



## NOTICE OF AN ORDINARY COUNCIL MEETING

Dear Council Member,

The next Ordinary Meeting of the Dandaragan Shire Council will be held on **Thursday 26 May 2016** at the **Council Chambers Jurien Bay** commencing at **5.00pm**.

Attached is your copy of the agenda and business papers for the meeting.

***The format for the day is as follows:***

- |                 |   |
|-----------------|---|
| <b>9.00 am</b>  | <b>Council Forum</b><br>Budget Discussions <ul style="list-style-type: none"><li>▪ Salaries &amp; Allowances Tribunal Determination</li><li>▪ Outsourcing Services and Operational Contributions</li><li>▪ Infrastructure Budget</li><li>▪ Differential Rates</li><li>▪ Wolba Wolba</li></ul> |
| <b>12.30 pm</b> | <b>LUNCH</b>  |
| <b>1.00 pm</b>  | <b>Department Parks and Wildlife – Wedge &amp; Grey</b> <ul style="list-style-type: none"><li>▪ Preliminary Asbestos Assessment for Wedge &amp; Grey</li><li>▪ Current Planning for Wedge &amp; Grey</li></ul>  |
| <b>2.00 pm</b>  | <b>Jurien Bay CRC Presentation</b>  |
| <b>2.30 pm</b>  | <b>Continue with Budget Discussions</b>   |
| <b>3.30pm</b>   | <b>Agenda Briefing</b>  |
| <b>4.00pm</b>   | <b>Councillor Discussion Session</b>  |
| <b>5.00pm</b>   | <b>Ordinary Meeting of Council</b>  |
| <b>6.00pm</b>   | <b>Public Forum</b>   |

**Tony Nottle**  
**CHIEF EXECUTIVE OFFICER**

18 May 2016



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

**AGENDA AND BUSINESS PAPERS**

for the

**ORDINARY COUNCIL MEETING**

to be held

**AT THE COUNCIL CHAMBERS, JURIEN BAY**

on

**26 MAY 2016**

**COMMENCING AT 5.00PM**

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



## ORDINARY COUNCIL MEETING

**26 MAY 2016**

Welcome to the Ordinary Council Meeting of the Shire of Dandaragan.

Please be advised that the Ordinary Meeting of Council will be held on the following dates, times and venues:

DAY	DATE	TIME	MEETING VENUE
Thurs	26 May 2016	5.00pm	Jurien Bay
Thurs	23 June 2016	5.00pm	Cervantes
Thurs	28 July 2016	4.00pm	Jurien Bay
Thurs	25 August 2016	4.00pm	Jurien Bay
Thurs	22 September 2016	4.00pm	Badgingarra
Thurs	27 October 2016	4.00pm	Jurien Bay
Thurs	24 November 2016	4.00pm	Cervantes
Thurs	15 December 2016	4.00pm	Jurien Bay
Wed	25 January 2017	4.00pm	Cervantes (AGM of Electors - 6.00pm)
Thurs	23 February 2017	4.00pm	Jurien Bay
Thurs	23 March 2017	4.00pm	Jurien Bay
Thurs	27 April 2017	4.00pm	Dandaragan
Thurs	25 May 2017	4.00pm	Jurien Bay
Thurs	22 June 2017	4.00pm	Jurien Bay

Public Forums commence immediately following the closure of the Council Meeting which is generally about 6.00pm.

Members of the public are most welcome to attend both the Council Meetings and the Public Forums.

**BY ORDER OF THE COUNCIL**

**Tony Nottle**  
**CHIEF EXECUTIVE OFFICER**



## **DISCLAIMER**

INFORMATION FOR THE PUBLIC ATTENDING A COUNCIL MEETING

**Please note:**

The recommendations contained in this agenda are Officers Recommendations only and should not be acted upon until Council has considered the recommendations and resolved accordingly.

The resolutions of Council should be confirmed by perusing the Minutes of the Council Meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils Decision.

**Tony Nottle**  
**CHIEF EXECUTIVE OFFICER**



## COUNCIL MEETING INFORMATION NOTES

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time to time Council may form a Committee, Working Party or Steering group to examine subjects and then report to Council.
3. Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
4. Public Question Time. It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Chairman.

*Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and response is included in the Minutes.*

*When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.*

*Council has prepared an appropriate form and Public Question Time Guideline to assist.*

5. **Councillors** may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter **trivial, insignificant** or **in common with a significant number of electors or ratepayers**. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

**Members of staff**, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Chairman of the meeting will advise the Officer if he/she is to leave the meeting.

6. Agendas including an Information Bulletin are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item including a recommendation will then be submitted to Council for consideration should it be determined appropriate by the Chief Executive Officer.

**The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).**

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

7. Agendas for Ordinary Meetings are available in the Shire of Dandaragan Administration Centre and all four libraries as well as on the website [www.dandaragan.wa.gov.au](http://www.dandaragan.wa.gov.au) seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.
8. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).
9. Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection in the Shire of Dandaragan Libraries and on the website [www.dandaragan.wa.gov.au](http://www.dandaragan.wa.gov.au) within ten (10) working days after the Meeting.

**NOTE:**

10.3 Unopposed Business

- (1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it.
- (3) A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.

This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

## SHIRE OF DANDARAGAN QUESTIONS FROM THE PUBLIC

The Shire of Dandaragan welcomes community participation during public question time as per the Shire of Dandaragan Standing Orders Local Law.

A member of the public who raises a question during question time is requested to:

- (a) provide a copy of his or her questions at least 15 minutes prior to the commencement of the meeting;
- (b) first state his or her name and address;
- (c) direct the question to the President or the Presiding Member;
- (d) ask the question briefly and concisely;
- (e) limit any preamble to matters directly relevant to the question;
- (f) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question;
- (g) each **member of the public** with a question is **entitled to ask up to 3 questions** before other members of the public will be invited to ask their questions;
- (h) when a member of the public gives written notice of a question, the President or Presiding Member may determine that the question is to be responded to as normal business correspondence.

The following is a summary of procedure and a guide to completion of the required form.

1. This is a "question" time only. Orations, explanations or statements of belief will not be accepted or allowed.
2. Questions must relate to a matter affecting the Shire of Dandaragan.
3. Questions must be appropriate and made in good faith. Those containing defamatory remarks, offensive language or question the competency or personal affairs of council members or employees may be ruled inappropriate by the Mayor or Presiding Member and therefore not considered.
4. Frame your question so that it is both precise and yet fully understood. Long questions covering a multitude of subjects are easily misunderstood and can result in poor replies being given.
5. Write your question down on the attached form, it helps you to express the question clearly and provides staff with an accurate record of exactly what you want to know.
6. When the President or presiding member calls for any questions from the public, stand up and wait until you are acknowledged and invited to speak. Please start by giving your name and address first, then ask the question.
7. Questions to be put to the President or presiding member and answered by the Council. No questions can be put to individual Councillors.
8. The question time will be very early in the meeting. **There is only 15 minutes available for Question Time.** Questions not asked may still be submitted to the meeting and will be responded to by mail.
9. When you have put your question, resume your seat and await the reply. If possible, the President or presiding member will answer directly or invite a staff member with special knowledge to answer in his place. However, it is more likely that the question will have to be researched, in which case the President or presiding member will advise that the question will be received and that an answer will be forwarded in writing. Please note under NO circumstances, will the question be debated or discussed by Council at that meeting.
10. To maximise public participation only three questions per person will initially be considered with a time limit of 2 minutes per person. If there is time after all interested persons have put their questions the President or presiding member will allow further questions, again in limits of two per person.
11. To fill out the form, just enter your name and address in the appropriate areas together with details of any group you are representing, then write out your question.
12. Please ensure your form is submitted to the minutes secretary.

If you have difficulty in or are incapable of writing the question, Shire staff are available on request to assist in this task.

We hope this note assists you in the asking of your question and thank you for your interest

and participation in the affairs of our Shire.



**SHIRE OF DANDARAGAN**  
**QUESTIONS FROM THE PUBLIC**

**Any member of the public wishing to participate in Public Question Time during Council or Committee meetings is welcome to do so, however, Council requires your name, address and written questions to be provided to the meeting secretary.**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Contact No: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

Council Agenda Item No: \_\_\_\_\_  
*(if applicable, see below\*)*

Name of Organisation Representing: \_\_\_\_\_  
*(if applicable)*

**QUESTION:**

*Each member of the public is entitled to ask up to 3 questions before other members of the public will be invited to ask their question. 15 Minutes is allotted to Public Question Time at Council Meetings.*

**Please see notes on Public Question Time overleaf...**

- \* **Agenda Forums:** Questions can only be addressed where they relate to an Agenda Item.
- \* **Council Meetings:** Questions are to relate to a matter affecting the Shire of Dandaragan.



**REGISTER OF FINANCIAL / IMPARTIALITY / PROXIMITY INTEREST  
RECORD OF DISCLOSURES MADE**

**NAME OF PERSON MAKING DISCLOSURE**

Surname: \_\_\_\_\_

Christian Names: \_\_\_\_\_

Date of Disclosure: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_

Council Meeting:                      Yes                      No                      (Please  
Circle)

or

Committee Meeting:                      Yes                      No                      (Please  
Circle)

Name of Committee: \_\_\_\_\_

Agenda Book Page No: \_\_\_\_\_ Item No: \_\_\_\_\_

Nature and Extent of Financial Interest:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of Person Making Disclosure:

\_\_\_\_\_

Signature of Staff Recording Financial Interest:

\_\_\_\_\_

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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

### 1.1 DECLARATION OF OPENING

### 1.2 DISCLAIMER READING

*“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 Holmes	(President)
Councillor D Slyns	(Deputy President)
Councillor W Gibson	
Councillor K McGlew	
Councillor J Kulisa	
Councillor M Sheppard	
Councillor P Scharf	
Councillor D Richardson	
Councillor C Carey	

### Staff

Mr T Nottle	(Chief Executive Officer)
Mr I Rennie	(Deputy Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr G Yandle	(Executive Manager Infrastructure)
Mr D Chidlow	(Manager Planning)
Ms R Headland	(Council Secretary & PA)

### Apologies

### Approved Leave of Absence

## 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

## 4 PUBLIC QUESTION TIME

## 5 APPLICATIONS FOR LEAVE OF ABSENCE

**6 CONFIRMATION OF MINUTES**

**6.1 MINUTES OF THE ORDINARY MEETING HELD 28 APRIL 2016**



**7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

**8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

**9 REPORTS OF COMMITTEES AND OFFICERS**

## 9.1 CORPORATE & COMMUNITY SERVICES

### 9.1.1 RECOGNISE STRONGER COMMUNITIES GRANT AND AUTHORISE BUDGET AMENDMENT TO TOURISM AND AREA PROMOTION FUND

Location:	Shire of Dandaragan
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Financial Management / Budgeting / Allocations
Disclosure of Interest:	Nil
Date:	10 May 2016
Author:	Alison Slyn, Economic Development Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

For Councillors to recognise the Department of Infrastructure and Regional Development grant to the amount of \$5,000 and authorise a Tourism and Area Promotion budget amendment to the same amount in order for Shire staff to carry out the Stronger Communities Programme.

#### BACKGROUND

The Stronger Communities Programme (SCP) is a new program designed to deliver social benefits across Australia. The Federal Government is providing \$45 million over two years, commencing in 2015-16 to fund small capital projects in local communities in each of the 150 Federal electorates.

The desired outcome of the program is to improve community participation, cohesion and contribute to vibrant and viable communities.

The minimum grant funded is \$5,000 with in-kind or matched funds to be contributed by the applicant.

The Shire provides Tourism and Area promotion funding through its budget processes in accordance with the Community Strategic Plan and the Shire Business Plan. Supporting events that attract more visitors to our region provides ongoing promotional opportunities for the Shire and providing adequate event facilities supports community groups and organisations that carry out such events.

#### COMMENT

In April 2016 the Shire of Dandaragan was successful in obtaining a \$5,000 grant from the Department of Infrastructure and Regional Development for the Stronger Communities Program for event equipment.

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 26 MAY 2016**

In October 2015, a custom-printed Shire of Dandaragan 3m x 3m marquee was purchased and has since been used at several events, with excellent feedback from Shire staff and community members. The SCP grant will fund the purchase of additional marquees, as well as other promotional and event infrastructure equipment, that will be used not only by the Shire at events, such as the Act Belong Commit, Spray the Grey Youth Festival, but by other community organisations. The use of Shire equipment by a community organisation is considered an in-kind contribution by the Shire for events.

**CONSULTATION**

- Executive Manager Corporate & Community Services

**STATUTORY ENVIRONMENT**

There are no statutory implications relevant to this item.

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item.

**FINANCIAL IMPLICATIONS**

The Shire was successful in obtaining a \$5,000 grant from Department of Infrastructure and Regional Development under the Stronger Communities Program, for event equipment. A budget amendment for 2015 / 2016 Financial Year will be required to recognise Grant income of \$5,000 and corresponding expenditure from the Tourism and Area Promotion Budget.

**STRATEGIC IMPLICATIONS**

Shire of Dandaragan Strategic Community Plan 2015 – 2025

<i>Goal 2: Healthy, Safe And Active Community</i>	
Objectives	How the Shire will contribute
2.3: Enhance vibrancy and community identity through culture and the arts	<ul style="list-style-type: none"> <li>▪ Deliver or support the delivery of selected arts, culture and community events</li> </ul>

**ATTACHMENTS**

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

- 20160406 Grant Agreement Stronger Communities SCP0001893 (Doc ID: 65146)

**VOTING REQUIREMENT**



Absolute majority

**OFFICER RECOMMENDATION**



**That Council recognise the Department of Infrastructure and Regional Development's grant to the amount of \$5,000 and authorise a Tourism and Area Promotion budget amendment to the same amount in order for Shire staff to complete the Stronger Communities Programme project.**

### 9.1.2 2016 / 2017 DIFFERENTIAL RATING

Location:	Shire of Dandaragan
Applicant:	N/A
Folder ID:	Business Classification Scheme / Rates and Valuations / Rate Classifications / Residential
Disclosure of Interest:	None
Date:	13 May 2016
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To authorise the advertising of proposed differential rating for properties rated using the gross rental value (GRV) method of valuation.

#### BACKGROUND

In order to make up a budget deficiency when adopting annual budgets, a local government is to impose either a uniform or differential general rate on rateable land in its district (Section 6.32 of the Local Government Act 1995). Further, in imposing a rate a Local Government is to set both a rate which is expressed as a rate in the dollar of the gross rental value of land in its district to be rated on gross rental value, and a rate in the dollar of the unimproved value of land to be rated on unimproved value.

Historically, the Shire of Dandaragan had uniformly applied a general rate on rateable properties within its district.

However for the rating year 2011 / 2012, as a result of the changes to the prescribed percentage within the Land Valuation Regulations 1979 used to calculate the assessed value for GRV purposes of vacant residential and rural residential land it was necessary to implement differential rating for properties rated using the GRV method. This was required to ensure not only that rates are levied to produce an equitable charge for the provision of services within the Shire of Dandaragan, but to apply a premium to vacant residential and rural residential properties to encourage the lands improvement to provide additional value to the growing community.

Section 6.33 of the Local Government Act 1995 states:

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —
  - (a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*;

- (b) a purpose for which the land is held or used as determined by the local government;
  - (c) whether or not the land is vacant land; or
  - (d) any other characteristic or combination of characteristics prescribed.
- (2) Regulations may —
- (a) specify the characteristics under subsection (1) which a local government is to use; or
  - (b) limit the characteristics under subsection (1) which a local government is permitted to use.

Further, for the Shire of Dandaragan to impose differential rates Section 6.36 (3) of the Local Government Act 1995 requires the proposed differential rate to be advertised “within the period of 2 months preceding the commencement of the financial year.”

For the financial year commencing 1 July 2013, GRV properties were revalued. Residential improved properties experienced a value increase of 27.27% while vacant land experienced a reduction of 32.53%

The Shire’s previous revaluation several years ago was completed during the peak of the property boom. The effect of this saw the values of vacant land on the coastal side of the shire increase at a rate significantly higher than the values for improved GRV properties. This is due to the way GRV is calculated where land is vacant and a traditional GRV cannot be calculated. In this situation 5% of capital value was used to calculate the value.

This resulted in the rates on the majority of coastal vacant blocks of land being only slightly less than the rates for a modest house.

The Council at the time felt that this was justified as Council’s desire was to encourage improvement of land and to also signify that it prefers land to be developed to provide additional value to the growing community.

In addition, the majority of the vacant blocks were located in new estates with significantly improved public open space, extensive road network, street lighting and swales that required significant maintenance immediately while the estates remained largely vacant.

Several years ago, the method of valuing vacant land was amended to reduce the GRV values by only calculating it using 3% of capital rather than 5%. By absorbing this change ratepayers of improved GRV would have seen an increase in rates, while vacant would have decreased, but the Shire would not have raised any additional income.

Once again the Council at the time felt that the original increase to vacant land was appropriate and wished to maintain this blend. Therefore, differential rates were introduced.

The trends experienced in the 2013 revaluation where as a result of the reduction in vacant land values from the previous revaluation at the height of the market and the current valuation at the bottom of the market. Combined with the retention of the 3% of capital value method, there was a massive drop of 32% for the value of GRV for vacant land. At the same time GRV for residential improved land increased 27%.

As is customary after a revaluation, the rates department adjusted the rate in the \$ to return the overall income to a nil change prior to applying any increases.

The introduction of differential rates combined with the changes in values presented two issues.

Firstly, to maintain the status quo the rates would have needed to increase significantly for vacant land, while the rate for the remainder would have needed to drop.

This would have resulted in needing to set a rate for vacant land of approximately 3 times the rate for the general GRV to retain the status quo.

The Local Government Act 1995 states:

*“In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.”*

It had consistently been the opinion of Council the blend of income from vacant land versus residential dwelling is appropriate and as such, a rate in the dollar for vacant greater than double the general rate is also appropriate.

As a result, the Shire successfully applied for ministerial approval to impose differential rates for 2014 / 2015 and 2015 / 2016.

#### COMMENT

The currently adopted Strategic Community Plan and Corporate Business Plan recognise as increasing deficit should the Shire wish to maintain levels of service and asset investment at its current levels.

Further to this, the recent funding announcements regarding a path to the Hill River and upgrade to Sandy Cape will put a further burden on the already forecast deficit.

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The data behind this increasing deficit requires income to be raised from rates or other sources of;

Financial Year	Rates or other income \$	Increase %
2016/2017	5,590,742	3%
2017/2018	6,260,814	12%
2018/2019	6,953,076	11%
2019/2020	7,812,049	12%

This averages out to 10% increase required over the next four years to retain the status quo.

While 10% is a large increase for ratepayers to bear, other factors can effect this shortfall such as levels of service and other income sources.

Integrated planning and asset management planning are interactive processes that over time will give a clearer picture of the overall deficit the Shire will have to address.

In the interim, the Shire should attempt to claw back some of this shortfall, but also be mindful of the burden it is placing on ratepayers. Therefore, it is recommended that Council advertise its intention to apply a 5% increase to all differential GRV rating categories.

#### CONSULTATION

- Chief Executive Officer

#### STATUTORY ENVIRONMENT

Section 6.32 of the Local Government Act 1995

Section 6.33 of the Local Government Act 1995

Section 6.36 of the Local Government Act 1995

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

The application of differential rating is for the purpose of apportioning the rate revenue derived between different categories of property owners.

There are no budget implications from applying differential rating. The intention with proposing a differential rate is to maintain the proportion of rate revenue derived from each property.

#### STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION**

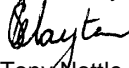

That Council:

1. In accordance with Section 6.36 of the Local Government Act 1995, authorise the Chief Executive Officer to advertise its intention to apply differential rating as allowed under Section 6.35 of the Local Government Act 1995, for Gross Rental Valuation (GRV) properties in the district as follows:

<i>Rating Category*</i>	<i>Proposed Rate in \$</i>	<i>Proposed Minimum Charge</i>	<i>Objects of and Reasons for Proposed Rate</i>
GRV - General	\$0.0794	\$658	To levy a rate in the dollar to produce an equitable charge for the provision of services within the Shire of Dandaragan
GRV – Vacant Residential	\$0.02010	\$658	To levy a rate in the dollar at a premium of the GRV – General rate to reflect not only Council's desire to encourage improvement of land but to also signify that it prefers land to be developed to provide additional value to the growing community. In addition, to maintain rate income proportionate to the service and facilities already provided for and maintained.

2. In accordance with Section 6.33 (3) of the Local Government Act 1995, authorise the Chief Executive Officer to seek ministerial approval to impose a differential general rate which is more than twice the lowest differential general rate to be imposed.

### 9.1.3 ACCOUNTS FOR PAYMENT – MARCH 2016

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	16 May 2016
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
Senior Officer:	Tony Wottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To accept the cheque and direct debit listing for the month of March 2016.

#### BACKGROUND

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

#### COMMENT

The cheque, electronic funds transfer (EFT) and direct debit payments for March 2016 totalled \$1,324,552.67 for the Municipal Fund

#### CONSULTATION

- Chief Executive Officer

#### STATUTORY ENVIRONMENT

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

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

#### STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

#### ATTACHMENTS

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

- Cheque, EFT and direct debit listings for March 2016 (Doc Id: 66660)

**(Marked 9.1.3)**

#### VOTING REQUIREMENT



Simple majority

**OFFICER RECOMMENDATION**

**That the Municipal Fund cheque and EFT listing for the period ending 31 March 2016 totalling \$1,324,552.67 for the Municipal Fund be accepted.**



### 9.1.4 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 30 APRIL 2016

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	16 May 2016
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To table and adopt the monthly financial statements for the period ending 30 April 2016.

#### BACKGROUND

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 30 April 2016.

#### COMMENT

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

##### 1. Net Current Assets

Council's Net Current Assets [ie surplus / (deficit)] position as at the 30 April 2016 was \$3,223,762. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves and Restricted Assets. The current position indicates that Council can easily meet its short-term liquidity or solvency.

The Net Current Asset position is reflected on page 8 and reconciled with the Statement of Financial Activity on page 1 of the financial statements.

The amount raised from rates, shown on the Statement of Financial Activity (page 1), reconciles with note 6 (page 9) of the financial statements and provides information to Council on the budget vs actual rates raised.

##### 2. Material Variances

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

#### Governance

Income is at 140% and is due to reimbursement, generally these are reimbursements of costs incurred.

#### General Purpose Funding

Expenditure is at 113% of Y-T-D budget and is due to legal fees being higher than budgeted. This amount is offset by addition income recouped from affected rating assessments.

#### Recreation & Culture

Expenditure is at 80% and is due to a correction in depreciation. An investigation into depreciation of recently revalued Infrastructure assets shows depreciation calculating too high.

#### Transport

Expenditure is at 93% and is due to a correction in depreciation. An investigation into depreciation of recently revalued Infrastructure assets shows depreciation calculating too high.

#### Economic Services

Expenditure is at 75% of Y-T-D budget and is due to less than budgeted expenditure on tourism. In addition an investigation into depreciation of recently revalued Infrastructure assets shows depreciation calculating too high.

#### Other Property and Services

Income is at 111% and is due to insurance reimbursements. This is offset by expenditure to repair damage.

Expenditure is at 143% and is due to higher than budgeted expenditure on plant repairs. This is partially offset by insurance reimbursements.

Should Councillors wish to raise any issues relating to the 30 April 2016 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

#### CONSULTATION

- Chief Executive Officer

#### STATUTORY ENVIRONMENT

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

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 30 April 2016 (66674)  
**(Marked 9.1.4)**



VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION**

**That the monthly financial statements for the period 30 April 2016 be adopted.**

### 9.1.5 RECOGNISE REGIONAL VISITOR CENTRE SUSTAINABILITY GRANT AND AUTHORISE BUDGET AMENDMENT TO RECEIVE AND EXPEND FUNDS

Location:	Shire of Dandaragan
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Financial Management / Budgeting / Allocations
Disclosure of Interest:	Nil
Date:	18 May 2016
Author:	Alison Slyns, Economic Development Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

For Council to recognise income from the Tourism Western Australia grant to the amount of \$17,573 and authorise a budget amendment of expenditure to the same amount from the the Tourism and Area Promotion Fund and the Civic Centre Capital Fund in order for Shire staff to carry out the Regional Visitor Centre Sustainability Program.

#### BACKGROUND

The Regional Visitor Centre Sustainability Grant Program (RVCSGP) through Royalties for Regions is aimed at helping accredited regional visitor centres be more sustainable by granting funds to enhance the experience for visitors as well as improve visitor centre operations, revenue and overall financial management. The grant will be implemented over three years with a total funding pool of \$4.2 million. The 2015-16 funding pool was \$1.1 million with individual applications being between \$10,000 and \$100,000. It is a contestable application process that requires a matching cash and / or in-kind contribution from applicants.

#### COMMENT

In April 2016 the Shire of Dandaragan was successful in obtaining a \$17,573 grant from Tourism WA for the Regional Visitor Centre Sustainability Grant Program through Royalties for Regions.

This grant assists in enabling the Turquoise Coast Visitor Centre to transition to a more sustainable operating model through enhancing the visitor experience and improving operations, revenue and overall financial management. The items being funded include:

- Engaging a consultant to develop a business plan, operating model and constitution;
- Capital upgrades including service counter, furniture, data and cabling;
- Purchase and installation of a reception computer terminal and associated point of sale hardware;

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- Purchase and installation of booking and accounting software.

Projects that enhance the promotion of the region are funded by the Shire's Tourism and Area Promotion Fund through the Turquoise Coast Visitor Centre.

Capital expenses to enhance and improve the visitor centre building, furniture and hardware are funded through the remaining Civic Centre Capital Fund.

**CONSULTATION**

- Executive Manager Corporate & Community Services
- Council via Council Forum (June 2015)

**STATUTORY ENVIRONMENT**

There are no statutory implications relevant to this item.

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item.

**FINANCIAL IMPLICATIONS**

The Shire was successful in obtaining a \$17,573 grant from Tourism WA under the Regional Visitor Centre Sustainability Grant Program.

A budget amendment to recognise grant income of \$17,573 with corresponding budget amendment of \$17,573 recognised against the Tourism and Area promotion expenditure account.

**STRATEGIC IMPLICATIONS**

Shire of Dandaragan Strategic Community Plan 2015-2025

<i>Goal 1: Great Place for Residential and Business Development</i>	
<b>Objectives</b>	<b>How the Shire will contribute</b>
1.5: Facilitate industry, population and visitor growth to expand and diversify the regional economy	Expand and improve the visitor centres network

**ATTACHMENTS**

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

- 20160428 Signed Regional Visitor Centre Sustainability Grant 2015-16 Round 1 Agreement (Doc ID: 65909)  
**(Marked 9.1.5)**

**VOTING REQUIREMENT**

Absolute majority



**OFFICER RECOMMENDATION**

**That Council:**

1. **recognise Tourism WA's grant to the amount of \$17,573 and authorise a budget amendment to the same amount within the Tourism and Area promotion expenditure account, and;**
2. **authorise the use of \$7,500 from the Tourism and Area promotion expenditure account, and \$10,075 from the existing Civic Centre Furniture expenditure account as the Shire's matching funds;**

**in order for Shire staff to complete the Regional Visitor Centre Sustainability Grants project.**

### 9.1.6 PROPOSED LEASE OF LOT 96 BASHFORD STREET JURIEN BAY TO JURIEN BAY ADVENTURE TOURS

Location:	74 (Lot 96) Bashford Street, Jurien Bay
Applicant:	City Bus Pty Ltd T/As Jurien Bay Adventure Tours
Folder Path:	Business Classification Scheme / Council Properties / Leasing Out
Disclosure of Interest:	Nil
Date:	10 May 2016
Author:	Alison Slyns, Economic Development Coordinator
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

For Council to determine whether it will accept the proposal from City Bus Pty Ltd Trading As Jurien Bay Adventure Tours to lease the building at Lot 96 Bashford Street, Jurien Bay, for a period of twelve months, following the completion of the public notice requirements under Section 3.58(3) of the Local Government Act 1995.

#### BACKGROUND

The building located at Lot 96 Bashford Street is a residential property and was rezoned in November 2008 to include an additional use including "Office and Consulting Rooms" under the LPS No.7 (amendment no.4).

The building has been used as a residence, doctor's surgery, and offices until the Jurien Bay Community Resource Centre vacated the premises in June 2015.

Since December 2015, Jurien Bay Adventure Tours have used the building as their business premises to launch the inaugural summer of their tour and equipment hire business. The building has also been a temporary residence for the business operator.

#### COMMENT

When the initial period of tenancy expired, Jurien Bay Adventure Tours indicated their interest in securing a lease for the building as a combined business and residential site.

In a discussion at the February Council forum, it was indicated that in the absence of other immediate viable options for the site, Council would consider leasing the building to Jurien Bay Adventure Tours at a market rent value for a period of up to 12 months.

Ray White Jurien Bay provided a written valuation for the market rent value of Lot 96 Bashford Street property under its current zoning and condition, which was \$375 to \$400 ex GST per week plus outgoings (see attachment, Doc ID 66458).

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Jurien Bay Adventure Tours advised that their offer to lease the building was limited to \$250 ex GST per week and the Notice of Disposition was advertised on Saturday 16 April 2016 in The West Australian and also in the CrayTales. The closing date for submissions was 4.00pm on Monday 2 May 2016 (see attachment, Doc ID: 66457).

In consideration of this item the following points are taken into account:

- There were no submissions received during the advertising period, although there has previously been a submission from the Jurien Bay Lions Club to have the building as a no-cost community premises for meetings. Jurien Bay Lions Club has since secured a regular meeting space at the Jurien Bay Sport and Recreation Centre at minimal cost;
- Having made significant financial investments in vehicles, hire equipment and establishing a new business, Jurien Bay Adventure Tours have advised of the limited cash flow available for leasing premises in Jurien Bay, particularly as the quiet season for coastal tourism during winter approaches. In the event that affordable premises are not secured their business model is likely to be limited to trading school holidays, long weekends and peak periods only, which is a loss of amenity to visitors to the town outside of peak periods;
- In previous Council Forum discussions it has been indicated that there are no short-term plans for the building so from an economic development perspective, having a tenant in the building is preferable, rather than having a prime location on the main street vacant;
- In previous Council forum discussions, there has been strong support for economic development opportunities for local businesses and community organisations, including offering empty Shire buildings for free for up to three months. Jurien Bay Adventure Tours were afforded this free rent of the premises for a three month period and have continued their tenancy during the process of advertising the proposed lease;
- The current agreed use of the building is Class 5 (office building for professional or commercial purposes) under the Building Code of Australia (BCA). To be able to lease the building to a tenant, renewal works to meet current BCA requirements at Class 5 level is estimated at up to \$7,000;
- To have a part-residential component added to the agreed usage and achieve Class 4/5 of the BCA additional works would need to be carried out. These include permit fees, a Certificate of Design Compliance, Occupancy Permit, shower facilities and fire regulation facilities (such as a solid door to bedroom and fire blankets). In addition to the proposed \$7,000 for Class 5 building works, a further \$10,950 would be required for the Class 4 works, taking the total works value to \$17,950;



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- The value of market rent advised by Ray White Jurien Bay exceeds the value of rent offered by Jurien Bay Adventure Tours;
- The total value of building works required to meet Class 4/5 of the BCA exceeds the total rent that would be received during the term of the lease.

**CONSULTATION**

- Council via Council Forum
- Chief Executive Officer
- Executive Manager Corporate and Community Services
- Manager Building Services
- Ray White Jurien Bay

**STATUTORY ENVIRONMENT**

Section 3.58 of the Local Government Act 1995 prescribes how the “disposal of property” process can be undertaken.

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item.

**FINANCIAL IMPLICATIONS**

The City Bus Pty Ltd offer would provide the Shire of Dandaragan an unbudgeted income of \$13,000.

Should lease offer be accepted, required renewal works to the building in line with Class 4/5 of the BCA would cost approximately \$17,950, which can be funded from the Shire of Dandaragan Building Renewal Reserve.

**STRATEGIC IMPLICATIONS**

Shire of Dandaragan Strategic Community Plan 2015-2025

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

**ATTACHMENTS**

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

- 20160310 Market Valuation Rent 96 Bashford St, Doc ID 66458
- 20160406 Intention To Dispose of LG Property 96 Bashford St, Doc ID:66457

**(Marked 9.1.6)**

**VOTING REQUIREMENT**

Office Recommendation: Simple majority


**OFFICER RECOMMENDATION****That Council:**

- 1. acknowledge the Rental Appraisal report as provided in attachment (Doc ID: 66458)**
- 2. acknowledge that no submissions were received during the advertising period in relation to the proposed lease of Lot 96 Bashford Street, Jurien Bay:**
- 3. does not accept the proposal from City Bus Pty Ltd Trading As Jurien Bay Adventure Tours to lease the building at Lot 96 Bashford Street, Jurien Bay, for a period of twelve months, at \$250 ex GST per week, following the completion of the public notice requirements under Section 3.58(3) of the Local Government Act 1995.**

## **9.2 INFRASTRUCTURE SERVICES**

### 9.3 GOVERNANCE & ADMINISTRATION

#### 9.3.1 COASTAL KIDS AFTER SCHOOL CARE – RENEWAL OF LICENCE/LEASE OF PORTION OF JURIEBAY FAMILY RESOURCE CENTRE

Location:	Family Resource Centre, Jurie Bay
Applicant:	Coastal Kids Care Incorporated
Folder Path:	Business Classification Scheme / Council Properties / Leasing Out / Community Centres
Disclosure of Interest:	Nil
Date:	9 May 2016
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

#### PROPOSAL

For Council to consider renewing the Licence of Portion of the Jurie Bay Family Resource Centre between Coastal Kids Care Incorporated (Coastal Kids After School / Vacation Care) and the Shire of Dandaragan for a further term of three years.

#### BACKGROUND

The Family Resource Centre (FRC) was constructed in 2002 by the Shire of Dandaragan and Department for Communities (formerly known as Department for Community Development) to advance the well-being of families, individuals and groups within the community; provide and promote preventative community support and assistance to people; and to incorporate a child care centre. In 2002, the Minister agreed that Coastal Kids Care Incorporated has licence to occupy the FRC for the purposes of a child care centre and an agreement was drawn up between the Shire of Dandaragan and Coastal Kids Care to occupy part of the FRC at no charge.

In December 2011, Council received a proposal from Coastal Kids Care requesting use of the multi-purpose room at the FRC free of charge to operate the after school and vacation care service from.

It was agreed by the Chief Executive Officer and the Community Economic Project Officer, at the time, to offer Coastal Kids Care a 12 month free of charge trial period commencing July 2012 subject to several conditions being imposed.

As a result of the expiry of the trial period, correspondence was sent to Coastal Kids Care requesting advice in writing on whether they wish to continue running this service from the FRC.

A letter was subsequently received from Coastal Kids Care advising that they wish to continue operating this service from the multi-purpose room at the FRC and that Council to consider entering into a three year lease agreement with Coastal Kids After School / Vacation Care either at a discounted rate or into a similar

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lease agreement that Council already has in place with Coastal Kids Care.

At the ordinary meeting of Council held 24 October 2013, Council agreed to grant Coastal Kids Care a three year peppercorn lease commencing 1 July 2013 as follows:

**OFFICER RECOMMENDATION / COUNCIL DECISION**

*Moved Cr McGlew, seconded Cr Bailey*

*That Council:*

1. *agree to lease a portion of the Family Resource Centre to Coastal Kids Care Incorporated (as per attached floor plan) for the purposes of operating the Coastal Kids After School / Vacation Care program for a period of up to three (3) years; and*
2. *that the Chief Executive Officer is authorised to prepare the appropriate documentation and sign on behalf of Council under the following conditions:*
  - a. *Agreement is only in place while a current licence held from Department of Education Employment and Work Place Relations to operate with appropriate staffing and insurance levels for the service.*
  - b. *Approval be granted from the Shire's Manager Building Services prior to any proposed modifications to the Family Resource Centre, to obtain a licence or otherwise.*
  - c. *Costs of any approved modifications to the Family Resource Centre will be met by Coastal Kids Care.*
  - d. *A satisfactory arrangement is in place between Coastal Kids Care and other permanent users of the Family Resource Centre; which currently include HACC services, Playgroup, and Jehovah Witness worship group.*
  - e. *Daily cleaning services of the facility to be carried out by Coastal Kids Care.*
  - f. *Operating hours Monday to Friday 2:30pm to 5:30pm during school terms.*
  - g. *School holiday operating hours Monday to Friday 7:30am to 5:30pm.*
  - h. *An annual report on the use and activities of the program be submitted to the Shire of Dandaragan.*

*CARRIED 9 / 0*

**COMMENT**

The current Licence of Portion of the Jurien Bay Family Resource Centre is due to expire on the 30 June 2016. Staff wrote to Coastal Kids Care advising them of this and requested they provide a response in writing as to whether they wish to renew the Licence.

Correspondence has since been received from Coastal Kids Care requesting a further three year term to lease the area under the same arrangement.

This service is seen as an essential component of promoting and assisting working families in our region which has a positive effect on local businesses looking to recruit quality skilled and unskilled staff.

The local community utilises this service which is considered essential with the increase of families where both parents work. The Shire of Dandaragan continues to have up to five staff members that access the service for both vacation and after school care hours.

Regional Development Australia (Wheatbelt Region) produced a report titled the *Wheatbelt Regional Children's Services Plan* in 2014. This report highlights the need for the retention of existing services for the benefit of the local community, and more importantly, the region. Jurien Bay is the only location in the Shire with long day care available.

#### CONSULTATION

- Coastal Kids Care Incorporated
- RDA Wheatbelt

#### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

#### POLICY IMPLICATIONS

There are no specific policy implications relevant to this item. However, Council has delegated authority to the Chief Executive Officer to waive hire charges on the Family Resource Centre at his / her discretion. The Delegation (136) reads as follows:

*"The Chief Executive Officer is delegated authority at his / her discretion, to waive hire charges on the Family Resource Centre, Jurien Bay.*

*Any hirer seeking this dispensation is required to put the request for waiver of hire charges in writing to the Chief Executive Officer prior to authorisation of any such waiver, and the application will be assessed by the Chief Executive Officer against the following criteria:*

- 1. the hirer is a charitable organisation; or*
- 2. the hirer is a not for profit organisation; or*
- 3. the hirer is a sub-committee of Council; or*
- 4. the hirer is a related business or organisation of Council; or*
- 5. the hirer is a newly formed community organisation with limited funds; or*

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6. *the hirer is a community group undertaking a project for the improvement of the Shire and is a one-off request with infrequent usage of the Family Resource Centre.*

*Should the requesting hirer not meet any of the criteria above, then the waiver of hire charges will be brought before Council for determination."*

The assessment to continue to waiver the fee was carried out on the basis of point 2 above.

**FINANCIAL IMPLICATIONS**

The current agreement that is in place provides for Coastal Kids Care Incorporated to occupy the property free of charge. The Commonwealth Department for Communities provides an annual maintenance contribution towards the facility as part of the original construction agreement.

The renewal agreement is proposed to continue to operate on a peppercorn lease arrangement for a further period of up to three years.

**STRATEGIC IMPLICATIONS**

Shire of Dandaragan Strategic Community Plan 2015 - 2025

GOAL 3: STRONG AND CONNECTED COMMUNITY	
Objectives	How the Shire will contribute to these objectives
3.3 Support linked and comprehensive day care, after school care and holiday care.	<ul style="list-style-type: none"> <li>▪ Contribute to the regional services model which facilitates the provision of linked day care, after school care and holiday care services.</li> </ul>

**ATTACHMENTS**

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

- correspondence to Coastal Kids Care dated 7 April 2016 (Doc Id: 65167)
- correspondence received from Coastal Kids Care dated 20 April 2016 (Doc Id: 65721)
- floor plan of FRC with highlighted leased area (Doc Id: 17506)
- copy of the current Licence of Portion of Jurien Bay Family Resource Centre (Doc Id: 21395)

***(Marked 9.3.1)***

**VOTING REQUIREMENT**


Simple majority

**OFFICER RECOMMENDATION****That Council:**

- 1. agree to renew the Licence of Portion of the Jurien Bay Family Resource Centre between Coastal Kids Care Incorporated and the Shire of Dandaragan for the purposes of operating the Coastal Kids After School / Vacation Care program for a further period of up to three (3) years commencing 1 July 2016.**
- 2. that the Chief Executive Officer is authorised to prepare the appropriate documentation under the following conditions:**
  - a. Agreement is only in place while a current licence held from Department of Education and Training (formerly known as the Department of Education Employment and Work Place Relations) to operate with appropriate staffing and insurance levels for the service.**
  - b. Prior to any proposed modifications to the Family Resource Centre, to obtain a licence or otherwise, will be met by the Coastal Kids Care, subject to initially obtaining approval from the Shire's Manager Building Services.**
  - c. A satisfactory arrangement continue between Coastal Kids Care and other permanent users of the Family Resource Centre; which currently include HACC services, Playgroup, and Jehovah Witness worship group.**
  - d. Daily cleaning services of the facility to be carried out by Coastal Kids Care.**
  - e. Operating hours Monday to Friday 2:30pm to 5:30pm during school terms.**
  - f. School holiday operating hours Monday to Friday 7:30am to 5:30pm.**
- 3. that Council authorise the President and Chief Executive Officer to execute the relevant documentation and endorse the affixing of the Shire of Dandaragan's common seal to the document.**



### 9.3.2 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – 2016 ANNUAL GENERAL MEETING VOTING DELEGATES – COUNCILLOR NOMINATIONS

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Government Relations / Local and Regional Liaison / WALGA
Disclosure of Interest:	Nil
Date:	11 May 2016
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

#### PROPOSAL

To consider nominating two elected members and two proxies as Council's voting delegates at the 2016 Annual General Meeting (AGM) of the Western Australian Local Government Association (WALGA).

#### BACKGROUND

Correspondence has been received from WALGA requesting two voting delegates and two proxies for the AGM of WALGA. The AGM is scheduled to be held on Wednesday 3 August 2016 with a response due in by Monday 4 July 2016.

#### COMMENT

Council can nominate either Councillors or the Chief Executive Officer (CEO) to act as their voting delegates. Due to both the President and Deputy President attending this year, along with the whole of Council, it is appropriate that the President and Deputy President be the voting delegates for the 2016 AGM of WALGA. Council is also required to nominate two proxies in which nominations will be called. If more than three nominations are received, a vote by Council will be carried out.

#### CONSULTATION

- President, Cr Leslee Holmes
- Deputy President, Cr Darren Slyns

#### 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

Nil

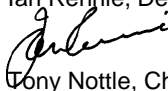

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION**

**That Council resolves to advise the Western Australian Local Government Association that it nominates Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as its Annual General Meeting voting delegates, and Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as its Annual General Meeting proxy voting delegates.**

### 9.3.3 PERIODIC REVIEW OF THE SHIRE OF DANDARAGAN'S LOCAL LAWS

Location:	Shire of Dandaragan
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Laws and Enforcements / Local Laws / Reviews of Local Laws
Disclosure of Interest:	None
Date:	16 May 2016
Author:	Ian Rennie, Deputy Chief Executive Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

The proposal is to obtain a Council resolution to commence a periodic review of the Shire of Dandaragan Local Laws in accordance with section 3.16 of the Local Government Act 1995.

#### BACKGROUND

Pursuant to Section 3.16 of the Western Australian Local Government Act 1995, a Local Government is required to periodically review its local laws. The review should be undertaken within 8 years from the time of the gazettal of the local law or acceptance of a report of a review of the local law. The aim of a review is to determine whether or not a Local Government considers that a local law should be retained unchanged, be repealed or be amended. In accordance with guidelines issued by the Western Australian Local Government Association the review process also has the following objectives:

- a) the use of plain English in all local laws that they are easy to read and readily understandable to both the public and the members of Administration;
- b) relevance to the needs of the Shire of Dandaragan;
- c) compliance with the *Local Government Act 1995 (WA)* and other legislation;
- d) deletion of legislative duplication;
- e) avoidance of legislative inconsistency between other local laws, State and Federal legislation;
- f) the creation of laws that are able to stand alone without the need to be cross-referenced.

Furthermore, all local laws are required to be consistent with the National Competition Policy and unless justified under the Public Benefit Test, should not contain provisions that restrict competition.

#### COMMENT

The Shire of Dandaragan's current Local Laws were gazetted on various dates dating back to 2001 and consequently are overdue for review with the exception of the Sand Drift Prevention and

Abatement Local Law 2009 and the Parking and Parking Facilities Local Law 2010. As these two (2) local laws are due for review within the next two (2) to three (3) years it is proposed that all current laws be reviewed at this time to enable future reviews to be conducted concurrently. All Local Laws are listed below with the title of the relevant Act they were made under and gazettal dates, as follows;

**Local Government Act 1995**

1. Local Government Property Local Law (Gazetted 9 May 2001);
2. Activities On Thoroughfares and Trading in Thoroughfares and Public Places Local Law (Gazetted 9 May 2001);
3. Standing Orders Local Law 2001 (Gazetted 9 May 2001);
4. Extractive Industries Local Law (Gazetted 9 May 2001);
5. Local Laws Relating to Fencing (Gazetted 9 May 2001);
6. Local Law Relating to Beekeeping (Gazetted 9 May 2001);
7. Sand Drift Prevention and Abatement Local Law 2009 (Gazetted 18 December 2009);
8. Parking and Parking Facilities Local Law 2010 (Gazetted 21 December 2010);

**Agriculture and Related Resources Protection Act 1976**

9. Local Law Relating to Pest Plants (Gazetted 9 May 2001);

**Bush Fires Act 1954**

10. Bush Fire Brigades Local Law (Gazetted 9 May 2001);

**Dog Act 1976**

11. Dogs Local Law (Gazetted 9 May 2001);

**Cemeteries Act 1986**

12. Local Laws Relating to the Badgingarra, Dandaragan and Jurien Bay Public Cemeteries (9 May 2001); and,

**Health Act 1911**

13. Health Local Laws 2005 (Gazetted 13 September 2005 & subsequently amended 19 September 2006 & 22 May 2007).

It is important to note that local laws made under Acts other than the Local Government Act are also subject to review and the procedures outlined in the Local Government Act 1995. This report proposes the commencement of the procedures described in the Act through the advertising of the Shire's intent to review all Local Laws and seeking comment from the general public relating to the same.

The advertisement of the intention to review the local laws is the first step in the process of review and should be treated as a Local

Public Notice in addition to statewide advertising. Under local public notice the notice is to be —

- (a) published in a newspaper circulating generally throughout the district (It should be noted that the statewide advertising satisfies this requirement however in the interest of broad community consultation the review should be advertised in any local paper distributed throughout the Shire);
- (b) exhibited to the public on a notice board at the local government's offices; and
- (c) exhibited to the public on a notice board at every local government library in the district.

It is likely that the Shire will need to pursue an amendment local law, to undertake at least minor alterations and changes of some local laws.

The Shire's Health Local Laws 2005 are also overdue for review and will require substantial amendments due to the waste provisions now requiring adoption pursuant to the Waste Avoidance and Resource Recovery Act. Hence, amendment of the Health Local Law and the adoption of a separate Waste Local Law in accordance with the requirements of the Department of Environmental Regulation will be a likely outcome of the review.

Following the closure of submissions, Administration will produce a report of the review of the local laws and submit the same to Council. In the event that Council decides to repeal or amend any of the local laws, statewide public notice will again need to be given and copies of the report of the review and the draft amendments or new laws are to be made available to the general public.

#### CONSULTATION

The review of the Shire of Dandaragan Local Laws is both a legislative and consultative process. No consultation has been undertaken at this stage, with initial public notice of the review intended to illicit comments from the local community and others. Additionally, where the review results in legislative changes comments will be sought from government agencies in relation to any amendments or new local laws.

#### STATUTORY ENVIRONMENT

The Shire of Dandaragan Local Laws, have not previously been reviewed. In undertaking a review of the local laws, Section 3.16 of the Local Government Act 1995 compels that a Local Government give statewide public notice and make copies of the local laws available to the public. The Council must then consider any submissions made and other administrative issues to determine if the local law should be repealed amended or remain unchanged.

If it is determined by Council that the local law should be amended a local government is required to again give state-wide notice of the proposed local law. Submissions must be accepted for a period of six (6) weeks. The Council must consider any submissions made before amending the local law.

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

Direct costs associated with this report will be limited to consultancy and advertisement fees to give statewide public notice. All costs, including the preparation of any draft amendment, will be undertaken via budgeted expenditure. Following the discussion period, and depending upon any submissions, further amendment review and legal advice may be incurred.

#### STRATEGIC IMPLICATIONS

- Shire of Dandaragan Strategic Community Plan 2011 – 2021

#### ATTACHMENTS

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

- Shire of Dandaragan Local Laws (Doc Id:59727)  
**(Marked 9.3.3)**

#### VOTING REQUIREMENT

Simple Majority

#### **OFFICER RECOMMENDATION**

**That Council:**

- 1. Give statewide and local public notice of its intention to review the following Local Laws, pursuant to the Local Government Act 1995 and the principles of National Competition Policy;**

**Local Government Act 1995**

**Local Government Property Local Law;**

**Activities On Thoroughfares and Trading in Thoroughfares and Public Places Local Law;**

**Standing Orders Local Law 2001;**

**Extractive Industries Local Law;**

**Local Laws Relating to Fencing;**

**Local Law Relating to Beekeeping;**

**Sand Drift Prevention and Abatement Local Law 2009;**

**Parking and Parking Facilities Local Law 2010;**

**Agriculture and Related Resources Protection Act 1976**

**Local Law Relating to Pest Plants;****Bush Fires Act 1954  
Bush Fire Brigades Local Law;****Dog Act 1976  
Dogs Local Law;****Cemeteries Act 1986  
Local Laws Relating to the Badgingarra, Dandaragan and  
Jurien Bay Public Cemeteries; and,****Health Act 1911  
Health Local Laws 2005.**

- 2. Make copies of the notice and local laws available upon request from the Shire of Dandaragan, Administration Centre, the Jurien Bay Cervantes Dandaragan and Badgingarra libraries and the Shire's website.**

**9.3.4 PROPOSED FIREBREAK ORDER AMENDMENTS 2016 / 2017**

Location: Shire of Dandaragan  
 Applicant: Shire of Dandaragan  
 Folder Path: Business Classification Scheme / Emergency Services / Notifications / Fire Prevention  
 Disclosure of Interest: None  
 Date: 16 May 2016  
 Author: Rosalyn Edwards, Ranger

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

**PROPOSAL**

To consider amendments to the Firebreak Order as to ensure an up to date and relevant document is utilised.

**BACKGROUND**

A review of the Annual Firebreak Order has been conducted, after consultation with the Community Emergency Services Coordinator, Senior Ranger and Chief Bush Fire Control Officer.

It was agreed the Firebreak Order lacked continuity and definition and it was agreed to reformat the Notice and add definitions in particular to building protection zone and low fuel zones.

It has also highlighted the need to ensure the Firebreak Order is issued as a new document annually as to ensure its compliance is relevant with the latest changes to legislation.

**COMMENT**

Listed below are the recommended changes. Attached to this agenda are two (2) documents, these being the current Firebreak Order and the proposed Firebreaks and Fuel Hazard Reduction Notice 2016 / 2017.

The previous document format had different property categories separated with harvesting operations etc. The titles were unclear and due to the lay out created confusion.

The Firebreak Order is now displayed in order as per property categories e.g. Urban / Residential, Rural Residential, Rural and Plantation Lands. Definitions of standards have been added for all relevant sections of the Notice. Pictures / diagrams have also been added to give a visual aid.

The legal changes are listed below and no other changes are considered necessary. ***Please note changes will appear in italics.***



Title change from 2015 / 2016 Firebreak Order to 2016 / 2017  
*Firebreak and Fuel Hazard Reduction Notice*

**Page 2**

*Added contents page to easily identify document information*

**Page 3 & 4**

*Change to important date - Merging of dates previously found throughout the document e.g. restricted and prohibited burning times and camp fires*

**Page 5**

*Change to Giving Notice e.g. by Chief Executive Officer and cancelling previous Notices*

**Page 6**

2015 / 2016

Information found in previous document on page 9 titled Urban Land (All town sites)

2016/2017

*Changed to **Urban/Residential Land**, Fire Break and Fuel Hazard Reduction Notice (all gazetted town sites)*

No changes to requirements

**Page 7**

Title previously 2015 / 2016

All other Non Urban Land

Information found in previous document on page 8

*Changed title to 2016 / 2017*

*Rural Residential Land, Firebreak and Fuel Hazard Reduction Notice, rural development properties 2,023m<sup>2</sup> (half acre to 20 hectares (50 acres)*

2015 / 2016

1. Clear a 3m wide firebreak (clear of all inflammable material) with a vertical clearance of 4m high, clear of any obstructions(no hanging tree limbs or objects) immediately inside or as close as practical inside all external boundaries of the land to allow for the unobstructed movement of Fire Appliances

*New proposed 2016 / 2017*

1. *Clear a 3m wide fire break with a vertical clearance of 4m high, clear of any obstructions (no hanging tree limbs or objects) immediately inside or as close as practical inside all external boundaries of the land to allow for the unobstructed movement of Fire Appliances.*

*In rural residential land, subject to erosion firebreaks can be slashed, however they MUST be maintained to a height less than 10cm.*

2015 / 2016

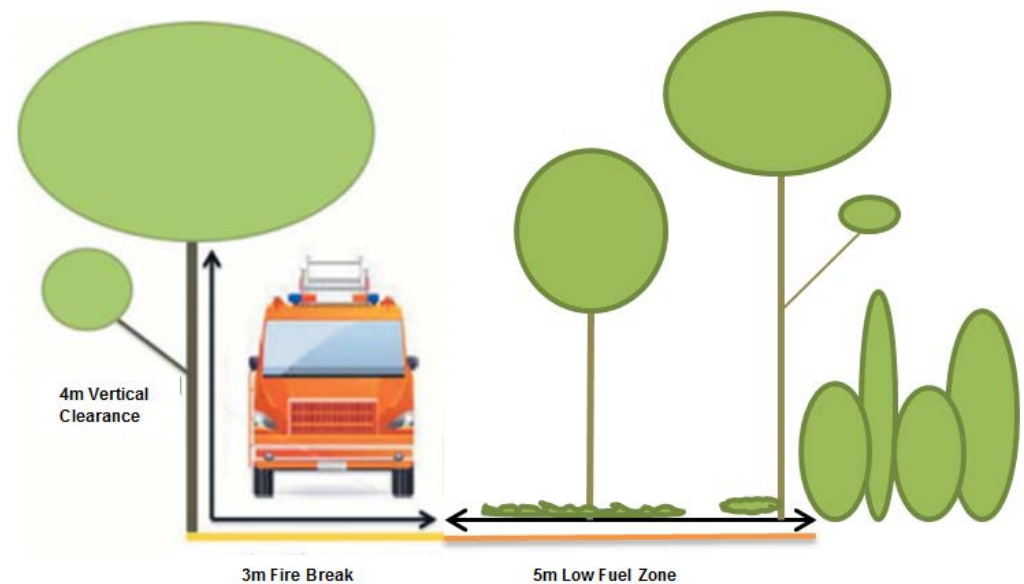
2. On heavily vegetated or grassed blocks, implement supplementary fuel reduction for a further 5m inside the firebreak. Subject to the satisfaction of Council's authorised officers.

*New proposed 2016 / 2017*

2. *On heavily vegetated or grass blocks a further 5m low fuel zone is required inside the 3m firebreak. Fuel is defined as any material such as grass, leaf litter, twigs, bark, logs, even live vegetation, that can be ignited and sustain a fire. Fuel loads must be less than 2 tonnes per hectare.*

**DEFINITION page 10**

*Low Fuel Zone - Means an area with low fuel. Fuel is defined as any material such as grass, leaf litter, twigs, bark, logs, even live vegetation, that can be ignited and sustain a fire. In the Low Fuel Zone fuel loads must be less than 2 tonnes per hectare*



2015 / 2016

3. Clear all inflammable material within 20m of all buildings to construct a 20m circle of safety. This can be maintained through domestic grass, mulch or slashed native grasses.

**Building Protection Zone**

Is a fire protection zone:

- a) in which all flammable material should be totally removed from the zone;

- b) which comprises an area with a minimum clearance distance in all directions from the walls of the buildings or structures of at least 20 metres on flat land, which is to increase in all directions by 10 metres for every 10 degrees increase in slope;
- c) which accommodates a turning area for a heavy duty fire vehicle; and
- d) which complies with the provisions of a local government adopted Fire Management Plan (FMP) or Local Planning Scheme (LPS) clause with respect to that property and the effect is such that the requirement under the FMP or LPS stipulates a greater area clear of flammable material or low fuel zone that required under part (b).

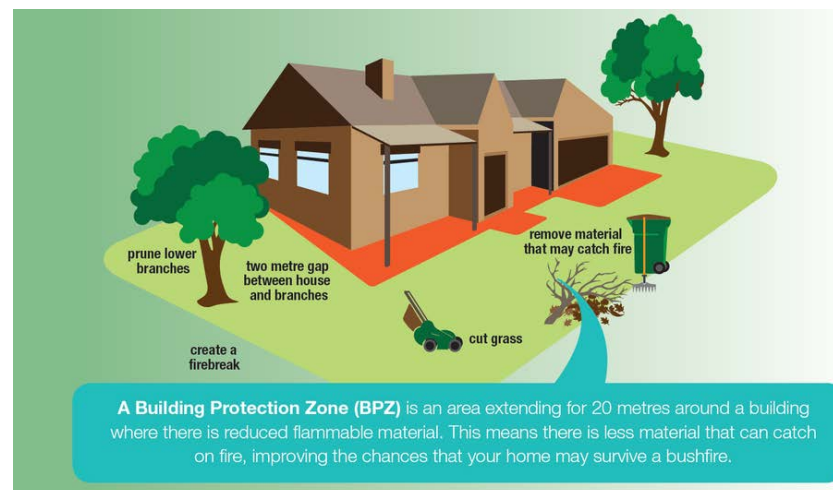
*New proposed 2016 / 2017*

**3. Clear a 20m Building Protection Zone around all habitable buildings**

**DEFINITION**

*Building Protection Zone – Means the area within a distance of 20 metres from a dwelling (As defined in the Residential Design Codes of WA and in AS 3959) that has a reduced bush fire fuel load, measured from the external walls within the boundaries of the lot on which the dwelling is situated.*

*Habitable (is defined page 11)*



*Building Protection Zones for habitable buildings must extend a minimum of twenty (20) metres out from any external walls of the building, attached structures, or adjacent structures within six (6) metres of the habitable building.*

*On sloping ground the Building Protection Zone distance shall increase at least 1 metre for every degree in slope on the sides of the habitable building that are exposed to down slope natural vegetation;*

*Building Protection Zones must consist of non-flammable managed vegetation, reticulated lawns and gardens and other non-flammable features.*

*All grass in Building Protection Zones must be maintained to or under 5cm in height.*

*Fuel loads within Building Protection Zones must be maintained at 2 tonnes per hectare or lower.*

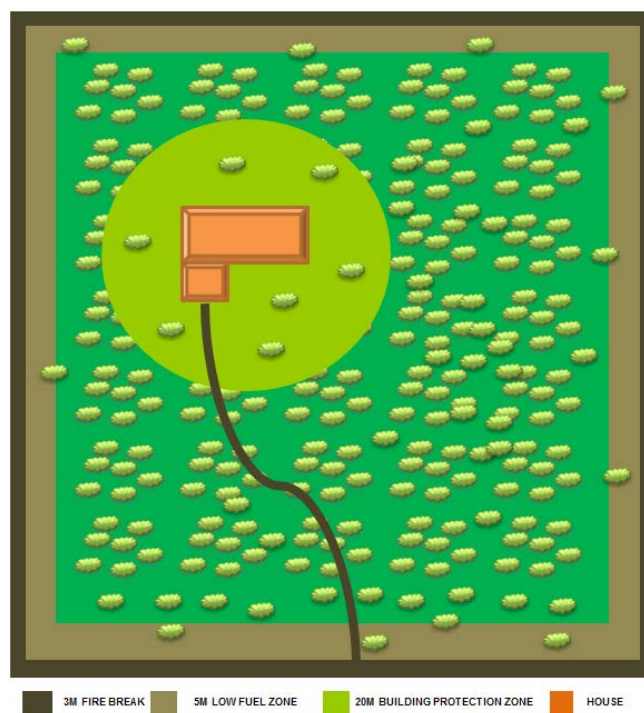
*Wood piles and flammable materials must be stored a safe distance from habitable buildings.*

*There must be no tree crowns or branches hanging over habitable buildings.*

*Trees are to be low pruned (or under pruned) to at least a height of two (2) metres from ground.*

*No tree, or shrub over two (2) metres high is to be within 2 metres of a habitable building.*

*Example of a Rural Residential Property*



### **Page 8**

Title previously 2015 / 2016

Fire Break standards

Information found in previous document on page 5

*Changed title to 2016 / 2017*

***Rural Land, Fire Break and Fuel Hazard Reduction Notice  
properties 20 hectares (50 acres) or larger***

No changes to the following requirements

1. Clear a firebreak consisting of mineral earth, to a width of no less than 3m, as close as practical, inside the external boundaries of the property.
2. Fire-breaks must be maintained to provide a vertical clearance of a minimum 4m so as to allow adequate access for fire appliances.
3. Construct a 5m mineral earth firebreak immediately surrounding all fuel and chemical storage areas.
5. Areas cleared and piled for burning require a 20m mineral earth firebreak.

*New addition 2016 / 2017*

4. *Create a 2m mineral earth cleared area around all stationary pumps and motors*
6. *Clear a 3m mineral earth fire break around all hay stacks and hay sheds.*

These have been added as there have been a number of fires started in rural land that could have been prevented if these requirements were in place. Strongly supported by the Chief Bush Fire Officer

2015 / 2016

- 4 Clear inflammable material within 20m of all dwellings to construct a 20m circle of safety. This can be maintained through domestic grass, mulch or slashed native grasses.

*New Proposed 2016 / 2017*

7. *Clear a 20m Building Protection Zone around all habitable buildings. (See definitions page 11 & 12 for more information). Same changes as Rural Residential Building Protection Zone*

## **Page 9**

2015 / 2016

Previously titled Plantations information found on page 10

2016 / 2017

*Changed title to **Plantations, Fire Break and Fuel Hazard Reduction Notice***

No changes to

Tree plantations of more than 3 hectares but less than 10 hectares

Plantations larger than 10 hectares

Added minimal requirements and a web link to DFES plantation guidelines

Previous 2015 / 2016

Comply with the Code of Practice for Timber Plantations in Western Australia Guidelines for Plantation Fire Protection. A copy is available from the Shire of Dandaragan Administration Centre upon request.

*New proposed 2016 / 2017*

*Plantations established after the 30 November 1984 that exceed three (3) hectares in total area shall have a ten (10) metre wide firebreak completely surrounding the perimeter of planted trees. Each compartment of a plantation is limited to an area of less than thirty (30) hectares in size. Each thirty (30) hectare compartment shall have a ten (10) metre wide firebreak surrounding the planted trees. Furthermore all plantations shall comply with requirements contained in the Department of Fire and Emergency Services guidelines or standards for Plantation Fire Protection.*

*[http://www.dfes.wa.gov.au/safetyinformation/fire/bushfire/BushfireProtectionPlanningPublications/Guidelines\\_for\\_Plantation\\_Fire\\_Protection\\_2011\\_final.pdf](http://www.dfes.wa.gov.au/safetyinformation/fire/bushfire/BushfireProtectionPlanningPublications/Guidelines_for_Plantation_Fire_Protection_2011_final.pdf)*

**If Councillors have any queries with these proposed changes would they please discuss with Rosalyn Edwards before the Council Meeting.**

#### CONSULTATION

- Mr. Ian Rennie, Deputy Chief Executive Officer
- Mr. Matt Dadd, Community Emergency Services Coordinator
- Mr. Richard Allen, Chief Bush Fire Control Officer
- Mr. Terry Sims, Senior Ranger

#### STATUTORY ENVIRONMENT

Section 33 Bush Fire Act 1954

#### ***Bush Fires Act 1954***

#### **33. Local government may require occupier of land to plough or clear fire-break**

- (1) Subject to subsection (2) a local government at any time, and from time to time, may, and if so required by the Minister shall, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, give notice in writing to an owner or occupier of land situate within the district of the local government or shall give notice to all owners or occupiers of land in its district by publishing a notice in the *Government Gazette* and in a newspaper circulating in the area requiring him or them as the case may be within a time specified in the

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notice to do or to commence to do at a time so specified all or any of the following things -

- (a) to plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks in such manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter to maintain the fire-breaks clear of inflammable matter;
- (b) to act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire,

and the notice may require the owner or occupier to do so –

- (c) as a separate operation, or in co-ordination with any other person, carrying out a similar operation on adjoining or neighbouring land, and
- (d) in any event to do so to the satisfaction of either the local government or its duly authorised officer, according to which of them is specified in the notice.

**POLICY IMPLICATIONS**

Shire of Dandaragan Policy 3.2 Firebreak Order

**FINANCIAL IMPLICATIONS**

The Shire of Dandaragan will be responsible for the costs associated with the advertising and printing the Fire Break and Fuel Hazard Reduction Notice.

**STRATEGIC IMPLICATIONS**

There are no strategic implications relevant to this item.

**ATTACHMENTS**

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

- Proposed Fire Break and Fuel Hazard Reduction Notice 2016 / 2017 (Document Id: 67190)
  - Fire Break Order 2015 / 2016 (Document Id: 66844)
- (Marked 9.3.4)***

**VOTING REQUIREMENT**


Simple majority

**OFFICER RECOMMENDATION**

**That Council adopt to the proposed changes to the Fire break and Fuel Hazard Reduction 2016/2017 (Document Id: 67190)**



### 9.3.5 POLICY STATEMENT ON CONTAINER DEPOSIT SYSTEM - WALGA ANNUAL GENERAL MEETING

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Waste Management / Service Provision / Recycling
Disclosure of Interest:	Nil
Date:	17 May 2016
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

For Council to consider supporting the position of the WA Local Government Association (WALGA) Policy Statement on Container Deposit System (CDS) and put forward a motion at the Annual General Meeting of the Association to be held Wednesday 3 August 2016 to support their advocacy for such a Scheme.

#### BACKGROUND

WALGA has been advocating for a CDS to be implemented throughout Western Australia for a number of years. In 2008, WALGA established a Policy Statement in support of Container Deposit Legislation (CDL).

CDL has been in place in South Australia since the 1975, which imposed a deposit on a range of beverage containers. The deposit is included in the retail price of the item and refunded when the container is returned to the collection point.

While this has been advocated for a number of years by WALGA, it has yet to make it to the political arena for consideration by the respective State Governments of the day.

WALGA describes the CDS to be “a type of Extended Producer Responsibility Scheme. It may be structured in many different ways but essentially relies on a recoverable deposit on containers encouraging consumers to return the containers to a retailer or collection centre for recycling for the deposit.”

WALGA’s policy statement suggests that the benefits of a CDS are:

- improvement in resource recovery;
- achieving more appropriate sharing of waste management costs;
- litter reduction; and
- increase in community awareness and involvement in waste management.

WALGA has developed this policy for local governments with reference to its twin roles as a representative of the community and as a service provider.

This twin role is particularly significant with regard to CDS as many local governments including the Shire of Dandaragan have significant investment in resource recovery and our role as a service provider in this area will inevitably be significantly impacted on by the introduction of a CDS.

Cr Slyns currently sits as the Deputy Chair of the Municipal Waste Advisory Committee (MWAC) for WALGA and discussed this briefly at Council's Forum held on the 12 May 2016. This item has been brought to Council to consider supporting WALGA's position and putting forward a motion at the next WALGA AGM.

#### COMMENT

The Shire of Dandaragan currently has a significant investment in its kerbside recycling program and general landfill operations to handle basic recycling efforts. The Shire also experiences issues with litter on its roadsides, with beverage containers being the most common item discarded along the road reserves.

The introduction of CDL would provide an incentive for community organisations, individuals and the packaging companies themselves, to take responsibility for the lifecycle of their waste.

As it is a State wide issue, it is appropriate to advocate for this legislation and the current position through the AGM to seek support of the local government sector as a whole.

#### CONSULTATION

- WALGA
- Shire President
- Cr Darren Slyns

#### STATUTORY ENVIRONMENT

At present, no legislation exists to allow such a scheme to be established State wide. This item advocates for the appropriate legislation to be introduced, supporting the position of WALGA.

#### POLICY IMPLICATIONS

There are no policy implications to this item.

#### FINANCIAL IMPLICATIONS

There are no immediate financial implications to this item. Should legislation be introduced, it may have an impact on reduction in litter prevention strategies and kerbside recycling costs.

#### STRATEGIC IMPLICATIONS

Shire of Dandaragan Strategic Community Plan 2015 - 2025

*Goal 4 - Healthy natural and built environment*

While Council has no specific objectives under this section, it is captured in its "Business as Usual" through litter prevention strategies and advocacy.

#### ATTACHMENTS

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

- Copy of the Policy Statement on Container Deposit System (Doc Id: 66836)
- Copy of South Australian fact sheet on Container Deposit Legislation (Doc Id: 66952)

**(Marked 9.3.5)**

#### VOTING REQUIREMENT

Simple majority

#### **OFFICER RECOMMENDATION 1**

**That Council supports the West Australian Local Government Associations position on Container Deposit Scheme establishment within Western Australia as per its Statement Policy outlined in attachment 9.3.5 (Doc Id: 66836).**

#### **OFFICER RECOMMENDATION 2**

**That Council:**

- 1. Request the West Australian Local Government Association to:**
  - a. continue to actively advocate for the implementation of a Container Deposit Scheme in Western Australia; and**
  - b. include the implementation of a Container Deposit Scheme in the Associations Election Platform.**
- 2. Agree to put forward an item to the West Australian Local Government Association Annual General Meeting seeking support for this position.**

## **9.4 DEVELOPMENT SERVICES**

## 9.5 COUNCILLOR INFORMATION BULLETIN

### 9.5.1 SHIRE OF DANDARAGAN – APRIL 2016 COUNCIL STATUS REPORT

Document ID: 66219

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 28 April 2016. **(Marked 9.5.1)**

### 9.5.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – MAY 2016

Document ID: 66609

Attached to the agenda is a copy of the Shire of Dandaragan's Executive Manager Infrastructure Report for May 2016. **(Marked 9.5.2)**

### 9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – APRIL 2016

Document ID: 66111

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for April 2016. **(Marked 9.5.3)**

### 9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – APRIL 2016

Document ID: [DOC ID]

There were no Planning approvals under Delegation for the Shire of Dandaragan for April 2016. **(Marked 9.5.4)**

### 9.5.5 DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES – CIRCULAR NO 08-2016

Document ID: 65748

The Minister for Local Government announced in December 2015 that the State Government would launch a website bringing together local government data in an accessible format for the first time. This new website has been named MyCouncil. A video tutorial highlighting the website's navigation and features will be available for local governments to view online on Thursday 28 April 2016.

### 9.5.6 WALGA – WASTENEWS – 29 APRIL 2016 – ISSUE 7

Document ID: 65988

In this issue:

- Con Countdown
- LG Spotlight: No Glass!
- Women in Waste
- Composting Consultation
- Unsecure Loads, Unsafe Roads

Submissions

- Tuesday, **24 May** – WALGA submission (DER Environmental Standard: Composting)
- Friday, **27 May** – W&R Conference Speaker Abstracts
- Monday, **6 June** – DER Environmental Standard: Composting

Events:

- Wednesday, **11 May** – Women in Waste
- Thursday, **19 May** – WALGA / WMAA workshop (DER Environmental Standard: Composting)
- Thursday, **15 September** to Friday, **16 September** – Waste Recycle Conference 2016

**9.5.7 WALGA – PROCUREMENT NEWS – APRIL 2016 – ISSUE 23**

Document ID: 65987

In this issue:

- New Panel
- Preferred Supplier Arrangement Update
- Sustainable Procurement Initiative
- Next Procurement Network Forum
- Procurement Training
- Operating Lease and Finance Solutions Panel Contract

**9.5.8 HON COLIN BARNETT MEC MLA, HON TERRY REDMAN MLA – FUNDING BOOST FOR REGIONAL VISITOR CENTRES**

Document ID: 65991

Funding boost for regional visitor centres – Friday, 29 April 2016

- Second round of Regional Visitor Centre Sustainability Grant Program open
- \$4.2 million investment over three years including \$1.05 million in 2016 / 17.

*“Regional visitor centres are invited to apply for State Government funding towards initiatives that will help them stay viable and adaptable in the changing tourism landscape.”*

Mr Barnett said *“Tourism is a \$4 billion industry for regional Western Australia. Research shows that people spend more time and money in an area when they use a visitor centre. As more travellers go online for information and bookings, visitor centres are looking to adapt their traditional business models to stay relevant and viable.”*

**9.5.9 COURTS & TRIBUNAL SERVICES - “WANT TO BECOME A JUSTICE OF THE PEACE”**

Document ID: 66070

*“Justices of the Peace (JPs) provide a voluntary service which is essential to the administration of justice and witnessing documents for the community in Western Australia. There is a need for JPs who are available to preside in courts and to assist a document witnessing centres.*

*A pamphlet is also available in digital format located at <http://www.courts.dotag.wa.gov.au>.”*

**9.5.10 DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES – CIRCULAR NO 09-2016**

Document ID: 65995

*“Today the Minister for Local Government launched the MyCouncil website. MyCouncil provides a snapshot of all Western Australia’s local governments and allows members of the public to make comparisons of data over time and between councils.*

*I encourage you to view the website at [mycouncil.wa.gov.au](http://mycouncil.wa.gov.au).”*

#### **9.5.11 ROADWISE – ROAD SAFETY NEWSLETTER – APRIL 2016 – ISSUE 16**

Document ID: 65628

In this issue:

- *Blessing of the Roads* campaign wrap up
- Celebrating the RoadWise Network event
- City of Rockingham road safety update
- Checking road worthiness of caravans and trailers in Wanneroo
- Remote Driver Reviver in the Kimberley
- Slow down and enjoy the ride in Mosman Park
- Feedback requested – updated child car restraint checklist
- Albany Easter Fatigue Road Stop
- Cranbrook residents pledge to slow down
- Carnarvon RoadWise Committee news
- Cities team up to check vehicles and child car restraints
- Rotary WA driver education awareness in the Mid-West region
- Kalbarri RoadWise drug test demonstration
- Grand opening of Wongan-Ballidu & Districts Men’s Shed Inc
- City of Wanneroo revives more drivers
- \$71,000 in road safety grants awarded
- Westrac promotes road safety risks to staff
- Albany ‘Share the Road’ campaign
- Road safety events, conferences and resources

#### **9.5.12 WALGA – ENVIRO NEWS – APRIL 2016 – ISSUE 13**

Document ID: 65875

In this issue:

- Whitfords Nodes Foreshore Fauna & Flora Survey
- Sustainability at the Shire of Plantagenet
- Returning Native Animal Homes
- Steaming to Success – Non-chemical Weed Control Training
- City of Joondalup’s Climate Change Strategy Gets International Seal of Approval
- Impacts of Climate Change on Biodiversity
- Strata Management of Renewable Energy
- Natural Area Management and Environmental Services
- Household Hazardous Waste Temporary Collection Days
- LED Street Lighting Retrofitting in the Pilbara
- Your Say WA Water
- DER Draft Environmental Standard: Composting
- ParklandWA’s Public Open Space Online Resource Base is now Live

Events and Funding Opportunities:

- Upcoming Events
- Funding Opportunities

**9.5.13 WALGA LOCAL GOVERNMENT NEWS – 8 APRIL 2016 – ISSUE 13**

Document ID: 65312

In this issue:

- Gift Provisions Update
- Vacancies on Boards and Committees
- South West Native Title Settlement
- Financial Sustainability of WA Local Governments - Survey
- Food System Change: The Role for Local Government

Events:

What's on for Local Government

**9.5.14 WALGA LOCAL GOVERNMENT NEWS – 15 APRIL 2016 – ISSUE 14**

Document ID: 65603

In this issue:

- Develop Standardised Specifications and Guidelines for Residential Vehicle Crossovers – Workshop
- DER Draft Environmental Standard: Composting
- LED Street Lighting Retrofitting in the Pilbara
- State Heritage Office – Workshop and Online Survey
- Funding Grants for Women in all Sectors

**9.5.15 WALGA LOCAL GOVERNMENT NEWS – 22 APRIL 2016 – ISSUE 15**

Document ID: 65809

In this issue:

- Gift Provisions Update
- Responsible Rating – No Rate Capping
- Meeting with Minister for Commerce
- WALGA Remuneration Survey – Feedback Requested
- New Subsidy for Bushfire Attack Level (BAL) Awareness Course
- Perth Dry Season Response – Local Government Engagement Session

**9.5.16 WALGA LOCAL GOVERNMENT NEWS – 29 APRIL 2016 – ISSUE 16**

Document ID: 65993

In this issue:

- WALGA's Honours Program 2016
- WALGA Appoints New Executive Manager, Planning and Community Development
- Tourism Strategy Workshop – Save the Date
- ALGA Federal Election Bid
- Data Standard for Road Management and Investment in Australia and New Zealand
- Main Roads Managing Director Resigns



- South West Native Title Settlement

Mailbag

- InfoPage: Building Commissions Roof Report
- InfoPage: Emergency Services Levy Review Workshops

#### **9.5.17 WALGA – INFOPAGE 6 MAY 2016 – UPDATE ON GIFT PROVISION**

Document ID: 66362

Key issues:

- WALGA in partnership with the LGMA, has obtained legal advice in respect of the matters raised by the DLGC in relation to Local Government Sector gift provisions.
- The legal advice assists in providing clarification in response to the interpretation contained in the Governance Bulletin.
- The legal advice corroborated the need for regulatory amendment

Attached to the agenda is the full Infopage (**Marked 9.5.17**)

#### **9.5.18 HON ALBERT JACOB MLA – MEDIA RELEASE – NEW CONSERVATION AND PARKS COMMISSION**

Document ID: 66369

*“The State Government today fulfilled a 2013 election commitment with the appointment of the inaugural Conservation and Parks Commission, signalling a new era of integrated management of Western Australia’s lands and waters. The new authority replaces the Conservation Commission of Western Australia and the Marine Parks and Reserves Authority following changes to the Conservation and Land Management Act 1984 late last year.*

*Environment Minister Albert Jacob said the creation of the Conservation and Parks Commission was an important election commitment because it would enable a holistic approach to planning the management of land and marine reserve areas, ensuring greater flexibility and focusing planning considerations in the one body.”*

#### **9.5.19 DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES – LOCAL GOVERNMENT SNAPSHOT – SHIRE OF DANDARAGAN**

Document ID: 65936

For further information on Local Government Snapshot – Shire of Dandaragan go to [mycouncil.wa.gov.au](http://mycouncil.wa.gov.au).

#### **9.5.20 WALGA – LOCAL GOVERNMENT NEWS – 6 MAY 2016 – ISSUE 17**

Document ID: 66379

In this issue:

- Update on Gift Provisions
- 2016 Local Government Convention
- Association Honours 2016

- Vacancies on Boards and Committees
- Planning Improvement Program Workshop
- Perth Region NRM Forum
- State Graffiti Taskforce
- Local Government Compliance Association – EOI Committee Members

#### Mailbag

- Economic Briefing – Federal Budget Edition
- InfoPage: Update on Gift Provisions

#### **9.5.21 DEPARTMENT OF TRANSPORT – REGIONAL BICYCLE NETWORK LOCAL GOVERNMENT GRANTS FUNDING 2016-2017**

Document ID: 66446

*“Thank you for your submission in the 2016-2017 Regional Bicycle Network (RBN) Local Government Grants Program. I am pleased to inform you that the Shire of Dandaragan has been successful in securing grant funding totalling \$129,750 over a two year period for the project listed below:*

- *Construction of the Jurien Bay District High School Connection Shared Path. (\$59,750 in 2016-2017 and \$70,000 in 2017-2018).*

*Unfortunately the Shire was not successful in its application for Jurien Bay Jetty Connection funding but is welcome to submit an application for Grant Funding in the 2017-2018 RBN Grants Program when it opens later this year.”*

#### **9.5.22 HON TERRY REDMAN MLA – MEDIA STATEMENT – NOMINATIONS SOUGHT FOR REGIONAL ACHIEVEMENT**

Document ID: 66489

Regional Development Minister Terry Redman today opened the nominations for the 2016 Regional Achievement and Community Awards for Western Australia.

Mr Redman said this year marks the 15 Anniversary of the awards that encourage and acknowledge the valuable contributions being made by individuals and groups throughout regional Western Australia. I encourage all individuals, community groups, businesses and organisations making a difference in our regions to submit a nomination in one of the 11 categories this year.

#### **9.5.23 WALGA – SUMMARY MINUTES STATE COUNCIL MEETING**

Document ID: 66450

Summary Minutes of State Council Meeting – May 2016. A copy of the Minutes is available should you require.

#### **9.5.24 HON MIKE NAHAN MLA, HON TERRY REDMAN – MEDIA RELEASE - OUR STATE BUDGET 2016 / 17: SECURING OUR ECONOMIC FUTURE – WHEATBELT TO BENEFIT FROM STATE BUDGET**

Document ID: 66556

*“Western Australian’s Wheatbelt region is set to benefit from the State Government’s investment in the areas of health, community support services, education, Aboriginal development, agriculture, tourism and the arts.*

*Treasurer Mike Nahan said the State Budget would continue to build a stronger economy in 2016 – 17 that attracted investment and created jobs and opportunities for people living and working in regional WA.*

Attached to the agenda is full media release (**Marked 9.5.24**)

#### **9.5.25 WALGA – WASTENEWS – 13 MAY 2016 – ISSUE 8**

Document ID: 66580

In this issue:

- Less is More
- LG Spotlight: Collie Hits 2020 Target
- Container Deposit Win
- HHW TCD Tonnage
- Paintback Launches
- Mega reuse at the MEGABARN

Submissions:

- Tuesday, **24 May** – WALGA submission (DER Environmental Standard: Composting)
- Friday, **27 May** – W&R Conference Speaker Abstracts
- Monday, **6 June** – DER Environmental Standard: Composting

Events:

- Thursday, **19 May** – WALGA/WMAA workshop (DER Environmental Standard: Composting)
- Thursday, **15 September** to Friday, **16 September** – Waste & Recycle Conference 2016

#### **9.5.26 WALGA – LOCAL GOVERNMENT NEWS – 13 MAY 2016 – ISSUE 18**

Document ID: 66602

In this issue:

- Gift Provision
- NAMN Forum: Recruiting and Retaining Volunteers for Natural Area Management
- Regional Visitor Centre Sustainability Grant Program
- Container Deposit Win
- Class Exemption for Small Local Government Water Services Providers
- Review of Manual of Uniform Traffic Control Devices Part 5: Street Name and Community Facility Name Signs

Mailbag

- InfoPage: Update on Gift Provisions
- Economic Briefing – State Budget Edition

## Media Releases

- Celebrating the RoadWise Network – 11 May

**9.5.27 DEPARTMENT OF SPORT & RECREATION – STRATEGIC DIRECTIONS FOR THE WA SPORT & RECREATION INDUSTRY 2016-2020**

Document ID: 66649

“For the last 20 years, the sport and recreation industry has consciously planned its many contributions towards building an active, health and engaged Western Australian community with the guidance of the *Strategic Directions for the Western Australian Sport and Recreation Industry* documents.

Developed by industry leaders in consultation with a broad group of stakeholders, the sixth iteration of the series looks forward five years to identify our up-coming Challenges and opportunities. *Strategic Directions for the Western Australian Sport and Recreation Industry 2016-2020* (SD6) is a dynamic framework providing vision and direction for the industry and identifies 13 keys strategic areas and corresponding Challenges which the industry will need to address in the next five years.”

**9.5.28 DEPARTMENT OF FIRE & EMERGENCY SERVICES – FIRE AT MEADOWS ROAD**

Document ID: 66651

“Thank you for your letter dated 28 February 2016 regarding the bushfire at Meadows Road Cooljarloo.

I have received advice from the Department of Fire and Emergency Services (DFES) Midwest Gascoyne (MWG) Regional Office that the bushfire (Incident number 325032) occurred at approximately 2000hrs on the 26 January 2016 at Cooljarloo was on Unmanaged Reserve (UMR). Under the Bushfires Act 1954, the Local Government has the responsibility to respond to fire on such lands. On the night the fire commenced your Chief Bush Fire Control Officer commented that he was not sending any crews into the fire area as the fire was in an Unexploded Ordinance (UXO) area.”

Attached to the agenda is correspondence (**Marked 9.5.28**)

**9.5.29 CERVANTES RATEPAYERS & PROGRESS ASSOCIATION (INC) – REQUEST FOR ITEMS FOR CONSIDERATION ON BUDGET**

Document ID: 66902

Attached to the agenda is correspondence requesting items to be included in the 2016 / 2017 Budget. (**Marked 9.5.29**)

**9.5.30 CERVANTES RATEPAYERS & PROGRESS ASSOCIATION (INC) – SAILING CLUB BUILDING**

Document ID: 66903

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 26 MAY 2016**

Attached to the agenda is correspondence in relation to the state of the Cervantes Sailing Club building (***Marked 9.5.30***)

- 10 NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING**
  
- 11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC**
  
- 12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
  
- 13 CLOSURE OF MEETING**