013  
 Author: Brian Wall, Executive Manager Infrastructure & Major Projects  
 Signature of Author:   
 Senior Officer: Tony Nottle Chief Executive Officer  
 Signature of Senior Officer: 

#### PROPOSAL

To seek Council's endorsement for the application of the Shire of Dandaragan's common seal to the Developer Funded and Constructed Works Scoping Agreement between the Water Corporation as part of the SuperTowns Jurien Bay City Centre Enhancement Project - Sewerage Rising Main.

#### BACKGROUND

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

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

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

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

#### COMMENT

As part of the SuperTowns Jurien Bay City Centre Enhancement Project - Sewerage Rising Main, the Water Corporation (WC) requires that Council authorise a Developer Funded and Constructed Works Scoping Agreement.

In these types of projects, the WC treat the Shire as if they were acting as a developer; WC make no differentiation between the parties. The need for these agreements is to ensure that all parties deliver what is going to be an acceptable asset to the Corporation at the end of the project. The Corporation will eventually take liability for the ongoing operational and maintenance costs for this

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asset in perpetuity and as such WC are incumbent to make sure that it is delivered to the required standards.

This initial agreement and the subsequent Development Funded Constructed Works Agreement provide the Corporation with this certainty.

If the project was not to proceed for any reason, the Shire is not committed to undertaking the project by the signing of this agreement.

The process, although it appears to be onerous, is in place to ensure that there are no unforeseen issues that arise during the construction phase that will lead to project variations beyond a normal contractual limit.

**CONSULTATION**

Not applicable

**STATUTORY ENVIRONMENT**

There are no statutory implications relevant to this item.

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item.

**FINANCIAL IMPLICATIONS**

There are no financial implications relevant to this item.

**STRATEGIC IMPLICATIONS**

There are no strategic implications relevant to this item.

**ATTACHMENTS**

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

- Developer Funded and Constructed Works Scoping Agreement from the Water Corporation (Doc Id: 15242)

***(Marked 9.3.3)***

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**


**Moved Cr Russell, seconded Cr Bailey**

**That Council endorse the Developer Funded and Constructed Works Scoping Agreement between the Water Corporation as part of the SuperTowns Jurien Bay City Centre Enhancement Project - Sewerage Rising Main, and authorise the Shire President and the Chief Executive Officer to sign and affix the common seal.**

**CARRIED 6 / 0**

## 9.4 TOWN PLANNING

### 9.4.1 PLANNING APPROVAL – PROPOSED OUTBUILDING – LOT 347 (14) PINETREE CIRCUIT, JURIEN BAY

Location:	Lot 347 (14) Pinetree Circuit, Jurien Bay
Applicant:	Swan Aussie Sheds on behalf of D & J Thorley
Folder Path:	Development Services Apps / Development Applications / 2013 / 30
Disclosure of Interest:	None
Date:	29 May 2013
Author:	Rob Casella, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

#### PROPOSAL

The applicant seeks planning approval for a proposed outbuilding with a parapet wall to house their boat, measuring 11.5m x 7m (80.5m<sup>2</sup>) with a wall height of 3.6m on Lot 347 Pinetree Circuit, Jurien Bay.

#### BACKGROUND

The proponent has submitted a proposal to construct a 3.6m high parapet wall shed with an area of 80.5m<sup>2</sup>, comprising an 11.5m wall length on the subject lot.

In accordance with Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’ (the Policy) an outbuilding in a residential area is permitted to have an area of 80m<sup>2</sup> provided its external appearance is of a non-reflective cladding or masonry. Clause 8 of the Policy, referring to parapet walls, states:

*“Where a parapet / boundary wall is proposed (ie a wall within 750mm of a boundary), a maximum wall height of 3m and length of 9m will apply. Any variation to this requires comment from the affected adjoining property owner/s for a Council decision.”*

A letter has been distributed notifying the adjoining property owner with comments closing 11 July 2013.

#### COMMENT

As in accordance with Clause 8 of the Policy, the application has been advertised.

The proposed development requires variations of 0.6m in height, 2.5m in length and a 0.5m in area of the Policy for Outbuildings in ‘Residential Areas’. Due to no objection being submitted the Shire officer recommends the proposal be approved.

#### CONSULTATION

A letter was sent to the affected adjoining property owner seeking comment on the proposal. The advertising period closed on the 11

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July 2013. No submissions have been received.

**STATUTORY ENVIRONMENT**

- Local Planning Scheme No 7

**POLICY IMPLICATIONS**

- Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’

**FINANCIAL IMPLICATIONS**

The applicant has paid a standard application fee of \$139.

**STRATEGIC IMPLICATIONS**

There are no strategic implications relevant to this item.

**ATTACHMENTS**

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

- Site plan (Doc Id: 14767)  
**(Marked 9.4.1)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Russell**

**That Council grant planning approval for the proposed outbuilding as in accordance with the attached approved plans date stamped 14 June 2013 on Lot 347 Pinetree Circuit, Jurien Bay subject to the outbuilding matching the colour scheme of the proposed dwelling.**

**Advice**

- **This is planning approval only and not a building permit. A building permit must be obtained for this development.**
- **If the development the subject of this approval is not substantially commenced within a period of 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.**
- **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.**



**CARRIED 6 / 0**

**9.4.2 PLANNING APPROVAL – PROPOSED OUTBUILDING – LOT 492 (7) ESSEX STREET, JURIEN BAY**

Location:	Lot 492 (7) Essex Street, Jurien Bay
Applicant:	K & L Hug
Folder Path:	Development Services Apps / Development Applications / 2013 /
Disclosure of Interest:	None



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Date:	4 July 2013
Author:	Rob Casella, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

**PROPOSAL**

The applicant seeks planning approval for a proposed outbuilding for the purpose of housing their boat, trailer and for use as a domestic shed, measuring 6m x 13m (78m<sup>2</sup>) with a wall height of 3.6m, setback 1m from the boundary on Lot 492 (7) Essex Street, Jurien Bay.

**BACKGROUND**

At its meeting held on 23 May 2013, Council refused a planning application from the proponent for a proposed outbuilding with a parapet wall, measuring 14m x 7m (98m<sup>2</sup>) with a maximum height of 4.5m for the following reasons:

1. the proposal does not appropriately address the performance criteria of the Residential Design Codes (2010);
2. the use had the potential to have an adverse impact on the amenity of the surrounding area and the affected adjoining property;
3. the proposed outbuilding does not preserve the amenity of the locality; and
4. the proposal far exceeds the provisions of the Shire's Local Planning Policy 8.6 – Outbuildings 'Residential Areas'.

The proponent has submitted a proposal to construct a shed with 3.6m high wall (4.5m ridge height) with an area of 78m<sup>2</sup>, comprising a 13m wall length with a 1m boundary setback on the subject lot.

In accordance with Local Planning Policy 8.6 – Outbuildings 'Residential Areas' (the Policy) an outbuilding in a residential area is permitted to have an area of 80m<sup>2</sup> provided its external appearance is of a non-reflective cladding or masonry.

The Residential Design Codes require a 1.5m setback for wall lengths of 13m in length and a wall height greater than 3.5m.

**COMMENT**

As in accordance with Clause 8 of the Policy, the adjoining affected landowner has been notified.

The proposed development requires a 4m variation in length of the Shire's Policy for Outbuildings in 'Residential Areas'. Due to no objection being submitted the Shire officer recommends the proposal be approved.

**CONSULTATION**

Affected adjoining landowners were notified of the application via email requesting they provide comment before the 15 July 2013.

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No response has been received.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

- Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’

FINANCIAL IMPLICATIONS

The applicant has paid a standard application fee of \$139.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Site plan (Doc Id: 14980)  
**(Marked 9.4.2)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Kent**

**That Council grant planning approval for the proposed outbuilding in accordance with the attached approved plans date stamped 4 July 2013 on Lot 492 (7) Essex Street, Jurien Bay subject to the following conditions:**

- 1. the materials and colours for the proposed outbuilding are to blend with the existing dwelling or surrounding environment to not detract from the amenity of the local neighbourhood; and**
- 2. appropriate management storm water runoff is to be implemented and maintained on-site.**



**Advice**

- **This is planning approval only and not a building permit. A building permit must be obtained for this development.**
- **If the development the subject of this approval is not substantially commenced within a period of 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.**
- **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.**

**CARRIED 6 / 0**

**9.4.3 PLANNING APPROVAL – PROPOSED OUTBUILDING – LOT 769 MIDDLETON BOULEVARD, JURIEN BAY (BEACHRIDGE)**

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Location:	Lot 769 Middleton Boulevard, Jurien Bay (Beachridge)
Applicant:	J Brown
Folder Path:	Development Services Apps / Development Applications / 2013 / 41
Disclosure of Interest:	None
Date:	3 July 2013
Author:	Rob Casella, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

**PROPOSAL**

The applicant seeks planning approval for a proposed outbuilding with a parapet wall to house their boat, measuring 6m x 15m (90m<sup>2</sup>) with a wall height of 3m on Lot 769 Middleton Boulevard, Jurien Bay.

**BACKGROUND**

The proponent has submitted a proposal to construct a 3m high parapet wall shed with an area of 90m<sup>2</sup>, comprising a 15m wall length on the subject lot.

The proponent has indicated that the outbuilding will have the front portion (6m) open with no wall cladding, leaving 54m<sup>2</sup> for enclosed outbuilding. Essentially the proposal can be identified as an outbuilding with a lean-to extension.

In accordance with Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’ (the Policy) an outbuilding in a residential area is permitted to have an area of 80m<sup>2</sup> provided its external appearance is of a non-reflective cladding or masonry. Clause 8 of the Policy, referring to parapet walls, states:

*“Where a parapet / boundary wall is proposed (ie a wall within 750mm of a boundary), a maximum wall height of 3m and length of 9m will apply. Any variation to this requires comment from the affected adjoining property owner/s for a Council decision.”*

A letter has been distributed notifying the adjoining property owner with comments closing on 17 July 2013.

**COMMENT**

As in accordance with Clause 8 of the Policy, the application has been advertised.

There are three (3) affected adjoining properties. The two lots to the side of the subject lot are vacant residential lots with the lot to the rear under construction with an existing shed opposite the proposed development.

The outbuilding meets the requirements for the maximum height of 3m for a parapet wall. The proposal requires an extension of 4m in length and 10m<sup>2</sup> in area.

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It is noted that the subject lot has the unfortunate circumstance, due to the subdivision design, that the rear yard may potentially be boxed in by outbuildings from adjoining lot owners.

Given the height and circumstances of the proposed development, being an outbuilding with a lean-to structure (open extension) the proposed development should have minimal impact on the adjoining lots and local amenity.

**CONSULTATION**

A letter was sent to the affected adjoining property owner seeking comment on the proposal. The advertising period closed on the 17 July 2013. No submissions have been received.

**STATUTORY ENVIRONMENT**

- Local Planning Scheme No 7

**POLICY IMPLICATIONS**

- Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’

**FINANCIAL IMPLICATIONS**

The applicant has paid a standard application fee of \$139.

**STRATEGIC IMPLICATIONS**

There are no strategic implications relevant to this item

**ATTACHMENTS**

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

- Site plan (Doc Id: 15090)  
**(Marked 9.4.3)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Russell**

**That Council grant planning approval for the proposed outbuilding in accordance with the attached approved plans date stamped 2 July 2013 on Lot 769 Middleton Boulevard, Jurien Bay (Beachridge) subject to the materials and colours for the proposed outbuilding blending with the existing dwelling or surrounding environment to not detract from the amenity of the local neighbourhood.**

**Advice**



- **This is planning approval only and not a building permit. A building permit must be obtained for this development.**
- **If the development the subject of this approval is not substantially commenced within a period of 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.

- 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.

CARRIED 6 / 0

#### 9.4.4 PLANNING APPLICATION – PROPOSED EXTRACTIVE INDUSTRY (LIMESTONE & SAND) – LOT 3157 WOOLKA ROAD COOLJARLOO

Location:	Lot 3157 Woolka Road, Cooljarloo
Applicant:	Halsall & Associates on behalf of J Percy
Folder Path:	Development Services Apps / Development Application / 2013 / 42
Disclosure of Interest:	None
Date:	12 July 2013
Author:	Rob Casella, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

#### PROPOSAL

The applicant seeks planning approval for an Extractive Industry Licence (Limestone & Sand) on Lot 3175 Woolka Road, Cooljarloo (subject site).

#### BACKGROUND

The subject site is located approximately 25km west northwest from Cataby. The subject site is zoned Rural under Local Planning Scheme No 7 (the Scheme).

The site has an area of 387.5831 hectares and severed by an unconstructed public road reserve which does not connect with the wider public road network.

The site is accessed off Brand Highway via Cooljarloo Road through to Woolka Road and then via an existing road / track through a pastoral lease to the subject site, approximately a 20km distance from the Brand Highway. It adjoins Crown land to the north and west, utilised for extensive grazing, and freehold rural land to the south and east.

The site is predominantly flat with small hills in the northern region of the site ranging from 10 to 20 metres above the flat paddock areas in the central to southern parts of the site.

The proponent intends to extract limesand for use in the broader rural areas of the Shire of Dandaragan and other areas to improve agricultural capability. The extraction is to take place over three areas within the site, in three stages. The first stage proposing to extract an estimated 225,300 tonnes with an approximate 2 – 4

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year lifespan, stage two having an estimated 162,000 tonnes having an approximate lifespan of 1.75 – 3.5 years and an estimated 96,750 tonnes of limesand with an approximate 1.25 – 2.5 year lifespan.

In assessing the application for an extractive industry on the proposed lot, Appendix 1 of the Local Planning Strategy 'Planning Considerations for Extraction of Basic Raw Materials' have been addressed and the submission is to the satisfaction of the Shire's Planning Officer.

**COMMENT**

Given its location, the site is quite isolated as such, making it vastly remote from any dwellings, alleviating the requirement for impact assessments in relation to any nuisance impacts that are sensitive to households.

The proposal is to take place on freehold land situated within the Gingin Groundwater Area. The site holds no environmental significants.

Agreements between the proponent and the landowner's have been or are to be made to ensure all parties are satisfied.

Access to the site is proposed to be through various tenure including road reserve, Crown land and a pastoral lease which is subject to a mining tenement held by Tronox. There is no formal road to the site with access to be via an existing track which has been utilised for many years for agricultural activities on the site.

Shire officers have notified the proponent that maintenance of the road is to not be burdened by the Shire and is the responsibility of the proponent with arrangements being made to the satisfaction of the adjoining affected landowners.

The proposal is to utilise the existing track and maintain the road for the extraction of between 48,000 and 96,000 tonnes of limesand per annum in three stages. The rehabilitation will be through placement of topsoil and reseeding with paddock grasses.

The proponent intends to operate between 5am and 8pm daily with an average of 10 to 20 truck movements per week which it is most likely to increase in activity around the spreading season (February – April).

Due to its remoteness and small volume of activity, Shire officers recommend Council grant conditional approval for the Extractive Industry Licence for limesand.

**CONSULTATION**

The proponent has submitted written consent forms from the adjoining affected landowners, each granting permission with

arrangements and to be negotiated with the adjoining landowners separately.

#### STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- Local Planning Strategy

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

A standard planning application fee of \$139 has been paid, as well as an Extractive Industry Licence fee of \$500.

#### STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

#### ATTACHMENTS

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

- Extract of Report (Doc Id: 15016)
  - Submission from Department of Mines and Petroleum (Doc Id: 15164)
  - Letter of support (Doc Id: 15167)
- (Marked 9.4.4)**

#### VOTING REQUIREMENT

Simple majority

#### OFFICER RECOMMENDATION

That Council grant planning approval for an Extractive Industry Licence on Lot 3157 Woolka Road, Cooljarloo expiring on 31 July 2028 subject to the following conditions:

1. The construction and maintenance of Woolka Road is the responsibility of the proponent. The Shire of Dandaragan is not to be burdened by any of the costs for construction or maintenance of the proposed road through Crown Reserve Lots 4246 and 4116 and traversing stock route.
2. The proponent is to contribute to the maintenance of any existing roads under the Shire control and liaise with the Shire's Executive Manager Infrastructure / Major Projects prior to commencement of operations.
3. The clearing of native vegetation will be limited to 1 hectare in area within any financial year. Anything exceeding this limit will require a Clearing Permit from the Department of Parks and Wildlife.

#### Advice

- In addition to this extractive industry licence, the licensee will be required to pay an annual licence fee of \$150.00 on or before 30 June each year.

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- The licensee will be required to furnish to the Local Government each year, at the time of submitting the renewal fee, a statement specifying the quantity of material extracted.
- The proponent entering into an agreement with the affected adjoining landowners for suitable access and rehabilitation plan and notifying the Shire.



**COUNCIL DECISION**

**Cr Bailey, seconded Cr McGlew  
That this item be deferred.**

**CARRIED 6 / 0**

*This Officer Recommendation was not adopted due to Council awaiting comment from new government departments.*

#### **9.4.5 DEPARTMENT OF MINES AND PETROLEUM – APPLICATION TO CLEAR NATIVE VEGETATION – WESTDEEN HOLDINGS PTY LTD – RESERVE 22496**

Location:	Reserve 22496 off Indian Ocean Drive, Jurien Bay
Applicant:	Westdeen Holdings Pty Ltd
Folder Path:	Business Classification Scheme / Environmental Management / Permits / Clearing
Disclosure of Interest:	Nil
Date:	12 July 2013
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

To consider an application by Westdeen Holdings Pty Ltd to clear approximately 4 hectares for the purpose of mineral production.

**BACKGROUND**

The Department of Mines and Petroleum (DMP) has received an application from Westdeen Holdings Pty Ltd to clear approximately 4 hectares of native vegetation on portion of Reserve 22496 off Indian Ocean Drive, Jurien Bay. The Reserve is adjacent to Middle Head and just south of North Head.

**COMMENT**

The proposal before Council is for consideration of the application to clear approximately 4 hectares of native vegetation. The majority of the land proposed to be cleared is free of vegetation as shown on the attached aerial.

Council has supported previous applications for the clearing of native vegetation to allow farming or mining to take place and this application is of a similar nature. Staff are not aware of any reason that this application should not be supported.



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CONSULTATION

In accordance with sub-section 51E(4) of the *Environmental Protection Act 1986* (EP Act), the Chief Executive Officer (CEO) of DMP considers that Council may have a direct interest in the subject matter of the application, and invites comments on the proposal.

STATUTORY ENVIRONMENT

- *Environmental Protection Act 1986*

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Correspondence and plans from the Department of Mines and Petroleum (Doc Id:14875)

**(Marked 9.4.5)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**


**Moved Cr Russell, seconded Cr Bailey**


**That the Department of Mines and Petroleum be advised that Council has no objection to the land clearing application submitted by Westdeen Holdings Pty Ltd for the clearing of approximately 4 hectares of native vegetation.**

**CARRIED 6 / 0**

**9.4.6 APPLICATION FOR RENEWAL OF PLANNING APPROVAL –  
COMMERCIAL OFFICE DEVELOPMENT – LOT 1174  
SANDPIPER STREET, JURIE BAY**

Location:	Lot 1174 Sandpiper Street, Jurien Bay
Applicant:	WA Country Builders Pty Ltd (owner)
File Ref:	Development Service Apps / Development Application / 2013 / 38

Disclosure of Interest:	None
Date:	11 July 2013
Author:	David Chidlow, Manager of Planning
Signature of Author:	

Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

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PROPOSAL

The applicant seeks renewal of planning approval for a commercial office development consisting of two tenancies on Lot 1147 Sandpiper Street, Jurien Bay.

BACKGROUND

Council on 26 April 2007, considered the application where it resolved to conditionally approve the development subject to the provision of car parking based on:

*Provision of four bays on site, four bays already provided off site as part of the original subdivision, shortfall of five bays to be provided through payment of cash in lieu.*

Due to this requirement the development failed to proceed and the planning approval subsequently lapsed.

The application was resubmitted in May 2010 where it was conditionally approved by Council with the placement of condition 1 f), which reads as follows:

- 1 f) *the payment of cash in lieu for a shortfall in the car parking to the local government in accordance with the following requirements:*
- *the estimated land value component for two car bays, as determined by a licensed valuer appointed by the local government, and based on an area of 27.5m<sup>2</sup> per car bay inclusive of manoeuvring area;*
  - *the estimated construction cost of one bay as determined by the local government or by a person nominated by the local government who is competent in the field of civil (road) engineering;*
  - *reimbursement for the costs incurred by the local government in engaging a licensed valuer and engineer, if applicable; and*
  - *all payments being made to the local government prior to first occupation of the commercial building or by alternative arrangement as agreed to by the Chief Executive Officer.*

The condition offered a reduction in the parking requirement from the initial planning approval, with cash in lieu to be paid for two parking bays based on a concession by Council taking into account the historical nature of the subdivision and minimal lot sizes to accommodate commercial development including onsite car parking. As reflected in condition 1 f) this reduced the number of car parking bays from 13.8 to 10 resulting in a shortfall of two bays to be funded through payment of cash-in-lieu (land value and construction costs). This requirement, whilst not in line with the proponent's request to pay a 'construction only' cost for the required number of bays in the road reserve, was based on adhering to the provisions and formula for calculating car parking

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in the Local Planning Scheme No 7 and, as best as possible, seeking to negate any precedent that may have a flow on effect or benefit for large scale commercial development that could prove detrimental to the local authority and the broader community in the longer term.

The Council then proceeded to develop a Local Planning Policy to provide a higher level of recognition for car parking standards associated with development. The Policy provides an acknowledgement to the historical nature and constraint of the six small commercial lots in Sandpiper and Andrews Street, and accordingly offers a concession that reads as follows:

3.3 *In light of the minimal lot areas and historical nature of subdivision the Council will waive, pursuant to Clause 5.5.1 of the Shire of Dandaragan Local Planning Scheme No 7, the car parking provision applicable to the ground level portion (net lettable area) of development on Lots 1145 to 1151 Sandpiper and Andrews Street, Jurien Bay.*

WA Country Builders applied in October 2010 for the above condition 1 f) to be deleted and that Policy statement 3.3 above be applied to the development. At the Council meeting held on 2 December 2010, it was resolved to delete the above condition in accordance with this Policy.

This results in there being no requirement for cash in lieu for parking to this application.

Development did not proceed and the planning approval has again lapsed. WA Country Builders are now seeking renewal of the approval with the same conditions of approval as the December 2010 approval.

#### COMMENT

There are no changes to the previously approved development and there have been no changes to Policy or the Scheme since the latest approval was granted. The proposed development is recommended for approval.

#### CONSULTATION

Consultation is not required in relation to this request.

#### STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

#### POLICY IMPLICATIONS

- Local Planning Policy 8.8 – Car Parking

#### FINANCIAL IMPLICATIONS

The applicant has paid a reduced planning application fee for renewal of \$409.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Development Application (Doc Id: 15203)  
**(Marked 9.4.6)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr McGlew, seconded Cr Bailey**

**That Council grant planning approval for a commercial office development on Lot 1147 Sandpiper Street, Jurien Bay subject to the following conditions:**

- 1. All development shall be in accordance with the attached approved plans dated 8 July 2010 and subject to any modifications required as a consequence of any conditions of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.**
- 2. The planter boxes as shown on the approved plans being established with water wise plant species upon practical completion of the development and maintained thereafter to the satisfaction of the local government.**
- 3. The commercial space shall be limited to the use of an 'Office' or 'Small Retail Shop', but not a take-away food outlet, café or dine-in restaurant.**
- 4. Construction of a 2m wide footpath in accordance with AS 3727-1993 of 100mm thick reinforced concrete along the Sandpiper Street property frontage, and parallel to the property alignment, at the cost of the developer.**
- 5. Provision of four parking bays on-site constructed to a sealed, drained and line marked standard to the satisfaction of the local government.**
- 6. Roof downpipes must not openly discharge onto the ground or paved surface. All downpipes must discharge into a suitable piped storm-water drainage system.**
- 7. An onsite bin storage area being provided capable of accommodating four 240 litre capacity wheeled bins (two for each commercial tenancy).**
- 8. All plumbing pipes shall be ducted within the walls of the building.**
- 9. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties.**

**Advice:**

- **With reference to condition 5 the Council, in acknowledging the minimal lot area and historical nature of**

subdivision for Lot 1147, has waived (pursuant to Clause 5.5.1 of the Shire of Dandaragan Local Planning Scheme No 7) the car parking requirement applicable to the ground level portion (net lettable area) of development.

- With reference to condition 6 all stormwater drainage shall be designed and constructed at the applicant's cost and in accordance with the requirements of local government and the current Australian Rainfall and Runoff Manual. Stormwater retention of runoff from roof and or other paved / impervious areas shall be provided on site. The design is to ensure the discharge of stormwater from the developed site is so as to restrict discharge to that which existed prior to development. Design overflow from soak wells and site drainage shall ensure no discharge onto or through adjoining properties. Details on the site specific design of control and disposal of stormwater from the site are to be submitted with the preparation of a building application.
- A grant of planning consent is not a building permit. A building permit must also be obtained for this development.
- Prior to lodging an application for building permit it is requested the applicant liaise with the Manager of Building Services in regard to design of boundary and common walls to meet fire separation standards under the Building Code of Australia.
- This approval is valid for a period of two years. If the development has not substantially commenced within this period the approval will lapse.
- The applicant be advised that "should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the *Planning and Development Act 2005*. An Application for Review must be submitted in accordance with Part XIV of the *Planning and Development Act* within 28 days of the date of this decision to:

The State Administrative Tribunal  
GPO Box U1991  
PERTH WA 6845

CARRIED 6 / 0

## 9.5 HEALTH

## 9.6 BUILDING

## 9.7 COUNCILLOR INFORMATION BULLETIN

**9.7.1 DANDARAGAN GOLF CLUB INC – TRONOX AND SHIRE OF DANDARAGAN SPORTING AND RECREATION FACILITY FUND GRANT**

Document ID: 14631

The Dandaragan Golf Club will not be applying for a grant this year.

The reason is that previously they received a very generous grant from this fund that enabled the Club to purchase new artificial turf for the tee boxes. This was a big undertaking by the Club and was very successful.

More information is on hand.

**9.7.2 ENEWSLETTER – SENATOR ALAN EGGLESTON – ‘NO’ CASE – RECOGNITION OF LOCAL GOVERNMENT REFERENDUM**

Document ID:

*“Yesterday afternoon I outlined my reasons for opposing recognition of local government in the Australian Constitution to the Senate, as I believe such an amendment is unnecessary and could seriously undermine our federalist system.”*

An outline of Senator Alan Eggleston’s speech is on hand.

**9.7.3 REGIONAL DEVELOPMENT AUSTRALIA – MEDIA RELEASE – WHEATBELT SHIRES TO SHARE IN \$3.6 MILLION THROUGH RDA FUND ROUND 5**

Document ID:

*“The Hon. Anthony Albanese MP Minister for Regional Development and Local Government, announced on 19 June 2013, \$150 million to be shared between all local Council’s and Shires across Australia to help build and renew community infrastructure. This funding delivered through Round Five of the Regional Development Australia Fund and the Liveable Cities Program, is for capital infrastructure projects that will facilitate jobs and growth in regional and local communities.”*

More information is on hand.

**9.7.4 DEPARTMENT OF ENVIRONMENT AND CONSERVATION – COMMERCIAL OPERATOR ALERTS – TOURISM INDUSTRY REGIONAL DEVELOPMENT FUND**

Document ID:

Minister Assisting for Tourism Senator Don Farrell has launched Round 2 of the Tourism Industry Regional Development Fund (TIRF) Grants Program to assist tourism operators increase the quality and range of visitor experience in regional Australia.

More information is on hand.

**9.7.5 MEDIA RELEASE – BARRY HAASE – FEDERAL MEMBER FOR DURACK – LIBERAL MEMBER FOR DURACK ANNOUNCES RETIREMENT**

Document ID: 14537

*“Today I announce my decision to withdraw my nomination for re-election as the Liberal member for the seat of Durack at the forthcoming Federal election.*

*Since 1998 I have represented firstly the electorate of Kalgoorlie and from 2010, the electorate of Durack.”*

More information is on hand.

**9.7.6 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 23.13 – 17 JUNE 2013**

Document ID: 14539

Inside this issue:

- Meeting With The Director General, Department Of Transport
- Meeting With The Minister For Agriculture And Food
- Meeting With The Minister For Environment And Heritage
- Salaries And Allowances Tribunal Determinations
- June Eco – News
- LGC 2013 – Registrations Open
- Last Two Procurements Workshop For Regional WA
- ELearning Training
- Officer Training
- Elected Member Training
- WA State Coastal Conference
- Foamed Bitumen Stabilised Materials

**9.7.7 WALGA INFOPAGE – PUBLIC SWIMMING POOL OPERATING SUBSIDY**

Document ID: 14542

Key Issues:

- The Swimming Pool Subsidy evolved in the 1960's. Local Governments are able to access a \$3,000 subsidy from Department of Treasury for the operations of their swimming pool if it runs at a loss.
- In 2012 State Council resolved to advocate for a review of the subsidy to reflect a more contemporary and equitable model.
- WALGA is requesting member feedback via faxback to inform discussions with Treasury about public swimming pools.

**9.7.8 WALGA INFOPAGE – MEETING WITH MINISTER FOR ENVIRONMENT AND HERITAGE**

Document ID: 14543

Key Issues:

- Progress on Legislation Reviews in the Portfolio
- International Biodiversity Conference
- State Government Climate Change Statement
- Swan and Canning River System Funding

Attached to the agenda is a copy of the above mentioned

correspondence. *(Marked 9.7.8)*

**9.7.9 WALGA FAX BACK – WATER PRESSURE AND INFRASTRUCTURE IN RURAL WA**

Document ID: 14544

WALGA has received information from member Local Governments regarding the impact of poor water infrastructure (and water pressure) on economic development. The Association is now seeking further details on situations where this issue has impacted the community. WALGA will collate the responses to form a basis for discussion with the Water Corporation and the Minister for Water.

**9.7.10 CENTRAL WEST COAST SENIOR CITIZENS – DIGITAL TELEVISION**

Document ID: 14560

The Central West Coast Senior Citizens would like to thank the Shire for the part they have played in bringing us all Digital Television.

*“As many of us are not very mobile this gives us much more to include in our day.”*

**9.7.11 CERVANTES PRIMARY SCHOOL – CLASS MATTERS – ISSUE 7 – 13 JUNE 2013**

Document ID: 14625

Inside this issue:

- 50<sup>th</sup> Anniversary A Big Success
- Footballer’s Visit
- Senior Class 1<sup>st</sup> Assembly
- Winter Carnival Held In Cervantes
- Special Events Coming Up

**9.7.12 WATER CORPORATION – PROVISION AND MAINTENANCE OF FIRE HYDRANTS IN LOCAL GOVERNMENT DISTRICTS**

Document ID: 14627

The *Water Services Act 2013*, WA (Act) was passed by Parliament in August 2012 and is expected to come into effect in July 2013. The Act makes significant change in relation to fire hydrants, specifically that the Water Corporation will now take over ownership of fire hydrants across the State.

More information is on hand.

**9.7.13 WALGA MEDIA RELEASE – SAT DECISION IS FAIR AND REASONABLE – 20 JUNE 2013**

Document ID: 14685

*“Increasing fees and allowances for Local Government Elected members to have parity with other states is fair and reasonable and well overdue.*

*Western Australian Local Government Association President Mayor Troy Pickard today welcomed the announcement by the*



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*Salaries and Allowances Tribunal to increase fees and allowances for Elected Members of WA Councils.”*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.13)**

**9.7.14 RSL JURIE BAY SUB BRANCH – NEW PREMISES FOR JURIE BAY**

Document ID: 14695

At a recent General Meeting of the Jurie Bay RSL Sub Branch, it was decided that as an RSL Sub Branch, it has now grown to a level within the community where we should have our own premises.

**9.7.15 JURIE BAY DISTRICT HIGH SCHOOL – CROSS COUNTRY CARNIVAL**

Document ID: 14696

*“On behalf of the School I would like to sincerely thank the Shire of Dandaragan for the use of their grounds for our Cross Country Carnival on Wednesday 12<sup>th</sup> June.*

*It provided the students with a suitable venue for such an event and is representative of the community spirit that we value and encourage at Jurie Bay District High School.”*

**9.7.16 MINISTERIAL MEDIA STATEMENTS – TOUGHER DOG CONTROLS PROTECT PEOPLE AND PETS**

Document ID:

- Mandatory Microchipping Of All Dogs
- Higher Penalties For Dog Attacks
- Control Measures For Dangerous Dogs

**9.7.17 WALGA INFOPAGE – REVIEW OF THE HERITAGE LOAN SUBSIDY SCHEME (HLSS)**

Document ID: 14734

Key Issues:

- The Heritage Loan Subsidy Scheme (HLSS) Is A Program That Offers A subsidy On The Interest Rate On Loans For Conservation Work.
- WALGA and the State Heritage Office have appointed a consultant to review the HLSS and make recommendations to guide the future of the Scheme.
- Know L’Edge Consultants have been appointed and will be surveying Local Governments and residents to inform the Review.
- The consultants will be contacting a random selection of Local Governments in July 2013.

**9.7.18 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 24.13 – 24 JUNE 2013**

Document ID: 14735

Inside this issue:

- Elected Member Fees And Allowances Determination

- Difficulties Faced By WA Farmers – Have Your Say
- Planning For Waste Management And Recycling
- LGC 2013 – Registrations Open
- Please Respond To Faxback On Glyphosate Resistant Plants
- Last Two Procurement Workshops For Regional WA
- Officer Training
- Elected Member Training
- ELearning
- Traffic Management For Works On Roads: Code Of Practice
- Free Training Session – Planning And Designing For Pedestrian Guidelines
- 2013 International BiodiverCities Conference

**9.7.19 WESTERN AUSTRALIAN SALARIES AND ALLOWANCES ACT 1975 DETERMINATION OF THE SALARIES AND ALLOWANCES TRIBUNAL ON LOCAL GOVERNMENT**

Document ID: 14738

Attached to the agenda is a copy of the above mentioned document. **(Marked 9.7.19)**

**9.7.20 DEPARTMENT OF HEALTH – GUIDELINES FOR SEPARATION OF AGRICULTURAL AND RESIDENTIAL LAND USES – ESTABLISHMENT OF BUFFER AREAS**

Document ID:

Attached to the agenda is a copy of the above mentioned document. **(Marked 9.7.20)**

**9.7.21 SENATOR THE HON KATE LUNDY – MULTICULTURAL ACCESS AND EQUITY – RESPECTING DIVERSITY, IMPROVING RESPONSIVENESS**

Document ID: 14880

The Australian Government reaffirmed its commitment to a Multicultural Australia with the announcement of its response to the Access and Equity Inquiry: *Multicultural Access and Equity – Respecting Diversity, Improving Responsiveness*.

The inquiry received 136 submissions from individuals, government departments and agencies, peak bodies, and non-government organisations.

More info is on hand.

**9.7.22 2013-2014 VISITOR CENTRE ASSOCIATION OF WA MEMBERSHIP**

Document ID:

*“On behalf of the Visitors Centre Association of Western Australia (VCAWA), it gives me great pleasure to invite you to renew your valuable membership with the VCAWA for 2013-2014.”*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.22)**

**9.7.23 WEST MIDLANDS GROUP – WINTER 2013**

Document ID:

Inside this issue:

- Spring Field Day
- NACC And NRM Officers
- New Communications / Events / Grants Officer
- New Women's Committee Members
- New Members
- Dowerin Field Day
- Australian Rural Leadership Course
- Seeding Equipment Demonstration
- Hidden Treasure Incentives
- What Is Pyp Grass
- Fencing Vital To Protect The Warradarge Creek
- Fox Baiting A Success In The West Midlands

#### **9.7.24 2013 ANTI-POVERTY WEEK IN WESTERN AUSTRALIA**

Document ID: 15023

This year, Anti-Poverty Week begins on Sunday 13 October and finishes on Saturday 19 October. It coincides every year with the UN International Day to Eradicate Poverty on 17 October.

Anti-Poverty Week is concerned with poverty and hardship around the world and it is an excellent opportunity to highlight poverty and its impacts here in Australia and specifically issues of severe hardship within the local community.

#### **9.7.25 DEPARTMENT OF PREMIER AND CABINET – RESOLUTION OF NATIVE TITLE IN THE SOUTH WEST OF WESTERN AUSTRALIA**

Document ID:

The Government of Western Australia presented the South West Aboriginal Land and Sea Council (SWALSC) with a final offer to resolve native title claims across the South West of the State (the South West Settlement). The South West Settlement involves the surrender of all native title rights by the Noongar community in exchange for a package of benefits from the State.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.25)**

#### **9.7.26 DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES – METROPOLITAN LOCAL GOVERNMENT REFORM UPDATE – ISSUE 07**

Document ID:

Inside this issue:

- Growing Perth
- Planning For The Future
- Community Contribution
- Consultation Process
- Minister's Meetings

#### **9.7.27 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – ELECTION DOCUMENT – A 10 POINT PLAN FOR RESOURCING COMMUNITY PRIORITY**

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013**

Document ID: 15052

This 10 Point Plan puts forward local government's agenda and presents a way forward for local communities to achieve their potential with support from the Federal Government.

Attached to the agenda is a copy of the above mentioned correspondence. *(Marked 9.7.27)*

**9.7.28 THE SMITH FAMILY – SPORT, CULTURE AND THE INTERNET: ARE AUSTRALIAN CHILDREN PARTICIPATING**

Document ID: 15050

This publication analyses new data to show the extent to which children from different communities participate in sport and cultural activities outside of school, visit public institutions like libraries and museums, and use the internet at home.

A copy of this publication is on hand.

**9.7.29 YOUTHCARE – CHAPLAINS REPORT – TERM 2 WEEK 4**

Document ID: 14827

Inside this issue:

- Presentation and Programs
- Classroom Involvement
- Extracurricular
- Pastoral Contact
- YouthCARE
- Community and Other Stuff
- Thank you
- Prayer Points

**9.7.30 JAPAN LOCAL GOVERNMENT CENTRE – 2013 CLAIR FORUM**

Document ID: 14869

The 2013 Clair Forum will be held on Monday 5 August 2013 from 1.30pm through to 6.30pm. The Forum will be held at the Westin Sydney Heritage Ballroom, 1 Martin Place Sydney NSW.

The year 2013 marks 50 years since the signing of the sister city relationship between Yamatotakada in Nara prefecture and Lismore in NSW. Established in 1963, this is the very first sister city link between Japan and Australia.

**9.7.31 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 25.13**

Document ID: 14889

Inside this issue:

- LGC13 – Final Call For Registrations
- Referendum Gets The Green Light
- Feedback Required – Roads To Recovery Program 2014-2019
- RDAF Community Infrastructure Funding
- National Heavy Vehicle Regulator
- Training
- MWAC Info Bulletin Out Now
- Regional Community Child Care Development Fund –

Operational Grants Program

- Resilient Australia Awards 2013

**9.7.32 WALGA FAX BACK – REVIEW OF FRAMEWORK AGREEMENT BETWEEN STATE AND LOCAL GOVERNMENT FOR THE PROVISION OF PUBLIC LIBRARY SERVICES IN WESTERN AUSTRALIA 2010-2014**

Document ID: 14891

In 2009, a *Framework Agreement between State and Local Government for the provision of Public Library Services in Western Australia 2010-2014* was signed by State and Local Government.

Central to the agreement is a shared vision for the Public Library Service as a sustainable and responsive network of vibrant, connected, well-resourced and free public libraries that are hubs of community life.

In accordance with the Agreement, a formal review process must commence by 1 July 2013. The Strategic Library Partnership Agreement Steering Committee (SLPASC) is leading the review and will report to the Library board and WALGA State Council.

The deadline for feedback is Friday 6 September 2013.

**9.7.33 WALGA INFOPAGE – CHILD CARE ACCESSIBILITY FUND AND BEST PRACTICE GUIDELINES FOR THE PLANNING AND DEVELOPMENT OF CHILD CARE FACILITIES**

Document ID: 14892

Key Issues:

- \$4.8 million is available to Local Governments through the Child Care Accessibility Fund.
- Best Practice Guidelines for the Planning and Development of Child Care Facilities are being developed.
- The University of Sydney is seeking input for development of Best Practice Guidelines for the Planning and Development of Child Care Facilities.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.33)**

**9.7.34 MUNICIPAL WASTE ADVISORY COUNCIL – INFORMATION BULLETIN – ISSUE 174 – JUNE 2013**

Document ID: 14893

Inside this issue:

- Need A Date?
- We Don't Need No Education
- Best Laid Plans
- Broome Cleans Up
- Under 40 Or Really Immature?
- Swipp Up
- Waste Vision – Garbologie!
- Spread Your Waste
- Federal Farming

- Waste Training
- When The Levy Breaks
- Sustainable Procurement
- Urban Mining
- Top Tips
- Go Harvey Go!

**9.7.35 DEPARTMENT OF ENVIRONMENT AND CONSERVATION – LEGISLATIVE AUTHORISATIONS UNDER THE ENVIRONMENTAL PROTECTION ACT 1986**

Document ID: 14930

On 1 July 2013 as part of the machinery of government, the Department of Environment and Conservation (DEC) separated into the Department of Environment Regulation (DER) and the Department of Parks and Wildlife.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.35)**

**9.7.36 DEPARTMENT OF ENVIRONMENT AND CONSERVATION – CLEARING NATIVE VEGETATION FOR BUILDING PROTECTION ZONES**

Document ID: 14932

On 3 September 2012 the Premier of Western Australia, Hon Colin Barnett MLA, issued a circular encouraging a shared responsibility of reducing bushfire risk in Western Australia by implementing or improving Building Protection Zones (BPZ).

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.36)**

**9.7.37 DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS – DEPARTMENTAL CHANGES**

Document ID: 14941

You may be aware that in April the State Government announced a number of organisational changes with the WA Police Sector. One of those changes is the demerger of the Department of Regional Development and Lands (RDL) to create the Department of Lands from 1 July 2013. Also, from that date RDL was renamed to the Department of Regional Development. Both agencies will be located on different floors at 140 William Street, Perth.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.37)**

**9.7.38 RENAMING OF DEPARTMENT OF ENVIRONMENT AND CONSERVATION TO DEPARTMENT OF PARKS AND WILDLIFE; ESTABLISHMENT OF NEW DEPARTMENT OF ENVIRONMENT REGULATION**

Document ID: 14944

As part of the Government reform initiatives, on 1 July 2013 the Department of Environment and Conservation was renamed the Department of Parks and Wildlife. Also on 1 July 2013 a number of

functions – principally environmental regulation, waste management and controlled waste tracking – transferred to a new department to be called the Department of Environment Regulation.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.38)**

**9.7.39 MEDIA RELEASE – BARRY HASE, FEDERAL MEMBER FOR DURACK – LIBERAL PARTY’S GREEN ARMY WILL IMPROVE LOCAL ENVIRONMENT SAYS BARRY HAASE**

Document ID: 15036

*“The Liberal Party will build the largest standing environmental workforce in Australia’s history and deliver local on-the-ground environmental projects in Durack and around Australia.*

*Mr Barry Haase, Federal Member for Durack said that if the Liberal Party is elected it will build a 15,000 strong Green Army to provide real and practical solutions to local environmental issues.”*

A copy of this media release is on hand.

**9.7.40 DEPARTMENT OF THE PREMIER AND CABINET – NOONGAR PEOPLE RECOGNISED IN HISTORIC OFFER**

Document ID: 15038

Key Issues:

- Funds and crown land held in perpetual trust as an investment in the future of the Noongar people and Noongar cultural heritage.
- Offer fully and finally resolves all native title claims over the south-west region.
- Offer delivers long term certainty.
- Historic Act of parliament to recognise Noongar people as the traditional owners of the south-west of Western Australia.

**9.7.41 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 26.13 – 8 JULY 2013**

Document ID: 15049

Inside this issue:

- Report On Local Government Road Assets And Expenditure 2011 / 2012
- Training
- 2013 Roman II Conference – Sponsorship Opportunities Available
- Forest Management Plan 2014 – 2023 Progresses
- National Local Government Cultural Forum
- Nominations Open For 2013 WA Water Awards
- Child Care Best Practice Guidelines
- Department Of Environment Regulation: A Guide To Licencing
- Tobacco Control Grants Scheme Reminder

**9.7.42 DEPARTMENT OF SPORT AND RECREATION – SPORT4ALL – WHEATBELT KIDSPORT FUNDING**

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Document ID: 15054

Sport4All is a \$20 million (over four years) state government initiative to increase the number of kids at community sport and recreation clubs. One of the four components of Sport4All includes Kidsport.

KidSport enables Western Australian children to participate in community sport and recreation, no matter their financial circumstances. While the primary objective of Kidsport is ensure all Western Australian children can participate in sport and recreation clubs, its secondary objective is to engage these children and their families in the community.

Wheatbelt local governments participating in KidSport are invited to attend a training session at Northam office on:

Date: Tuesday 16 July 2013

Time: Hub Administrators and Local Government Staff  
10.30am to 11.30am  
Sporting Clubs 12.00pm to 1.00pm

Where: 298 Fitzgerald Street, Northam (DSR Office)

More information is on hand.

#### **9.7.43 CENTRAL MIDLANDS SENIOR HIGH SCHOOL – NEWSLETTER NO.5**

Document ID: 15094

Inside this issue:

- From The Principal
  - Reasons To Celebrate
  - Year 7s
  - Some Reminders
  - ERG Report
  - Reports
  - Finally
- Dates To Remember
- Passport Program
- Contributions And Charges for 2013
- Moora Youth Excursion Term 2
- Radio Lollipop Fundraiser
- Outdoor Education Update
- Countryweek 2013

#### **9.7.44 THE HON JOE FRANCIS MLA – MINISTER FOR EMERGENCY SERVICES; CORRECTIVE SERVICES; VETERANS – BUSHFIRE RISK MANAGEMENT PLANNING PROCESS**

Document ID: 15145

*“A number of recent inquiries, including the Keelty inquiries into the February 2011 Perth Hills and November 2011 Margaret River bushfires, have shown that further work is required to better manage, and therefore reduce, bushfire related risk.”*



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Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.44)**

**9.7.45 WESTERN AUSTRALIAN GOVERNMENT GAZETTE – FRIDAY 5 JULY 2013 – NO.18**

Document ID:

Attached to the agenda is a copy of the above mentioned Government Gazette. **(Marked 9.7.45)**

**9.7.46 DISABILITY SERVICES COMMISSION – 2013 COUNT ME IN AWARDS**

Document ID: 15123

Nominations for the 2013 Count Me In Awards are now open.

The Awards recognise the outstanding efforts of individuals, government, business, educational and training organisations, developers, planners and architects for projects or initiatives which create more welcoming and accessible communities for people of all abilities.

The Awards will be presented as part of a free public event in Forrest Place, Perth city on Tuesday 3 December 2013 as part of Disability Awareness Week.

Nominations close Friday 13 September 2013.

**9.7.47 NORTHERN AGRICULTURAL CATCHMENTS COUNCIL INC BRIEF UPDATE**

Document ID: 15162

*“NACC has been impacted somewhat by the extreme volatility of federal politics, including tension between the previous ministers, with the result that NACC has been advised that a) it will get a significant reduction in funding for the years July 2013 – June 2018, b) the areas of NRM activity which we can undertake in those years have been narrowed even further than in the previous program, and c) there has been a worrying delay in getting contracts to us.”*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.47)**

**9.7.48 DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES – METROPOLITAN LOCAL GOVERNMENT REFORM UPDATE – ISSUE 08**

Document ID:

Inside this issue:

- Local Government Elections
- Advisory Board Role
- Community Interest
- Minister’s Meetings

**9.7.49 SHIRE OF DANDARAGAN INFRASTRUCTURE / MAJOR PROJECTS REPORT – JUNE 2013**

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Document ID: 15215

Attached to the agenda is a copy of the above mentioned report.  
**(Marked 9.7.49)**

### 9.7.50 SHIRE OF DANDARAGAN – JUNE 2013 COUNCIL STATUS REPORT

Document ID:

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 27 June 2013. **(Marked 9.7.50)**

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

### 10.1 WORKS AND PLANT

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

The following item requires urgent consideration by Council:

Council to consider awarding a contract for the Partial Town Maintenance of Badgingarra to the Badginagarra Community Association.

#### **OFFICER RECOMMENDATION / COUNCIL DECISION**

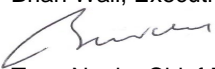

**Moved Cr Holmes, seconded Cr Russell**

**That the following new business of an urgent nature be considered by Council:**

**Council to consider awarding a contract for the Partial Town Maintenance of Badgingarra to the Badginagarra Community Association.**

**CARRIED 6 / 0**

#### 10.1.1 PARTIAL TOWN MAINTENANCE BADGINGARRA

Location:	Badgingarra
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Parks and Reserves / Maintenance / Facilities
Disclosure of Interest:	N/A
Date:	20 July 2013
Author:	Brian Wall, Executive Manager Infrastructure & Major Projects
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### **PROPOSAL**

Council to consider awarding a contract for the Partial Town Maintenance of Badgingarra to the Badginagarra Community Association.

#### **BACKGROUND**

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013**

Badgingarra Community Association has been in discussion with the Shire for the past 12 months to acquire a contract to provide partial maintenance services for the Shire to the town of Badgingarra. A contract has been drafted by the Shires lawyers and is attached.

**COMMENT**

Whilst the Shire have staff based in Dandaragan who undertake similar works identified in the contract, staff are not located daily in Badgingarra it is difficult of some occasions to ensure some maintenance issues are carried in an effective time frame. The Badgingarra Community Association have a passion for their town and besides employing a local person the contract, it provides locals with an opportunity to assist in the Towns maintenance in partnership with the Shire. The contract is for a period of 12 months only at this stage, given the uncertainty of its application. The contract will be Supervised throughout the 12 months by Shire officers meeting regularly with Badgingarra Community Association members to ensure it is being implemented effectively.

After the 12 month period the contract performance will be assessed in relation to its success both financially and practically and an item will be presented to Council at this stage advising the outcome of the assessment and recommending a further contract be entered into or not.

The contract takes into consideration the current License agreement between The Badgingarra Community Association and Shire for the Badgingarra Community Centre.

**CONSULTATION**

Badgingarra Community Association

**STATUTORY ENVIRONMENT**

- Section 3.57 of the Local Government Act 1995
- Part 4 of the Local Government (Functions and General) Regulations 1996
- Local Government (Functions and General) Amendment Regulations 2007
- The Trade Practices Act (Cth) 1974

**POLICY IMPLICATIONS**

- Council's Procurement Policy

**FINANCIAL IMPLICATIONS**

The contract proposal is for an annual fee of \$20,000.00, costs associated with this contract are with the Shire Infrastructure maintenance budgets.

**STRATEGIC IMPLICATIONS**

- Shire of Dandaragan Strategic Community Plan 2011 – 2021

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5.15.3 GOAL NUMBER THREE: Focus on community.					
OBJECTIVE 1: Develop strong and supportive community social services.					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G3-01-A5	Investigate self-management of community resources in each location.	Community workshops	Short	District	Community groups
5.15.3 GOAL NUMBER THREE: Focus on community.					
OBJECTIVE 2: Develop civic leadership and build community engagement.					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G3-02-A2	Partner with local community groups to hold events that celebrate community volunteerism.		Ongoing	District	Community groups

### ATTACHMENTS

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

- BCA Partial Town Maintenance Contract (Doc Id: 15332)  
**(Marked 10.1.1)**

### VOTING REQUIREMENT

Simple majority

### OFFICER RECOMMENDATION

Moved Cr Bailey, seconded Cr Kent

That Council authorise the CEO to enter into a 12 month contract for the Partial Town Maintenance of Badgingarra with the Badgingarra Community Association as detailed in the attached contract document presented to Council.

### AMENDMENT

Moved Cr Bailey, seconded Cr Kent

That Council authorise the CEO to enter into a 12 month contract for the Partial Town Maintenance of Badgingarra with the Badgingarra Community Association as detailed in the attached contract document presented to Council up to the value of \$33,000.

CARRIED 6 / 0

*The amendment became the motion.*

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**COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Kent**

**That Council authorise the CEO to enter into a 12 month contract for the Partial Town Maintenance of Badgingarra with the Badgingarra Community Association as detailed in the attached contract document presented to Council up to the value of \$33,000.**

**CARRIED 6 / 0**

The following item requires urgent consideration by Council:

Council to authorise the acquisition of land to accommodate the Civic Precinct development under the Jurien Bay City Centre Enhancement Project.

**OFFICER RECOMMENDATION / COUNCIL DECISION**



**Moved Cr Russell, seconded Cr Bailey**

**That the following new business of an urgent nature be considered by Council:**

**Council to authorise the acquisition of land to accommodate the Civic Precinct development under the Jurien Bay City Centre Enhancement Project.**

**CARRIED 6 / 0**

**10.1.2 LAND TENURE JURIEB BAY CITY CENTRE ENHANCEMENT PROJECT**

Location:	Lot 124 Bashford Street
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Council Properties / Urban Design / Civic Precinct
Disclosure of Interest:	Nil
Date:	24 July 2013
Author:	Brian Wall, Executive Manager Infrastructure & Major Projects
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

Council to authorise the acquisition of land to accommodate the Civic Precinct development under the Jurien Bay City Centre Enhancement Project.

**BACKGROUND**

An item was presented to the Ordinary Meeting of Council held 23 May 2013, for Council to consider land tenure options for Lot 65 Bashford Street and Lot 1251 Hamersley Street (Civic Centre Development). At this meeting Council resolved:

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*OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr Holmes, seconded Cr Short**That Council endorse Option 2 as Council's preferred option:*

- 1. purchase of Lots 65 and 1251 Jurien Bay amalgamate with Lot 124 - \$300,000.00; and*
- 2. that a report comes back to Council in June 2013 confirming details of how the purchase of Lots 65 and 1251 will be funded.*

*CARRIED BY ABSOLUTE MAJORITY 8 / 0*

The Shire has now received correspondence from Minister for Regional Development (attached) confirming that the Shires accrued SuperTowns project interest can be used to put towards the purchase of lots 65 and 1251 in order for the development of the Jurien Bay City Centre Enhancement Project.

COMMENT

Staff will now commence the purchasing process with the Department of Lands and request interim approval for works to commence over the land Lot 65 Bashford Street and Lot 1251 Hamersley Street whilst the purchasing process is being finalised.

Staff will continue to negotiate with the Minister to have the land price reduced or acquired without charge.

CONSULTATION

- Regional Development and Lands
- Wheatbelt Development Commission

STATUTORY ENVIRONMENT

WA Planning and Development Act 2005

Local Government Act 1995

3.59. Commercial enterprises by local governments

(1) In this section —

acquire has a meaning that accords with the meaning of dispose;

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

land transaction means an agreement, or several agreements for a common purpose, under which a local government is to —

(a) acquire or dispose of an interest in land; or

(b) develop land;

major land transaction means a land transaction other than an exempt land transaction if the total value of —

(a) the consideration under the transaction; and

(b) anything done by the local government for achieving the purpose of the transaction,

is more, or is worth more, than the amount prescribed for the purposes of this definition;

major trading undertaking means a trading undertaking that

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- 
- (a) in the last completed financial year, involved; or
  - (b) in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking; trading undertaking means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of land transaction.
- (2) Before it —
    - (a) commences a major trading undertaking; or
    - (b) enters into a major land transaction; or
    - (c) enters into a land transaction that is preparatory to entry into a major land transaction, a local government is to prepare a business plan.
  - (3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —
    - (a) its expected effect on the provision of facilities and services by the local government; and
    - (b) its expected effect on other persons providing facilities and services in the district; and
    - (c) its expected financial effect on the local government; and
    - (d) its expected effect on matters referred to in the local government's current plan prepared under section 5.56; and
    - (e) the ability of the local government to manage the undertaking or the performance of the transaction; and
    - (f) any other matter prescribed for the purposes of this subsection.
  - (4) The local government is to —
    - (a) give Statewide public notice stating that —
      - (i) the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction; and
      - (ii) a copy of the business plan may be inspected or obtained at any place specified in the notice; and
      - (iii) submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and
    - (b) make a copy of the business plan available for public

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inspection in accordance with the notice.

- (5) After the last day for submissions, the local government is to consider any submissions made and may decide\* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.
- \* Absolute majority required.
- (5a) A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.
- (6) If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.
- (7) The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.
- (8) A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.
- (9) A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.
- (10) For the purposes of this section, regulations may —
- (a) prescribe any land transaction to be an exempt land transaction;
  - (b) prescribe any trading undertaking to be an exempt trading undertaking.

[Section 3.59 amended by No. 1 of 1998 s. 12; No. 64 of 1998 s. 18(1) and (2).]

Local Government (Functions and General) Regulations 1996

Part 3 — Commercial enterprises by local governments (s. 3.59)

7. Term used: major regional centre

- (1) In this Part —
  - major regional centre means a local government the district of which —
    - (a) is not in the metropolitan area; and
    - (b) has more than 20 000 inhabitants.
- (2) Section 2.4(6) of the Act applies to determine the number of inhabitants of a district for the purposes of the definition of major regional centre.



**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013**

[Regulation 7 inserted in Gazette 27 Sep 2011 p. 3843-4.]

8A. Amount prescribed for major land transactions; exempt land transactions prescribed (Act s. 3.59)

- (1) The amount prescribed for the purposes of the definition of major land transaction in section 3.59(1) of the Act is —
  - (a) if the land transaction is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —
    - (i) \$10 000 000; or
    - (ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year;

or

  - (b) if the land transaction is entered into by any other local government, the amount that is the lesser of —
    - (i) \$2 000 000; or
    - (ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.
- (2) A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if —
  - (a) the total value of —
    - (i) the consideration under the transaction; and
    - (ii) anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed under subregulation (1); and
  - (b) the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which the total value exceeds the amount prescribed under subregulation (1) is not significant taking into account —
    - (i) the total value of the transaction; or
    - (ii) variations throughout the State in the value of land.

[Regulation 8A inserted in Gazette 27 Sep 2011 p. 3844.]

8. Exempt land transactions prescribed (Act s. 3.59)

- (1) A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if the local government enters into it —
  - (a) without intending to produce profit to itself; and
  - (b) without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.
- (2) For the purposes of subregulation (1)(b) a person is given joint use of land if the land is to be jointly used for a common purpose by the local government and

<p><b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013</b></p>
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that person (whether or not other persons are also given joint use of the land).

- (3) A transaction under which a local government disposes of a leasehold interest in land is an exempt land transaction for the purposes of section 3.59 of the Act if —
- (a) all or any of the consideration to be received by the local government under the transaction is by way of an increase in the value of the land due to improvements that are to be made without cost to the local government; and
  - (b) although the total value referred to in the definition of major land transaction in that section is more, or is worth more, than the amount prescribed for the purposes of that definition, it would not be if the consideration were reduced by the amount of the increase in value mentioned in paragraph (a).

[Regulation 8 amended in Gazette 29 Aug 1997 p. 4867 8.]

9. Amount prescribed for major trading undertakings; exempt trading undertakings prescribed (Act s. 3.59)

- (1) The amount prescribed for the purposes of the definition of major trading undertaking in section 3.59(1) of the Act is —
- (a) if the trading undertaking is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —
    - (i) \$5 000 000; or
    - (ii) 10% of the lowest operating expenditure described in subregulation (2);
 or
  - (b) if the trading undertaking is entered into by any other local government, the amount that is the lesser of —
    - (i) \$2 000 000; or
    - (ii) 10% of the lowest operating expenditure described in subregulation (2).
- (2) The lowest operating expenditure referred to in subregulation (1) is the lowest of —
- (a) the operating expenditure incurred by the local government from its municipal fund in the last completed financial year; and
  - (b) the operating expenditure likely to be incurred by the local government from its municipal fund in the current financial year; and
  - (c) the operating expenditure likely to be incurred by the local government from its municipal fund in the financial year after the current financial year.
- (3) A trading undertaking is an exempt trading undertaking for the purposes of section 3.59 of the

Act if —

- (a) the undertaking —
  - (i) in the last completed financial year, involved; or
  - (ii) in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed under subregulation (1); and
- (b) the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which expenditure is, or is likely to be, more than the amount prescribed under subregulation (1) is not significant taking into account —
  - (i) the total value of the undertaking; or
  - (ii) variations throughout the State in the value of land.

[Regulation 9 amended in Gazette 31 Mar 2005 p. 1054; 27 Sep 2011 p. 3845.]

10. Business plans for major trading undertaking and major land transaction, content of

- (1) If a local government is required to prepare a business plan because of a major trading undertaking or major land transaction that it is to carry on or enter into jointly with another person —
  - (a) the business plan is to include details of the whole undertaking or transaction, even though the local government is not the only joint venturer; and
  - (b) the business plan is to include details of —
    - (i) the identity of each joint venturer other than the local government; and
    - (ii) the ownership of, and any other interests in, property that is involved in, or acquired in the course of, the joint venture; and
    - (iii) any benefit to which a joint venturer other than the local government may become entitled under or as a result of the joint venture; and
    - (iv) anything to which the local government may become liable under or as a result of the joint venture.
- (2) In subregulation (1) —
 

joint venture means the major trading undertaking or major land transaction that is to be jointly carried on or entered into;

joint venturer means the local government or another person with whom the local government is to carry on or enter into the joint venture.

## MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013

### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

### FINANCIAL IMPLICATIONS

\$300,000.00 for the purchase has been approved to be accessed from accrued interest from the Shires SuperTowns project funding.

### STRATEGIC IMPLICATIONS

- Shire of Dandaragan Strategic Community Plan 2011 – 2021

5.15.1 GOAL NUMBER ONE: Strong economic base and enabling infrastructure					
OBJECTIVE 2: Ensure timely provision of essential and strategic infrastructure to ensure investment and growth for the Shire is maximised					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G1-02-A1	Develop civic precinct concept in Jurien Bay.	Town Centre Strategy Plan  SuperTowns Growth Plan	Short - Medium	Jurien Bay	CRC  DEC  Other agencies

### ATTACHMENTS

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

- Letter Minister Regional Development (Doc Id: 15165)
- Map of the Lots to be purchased (Doc Id:15422)

***(Marked 10.1.2)***

### VOTING REQUIREMENT

Absolute majority

### **OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Holmes**

**That Council:**

1. **authorise as a budget amendment, the Chief Executive Officer to undertake negotiations and to purchase Lot 65 Bashford Street and Lot 1251 Hamersley Street, Jurien Bay as per the attached plans up to the price of \$300,000; and**
2. **authorise as a budget amendment, a transfer from the SuperTowns reserve to the Shire of Dandaragan's Municipal Fund equivalent to the purchase price of Lot 65 Bashford Street and Lot 1251 Hamersley Street, Jurien Bay;**
3. **authorise the Chief Executive Officer to seek a variation to the Financial Assistance Agreement "Supertowns Development Project Fund - Jurien Bay City Centre Enhancement Project" to include the purchase of Lot 65 Bashford Street and Lot 1251 Hamersley Street, Jurien Bay and the addition of an extra drawdown milestone; and**
4. **request interim approval from the Department of Lands for the works to commence over the land Lot 65 Bashford Street and Lot 1251 Hamersley Street whilst the purchasing**

process is being finalised.

**CARRIED BY ABSOLUTE MAJORITY 6 / 0**

## 10.2 ADMINISTRATION

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

The following item requires urgent consideration by Council:

The purpose of this report is to consider the allocation of funds for the Tronox (formerly Tiwest Joint Venture) – Shire of Dandaragan, Community Sporting and Recreation Facilities Fund grant determinations for 2013 / 2014 Financial Year.

### **OFFICER RECOMMENDATION / COUNCIL DECISION**



**Moved Cr Bailey, seconded Cr Kent**

**That the following new business of an urgent nature be considered by Council:**

**The purpose of this report is to consider the allocation of funds for the Tronox (formerly Tiwest Joint Venture) – Shire of Dandaragan, Community Sporting and Recreation Facilities Fund grant determinations for 2013 / 2014 Financial Year.**

**CARRIED 6 / 0**

### **10.2.1 SHIRE OF DANDARAGAN AND TRONOX COMMUNITY SPORTING AND RECREATION FACILITIES FUND COMMITTEE GRANT DETERMINATIONS FOR THE 2013 / 2014 FINANCIAL YEAR**

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Grants and Subsidise / Applications / Tronox Community Grants
Disclosure of Interest:	Nil
Date:	16 July 2013
Author:	Kelly Shipway, Community Development Officer
Signature of Author:	
Senior Officer:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Senior Officer:	

### **PROPOSAL**

The purpose of this report is to consider the allocation of funds for the Tronox (formerly Tiwest Joint Venture) – Shire of Dandaragan, Community Sporting and Recreation Facilities Fund grant determinations for 2013 / 2014 Financial Year.

### **BACKGROUND**

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013**

Council has allocated an amount of \$15,000 on the 2013 / 2014 Budget for the Community Sporting and Recreation Facilities Fund and Tronox has once again contributed to match the funding, for total funds available of \$30,000. The Council may allocate a sum of money each year for the purpose of: 'Assisting local organisations to provide or improve sporting and recreational facilities and to purchase or improve items of durable equipment.'

The funds are allocated by a Committee, made up of two (2) representatives from each community within the Shire of Dandaragan.

**COMMENT**

This year twenty one applications were submitted by sporting clubs and community organisations. The total grant available is \$30,000 and the sum of all requests was \$39,292.18. The pool was significantly reduced due to the ineligibility of a number of projects. Four projects were deemed ineligible and one projects funding was significantly reduced.

There were no unspent grants to be carried over from allocations of last year – 2012 / 2013. In past years, when clubs were unable to complete projects, the unspent funding would be brought forward and reallocated.

The Committee agreed to fund the following list of 17 projects:

<b>ORGANISATION</b>	<b>PROJECT DESCRIPTION</b>	<b>PROJECT COST (\$)</b>	<b>GRANT (\$)</b>
Badgingarra Community Association (Inc)	Purchase a collator	\$8,783.50	\$3,992.50
Badgingarra Bowling Club	Abs Dale Green Sweeper	\$880.00	\$440.00
Cervantes Bowling Club	New colourbond fencing	\$1700.00	\$850.00
Cervantes Community Recreation Centre	5 wall fans, castors and portable sound system	\$4,800.00	\$2,400.00
Cervantes Golf Club	Rainwater tank and a Honda / Davey Firefighting unit	\$1,800.00	\$900.00
Cervantes Historical Society	Purchase a digi scanner and binding machine	\$544.00	\$272.00
Cervantes Tennis Club (1st pref)	New fencing and gates	\$9,900.00	\$4,950.00
Cervantes Playgroup	Equipment for early development	\$1,168.18	\$584.09
Cervantes Volunteer Bush Fire Brigade	Shade shelter only. Other equipment has been purchased already	\$1,518.19	\$239.60

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013**

<b>ORGANISATION</b>	<b>PROJECT DESCRIPTION</b>	<b>PROJECT COST (\$)</b>	<b>GRANT (\$)</b>
Dandaragan Repertory Club	2 x stage lights	\$1,418.00	\$709.00
Redgum Reports (Inc)	Kyocera black and white printer	\$1,097.80	\$548.90
Coastal Kids Care Incorporated	2 x Ipads for after school care	\$2,000.00	\$1,000.00
Jurien Bay Football Club (1 <sup>st</sup> Pref)	Two door chiller	\$3,636.60	\$1,818.30
Jurien Bay Football Club (2 <sup>nd</sup> Pref)	Purchase a portable gas fryer for the JCC kitchen	\$3,386.90	\$1,693.45
Jurien Bay Country Golf Club	Club desktop computer	\$1,296.00	\$648.00
Jurien Bay Bowling Club	Hooded BBQ	\$600.00	\$300.00
Jurien Bay Playgroup	Floor mats and musical instruments	\$1,059.41	\$529.70
	<b>TOTAL</b>	<b>\$45,588.58</b>	<b>\$21,875.54</b>

**CONSULTATION**

- Advance Dandaragan
- Badgingarra Community Association
- Cervantes Ratepayers & Progress Association
- Jurien Bay Progress Association

**STATUTORY ENVIRONMENT**

Local Government (Functions and General Regulations) 1996

**POLICY IMPLICATIONS**

Council Policy 1.15 applies in relation to purchasing.

**FINANCIAL IMPLICATIONS**

Council has made provision in the budget for \$30,000 expenditure and matching income from Tronox of \$15,000 and general purpose revenue of \$15,000.

**STRATEGIC IMPLICATIONS**

- Shire of Dandaragan Strategic Community Plan 2011 – 2021

5.15.2 GOAL NUMBER TWO: Build a high level of amenity and lifestyle.

OBJECTIVE 4: Develop recreation facilities and activities to support a healthy community.

**ATTACHMENTS**

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

- Minutes of the Committee meeting held 16 July 2013 (Doc Id: 15328)

***(Marked 10.2.1)***

**VOTING REQUIREMENT**

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013**

Simple majority

**OFFICER RECOMMENDATION 1 / COUNCIL DECISION**

Moved Cr Kent, seconded Cr Russell

That the following grant applications for the Tronox and Shire of Dandaragan Facilities Fund, as recommended at the committee meeting on the 16 July 2013, be approved for the 2013 / 2014 financial year:

ORGANISATION	PROJECT DESCRIPTION	PROJECT COST (\$)	GRANT (\$)
Badgingarra Community Association (Inc)	Purchase a collator	\$8,783.50	\$3,992.50
Badgingarra Bowling Club	Abs Dale Green Sweeper	\$880.00	\$440.00
Cervantes Bowling Club	New colourbond fencing	\$1700.00	\$850.00
Cervantes Community Recreation Centre	5 wall fans, castors and portable sound system	\$4,800.00	\$2,400.00
Cervantes Golf Club	Rainwater tank and a Honda / Davey Firefighting unit	\$1,800.00	\$900.00
Cervantes Historical Society	Purchase a digi scanner and binding machine	\$544.00	\$272.00
Cervantes Tennis Club (1st pref)	New fencing and gates	\$9,900.00	\$4,950.00
Cervantes Playgroup	Equipment for early development	\$1,168.18	\$584.09
Cervantes Volunteer Bush Fire Brigade	Shade shelter only. Other equipment has been purchased already	\$1,518.19	\$239.60
Dandaragan Repertory Club	2 x stage lights	\$1,418.00	\$709.00
Redgum Reports (Inc)	Kyocera black and white printer	\$1,097.80	\$548.90
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Jurien Bay Football Club (1 <sup>st</sup> Pref)	Two door chiller	\$3,636.60	\$1,818.30
Jurien Bay Football Club (2 <sup>nd</sup> Pref)	Purchase a portable gas fryer for the JCC kitchen	\$3,386.90	\$1,693.45
Jurien Bay Country Golf Club	Club desktop computer	\$1,296.00	\$648.00
Jurien Bay Bowling Club	Hooded BBQ	\$600.00	\$300.00
Jurien Bay Playgroup	Floor mats and musical instruments	\$1,059.41	\$529.70



<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013</b>
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ORGANISATION	PROJECT DESCRIPTION	PROJECT COST (\$)	GRANT (\$)
	<b>TOTAL</b>	<b>\$45,588.58</b>	<b>\$21,875.54</b>

**CARRIED 6 / 0**

**OFFICER RECOMMENDATION 2 / COUNCIL DECISION**

Moved Cr McGlew, seconded Cr Bailey

That Council roll over the excess pool of funds available to the next financial year in the instance that there is excess funding that has not been allocated.

**CARRIED 6 / 0**

**OFFICER RECOMMENDATION 3 / COUNCIL DECISION**

Moved Cr Bailey, seconded Cr Kent

That application's from local schools are required to demonstrate that they have applied for funding through the Tronox School Partnership Program. In addition, Day Care Centres and After School Activities Programs will be required to provide evidence that they have applied for funding through Lotterywest.

**CARRIED 6 / 0**

**OFFICER RECOMMENDATION 4 / COUNCIL DECISION**

Moved Cr Kent, seconded Cr Bailey

That future application forms include the applicants GST status. Clubs that are registered for GST and the total grant requested can be factored back to allow funding to stretch further.

**CARRIED 6 / 0**

**COUNCIL DECISION**

Moved Cr Bailey, seconded Cr Russell

That Council request Tronox to give approval to roll their excess 2013 / 2014 funds over to the 2014 / 2015 financial year.

**CARRIED 6 / 0**

## **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.

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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 minutes 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*

**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.*

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013**

**Moved Cr McGlew, seconded Cr Holmes**

That the meeting be closed to members of the public at 6.09pm in accordance with Section 5.23 (2) (d) and Section 5.23 (2) (e) (ii) of the *Local Government Act 1995* to allow Council to discuss the following items:



- Item 11.1.1 - 'Tribunal mediation – proposed car park (temporary approval and Scheme amendment) – Lot 8 Catalonia Street, Cervantes'; and
- Item 11.2.1 – 'Request for sundry debtors write off - Pinnacles Caravan Park'.

**CARRIED 6 / 0**

*The members of the public left the Council Chambers at 6.09pm*

**11.1 TOWN PLANNING**

**11.1.1 TRIBUNAL MEDIATION – PROPOSED CAR PARK (TEMPORARY APPROVAL AND SCHEME AMENDMENT) – LOT 8 CATALONIA STREET, CERVANTES**

Location:	Lot 8 Catalonia Street, Cervantes
Applicant:	David Thompson
File Ref:	Development Services Apps/ Development Applications / 2012 / 59
Disclosure of Interest:	None
Date:	12 July 2013
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

**COUNCIL DECISION**


**Moved Cr McGlew, seconded Cr Holmes**

**That Council defer this item to the 22 August 2013 Ordinary Meeting of Council.**

**CARRIED 5 / 1**

**11.2 ADMINISTRATION**

**11.2.1 REQUEST FOR SUNDRY DEBTORS WRITE OFF - PINNACLES CARAVAN PARK**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Council Properties / Leasing Out / Caravan Parks
Disclosure of Interest:	Nil
Date:	1 July 2013
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

*Cr Holmes disclosed a financial interest and left the Council Chambers at 6.48pm.*

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 25 JULY 2013**

**COUNCIL DECISION**

Moved Cr Bailey, seconded Cr McGlew  
That Council agree to write off \$1,436.07 ex GST on invoice 22175 for customer number C28712 for the owner share of the valuation expenses but deny the request to write off the remaining amount of \$7,115.69 ex GST on invoice 22175 for customer number C28712 and that Council authorise the CEO to liaise with the customer to organise a payment plan to have the amount paid off within 12 months.

**CARRIED BY ABSOLUTE MAJORITY 5 / 0**

**COUNCIL DECISION**

Moved Cr Bailey, seconded Cr Kent  
That the meeting be reopened to the public.

**CARRIED 5 / 0**

*Cr Holmes returned to the Council Chambers at 7.33pm and the President read aloud the resolutions from Council for both confidential items.*

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

**13 CLOSURE OF MEETING**

The presiding member declared the meeting closed at 7.35pm.

These minutes were confirmed at a meeting on .....

Signed .....

Presiding person at the meeting at which the minutes were confirmed

Date .....