



SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

COUNCIL CHAMBERS, JURIE BAY

on

THURSDAY 15 DECEMBER 2016

COMMENCING AT 4.00PM

THESE MINUTES ARE YET TO BE CONFIRMED

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 15 DECEMBER 2016

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 4.00pm and welcomed those present.

1.2 DISCLAIMER READING

The disclaimer was read aloud as there were 5 members of the public present.

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

It is strongly advised that persons do not act on what is heard, 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	

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)
Ms M Perkins	(Community Development Officer)

Apologies

Approved Leave of Absence

Observers

David Kent, Zac Roberts, Mick Fox, Ian Minty & David Cook

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

Ian Minty

In view of the fact that in our recent survey 96.4% of the people of Dandaragan, together with Jurien (90.5%) and Cervantes (93%) and surrounds are opposed to gas fracking, is the Council now prepared to declare no more fracking in the Shire and lobby our State Government on our behalf – and I'm asking each individual his or her own individual position on this matter.

The President advised that Council has been consulting with the State Government and that Council has spoken to the local Member of Parliament. President can only provide Council's position – not individuals position.

Zac Roberts

In view of the upcoming Shire elections, will each of the councillors listen to the overwhelming majority and publicly announce their stand on unconventional gas in the Shire?

The President advised that at the next Council election in October 2017, someone with strong views on this matter could stand for Council.

David Cook

We know that fracking has contaminated ground water in similar geology and depth as in Dandaragan, will Council therefore enact policy through its' means of town planning, health and environmental planning or in any other way to protect the precious water in our communities?

The Manager of Planning advised that the Local Planning Scheme and Strategy guide Council in making land use decisions. The Strategy identifies proclaimed drinking water protection zones as set by the Department of Water under their own legislation. These zones are small in area and currently cover approximately 300m or 500m buffers around drinking water or wells. A copy of the Department of Water guidelines for proclaimed drinking water zones and land uses was provided to Mr Cook. There are no controls within the Scheme or Strategy (existing or proposed draft Strategies) that give Council authority to regulate mining such as gas extraction.

David Cook

How close to the Dandaragan Town Water Supply could gas be extracted under present legislation and policy?

The President advised that this question would be taken on notice and a response provided in due course.

Mick Fox

Will the councillors of the Dandaragan Shire promote this shire as a future food producing area as designated in the state governments *Water for Food* initiative?

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The President advised yes, Council does support the *Water for Food* initiative and that Water for Food features within the Shire's Strategic Community Plan.

Mick Fox

As over 96% of Dandaragan residents voted against living in a gas field, will you actively discourage development of gas fields within Exploration Permit 321 (which includes Dandaragan Deep) as clearly there is no **social license** to do so?

The President advised that this question would be taken on notice and a response provided in due course.

5 APPLICATIONS FOR LEAVE OF ABSENCE**COUNCIL DECISION**

Moved Cr Gibson, seconded Cr Kulisa

That leave of absence be approved as follows:

- Cr McGlew - Saturday 7 January 2017 – Sunday 22 January 2017
- Cr Scharf - Saturday 7 January 2017 – Saturday 14 January 2017

CARRIED 8 / 0

6 CONFIRMATION OF MINUTES**6.1 MINUTES OF ORDINARY MEETING OF COUNCIL MEETING HELD 24 NOVEMBER 2016****COUNCIL DECISION**

Moved Cr Richardson, seconded Cr McGlew

That the minutes of the Ordinary Meeting of Council held 24 November 2016 be confirmed.

CARRIED 8 / 0

7 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Ian Minty presented the declaration from the Dandaragan Ground Water Protection Group.

DECLARATION

***WE THE PEOPLE OF DANDARAGAN
DECLARE THAT THE DANDARAGAN DISTRICT &
WATER CATCHMENT AREA
IS TO BE GASFIELD FREE
PROTECTED BY THE WILL OF THE COMMUNITY***

***This decision was made through community
consultation and engagement.***

***We recognise that our best defence is by standing
together. If we detect any activity by Gas companies
here,
we will raise an alert and ask their representatives
to leave.***

***We are committed to stopping
gasfield industrialisation in our district.
In doing this, we protect the water, soil and air
and we will protect our community from the
destructive impacts of the gasfield industry.***

***96.4% OPPOSED
TO FRACKING***


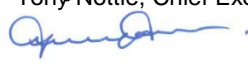
***418 people were surveyed, 403 were opposed,
3 were for and 12 were unsure.***

The President accepted the Declaration.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 AUDIT COMMITTEE MINUTES

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Audit / Internal
Disclosure of Interest:	None
Date:	5 December 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 receive the Audit Committee Meeting Minutes (unconfirmed) held on 17 November 2016.

BACKGROUND

The Local Government Act (1995) requires Council to establish an Audit Committee to assist Council to fulfil corporate governance, stewardship, leadership and control responsibilities in relation to the Shire's financial reporting and audit responsibilities.

Due to the small number of audit committee meetings held during the year there is a significant delay between the audit meetings and the subsequent confirmation of the minutes of that meeting at the following audit committee meeting and hence, a further delay in presentation to Council of the minutes for adoption.

Therefore, it is considered more appropriate to present the unconfirmed minutes to Council for receipt. Should any issue arise at the adoption of these minutes at the following audit committee meeting varying the accuracy of the unconfirmed minutes, these changes will be presented to Council at the following Council meeting.

COMMENT

The purpose of the Audit Committee Meeting held 17 November 2016 was to consider the annual financial statements inclusive of the audit report for the year ended 30 June 2016 and the review of systems and procedure.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 15 DECEMBER 2016

Goal 5 - Proactive and Leading Local Government

<i>Objectives</i>	<i>How the Shire will Contribute</i>
5.2 High Performing Administration	c) Compliance in all legislative requirements and functions

ATTACHMENTS

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

- Minutes of the Audit Committee Meeting (unconfirmed) held on 17 November 2016 (Doc Id: 76241)
- Management Report for year ended 30 June 2016 (Doc Id: 76180)
- Annual Financial Statements (inclusive of Audit Report) for the year ended 30 June 2016 (Doc Id: 76177)
- Report – Review of Certain Systems and Procedures (Doc Id: 76212)

(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Scharf

That the unconfirmed minutes of the Audit Committee Meeting held on 17 November 2016 be received.

CARRIED BY EN BLOC 8 / 0

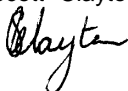
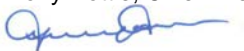
OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Scharf

That Council requests the CEO to undertake a review of the concessions provided to users of the Civic Centre.

CARRIED BY EN BLOC 8 / 0

9.1.2 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 OCTOBER 2016

Location:	Shire of Dandaragan
Applicant:	N/A
Folder:	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	5 December 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 31 October 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 31 October 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 [i.e. surplus / (deficit)] position as at the 31 October 2016 was \$7,354,737. 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 and \$10,000 threshold for these variances to be reported was set.

Recreation and Culture

Income is at 154% of Y-T-D budget and is due to greater grant being received than budgeted for the Cervantes Community Centre project and unbudgeted grant income for the Sandy Cape blueprint project

Economic Services

Expenditure is at 81% of Y-T-D budget and is due to less than budgeted expenditure on tourism.

Other Property and Services

Income is at 38% of y-t-d budget and is due to expected income from the commercial waste disposal arrangement not having commenced as expected.

Expenditure is at 66% and is due to overhead and plant on-cost allocations. This is generally a timing issue and is a result of actual

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costs being incurred inconsistently throughout the year, but being applied consistently through the wages process. This is a non cash item and is monitored continuously.

Should Councillors wish to raise any issues relating to the 31 October 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

2016 – 2026 Strategic Community Plan

Business as usual
5. Proactive and leading local government
k) Finance

ATTACHMENTS

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

- Financial statements for the period ending 31 October 2016 (77983)
(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority



OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Sheppard

That the monthly financial statements for the period 31 October 2016 be adopted.

CARRIED 8 / 0

9.1.3 ACCOUNTS FOR PAYMENT – NOVEMBER 2016

Location: Shire of Dandaragan
 Applicant: N/A
 Folder Path: Business Classification Scheme / Financial Management / Creditors / Expenditure
 Disclosure of Interest: None
 Date: 7 December 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 accept the cheque, EFT and direct debit listing for the month of November 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 November 2016 totalled \$774,398.09 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:

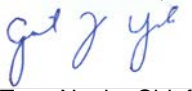
- Cheque, EFT and direct debit listings for November 2016 (Doc Id: 78128)


(Marked 9.1.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr Kulisa, seconded Cr Slyns****That the Municipal Fund cheque and EFT listing for the period ending 30 November 2016 totalling \$774.398.09 for the Municipal Fund be accepted.****CARRIED 8 / 0****9.2 INFRASTRUCTURE SERVICES****9.2.1 TENDER RECOMMENDATION RFT 03/16 URBAN ROADS RECONSTRUCTION 16-17**

Location: Hamersley Street Jurien Bay, Corunna Road
Cervantes,
Applicant: Executive Manager Infrastructure
Folder Path: Business Classification Scheme / Road / Tendering /
Tender Evaluations
Disclosure of Interest: None
Date: 5 December 2016
Author: Garrick Yandle, Executive Manager Infrastructure
Signature of Author: 

Senior Officer: Tony Nottle, Chief Executive Officer
Signature of Senior Officer: 

PROPOSAL

That Council consider the awarding the tenders for RFT 03/16 Urban Road Reconstruction 16-17. The projects have been identified in the 2016/17 Capital Works Budget and are funded through Roads to Recovery.

BACKGROUND

The Shire's 2016 / 17 Roads to Recovery funding allocation is approximately \$928,000. The roads outlined in RFT 03/16 are being delivered as part of the Shire's ongoing Roads to Recovery program and reporting requirements. The initial budget allocations for these projects are as follows:

Proposed Road	Budget Amount (ex GST)
Seville St (Valencia to Weston)	\$ 383,000
Carmella St (Indian Ocean Drive to Boulanger Way)	\$ 256,000
Murray Street (Bashford Street to Sandpiper Street)	\$ 150,000
	\$ 789,000

Tender Process

The Shire's Infrastructure team are managing the Tender and Construction components of these projects in-house.

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The Tender was advertised in The West Australian on Saturday 12 November 2016 and was also on the Shire website www.dandaragan.wa.gov.au/tenders. The Tender submissions closed on Friday 25 November 2016 at 2.00pm.

COMMENT

During the tender submission process various queries were received from potential tenderers. One of these was for an extension of time for submission. The revised submission date of Friday 3 December 2016 at 4.00pm was conveyed to those potential tenderers who attended the Mandatory Tender Briefing on Tuesday 15 November at 10.00am.

Tender Submissions

The following provides a summary of Tenders received and also the Shire Infrastructure team's recommendation.

At 2.00pm on 3 December 2016 the tender period closed with tenders received from the following 4 contractors:

- Direct Contracting
- GPC Earthmoving
- Road Contractors P/L
- WCP Civil

Only the following tenders were conforming and considered for review:

- Direct Contracting
- WCP Civil

The following tenders were non-conforming and were considered for review for the following reasons:

1.9 CONDITIONS OF TENDERING

1.9.1 Lodgement of Tenders and Delivery Method

Tenderers must ensure that they have provided two (2) signed copies of their Tender (one to be marked "ORIGINAL" and bound, the other to be marked "COPY" and unbound). Any brochures or pamphlets must be attached to both the original and the copies.

You are also requested to provide an electronic copy on a USB in a format readable by Microsoft Office applications.

- GPC Earthmoving
 - Only submitted a single unbound hard copy and an electronic copy,
 - Did not submit a second bound copy.
- Road Contractors P/L
 - Only submitted a single unbound hard copy,
 - Did not submit a second bound
 - Did not submit an electronic copy

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The following table summarises the original (unadjusted) tendered prices received:

Street Details	Town	Budget	Direct Contracting	WCP Civil¹
Seville Street	Cervantes			
Item 1 - Valencia Road to Weston Street		\$ 383,923	\$ 249,045	\$323,933.90
Murray Street	Jurien Bay			
Item 1 - Bashford Street to Sandpiper Street		\$ 150,000	\$ 193,588	\$176,186.44
Carmella Street	Jurien Bay			
Item 1 - Indian Ocean Drive to Boullanger Way		\$ 256,000	\$ 185,910	\$201,492.46
Total		\$ 789,923	\$ 628,543	\$701,612.79

Note 1: WCP Civil price includes a mobilisation cost of \$203,349.39 that was included into the overall costs of the 3 road projects.

As part of the tender process tenderers were also asked to provide prices for additional sections of works along the identified streets, this would give the Shire an indication of whether additional works could be included if prices for these sections fitted within the appropriate budget. These additional sections were:

- Seville Street
 - Weston Street to Segovia Ave
 - Segovia Avenue to Barcelona Drive
- Carmella Street
 - Boullanger Way to Dorcas Street
 - Dorcas Street to Termination GPC Earthmoving
- Murray Street
 - Car Park Refurbishment (outside chemist precinct)

A summary of the prices submitted for these works are:

Street Details	Budget	Direct Contracting	WCP Civil
Seville Street			
Item 1 - Valencia Road to Weston Street	\$383,923.00	\$249,045.00	\$ 323,932.90
Item 1 (alternative methodology) - Valencia Road to Weston Street		\$199,045.00	
Optional Item 2 - Weston Street to Segovia Street		\$ 65,760.00	\$ 108,808.04
Optional Item 3- Segovia Street to Barcelona Drive		\$137,869.00	\$ 59,301.77
Murray Street			

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Item 1 - Bashford Street to Sandpiper Street	\$150,000.00	\$193,588.00	\$ 176,186.44
Optional Item 2 - Car Park Refurbishment		\$ 97,595.00	\$ 89,768.37
Carmella Street			
Item 1 - Indian Ocean Drive to Boullanger Way	\$256,000.00	\$185,910.00	\$ 201,492.46
Optional Item 2- Boullanger Way to Dorcas Drive		\$165,631.00	\$ 98,003.59
Optional Item 3 - Dorcas to Road Termination		\$164,597.00	\$ 144,820.89

Tender Assessment

The Shire received quality tenders of similar levels of methodology, scope inclusions and comparable price. The receipt and assessment of these tenders allowed the Shire to further identify the key requirements and preferred scope of works to be undertaken. To be fair to all tenderers the Shire have relayed the same technical queries back to the tenderers in order to clarify their tender pricing and confirm that all tenderers had allowed for relevant scope items. This enabled the Shire to compare the price against the scope of all tenderers in a consistent manner.

The qualitative assessment criteria for the tender submissions were as follows:

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Qualitative Criteria	Weighting
<p>A) Capabilities</p> <p>Outline the key services, skills, personnel and equipment that your company can provide the Shire of Dandaragan.</p> <ul style="list-style-type: none"> • Key services and skills (5%) • Key personnel (5%) • Equipment (5%) 	15%
<p>B) Relevant Experience</p> <p>Provide details of previous successful delivery of similar services (include referees) for either:</p> <ul style="list-style-type: none"> • Shire of Dandaragan (max 15%). • Regional WA local government authorities (max 12%). • WA local government authorities (max 9%). • State Government agencies (max 6%) • Other clients (max 3%). • Must include referee details. 	15%
<p>C) Local Supplier</p> <p>Outline the primary location of your business</p> <ul style="list-style-type: none"> • Shire of Dandaragan (max 5%) • Neighbouring local government authority (max 4%) • Regional WA (max 3%) • Perth (max 2%) • Other (max 1%) 	5%

DESCRIPTION OF QUANTITATIVE CRITERIA	WEIGHTING
<p>D) Service Delivery and Price</p> <ul style="list-style-type: none"> • Value of tender prices (40%) • Methodology for providing the services with all works fully scoped and included in price, including any points of clarification (20%) • Timetable for delivering the services (5%) 	65%

A Tender Assessment Matrix was developed as part of the qualitative assessment process. Notes were documented for each

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Tendering Contractor against each relevant criterion. These notes were then used to develop a numerical quantitative assessment. The detailed Tender Assessment Matrix is included in attachment 1 *Urban Road Tender 03/16 Assessments* (Doc Id: 77988). The results of the Tender Assessment Matrix are summarised in the table below.

Criteria		DIRECT CONTRACTING	WCP CIVIL
Capabilities	15	12	15
Relative Experience	15	15	12
Local Supplier	5	5	2
Qualitative Sub Total	35	32	29
Price – Seville	65	63	55
Price – Carmella	65	63	60
Price – Murray	65	53	50
TOTAL - Seville	100	95	84
TOTAL - Carmella	100	95	89
TOTAL - Murray	100	85	79

Ranking	Preferred Contractor	Total
Seville Street	Direct Contracting	95
Carmella Street	Direct Contracting	95
Murray Street	Direct Contracting	85

Based upon the result of the Tender Assessment Matrix the preferred Tenderer for the mandatory scoped works included in RFT03/16 is Direct Contracting.

The key reasons that Direct Contracting were ranked first are:

- Their overall price across all three projects was the cheapest and within budget.
- Their methodology for each project was comprehensive and showed a thorough understanding of the key issues.
- Their timeframe fits within the Shire requirements.
- Both tenderers have the relevant experience and appropriate references to undertake the work.

Upon review of Direct Contracting's two submissions and methodologies for Seville Street (Valencia Road to Weston Street) it is recommended that the Alternative Tender Price for this be awarded based upon the following reasons:

- Provides a further saving of around \$50,000.
- Alternative methodology will provide an appropriate finished product within the scope of work.

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With the overall budget savings for this project it is recommended to award all works for the following projects to Direct Contracting:

Seville Street

- Optional Item 2 (Weston Street to Segovia Avenue)
- Optional Item 3 (Segovia Avenue to Barcelona Drive)

The additional works had been identified for the 2017 / 18 financial year as part of the roads asset management planning, however savings provided through this tender process would enable these works to be completed in the 2016 / 17 financial year through the available Roads to Recovery Funding.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

Section 11 Local Government (Functions & General) Regulations 1996 – When tenders have to be publically invited

POLICY IMPLICATIONS

Shire of Dandaragan Purchasing Policy and Tender Guide 1.15.

- Limit of proposed Contract exceeds the limit under Delegated Authority 210 provided to the CEO. (Chief Executive Officer is authorised to accept tenders up to a value of \$500,000. All tenders which exceed this value must be referred to Council for evaluation and decision.)

FINANCIAL IMPLICATIONS

The recommendation is they are awarded the Contracts for all projects as follows:

Street Details	Budget	Direct Contracting
Seville Street		
Item 1 (alternative methodology) - Valencia Road to Weston Street	\$ 383,923 (ex GST)	\$ 199,045 (ex GST)
Murray Street		
Item 1 - Bashford Street to Sandpiper Street	\$ 150,000 (ex GST)	\$ 193,588 (ex GST)
Carmella Street		
Item 1 - Indian Ocean Drive to Boullanger Way	\$ 256,000 (ex GST)	\$ 185,910 (ex GST)
Total	\$ 789,923 (ex GST)	\$ 578,543 (ex GST)

With the savings made through the mandatory scope components of RFT 03/16 it is recommended that the following optional components also be award.

Street Details	Budget	Direct Contracting
Seville Street		

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Optional - Weston Street to Segovia Street		\$ 65,760 (ex GST)
Optional - Segovia Street to Barcelona Drive		\$ 137,869 (ex GST)
		\$ 203,629 (ex GST)
TOTAL RFT03/16 Budget	\$ 789,923 (ex GST)	\$ 782,172 (ex GST)

Given that the total cost of projects recommended to be awarded is \$789,923 this would approximately leave \$7,000 of Roads to Recovery funding remaining and available for further works. This is recommended to be retained in case of potential variations for the above mentioned projects.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>GOAL NUMBER ONE: Great Place for Residential and Business Development</i>	
Objective	How the Shire will contribute
1.3 Ensure timely provision of essential and strategic infrastructure	a) Provide and manage a network of roads and bridges for safe and efficient vehicle movement

ATTACHMENTS

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

- Urban Road Tender 03/16 Assessments (Doc Id: 77988)
(Marked 9.2.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Scharf

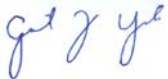

That Council award the Contracts for the RFT03/165 Urban Road Reconstruction 16-17 to Direct Contracting for each project as follows

- 1. Seville Street Cervantes (Alternative Tender Price - Valencia Road to Weston Street) for the value of \$199,045 exclusive of GST.**
- 2. Carmella Street Jurien Bay (Indian Ocean Drive to Boullanger Way) for the value of \$185,910 exclusive of GST.**
- 3. Murray Street Jurien Bay (Bashford Street to Sandpiper Street) for the value of \$193,588 exclusive of GST.**
- 4. Seville Street Cervantes (Optional Item 2 – Weston Street to Segovia Avenue) for the value of \$65,760 exclusive of GST.**

5. Seville Street Cervantes (Optional Item 3 – Segovia Avenue to Barcelona Drive) for the value of \$137,869 exclusive of GST.

CARRIED 8 / 0

9.2.2 DISBANDMENT OF SHIRE OF DANDARAGAN ROADWISE COMMITTEE

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Community Relations / Meetings / RoadWise Committee
Disclosure of Interest:	Nil
Date:	6 December 2016
Author:	Garrick Yandle, Executive Manager Infrastructure
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

That Council consider disbanding the Shire of Dandaragan RoadWise Committee.

BACKGROUND

The Shire of Dandaragan's RoadWise Committee was formed in September 2014 following a resolution of Council at its Ordinary Council Meeting held on 25 September 2014.

At this meeting Council resolved the following:

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Bailey

That Council:

- 1. endorse the establishment of a Shire of Dandaragan RoadWise Committee to support the implementation of Towards Zero Road Safety Strategy, request the Chief Executive Officer to work with the RoadWise Committee to further define the role and Terms of Reference of that Committee; and*
- 2. nominate Cr McGlew as Council's representative to hold Elected Member position on the Shire of Dandaragan RoadWise Committee.*

CARRIED 7 / 0

The purpose of forming this Committee was to support the implementation of the 'Towards Zero' Road Safety Strategy by contributing a coordinated approach to reduce the amount of road deaths and serious injuries in the Shire of Dandaragan.

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Membership of the committee was based upon nominated representatives from various community organisations, community groups and community members, however nominated personnel from these groups was regularly changing from meeting to meeting meaning that the Committee struggled to get a consistent quorum.

COMMENT

The Committee last achieved a quorum for an official meeting in May (February 2015). All subsequent meetings held since have been declared unofficial due to being unable to obtain a quorum as per the Committee's Terms of Reference. This has hampered the ability of the Committee to work on the Shire of Dandaragan RoadWise Committee Action Plan.

In order to progress the initiatives originally discussed by the current Roadwise Committee, these can still be undertaken by a community led working group, without the burden of administration and compliance as being part of an official Committee of Council.

Since its formation the RoadWise Committee have accomplished the following key achievements:

- Developed the Shire of Dandaragan Roadwise Committee Action Plan
- Drawn representatives from various community organisations, community groups and community members together at semi-regular intervals to share information regarding how their organisations or groups influence road safety as follows:
 - Shire of Dandaragan (key infrastructure projects)
 - WA Police (local initiatives, feedback on projects, issues with local and visiting motorists)
 - St John Ambulance (identification and notification of traffic trouble spots)
 - WA Community Health Service (car seat restraint demonstrations)
 - Jurien Bay District High School (continued discussions with Shire regarding parking, footpaths, crossing points and traffic management to ensure the safety of parents and children attending school daily)
 - Community Emergency Services Coordinator (regular updates on bushfires as necessary)
 - WALGA RoadWise Officer – regular updates on initiatives across the State and other shires.

CONSULTATION

- Chief Executive Officer
- Cr Kaye McGlew, Chair of the Shire of Dandaragan RoadWise Committee

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

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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 clear strategic implications relevant to this item however Goal 2 of the Shire's current Strategic Community Plan to provide for a Healthy, Safe and Active Community does apply in a broad sense.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

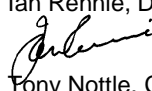

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Kulisa

That Council agree to disband the Shire of Dandaragan RoadWise Committee and endorse the establishment of a community based working party as its replacement.

CARRIED 8 / 0

9.3 GOVERNANCE & ADMINISTRATION**9.3.1 REVIEW OF THE SHIRE OF DANDARAGAN'S LOCAL LAWS**

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Laws and Enforcements / Local Laws / Review of Local Laws
Disclosure of Interest:	None
Date:	2 December 2016
Author:	Ian Rennie, Deputy Chief Executive Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

Council is asked to provide direction to Administration in relation to the outcomes of a periodic review of the Shire of Dandaragan's Local Laws, conducted 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 aim of a review is to

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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 (WALGA) 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.

At its full meeting of Council of 26 May 2016 it was resolved 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.*

CARRIED 7 / 0

COMMENT

The Shire of Dandaragan's current Local Laws were gazetted on various dates dating back to 2001 and were 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. All local laws have been included in the review. 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. The Local Laws are listed below with the title of the relevant Act they were made under and the relevant gazettal dates;

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. Cemeteries Local Law 2001 (9 May 2001); and,

Health Act 1911

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

The advertisement of the intention to review the local laws was the first step in the process of review and the Shire must consider all submissions in relation to the review before resolving to retain amend or repeal any local law. The review has revealed that the Shire will need to pursue an amendment local law, to undertake at least minor alterations and changes of some local laws. The following is a summary of the current status of each local law;

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1. Local Government Property Local Law (Gazetted 9 May 2001);

The local law was adopted by reference (Shire of Exmouth) but is based on the then WALGA Model Local Law. The local law enables various activities to be permitted or prevented on land;

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the Land Administration Act 1997; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the Local Government Act;

The Local Law is still in common usage however, some local governments have amalgamated local government property laws with laws relating to activities on streets and public places and trading. It is at the discretion of Council to do this and there is a more recent model local law available via WALGA to do this. The local law requires minor amendment due to legislative changes and the adjustment of modified penalties contained within the local law schedule is recommended.

A minor amendment is needed in relation to Part 7 of the local law relating to objections and appeals due to a regulatory amendment undertaken in 2004 in the establishment of the State Administrative Tribunal. The current clause does however still have effect. The local law has served the needs of the Shire since its adoption to assist in the management of Shire lands and hence retention is recommended with minor amendments.

As there are no substantial amendments required of this local law, replacement and repeal is not recommended at this stage and inclusion of the relevant amendments within a draft amendment local law is proposed.

2. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law (Gazetted 9 May 2001);

The local law was adopted by reference (Shire of Kojonup) but is based on the then WALGA Model Local Law. The Local Law is still in common usage however, some local governments have amalgamated their Activities On Thoroughfares and Trading in Thoroughfares and Public Places Local Laws with local government property laws. It is at the discretion of Council to do this and there is a more recent model local law available via WALGA to do the same. The local law requires minor amendment due to legislative changes and the adjustment of modified penalties contained within the local law schedule is recommended. As there are no substantial amendments required of this local law, replacement and repeal is not recommended at this stage, and inclusion of the relevant amendments within a draft amendment local law is proposed.

3. Standing Orders Local Law 2001 (Gazetted 9 May 2001);

The local law was adopted by reference based on a 1998 Model Local Law, which was commonly used at that time. The Shire's Standing Orders Local Law is not consistent with the more recently developed WALGA model Local Government (Council Meetings) Local Law. Whilst the existing local law has served the Shire well there have been changes to governance requirements and community expectations in regard to issues such as public participation in Council Meetings, petitions and other aspects.

The continued development of the WALGA model local law in line with the various accountability requirements of the Act and community expectations, means that the "model" document with minor amendments would better serve the Shire in the management and control of meetings. It is proposed that the existing local law be repealed and a new local law be prepared, based on the WALGA model. It is proposed that Administration prepare the new draft local law for community and Council consultation. As a local law directly effecting the conduct of Council business it is proposed that Councillors be given the opportunity to comment on the document prior to its submission to Council for resolution.

4. Extractive Industries Local Law (Gazetted 9 May 2001);

The Extractive Industries Local Law is based on a WALGA Model which has been in common usage for many years and is still routinely used by a number of local governments to control the extraction of raw materials within their locality. The current local law has served the Shire well, however local governments are often at pains to obtain reasonable recompense from such operations for the ongoing management and control of the operations as well as the potential damage to road infrastructure due to road haulage. In a recent planning decision for the Shire of Harvey it was demonstrated that a planning condition which required a financial contribution on the part of an operator, based on the volume of material excavated, to contribute to the upkeep of roads that the operator used to access the extractive industry property was legally imposed by the Shire. In the finding the fact that the roads were under the care and control of the Shire and that the financial contribution was for a specific purpose, were the key legal aspects that found in the Shire's favour. The application of this finding to local laws is however tenuous and that decision is currently being appealed. Given the key aspects applied in the planning conditions were related to the circumstances of the Shire access roads and the individual operation, it may be difficult to impose such a contribution generally, via a local law.

The local law requires minor amendment due to a code change and the adjustment of modified penalties contained within the local law schedule is recommended. As there are no substantial amendments required of this local law, replacement and repeal is not recommended at this stage, and inclusion of the relevant

amendments within a draft amendment local law is proposed. The issues relating to relevant fees and charges and financial contribution can be further explored during the drafting of the amendments to the local law.

5. Local Laws Relating to Fencing (Gazetted 9 May 2001);

The existing WALGA model for fencing has moved away from prescription to a policy and licensing model for fences. This model has merit but would require the development of a draft local law with substantial policy development required to set the standards, prohibitions and fees and charges for fencing within the Shire. This would give the Shire substantially more flexibility with respect to setting and varying standards, however would entail a significantly increased compliance role to ensure applications are being made and standards are being met.

As to the extent to which the local law has been called upon to control fencing within the Shire and the absence of major issues with the existing local law, it is proposed that the local law be retained with minor amendments.

6. Local Law Relating to Beekeeping (Gazetted 9 May 2001);

The Local Law Relating to Beekeeping was made by the Shire on 12 April 2001 and Gazetted, in conjunction with a number of other local laws, on 9 May 2001. The local law has remained unchanged since that time. The local law was not based on a WALGA model, is concerned predominantly with bee keepers seeking written consent and restricting the keeping of bees in other than rural areas. The local law creates modified penalties, which have also remained unchanged since the adoption of the law. The local law refers to the Beekeepers Act 1963 which has since been repealed and consequently at best the local law requires amendment.

There are substantial controls now in place for the bee keeping industry pursuant to the Biosecurity and Agriculture Management Regulations 2013. All bee keepers must be registered with the Department of Agriculture and Food in Western Australia and all hives must be marked with the licensing details of the bee keeper. Consequently, if the only controls needed are restrictions on where hives may be located, and in accordance with the existing local law, it is suggested that the local law be repealed and that the Shire of Dandaragan Local Planning Scheme No.7 be amended to include apiary activity and that the same be restricted to Rural areas and possibly Rural Residential and Residential areas with Council approval. Council has received one submission in relation to the Local Law Relating to Beekeeping.

7. Sand Drift Prevention and Abatement Local Law 2009 (Gazetted 18 December 2009);

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The Sand Drift Prevention and Abatement Local Law 2009 is one of the Shire's most recently adopted laws and is based on a model originally developed by the WALGA. However, the current law contains clauses that have been disallowed by the Joint Standing Committee on Delegated Legislation (JSCDL). Clause 3.4 of the local law grants the power to the Shire to place a charge on land on which the local government had undertaken work pursuant to a notice served on the owner/occupier of the property. The Committee has determined that this type of clause is ultra vires to the Local Government Act 1995. There is no power in the Act to specify that an amount expended by the local government, in carrying out work required in a notice, can be a charge on the land on which the work was carried out. The power to seek recompense can only be utilised where it is specifically empowered under the Act. Consequently, this section of the local law will need to be repealed.

The local law also refers to powers of entry, which have also been questioned by the JSCDL, as the powers of entry are generally defined in the Act for Council Officers. It is suggested that these clauses unnecessarily complicate the local law and add potential for challenge to its validity in any situation of appeal. It is proposed that the local law be repealed and that a simpler model, based on more recent adoptions by other local governments and establishing the necessary notice requirements and offence provisions be adopted.

8. Parking and Parking Facilities Local Law 2010 (Gazetted 21 December 2010);

The local law is based on the WALGA Model with minor variations. The local law generally aligns with current versions of the model and can be retained with minor amendments. Amendments can be limited to the changes in legislation with respect to definitions and increases in modified penalties should Council wish to approve the same. It is proposed that Administration prepare amendments to correct the deficiencies contained in this local law.

9. Local Law Relating to Pest Plants (Gazetted 9 May 2001) (Agriculture and Related Resources Protection Act 1976)

The local law is based on a WALGA Model with minor variations. The law enables the Shire to issue notices on owners and occupiers to control pest plants on their properties and creates offence provisions for failure to do so. The local law was made pursuant to the Agriculture and Related Resources Act 1976 which has now been partially repealed and the head of power for the creating of local laws is now under the Biosecurity and Agriculture Management Act 2007. The nature of transitional provisions with respect to the Act changes are unclear in the legislation and consequently it is recommended that Council consider the repeal

of the existing local law and adoption of a similar law under the new Act.

The local law has generated several comments from the community including recommendations about other pest plants that should be included. A new draft law can / may include these plants once relevant review of the suitability of the same can be undertaken.

10. Bush Fire Brigades Local Law (Gazetted 9 May 2001) – (Bush Fires Act 1954);

The Bush Fire Brigades Local Law was made pursuant to the Bush Fires Act 1954 and was adopted by reference from the Bush Fire Brigades Local Law of the Shire of Bridgetown – Greenbushes. The local law is based on the WALGA model of the time and enables the establishment by the Shire of Bush Fire Brigades and rules regarding their management and control. The local law has served the Shire well and no major amendments are required. It is proposed that the local law be retained with any necessary amendments being undertaken as required.

11. Dogs Local Law (Gazetted 9 May 2001) - Dog Act 1976;

The Dogs Local Law was made pursuant to the Dog Act 1976 and was adopted by reference from the Dogs Local Law of the Shire of Moora. There have been substantial changes to Dog Act legislation in recent years and the Shire's local law is fairly rudimentary in comparison to contemporary laws in use in Western Australia.

Many issues relating to dog control are now provided for within the Act and Regulations and local laws developed by WALGA are utilised to manage impounding, the numbers of dogs kept on a property, kennel establishments, dog exercise areas and implementing enforcement provisions.

As the existing local law requires substantial amendment it is proposed that the law be repealed once a new local law based on the WALGA model can be prepared for initial Council review and advertising.

12. Cemeteries Local Law 2001(9 May 2001) - Cemeteries Act 1986

The Cemeteries Local Law 2001 was adopted by reference to the Model Local Law (Cemeteries) 1998 with various minor amendments. The local law relates to the Badgingarra, Dandaragan and Jurien Bay Public Cemeteries and this was the intended title of the original adoption. However, the local law was actually adopted as the Cemeteries Local Law 2001, with reference to the alternate title at the commencement of the

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gazetted version. There were a number of other errors and omissions associated with the adoption of the model local law that need to be rectified.

The local law has served the needs of the Shire since its adoption to assist in the management of the various cemeteries and hence retention is recommended. It is proposed that Administration prepare amendments to correct the deficiencies contained in this local law.

13. Health Local Laws 2005 (Gazetted 13 September 2005 & subsequently amended 19 September 2006 & 22 May 2007) - Health Act 1911.

The Shire's Health Local Laws 2005 will require substantial amendments due to the waste provisions now requiring adoption pursuant to the Waste Avoidance and Resource Recovery Act 2007. There have also been a number of other legislative, terminology and code changes since the adoption of the local law. 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 Environment Regulation will be necessary.

The Health Local Laws will however only remain in use for another 1-3 years as the adoption of the Health Act 2016 will see the gradual removal of many of the existing provisions of the Health Act 1911. Whilst the mechanism for replacement of the various provisions contained in the health local laws generally is unclear, it is understood that the various nuisance provisions will be adopted pursuant to the Local Government Act as a Model Local Law. It is recommended that the Shire monitor this situation as it progresses however the advice from the Department of Health at this time is that local governments should progress the amendment and adoption of health local law provisions as per normal until the new Act takes effect.

Consequently, the Shire will need to pursue an amendment local law, to undertake repeal and at least minor alterations and changes of some local laws and to pursue the adoption of new local laws relating to Waste Management, Pest Plants, Sand Drift Prevention and Abatement, Dogs, and Standing Orders.

Council is therefore requested to resolve the outcomes of the review and direct Administration to prepare the various draft amendments, replacement local laws and a new waste local law for the Shire. Once drafted the local laws and amendments will be forwarded to Council to commence the adoption process. It will be necessary at that time to again give statewide public and local notice of the proposed local laws and amendments and copies of the report of the review and the draft amendment are to be made available upon request.

As Council needs to repeal or amend some 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. The advertisement of the intention to review the local laws was the first step in the process of review.

The Shire received comments from Councillor Peter Scharf regarding the Bee Local Law as follows;

“Our existing by laws can easily be adjusted to reflect contemporary requirements and DAFWA legislation.

- 1. The distance from a thoroughfare required by Main Roads is only 20 metres. We don't need 500;*
- 2. All hives must be registered and be branded with the allocated brand mark. This is done through the DAFWA, not the local government authority;*
- 3. It is good practice and is common in urban shires, towns and cities for there to be an approval from neighbouring residents for a person to keep bees in their backyard and it is generally limited to a maximum of 2 hives.”*

These comments have been considered and it is proposed that, due to the legislative changes, the local law can be repealed provided there are adequate controls established, for beekeeping locations, within the Local Planning Scheme.

The Shire received comments from the Department of Parks and Wildlife seeking the inclusion of two (2) additional plants in the Shires Local Law. The Departments comments are as follows;

A weed which the local District is putting effort into preventing establishment within the local area (including Shire of Dandaragan) is *Verbesina encelioides* (Golden crownbeard). This weed is well established in the Geraldton region and has considerable impact on agricultural land and biodiversity assets for the following reasons:

- creates a considerable seed load
- dispersed by wind
- toxic to stock
- can cause dermatological allergic reaction in people
- inhibits surrounding plant growth.

Currently Parks and Wildlife (with Mainroads WA assistance) are containing outbreaks along Brand Highway and Indian Ocean Drive, however the weed occurs in gardens and vacant land within Shire townsites and at the Jurien Bay Waste Control Facility.

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Another targeted weed is African Boxthorn (*Lycium ferocissimum*). This plant grows as a dense thorny shrub and is highly invasive, with the seeds spread by birds eating the bright red berries produced in large numbers by the mature plant. Currently the Department is targeting African Boxthorn on the islands of the Jurien Bay Marine Park, however the plant is causing concerns along river banks and coastal areas north of the Shire of Dandaragan.

Additionally, comments were received from local resident Mr Rodger Walker of Jurien Bay, regarding the Pest Plants Local Law. The comments are as follows;

The Shire of Dandaragan lies at the centre of floral diversity in the state. Heathlands and shrublands of this region have an exceptionally high diversity and are recognised globally as part of the Southwest Australia biodiversity hotspot. Contributing chiefly to this diversity is the region's extraordinary concentration of endemic (i.e. found nowhere else) species of flora and fauna. To recognise and maintain these systems for current and future generations pest plant control must carry increased importance to all residents, visitors and land-users.

The existing Pest Plants Local Law has only four pest species mentioned which is insufficient to ensure the threats of significant weeds to the area are managed into the future. Based on my knowledge and experience I recommend to the Shire that the following plants be added to the pest plant list:

Common Name	Scientific Name
<i>Golden crownbeard</i>	<i>Verbesina encelioides</i>
<i>Brazilian or Japanese Pepper</i>	<i>Schinus terebinthifolius</i>
<i>Victorian Teatree</i>	<i>Leptospermum laevigatum</i>
<i>Pyp grass</i>	<i>Ehrharta villosa</i>
<i>Caltrop</i>	<i>Tribulus terrestris</i>
<i>Castor Oil Tree</i>	<i>Ricinus communis</i>
<i>Narrow Leaf Cotton Bush</i>	<i>Gomphocarpus fruticosus</i>
<i>Tambookie (Tussock Grass)</i>	<i>Hyparrhenia hirta</i>
<i>Onion weed</i>	<i>Asphodeleus fistulosus</i>

The comments have been considered. Some of these pest plants have been included in other local government local laws in the region and, unless Council has specific concerns, can be reviewed and be included in any draft local law.

The intention to review the local laws was advertised on 8 June 2016 and submissions closed on 29 July 2016. Advertising consisted of statewide public notice in the West Australian newspaper and local public notice in the Shire Administration Centre and all four (4) libraries. The review was also advertised in

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the Shire Matters in June 2016, which is distributed throughout the Shire.

Once Council has resolved the outcomes of the review Administration will prepare draft local laws and amendments which will require further public consultation before adoption, including comments from relevant government agencies on the legislative changes.

STATUTORY ENVIRONMENT

Where it is determined by Council that a local law should be adopted, amended or repealed 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 and the Council must consider any submissions before amending or repealing the local law.

There are statutory complications with some laws that require the approval of the Department of Health and the Department of Environmental Regulation prior to finalisation however, these can be addressed once the draft local laws have been approved by Council for advertising and any submissions have been considered.

POLICY IMPLICATIONS

There are 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 once the laws and amendments have been drafted. All costs, including the preparation of the new laws and draft amendments, will be undertaken via budgeted expenditure. Following the discussion period for the draft local laws, and depending upon any submissions, further amendment review and legal advice may be incurred.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

GOAL 5: Proactive and Leading Local Government

Objectives	How the Shire will contribute
5.6 Implement sound corporate governance and risk management	e) up to date local laws to regulate nuisances, protect the natural environment, enhance public safety and health, and to give full effect to the functions of the Shire

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Sheppard

That Council:

1. Consider the outcomes of the review of local laws and directs Administration to prepare the necessary amendments for the following Local Laws, pursuant to the requirements of 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;
- Extractive Industries Local Law;
- Local Laws Relating to Fencing;
- Parking and Parking Facilities Local Law 2010;

Cemeteries Act 1986

- Cemeteries Local Law 2001;

Bush Fires Act 1954

- Bush Fire Brigades Local Law;

Health Act 1911

- Health Local Laws 2005.

2. request the CEO draft the necessary documentation to repeal the following local laws subject to the preparation of suitable draft replacement local laws, pursuant to the requirements of the Local Government Act 1995 and the principles of National Competition Policy;

- Local Government Act 1995
- Standing Orders Local Law 2001;
- Sand Drift Prevention and Abatement Local Law 2009;

Agriculture and Related Resources Protection Act 1976

- Local Law Relating to Pest Plants;

Dog Act 1976

- Dogs Local Law;

3. request the CEO draft the necessary documentation to repeal the Local Law Relating to Beekeeping subject to confirmation that the locations of beekeeping within the Shire can be adequately controlled through the Local Planning Scheme and that an amendment of the Scheme can be progressed;

4. request the CEO draft the necessary documentation to adopt the following Local Law, pursuant to the

**requirements of the Local Government Act 1995 and the principles of National Competition Policy;
Waste Avoidance and Resource Recovery Act
Waste Local Law 2017**

CARRIED 8 / 0

9.3.2 APPLICATION OF COMMON SEAL

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Governance / Authorisations / Council Seal
Disclosure of Interest:	None
Date:	1 December 2016
Officer:	Julie Rouse, Executive Secretary



Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To seek Council's endorsement for the application of the Shire of Dandaragan's Common Seal to 5 x copies of Legal Agreements for Lots 5 (No. 41), 7 (No 37), 8 (No. 35), 9 (No. 33), 10 (No. 31), 362 (No. 39) Catalonia Street and Lot 11 (No. 4) Madrid Street, Cervantes between the Shire of Dandaragan, David Edmund Thompson, Michael John Thompson, David George Thompson and Timberlane Nominees Pty Ltd.

BACKGROUND

Messrs DE, MJ and DG Thompson are registered proprietors for Lots 7 (No. 37), 8 (No. 35), 9 (No. 33), 10 (No. 31) and Lot 362 (No. 39) Catalonia Street and Lot 11 (No. 4) Madrid Street, Cervantes. Timberlake Nominees Pty Ltd is a company formed by DE, MJ and DG Thompson who are also the registered proprietors of Lot 5 (No. 41) and Lot 362 (No. 39) Catalonia Street, Cervantes collectively referred to from hereon in as 'the Lots'.

Following an application for the amalgamation of the land comprising Lot 8, 9, 10, 11 and 362 in one single green title lot, submitted to the Western Australian Planning Commission (WAPC) by the Owners and supported and approved by Council at its Ordinary Council Meeting on 24 March 2016, the WAPC refused this application due to the inconsistency in the zonings. Amalgamation of all lots is dependent on rezoning.

The WAPC has since approved a lesser amalgamation of Lots 11 & 362.

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The owners have submitted an application for the rezoning of Lots 5, 7, 8, 9, 10 and the front portion of Lot 362 from Residential R12.5 and Lots 11 and the rear portion of Lot 362 from Industrial (under LPS7) to a special use zone of Tourism Industry Zone under clause 4.7.1 of the Scheme Amendment currently being progressed by the Shire.

The Owners of the Lots have now requested the Shire permit the construction of leach drains on Lot 7 and the temporary disposal of waste water from a transportable kitchen situated on Lot 8 onto Lot 7 until such time as the Scheme Amendment has been adopted and the Amalgamation completed.

Given this the Owners of the Lots have agreed to enter a legal Deed of Agreement with the Shire of Dandaragan to progress the Scheme Amendment and to fulfil a number of other requirements to the Shire's satisfaction.

This will see an amendment to the zoning of the Lots and the submission of a new subdivision application to the WAPC by the Owners in order to obtain approval for the amalgamation of Lots 7, 8, 9, 10, 11 and 362 Catalonia Street in a single green title lot.

It is through the preparation of these Deeds of Agreement that the Shire of Dandaragan's Common Seal has been affixed retrospectively in order for the Owners to enter into this Deed to comply with and satisfy the Shire's requirements.

COMMENT

Application of the Seal in this instance is accompanied by the signature of the President and Chief Executive Officer.

A register is maintained to record all occasions on which the seal is applied and in this instance relates to Item 242 within the Shire of Dandaragan's Seal Register.

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

CONSULTATION

Nil

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

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FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

Goal 5 - Proactive and Leading Local Government

Objectives	How the Shire will contribute
5.2 High performing Administration	c) Compliance in all legislative requirements and functions

ATTACHMENTS

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

- Legal Agreement – Lots 5 (No. 41), 7 (No 37), 8 (No. 35), 9 (No. 33), 10 (No. 31), 362 (No. 39) Catalonia Street and Lot 11 (No. 4) Madrid Street, Cervantes (Doc Id: 77610)

(Marked 9.3.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Kulisa, seconded Cr Slyns

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 retrospectively to 5 x copies of Legal Agreements for Lots 5 (No. 41), 7 (No 37), 8 (No. 35), 9 (No. 33), 10 (No. 31), 362 (No. 39) Catalonia Street and Lot 11 (No. 4) Madrid Street, Cervantes between the Shire of Dandaragan, David Edmund Thompson, Michael John Thompson, David George Thompson and Timberlane Nominees Pty Ltd.

CARRIED 8 / 0

4.26pm

COUNCIL DECISION


Moved Cr Gibson, seconded Cr Sheppard that Standing Orders be suspended.

CARRIED 8 / 0

9.3.3 REVIEW OF COUNCIL DELEGATES

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Government Relations / Meetings / Representatives
Disclosure of Interest:	None

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Date: 30 November 2016
 Author: Tony Nottle, Chief Executive Officer
 Signature of Author: 

PROPOSAL

For Council to review the Councillor delegates to several outside committees and organisations as a result of former Councillor, Mr Chris Carey's, resignation in August 2016 and Council's decision to review Mr Lawrie Short's appointment as its non-Councillor delegate.

BACKGROUND

After each election year, a review of Council delegates to the outside committees and organisations takes place with Councillors being appointed as its delegates to these groups.

The Shire of Dandaragan provides representation to a range of community organisations as well as its own working groups.

At the Council meeting held 22 October 2015, Council considered a request made by Mr Lawrie Short, who was not re-elected to Council, to still remain on two committees as Council's delegate. At this meeting, it was resolved that Mr Short was to remain on the following two committees:

- Rural Water Council / Water Corporation - Mr Short & Cr Richardson
- West Koojan - Gillingarra Land Conservation District Committee - Mr Short & Cr McGlew (proxy)

With the above two committees AGM's approaching, Mr Short contacted the CEO to discuss Council's view on the matter and his request to continue on as Council's delegate to these committees.

After discussions at the Council Forum held on 17 November 2016 in relation to Mr Short's request, Councillors discussed their position on whether an elected member should be the representative for the Shire of Dandaragan into the future.

As well as reviewing the delegates for the above two mentioned outside committees and organisations, Council is also to consider the replacement of former Councillor, Mr Chris Carey, who resigned in August 2016. In October 2015, Mr Carey was appointed as the delegate to the following three committees:

- Audit Committee - Cr McGlew, Cr Kulisa, Cr Sheppard, Mr Carey
- Department of Transport - Marine Advisory Committee - Cervantes - Mr Carey
- Jurien Bay Chamber of Commerce - Cr Sheppard, Cr Slyn, Mr Carey was appointed the proxy for this committee

The CEO was requested by Council at the November Forum to put forward an item to the December meeting to also fill these vacancies.

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COMMENT

At the November Forum, it was discussed that the most likely Councillors to represent Council on the Rural Water Council and the West Koojan - Gillingarra LCDC due to them already being proxy delegates is as follows:

- Rural Water Council - Cr Richardson
- West Koojan - Gillingarra LCDC Cr McGlew

Representation to the other three committees as a result of Mr Carey resigning earlier this year; it is suggested that nominations for these three committees be called for from the floor during the December Council meeting.

CONSULTATION

- Council at the Forum 17 November 2016
- Mr L Short

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

Elected members representing the Shire of Dandaragan as Council endorsed delegates are eligible to claim travel expenses in accordance with Policy 1.7.

FINANCIAL IMPLICATIONS

There is sufficient budget provision to ensure travel expenses are met by Council for the endorsed delegates.

STRATEGIC IMPLICATIONS

A number of the delegate positions relate to working groups or committees that have direct involvement with specific actions within the Shire of Dandaragan Strategic Plan.

<i>Goal 5: Proactive and Leading Local Government</i>	
Objectives	How the Shire will Contribute
5.1 High performing Council	b) Nominate Council delegates to key Associations

ATTACHMENTS

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

- Current list of delegates to outside committees and organisations (Doc Id: 60687)

(Marked 9.3.3)

VOTING REQUIREMENT

Simple majority

4.31pm

COUNCIL DECISION

Moved Cr Kulisa, seconded Cr McGlew that Standing Orders be resumed.

CARRIED 8 / 0

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Sheppard, seconded Cr McGlew



That Council:

1. agrees to appoint:
 - Cr Richardson as delegate for the Rural Water Council;
 - Cr McGlew as delegate and Cr Richardson as the proxy for the West Koojan-Gillingarra LCDC;
 - Cr Scharf as delegate for the Audit Committee with Cr McGlew, Cr Kulisa and Cr Sheppard remaining as delegates;
 - Cr Slyns as delegate for the Department of Transport - Marine Advisory Committee - Cervantes;

and
2. thank Mr Short for his commitment on behalf of the Shire of Dandaragan during his appointment to the Rural Water Council and the West Koojan - Gillingarra LCDC.

CARRIED 8 / 0

9.3.4 WA SMALL BUSINESS FRIENDLY LOCAL GOVERNMENT INITIATIVE

Location:	Shire of Dandaragan
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Economic Development / Projects / Projects
Disclosure of Interest:	Nil
Date:	5 December 2016
Author:	Alison Slyns, Economic Development Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To authorise the Chief Executive Officer to sign the *Western Australian Small Business Friendly Local Governments (SBFLG)* charter on behalf of the Shire of Dandaragan.

BACKGROUND

The SBFLG initiative was jointly launched by the State Government Ministers for Small Business and Local Government on 9 August 2016. The aim of the initiative is to collectively

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recognise all local governments in Western Australia that have processes in place to support the unique needs of small businesses; and to build stronger, more productive relationships between local government and small business entities.

The initiative is designed to recognise local governments that are actively involved in activities and programs that help support small businesses in their region. There are three standard activities that all participating local governments must achieve before they qualify for acceptance into the initiative, being:

- Pay invoices from suppliers within 30 days;
- Have an advisory group to better understand the needs of small business; and
- Have an internal process to handle any disputes between the Shire and small business.

As well as the three standard activities, the local government must show that they actively participate in at least three additional activities that help support small business. These activities can be tailored to each local government area and are not restricted to a particular type of conduct or activity.

COMMENT

Without making any operational changes, the Shire of Dandaragan already qualifies for the charter, having processes in place to achieve the three standard and at least three flexible activities relating to small business.

Some examples of the practices from the Shire of Dandaragan that contribute to the SBFLG initiative are:

- The Shire employs a full-time Economic Development Coordinator (EDC) that liaises with all businesses and industries and attends relevant meetings for local chambers of commerce (currently Jurien Bay, Cervantes and Badgingarra);
- Executive members of the Jurien Bay and Cervantes chambers of commerce, as well as representatives from the Department of Parks and Wildlife and Shire of Dandaragan Councillors and staff have formed a non-incorporated business advisory group called 'Turquoise Coast Chambers Alliance'. This group meets monthly to discuss economic development opportunities for the region and how local businesses can contribute to activities;
- The Shire has clearly demonstrated procedures for communication and dispute resolution, including the *Shire of Dandaragan Community Engagement Plan 2015* and *Customer Service Charter*;
- The Shire supports business start-ups, business incubators and arts / recreation / culture projects through the availability of unused Shire spaces and buildings for up to three-months' rent free;
- As part of the Shire's *Purchasing Policy and Tender Guide*, item 5 states:

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“Where possible the Shire of Dandaragan will endeavour to maximise supply opportunities for small and medium businesses for its purchasing requirements providing it is in accordance with the Shire’s needs and meets the criteria set. The priority will firstly be within the Shire of Dandaragan, secondly within neighbouring local authorities and thirdly, all other areas”;

- The Shire provides support to relevant local business organisations such as ‘Business Local Services’ by RSM Bird Cameron and the Dandaragan Community Resource Centre. The EDC works closely with both organisations to support and promote small businesses throughout the region;
- Together with local Chambers of Commerce and Community Resource Centres, the Shire participates in regular networking and sundowner functions with the business community, and cross-promotes events held by various organisations, as well as hosting functions where appropriate.

This is not a conclusive list of activities that support the Shire’s commitment to the activities of the SBFLG initiative but they do show the Shire easily qualifies, without requiring any operational changes to be made.

If the Shire of Dandaragan commits to the initiative and agrees to sign the charter, the use of the SBFLG logo on any relevant print and online publications will be permitted. A one-page overview of the Small Business Friendly Charter, customised to the Shire’s operations will also be created and the Shire listed on the program’s website and any other marketing material associated with the initiative.

CONSULTATION

- Tony Nottle, Chief Executive Officer
- Council via Council Forum

STATUTORY ENVIRONMENT

There is no statutory environment 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

2016 – 2026 Strategic Community Plan

<i>Goal 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.4 Ensure the Shire is ‘open for business’ and supports business and industry development	(b) Identify and engage future new business and industry opportunities

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1.5 Facilitate population and visitor attraction and growth to expand and diversify the regional economy	(g) Position the town of Jurien Bay to host future government services to grow as a developing regional centre
<i>Goal 3: Strong and Connected Community</i>	
Objectives	How the Shire will contribute
3.1 Support strong community resource services	Support the community resource centres in Dandaragan and Jurien Bay through provision of peppercorn leases and outsourcing of services
<i>Goal 5: Proactive and Leading Local Government</i>	
Objectives	How the Shire will contribute
5.4 Provide high standard of customer service	(a) Provide customer service to the community via front counter, telephone and email (b) Respond to service requests and issues

ATTACHMENTS

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

- Shire of Dandaragan Charter SBFLG (Doc Id: 78014)
- Shire of Dandaragan SBFLG Reporting template (Doc Id: 78015)

(Marked 9.3.4)

VOTING REQUIREMENT

Simple majority


OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Kulisa

That Council agree to participate in the Western Australian Small Business Friendly Local Governments Program and authorise the Chief Executive Officer to authorise and sign the *Western Australian Small Business Friendly Local Governments Charter* on behalf of the Shire of Dandaragan.

CARRIED 8 / 0

9.3.5 ANNUAL REPORT AND ANNUAL FINANCIAL STATEMENT INCLUSIVE OF AUDITORS REPORT

Location:	Shire of Dandaragan
Applicant:	N / A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	1 December 2015
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 15 DECEMBER 2016

Senior Officer: Tony Nottle, Chief Executive Officer
 Signature of Senior Officer:



PROPOSAL

To accept the 2015/2016 Annual Report and the 2015/2016 Annual Financial Statements including the Auditors Report for the Shire of Dandaragan and to receive the Auditors Management Letter.

BACKGROUND

The *Local Government Act (1995)* requires a local government to prepare an annual report for each financial year.

COMMENT

The Shire of Dandaragan finished 2015 / 2016 with a surplus of \$2,250,891. However, the majority of this surplus is as a result of large unspent grants and incomplete capital works projects. Therefore, this surplus does not constitute a surplus of funds after all requirements have been met in the true definition of a surplus, rather reflects outstanding commitments that will be reprogrammed into the 2016 / 2017 budget.

Details of the financial income for 2015 / 2016 include:

- A total of \$5,421,564 in rate income was raised. By 30 June 2016, 94.9% of rates had been collected.
- A total of \$4,742,430 in grants were secured.

Audit Report

There were no adverse findings in the audit report and the financial position as at 30 June 2016 is represented fairly.

There are no instances where the Council did not comply with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

“Financial Management Review (FMR)

As required under Part 2, Section 5 (2) (c) of the Local Government (Financial Management Regulations) 1996, the CEO must undertake a review of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of the reviews.

The last FMR was undertaken by Rhonda Evans in January 2012, therefore this review was due again in January 2016. It is our understanding management is currently in the process of organising for the FMR to be undertaken.

We noted no other significant matters that should be raised or brought to the attention of Council.”

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The auditor has requested that the Management Letter is considered by all Council members and signed by the President and Chief Executive Officer.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Section 5.53 and 5.54 of the *Local Government Act 1995* requires preparation and acceptance of the annual report.

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

2016 – 2026 Strategic Community Plan

Goal 5 – Proactive and Leading Local Government	
<i>Ojectives</i>	<i>How the Shire will contribute</i>
5.2 High Performing Administration	b) provide robust financial management and guardianship of the communities assets c) compliance in all legislative requirements and functions

ATTACHMENTS

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

- Annual Report 2015 / 2016 (Doc Id: 78029)
- Annual Financial Statements 2015 / 2016 (Doc Id: 76189)
- Management Report 2015 / 2016 (Doc Id: 76187)

(Marked 9.3.5)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION

Moved Cr Richardson, seconded Cr McGlew

That the Shire of Dandaragan's 2015 / 2016 Annual Report and the 2015 / 2016 Annual Financial Statements inclusive of the Auditors Report be accepted.

CARRIED BY EN BLOC 8 / 0

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr Richardson, seconded Cr McGlew

That the Management Letter be received.

CARRIED BY EN BLOC 8 / 0

9.4 DEVELOPMENT SERVICES

9.4.1 SCHEME AMENDMENT NO.29 LOT 11 MADRID STREET LOTS 7, 8, 9, 10, 362 AND 5 CATALONIA STREET, CERVANTES

Location: Lot 11 (4) Madrid Street, Lots 10 (31), 9 (33), 8 (35), 7 (37), 362 (39) and 5 (41) Catalonia Street, Cervantes


Applicant: Allerding & Associates on behalf of D Thompson

Folder Path: Business Classification Scheme / Land Use and Planning / Zoning / Rezoning Applications


Disclosure of Interest: None

Date: 5 December 2016

Author: David Chidlow, Manager of Planning

Signature of Author: 

Senior Officer: Ian Rennie, Deputy Chief Executive Officer

Signature of Senior Officer: 

PROPOSAL

Allerding & Associates on behalf of the Thompson family are seeking rezoning of Lot 11 (4) Madrid Street, Lots 10 (31), 9 (33), 8 (35), 7 (37), 362 (39) and 5 (41) Catalonia Street, Cervantes as a Special Use zone under clause 4.7.1 of the Scheme for Tourism and Industry uses.

Lots 5, 7, 8, 9 and 10 and the part of Lot 362 fronting Catalonia Street are all currently zoned Residential with an R Coding of R12.5 and Lot 11 and the rear portion of Lot 362 (abutting the ocean front) has a zoning of Industrial under Local Planning Scheme Number 7 (LPS7).

BACKGROUND

The applicant has provided the following background in support of the amendment.

The Indian Ocean Rock Lobster business commenced operations in 2008 and is a very unique operation. The processing facility was established on Lot 11 (4) Madrid Street, Cervantes as this land was zoned Industrial and was a suitable location due to the proximity to the nearby jetty in order to minimise transport needs for freshly caught lobster. Furthermore, the ocean front location allowed for the use of a pump system of sea water direct from the ocean to holding tanks on site in order to maximise the freshness of the product.

Since opening the Indian Ocean Rock Lobster business in 2008, the business has developed into not only a first class exporter of rock lobsters, but also has developed into a tourism business. The business consists of the lobster receiving and processing facility but also, due to tourism demand, has established a unique tourism operation with tours through the factory. Furthermore, the seafood outlet on site offers tourists and the local community access to fresh local seafood.

Over time, the facility and associated tours has become a tourist attraction and the food outlet on site has recognised demand. In

2012 the owner lodged a planning application for a fast food outlet on site to enable the preparation and sale of lobster and chips and fish and chips and other take away meals. This application was subsequently approved by the Shire of Dandaragan in November 2012. It is envisaged that in the future that a restaurant may be established on site to further provide for the unique tourism experience.

More recently, with the increasing popularity of the site as a tourist destination, it has become apparent that further parking is required on site. Whilst a planning application was lodged with the Shire to accommodate this parking on one of the lots in the same ownership, that planning application was refused by the Council primarily on the basis that the proposed carpark was located on land zoned Residential and approval of a car park was not considered to be consistent with the objectives of the Residential zone.

Now with the site becoming a tourism destination, there is a need to plan for the future of the operations.

COMMENT

The site consists of seven lots with Lots 5, 7, 8, 9 and 10 and the part of Lot 362 fronting Catalonia Street all being zoned Residential with an R Coding of R12.5 and Lot 11 and the rear portion of Lot 362 (abutting the ocean front) has a zoning of Industrial under LPS7.

A review of LPS7 reveals that there are no existing zones that would suit the current and future plans of the Indian Ocean Rock Lobster business. Accordingly it is intended to introduce a new Special Use zone.

Concurrent Application for Amalgamation

In addition to the proposed Scheme Amendment, an application for amalgamation has been submitted to the Western Australian Planning Commission (WAPC). The application seeks to amalgamate Lot 11 Madrid Street and Lot 362 Catalonia Street in Cervantes into green title lot comprising a total area of 8,096m². Once the Amendment is approved, the applicants will be seeking to amalgamate most of the existing residential lots to encompass the development into one lot.

Amendment Classification

In respect to Amendment No. 29 it is recommended that it be classified by Council as a standard amendment pursuant to Regulation 34 for the following reasons;

- a) The proposed Scheme Amendment would result in minimal impact on land in the scheme area that is not the subject of the amendment as the land use already exist on site;

- b) The proposed Scheme Amendment would not result in any significant environmental, social, economic or governance impacts on the land within the scheme area given that it will facilitate the continued operation and refinement of activities that currently exist at the subject site; and
- c) The proposed amendment is not a complex or basic amendment.

If the proposed 'Standard Amendment' is adopted by Council, it will firstly require advertising in accordance with Regulation 47(2) of the Regulations.

Proposed Rezoning

The intent of this Scheme Amendment is to introduce a Special Use zone under clause 4.7.1 of the Scheme as a Tourism Industry zone.

The Scheme Amendment would allow for the continuation of the existing residential land uses, both within the proposed amalgamated lot and within the two existing lots. In addition, it is proposed that the Tourism Industry Special Use zone permits a 'Dwelling' land use to allow the dwellings on Lot 5 (41) and Lot 7 (37) Catalonia Street to remain permissible land uses and not become non-conforming land uses. It is also proposed that the Tourism Industry Special Use zone will permit a 'Grouped Dwelling' land use to enable the capability for the existing dwellings within the proposed amalgamated lot to be legally retained. Any dwellings retained in a grouped dwelling arrangement will be for the purposes of accommodating members of the family business (and/or caretakers or workers) in accordance with the existing arrangements.

The Scheme Amendment seeks to:

1. Introduce a list of uses that can be approved at the discretion of Council;
2. Introduce a Local Development Plan to guide future development. The Local Development Plan would be required to be endorsed by the Shire prior to the granting of any development approvals of the site. As part of this Scheme Amendment it was requested that an indicative concept plan be prepared to provide a broad outline for the intended future development of the site. This will ultimately inform the Local Development Plan.
3. Include conditions relating to landscaping and car parking; and
4. Require that the proposed future accommodation building (residential building) be limited to use by on site workers.

Land Uses Proposed

The following land uses are proposed to be permissible under the Scheme Amendment, noting that this list has been updated in response to the Shire's correspondence of 18 March 2016 and

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the meeting with the Department of Planning and Shire of Dandaragan Manager Planning held on 7 November 2016:

1. Agriculture–Intensive – it is requested that the definition of ‘Agriculture–Intensive’ be amended to reflect the definition within the *Planning and Development (Local Planning Schemes) Regulations 2015* which provides for commercial production purposes. The inclusion of this use, as amended, will allow for the continued commercial processing of lobster and associated aquaculture activities.
2. Carpark – the intention is for Lots 9 and 10 to be used as a carpark for the Indian Ocean Rock Lobster business.
3. Single House – this will allow for the continuing legal use of the properties within the Special Use zone for any existing dwellings, particularly Lot 5 (41) and Lot 7 (37) Catalonia Street which do not form part of the amalgamation proposal.
4. Grouped Dwelling – this will allow for the continuing legal use of the dwellings within the proposed amalgamated lot which have previously existed as single dwellings on separate green title lots.
5. Fast Food Outlet – this will allow the continuation of the existing approved fast food outlet supplying take away crayfish and chips and fish and chips and other incidental take away meals.
6. Fuel Depot – this will allow the continued storage of fuel on site and, as outlined in the Scheme Amendment Conditions, is not intended to include the sale of fuel from the site.
7. Restaurant – it is intended to introduce a restaurant facility to the site to be able to adequately cater for the tourists visiting the site, which will also provide a greater destination focus for tourists to the area.
8. Workforce Accommodation – it is requested that the definition of ‘Workforce Accommodation’ be inserted into the scheme definitions (as defined within the *Planning and Development (Local Planning Schemes) Regulations 2015*) to allow for the accommodation of caretakers on site for security purposes and to accommodate seasonal staff associated with the operations on site.
9. Industry–Service – this land use is intended to allow for the continued sale of products relating to the industrial uses conducted on site, such as sale of fresh seafood to the local community and tourists.
10. Industry–Light – the definition of Service Industry under subclause (a) of LPS7 refers to a Light Industry use with a retail shop front. The inclusion of Light Industry ensures that the continued sale of products processed on the site in accordance with this definition can be sold to the local community and tourists.

It is considered that the other existing and proposed land uses are appropriately represented by the proposed land uses under this proposed Scheme Amendment.

Condition on the Special Use zone

The conditions on the Special Use zone are similar to conditions placed on other Special Use zones in relation to construction of car parking bays and driveways in addition to the provision of landscaping. The use of a Local Development Plan will give Council a guide in regard to the future development of the site and this type of plan has been used in other Amendments such as Amendment 17 and Amendment 21 to LPS7. The condition relating to the Local Development Plan allows the Council to approve, at the Applicant's request, changes to the future plan as required.

The condition regarding use of the workforce accommodation will ensure that only workers (and a caretaker/supervisor) reside on the property and will assist to allay any concerns of nearby residents that the accommodation will become tourist accommodation.

The condition relating to sea level rise, coastal hazard risk management and adaptation planning considerations is intended to provide decision makers with certainty that these aspects are acknowledged and will be planned for in the event that future expansion of the existing operations is to occur.

Traffic Considerations

In 2012 Porter Consulting prepared a Transport Impact Assessment for the Indian Ocean Rock Lobster facility to assess the impact of traffic resulting from the proposed takeaway outlet.

Any additional traffic generated by future development on site in accordance with the Local Development Plan will require assessment having regard to existing and proposed access arrangements to the site and the capacity of the existing roads to accommodate such development. It is recognised that both Madrid Street and Catalonia Street have substantial road reserves of 20m (approx.) and 38m (approx.), respectively, which would be capable of addressing the future needs of the site.

It is expected that the Shire will require that this Transport Impact Assessment be updated to reflect future development proposed as part of any future application for planning approval following adoption of the proposed Scheme Amendment. The Transport Impact Assessment is likely to address, amongst other matters, anticipated traffic volumes and associated impacts as well as any required improvements to the access arrangements from Catalonia Street and Madrid Street. If the Shire resolves to require the updated Transport Impact Assessment prior to the lodgement of an application for planning approval, this would be prepared after the initiation of the Scheme Amendment and then, if required, incorporated into the Scheme Amendment report.

Infrastructure Considerations

The site is currently connected to an existing on-site sewer system. It is acknowledged that any future intensification of development on the site may require connection to a reticulated sewer system. An existing sewer line runs in a north-south alignment along Brown Street, approximately 200m south of the subject site. Investigation into the connection and any resulting infrastructure upgrades will require consultation with the Water Corporation ahead of any future proposed expansion to the operation. This will be further documented and discussed with the Water Corporation and progressed after initiation of the Scheme Amendment. Further details will be provided to the Shire following advertising of the Scheme Amendment.

Coastal Planning Considerations

State Planning Policy No. 2.6 – State Coastal Planning Policy (SPP2.6)

The purpose of SPP2.6 having regard to this proposal is to provide guidance for decision-making within the coastal zone including managing development and land use change and to protect, conserve and enhance coastal values. The implementation provisions in Section 6 note that new Scheme Amendment proposals should be consistent with the objectives, policy and guidelines within SPP2.6.

It is acknowledged that coastal hazard risk management investigations will need to be undertaken in consultation with the Shire and the Department of Planning ahead of any future development application to address the key provisions contained within SPP2.6, including but not limited to Parts 5.5, 5.7, 5.8, and 5.9. The concerns of the Shire in regard to the proposed overflow outdoor seating area on the unallocated Crown Land are acknowledged. We advise that the indicative concept plan has now been updated to delete this element to ensure that the plan only relates to the land the subject of this Scheme Amendment. It is noted that, as shown on the updated indicative concept plan, no development is proposed outside the boundaries of the existing property. However it is acknowledged that coastal hazard risk management will need to address, amongst other matters, the existing operations which utilise part of the foreshore reserve for its fishing operations.

Cervantes is located within the boundary of the Jurien Bay Marine Park and consequentially the coastal hazard risk management investigations, including any foreshore management, would also need to have regard to Management Plan No. 49 – Jurien Bay Marine Park Management Plan 2005-2015 (Management Plan 49). The goal of Management Plan 49 is to facilitate the conservation of marine biodiversity of the area and to ensure that the existing and future pressures on the values of the marine park are managed within a framework aimed at ensuring ecological sustainability. It is requested that the Shire initiate the Scheme

Amendment and, if required as part of the Scheme Amendment process, coastal hazard risk management investigations and adaptation strategies can be submitted prior to advertising. Coast hazard risk management outcomes for this site would then form part of the Scheme Amendment Report for the purposes of advertising.

We request that Council consider initiating the proposed Scheme Amendment in its current form and if it is required, a coastal hazard risk management plan addressing the five key recommendations of the Sea Level Change in Western Australia, Application to Coastal Planning report can be prepared and submitted either prior to advertising or prior to final adoption. Coast hazard risk management outcomes for this site would then form part of the Scheme Amendment Report.

The Shire of Dandaragan Local Tourism Planning Strategy 2012 is a guiding strategic document for tourism planning matters within the Shire of Dandaragan.

The Strengths, Weaknesses, Opportunities and Threats assessment identifies the Indian Ocean Rock Lobster facility in Cervantes as an attraction.

The Local Tourism Strategy refers to the Australian Coral Coast Tourism Development Priorities 2010-2015 which incorporates tourism WA's six major priorities including:

- *Improve the quality of visitor experiences;*
- *Secure the future of regional tourism;*
- *Grow visitor expenditure faster than visitor nights (numbers) ...*

The Indian Ocean Rock Lobster facility is identified as a tourist attraction and the purpose of the Scheme Amendment is to amend the planning framework to enable the site to grow with the tourism industry and associated new facilities expected as the business grows over the coming years.

Summary

The Indian Ocean Rock Lobster facility has become a very popular tourist attraction in a short space of time and the owners seek to develop the site into a first class tourist facility that can cater for the number of tourists visiting the establishment and draw tourists into the Cervantes townsite.

Those outstanding matters raised in the Shire's correspondence of 18 March 2016 will be addressed after initiation of the Scheme Amendment such that they can be included in the Scheme Amendment Report. The Indian Ocean Rock Lobster facility is a family owned business and we seek certainty that the Shire support the proposed Scheme Amendment prior to undertaking costly management plan reports. We seek to work together with the Shire to progress this Scheme Amendment but respectfully request that the detailed management plans be required after

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Council and WAPC (if required) have granted consent to advertise the Scheme Amendment.

In conclusion, it is requested that Council initiate this Scheme Amendment for the purposes of advertising such that the proposal can progress and the site develop as a drawcard for tourism to Cervantes.

CONSULTATION

The recommendation of this report is to commence the advertising process for the proposed Scheme Amendment.

STATUTORY ENVIRONMENT

Amendment of a Local Planning Scheme is undertaken in accordance with the provisions of the *Planning and Development Act 2005*.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no current budget implications relevant to this item. The applicant will be invoiced for all costs associated with the application based on cost recovery.

STRATEGIC IMPLICATIONS

2016 - 2026 Strategic Community Plan

The Shire's Strategic Community Plan has been developed to set out the community's vision and priorities for the future and demonstrates how the Council and community intend to make progress over a ten year period.

GOAL 1: Great Place for Residential and Business Development

<i>Objectives</i>	<i>How the Shire will Contribute</i>
1.5 Facilitate industry, population and visitor attraction and growth to expand and diversify the regional economy	a) Tourism and marketing with a focus on promotion and product development based on natural assets in partnership with the Department of Parks and Wildlife
1.4 Ensure Shire is "open for business" and supports industry and business development	b) Identify and engage with future new business and industry opportunities

ATTACHMENTS

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

- Scheme Amendment No. 29 (Doc Id: 78145-)
- Appendices to report (Doc Id: 78146).

Marked(9.4.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Sheppard

That Council:

pursuant to Section 75 of the Planning and Development Act 2005, amend Shire of Dandaragan Local Planning Scheme No. 7 by:

1. Rezoning Lots 5, 7, 8, 9 and 10 and the part of Lot 362 fronting Catalonia Street, Cervantes from “Residential” to “Special Use – Tourism and Industry” and Lot 11 Madrid Street and the rear portion of Lot 362 (abutting the ocean front) Catalonia Street, Cervantes from “Industrial” to “Special Use – Tourism and Industry”.
2. Amending Schedule 4 – Special Use Zones of the Shire of Dandaragan Local Planning Scheme No. 7 as follows:

Schedule 4 – Special Use Zones

No.	Description of land	Special use	Conditions
5.	Lot 11 (4) Madrid Street, Cervantes; Lots 10 (31), 9 (33), 8 (35), 7 (37), 362 (39) and 5 (41) Catalonia Street, Cervantes	<p>Tourism and Industry, including the following uses:</p> <p>Permitted (P)</p> <p><input type="checkbox"/> Restaurant</p> <p><input type="checkbox"/> Light Industry</p> <p><input type="checkbox"/> Service Industry</p> <p><input type="checkbox"/> Carpark</p> <p>Discretionary (D)</p> <p><input type="checkbox"/> Single House</p> <p><input type="checkbox"/> Grouped Dwelling</p> <p><input type="checkbox"/> Workforce Accommodation</p> <p><input type="checkbox"/> Fuel Depot</p> <p>Discretionary, subject to notice being given (A)</p> <p><input type="checkbox"/> Intensive Agriculture</p> <p><input type="checkbox"/> Fast Food Outlet</p>	<ol style="list-style-type: none"> 1. A local development plan and associated coastal management and adaptation plan shall be prepared for the site in accordance with Part 6 of the Deemed Provisions and State Planning Policy 2.6 - State Coastal Planning Policy, prior to the granting of any development approvals for the site. 2. The local development plan shall identify the area within which a single house or grouped dwellings are to be located and shall specify the number of proposed dwellings within the identified area based on a R12.5 density. 3. Development shall be in accordance with the local development plan. 4. A landscaping plan is to be prepared and implemented to the

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			<p>satisfaction of the local government. All landscaped areas are to be maintained in good condition thereafter.</p> <p>5. Development shall have due regard to coastal hazards including sea level rise and proposed development must be responsive to measures identified in the coastal management and adaptation plan.</p> <p>6. All driveways, parking and manoeuvring areas are to be constructed and maintained to the satisfaction of the local government.</p> <p>7. Parking requirements for all future development shall be in accordance with Table 2 – site and Development Requirements</p> <p>8. Single houses, grouped dwellings and workforce accommodation are for the accommodation of the owners of, and managers and employees engaged in the operations of a restaurant, fast food outlet, light and service industry and intensive agriculture.</p> <p>9. Any fuel depot shall exclude the sale in bulk of solid or liquid or gaseous fuel.</p> <p>10. Intensive Agriculture undertaken on the site shall be restricted to aquaculture only</p> <p>11. Fishing Boat Storage to continue pursuant to Clause 4.8 of Local</p>
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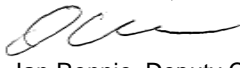

			Planning Scheme No.7, as amended
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3. **Modifying the Scheme Maps to show Special Use Site No. 5.**
4. **Amending the definition of ‘agriculture – intensive’ in Clause 2 – Land use definitions of Schedule 1 – Dictionary of Defined Words and Expressions of the Shire of Dandaragan Local Planning Scheme No. 7 as follows:**
 agriculture — intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following —
 - a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
 - b) the establishment and operation of plant or fruit nurseries;
 - c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
 - d) aquaculture;
5. **Inserting ‘workforce accommodation’ into Clause 2 – Land use definitions of Schedule 1 – Dictionary of Defined Words and Expressions of the Shire of Dandaragan Local Planning Scheme No. 7 as follows:**
 workforce accommodation means premises, which may include modular or relocatable buildings, used —
 - a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
 - b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.
6. **resolves, pursuant to the Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), that Amendment 29 is a standard amendment for the following reasons:**
 - a) The proposed Scheme Amendment would result in minimal impact on land in the scheme area that is not the subject of the amendment as the land use already exist on site;
 - b) The proposed Scheme Amendment would not result in any significant environmental, social, economic or governance impacts on the land within the scheme area given that it will facilitate the continued operation and refinement of activities that currently exist at the subject site; and
 - c) The proposed amendment is not a complex or basic amendment.
7. **authorise Council officers to prepare the scheme amendment documentation.**

8. authorise the affixing of the common seal to and endorse the signing of the amendment documentation.
9. pursuant to Section 81 of the Planning and Development Act 2005, refers Amendment 29 to the Environmental Protection Authority;
10. pursuant to regulation.37 (2) of the Regulations, provides two copies of Amendment 29 to the Western Australian Planning Commission
11. proceed to advertise the amendment to the local planning scheme subject to receipt of a coastal hazard risk management and adaptation strategy report and updated transport impact assessment to the satisfaction of the CEO of the Shire.

CARRIED 8 / 0

9.4.2 ILUKA RESOURCES - PROPOSED SITE LAYOUT AMENDMENT (REDUCTION) TO JDAP APPROVAL FOR MINING ACCOMMODATION CAMP - LOT 2080 CATABY ROAD, DANDARAGAN

Location:	Lot 2080 Cataby Road, Dandaragan
Applicant:	Iluka Resources
Folder Path:	Development Services App / Development Application / 2012 / 21
Disclosure of Interest:	None
Date:	5 December 2016
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

An application has been received from Iluka Resources to amend existing planning approval to commence development for a new relocated mining accommodation camp at Lot 2080 Cataby Road. The amendment is in the site layout plan only and results in a lesser sized development. This application was approved by the Wheatbelt Joint Development Assessment Panel (JDAP).

BACKGROUND

The Wheatbelt JDAP granted Planning Approval in August 2012 to Iluka Resources for a mining accommodation camp at Lot 2080 Cataby Road and relocation and redevelopment of the Tronox mining accommodation camp at Lot 2065 Cataby Road.

A copy of the minutes of the August 2012 JDAP is provided in the attachments listing the approvals and conditions of approval.

The applicant proposes a lesser development for Lot 2080 than what was approved. This report does not deal with the proposed

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Tronox camp at Lot 2065 for which there are no proposed amendments to the size of the camp.

The Wheatbelt JDAP is now part of the Midwest/Wheatbelt JDAP.

COMMENT

The Midwest/Wheatbelt JDAP is the approving authority for this application.

The Council may make comment to the JDAP or may grant approval in addition to the JDAP approval. Given that this is an amendment to an existing approval resulting in a lesser sized development, it is recommended that Council provide supporting comment only.

The JDAP may call a meeting to discuss the application, however in cases where there is a minor modification to approved developments, the JDAP presiding member may choose to approve the amendment without calling a meeting. This is a possibility in this case.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant is required to pay an amendment fee of \$150. This fee is received by the Shire and passed onto the JDAP.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Plans of existing approved site layout and amended site layout. (Doc Id:78153, Doc Id: 78154)
- minutes of the August 2012 Wheatbelt JDAP (Doc Id: 78152)

(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

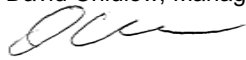

Moved Cr Richardson, seconded Cr Scharf

That Council advise the Midwest / Wheatbelt Joint Development Assessment Panel (JDAP) that it supports Iluka

Resources application to amend planning approval for a lesser development to the mining accommodation camp at Lot 2080 Cataby Road in accordance with the plans submitted subject to all existing conditions of approval retained on the Planning Approval.

CARRIED 8 / 0

9.4.3 PROPOSED ALTERNATE PARACHUTE LANDING SITE – VACANT CROWN LAND NORTH OF THE JURIEBAY MARINA

Location:	Vacant Crown land north of Jurien Bay Marina
Applicant:	Pete Lonnon on behalf of Skydive Jurien Bay
Folder Path:	Business Classification Scheme / Traffic and Transport / Service Provision / Airport & Landing Facilities
Disclosure of Interest:	None
Date:	5 December 2016
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To consider an application submitted by Pete Lonnon of Skydive Jurien Bay for an alternative landing area in Jurien Bay.

BACKGROUND

In May 2009, Council consented to the use of the Jurien Bay airstrip and Federation Memorial Park beach for skydiving activities by Pete's Parachuting, now called Skydive Jurien Bay. This approval provided for one landing zone at the beach north of Federation Memorial Park and south of the northern groyne.

In March 2010 Council granted approval to Skydive Jurien Bay to utilise the beach approximately 200m south of the entrance of Shingle Avenue boat launching car park as an alternative landing area. This area at times becomes unusable due to areas of beach being washed away on a seasonal basis. The applicants are requesting another alternate location for use when wind conditions and beach conditions dictate a safe landing site.

The applicant states;

Skydive Jurien Bay would like to request approval to conduct parachuting operations on the beach in the area north of Jurien Bay Marina. We will still be using our normal area at Memorial Beach for most of our operations. This area at the Marina would only be used as an alternative to the South Point landing area only in the event of an Easterly wind direction. This is due to the fact

that South Point is sometimes unusable due to large areas of the beach at South Point being washed away, giving us insufficient landing area. North of the Marina is a good option as it requires less driving of vehicles through town, and has a large area of beach to land on. South Point was also becoming more hazardous as many vehicles coming around the corner could drive straight into the landing area without clear vision. We also see further use of the area north of the Marina may revitalise that area and be of benefit to the town.

COMMENT

The below comments were provided by Department of Parks and Wildlife (DPAW):

Thank you for your enquiry in regards to the landing permit in the Jurien Bay Marine Park. I can confirm that the landing area is not within the Jurien Bay Marine Park and will not require approval of the Department of Parks and Wildlife.

The reason for this being that the marine park boundary as defined by the technical description in the management plan is that the mainland boundary is to the low water mark. On the maps, the marine park boundary in the area north of the marina is shown to be in the dunes as per your attachment however this is because the State's cadastral coastline mapping in this area is poor. It is clear from the aerial photos that the proposed landing area is well above the real low water mark. In this case where there is a few metres discrepancy the technical definition overrides the maps. Therefore the parachute landing area on the beach is not within the marine park and does not require Department of Parks and Wildlife approval.

This beach area is not generally used for recreational swimming.

Parking will be restricted to the car-parking area adjacent to the sea rescue building. The applicant will be required to negotiate parking arrangements with Sea, Search and Rescue and Department of Transport.

The proponent has a procedure in place to ensure public safety while landing skydivers in public places and Skydive Jurien Bay's personnel will be on the ground prior to the skydivers landing ensuring a safe distance between observers and a clear landing space.

CONSULTATION

- Department of Parks and Wildlife.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.

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POLICY IMPLICATIONS

- There are no local policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid a standard planning application fee of \$147.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>GOAL 1: Great Place for Residential and Business Development</i>	
Objectives	How the Shire will contribute
1.2 Ensure effective and efficient development and building services	a) Process development applications and undertake building regulation functions and services

<i>GOAL 5: Proactive and Leading local Government</i>	
Objectives	How the Shire will contribute
5.6 Implement sound corporate governance and risk management	h) Maintain and implement up to date policies and procedures (including delegations)

ATTACHMENTS

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

- Applicants submission (Doc Id: 78156)
- Location Plan (Doc Id: 78157)

(Marked 9.4.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Slyns, seconded Cr Gibson

That Council grant approval to Skydive Jurien Bay to utilise the beach approximately 80m north of the Jurien Bay Marina north Groyne as an alternative landing area for tandem skydivers subject to the following conditions:

- 1. that the use is conducted between 7.00am and 6.00pm;**
- 2. that access to the beach is not to be blocked to the public except during landing of skydivers where Skydive Jurien Bay personnel are onsite to ensure a clear landing area;**
- 3. that public using the beach or observing the activity be kept at a safe distance from the landing area during landing;**
- 4. that the activity is undertaken in accordance with Skydive Jurien Bay's aircraft noise abatement procedures and in the event that the activity produces an unreasonable noise impact on the surrounding residents further restrictions may be imposed at the discretion of the Chief Executive Officer;**



5. that the proponent be in possession of an APRA (Australian Prudential Regulation Authority) approved public liability insurance policy to a minimum value of \$20 million for the period of the approval;
6. that the approved alternative landing area be reviewed by CEO within six months of the approval date; and
7. that the Chief Executive Officer be delegated the authority to cease any skydiving activities involving the alternative landing area at any stage should, in his opinion, the activities become undesirable.
8. The applicant will be required to negotiate parking arrangements with Sea, Search and Rescue and Department of Transport.

The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

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

CARRIED 8 / 0

9.4.4 PROPOSED SCHEME AMENDMENT NO 30 - REZONING LOT 450 HILL STREET AND LOT 671 DALTON STREET, JURIE BAY FROM ‘TOURIST’ TO ‘SPECIAL USE’

Location:	Lot 450 Hill Street & Lot 671 Dalton Street, Jurien Bay
Applicant:	LD Land Planning & Development commissioned by DesignInc on behalf of Lineview Holdings Pty Ltd
Folder Path:	Business Classification Scheme / Land Use Planning / Planning/ Planning Scheme / Amendment 7.30
Disclosure of Interest:	None
Date:	30 November 2016
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The Council is in receipt of a further request to amend Planning Scheme No.7 to rezone lot 450 Hill Street and lot 671 Dalton Street, Jurien Bay from ‘Tourist’ to ‘Special Use’.

BACKGROUND

The subject land is located approximately 400m north-east from the Jurien Bay town centre and approximately 100m from the Coast. There is direct frontage to the foreshore reserve. The land is easily accessible from both Hill Street and Dalton Street.

In January 2007, the Shire of Dandaragan granted approval for the construction of 20 units for the purpose of tourism accommodation of which 9 have been constructed. In May 2009, Council granted the approval to allow 5 units to be available for dual use of both permanent and holiday residences, which accounted for 25 per cent of the overall development. In January 2013, the owner requested the Shire to allow 45 per cent of the developments to be sold as permanent residences in order to continue the development. The Shire granted approval to the owner's request to allocate future units four to six and 15 to 20 to be available for permanent residential at the Council's meeting in January 2013. However, due to two units having their permanent residential status removed (units 2 and 3) without the consent of the owners of these units, due to a mix up by the strata managers, the approval was in the end revoked at the February 2013 Council Meeting.

In November 2014, an application for all 20 units to be used as permanent residential and short stay accommodation was requested to seek greater flexibility of the land use of the site. Council resolved the following:

OFFICER RECOMMENDATION

Moved Cr Bailey, seconded Cr McGlew

That approval not be granted to DesignInc in regard to the request to allocate all units for permanent and short term accommodation at Lots 450 Hill Street and 671 Dalton Street, Jurien Bay for the following reasons:

- 1. The proposal is not consistent with the objectives of the "Tourist" Zone in Local Planning Scheme No.7 which states "To provide for tourism development and uses associated with tourism development, including retailing and service facilities where such facilities are an integral part of the development and are of a scale appropriate to the needs of the development".*
- 2. The proposal is not consistent with the Shire of Dandaragan Local Tourism Planning Strategy which states "The maximum proportion of residential restriction units shall be such that the site retains a dominant tourism function and character as determined by the Council".*
- 3. The proposal is not in keeping with proper and orderly planning.*

LOST 4 / 5

COUNCIL DECISION

Cr Kent, seconded Cr Kulisa

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That the applicant be requested to present their proposal at an Ordinary Meeting of Council or a Council Forum.

At the Council Forum in April 2016 Councillors indicated that there was some support for a Scheme Amendment to the subject land to rezone out of the Tourist Zone in order to enable the owner's development vision. Council advised that it would not support 100% of the site being converted to dual use of permanent and semi-permanent use, but would support a scheme amendment that addressed the tourism use of the site but also allowed for some permanent accommodation.

An item was presented to the April 2016 Council meeting where it was resolved to;

Refuse to amend Local Planning Scheme No.7 to rezone Lot 450 Hill Street and Lot 671 Dalton Street, Jurien Bay ('the subject land') from 'Tourist' to "Special Use' for the following reasons;

1. *The application is contrary to the recommendations of the Shire of Dandaragan Local Tourism Strategy 2012 for this site which seeks to retain the Tourist zoning of this property due to its close location and proximity to the foreshore.*
2. *The applicant has not demonstrated that there is alternate suitable zoned Tourist land available for the long term needs of the community.*
3. *The type and number of proposed permitted uses on this site are not acceptable and not in keeping with the amenity of the area.*

Advise the applicant that Council is prepared to consider an amendment that addresses the above issues.

The applicants representative (Debbie Whitting) submitted a draft amended application and addressed the Council at the June 2016 Forum in Cervantes to outline their proposal prior to submission of a formal modified Scheme Amendment.

The officers advice to Council at that Forum was that an amendment for 100% Dual Use as proposed is not supported as this opens the site up for potential nil tourism use. There is still a need to maintain a mandatory tourism component, a compromise of only the beachfront units being tourism and the rear units all having the option of the uses of either short stay or permanent accommodation has been offered for consideration by Council. This advice has been conveyed to the applicants planning consultant.

The applicants have now submitted a modified scheme amendment which seeks to rezone Lot 450 Hill Street and Lot 671 Dalton Street, Jurien Bay ('the subject land') from 'Tourist' to "Special Use' under the Shire of Dandaragan Local Planning Scheme No. 7. The tourism units are not proposed to be located at

the beachfront as required, rather in the rear south east section of the proposed development.

COMMENT

The proposed amendment is not supported by the officer in its current form.

The applicant has not addressed the impact of the rezoning on the long term needs of the community for Tourist development in this location as set out in the Local Tourism Strategy. This is especially important for this site having direct beachfront access. The purpose of this strategy is ...

The Shire of Dandaragan Local Tourism Planning Strategy is the guiding strategic document for tourism planning matters within the Shire of Dandaragan. The Strategy is specifically focussed on land use planning issues within the Shire, stemming from the broader strategic tourism context of the Central Coast Strategic Tourism Planning Study.

The Strategy has been formed through an analysis of the existing state, regional and local framework and the development of a tourism profile. This has enabled the identification of the key tourism planning issues, currently not adequately addressed within the Shire's local planning framework and the development of associated recommendations and actions.

The main purpose of travel to the Shire of Dandaragan is for holidaying and leisure purposes, where the predominant accommodation type offered is holiday homes, caravan and camping grounds and self-contained apartments. The Strategy identifies a number of vacant Tourist zoned sites in suitable locations within Jurien Bay and Cervantes which should adequately cater for medium/long term demand and focuses on the retention of these sites for future tourism development.

A Strengths, Weaknesses, Opportunities and Threats assessment of the Shire's local tourism industry identified

- *Jurien Bay and Cervantes are adequately supplied with affordable accommodation, however lack high quality and branded short stay accommodation;*
- *Suitably located vacant Tourist zoned sites are currently not protected from redevelopment through Local Planning Scheme No. 7; and*
- *The completion of Indian Ocean Drive is expected to increase visitation to the Shire, however accommodation and attractions are currently not developed to meet this demand.*

The need for the retention of Tourist zoned lots and achieving quality tourism outcomes is a key concern raised within the Strategy.

CONSULTATION

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 15 DECEMBER 2016

There is no requirement to undertake community consultation at this stage. A mandatory consultation process will apply should a proposal to rezone the land be supported.

STATUTORY ENVIRONMENT

Amendment of a Local Planning Scheme is undertaken in accordance with the provisions of the *Planning and Development Act 2005*.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item. The applicant will be required to pay the costs of advertising and preparation of the Amendment.

STRATEGIC IMPLICATIONS

The Local Tourism Strategy states that the site;

Lot 450 Hill Street and Lot 671 Dalton Street are located in close proximity to the swimming beach and are directly surrounded by other Tourist zoned sites.

Lot 450 and Lot 671 have received planning approval for 15 short stay accommodation units and 5 permanent residential units, of which 9 short stay units has been completed.

Encouragement should be given for the amalgamation of the sites with adjoining Tourist zoned Crown Land sites (Lots 349 and 337 Dalton Street) to increase the tourism value and development opportunities of the site.

Tourism Strategy Recommendations for this site;

- *Lots 450 Hill Street and Lot 671 Dalton Street,, Jurien Bay be classified as a 'Non-Strategic Tourism Site'; and*
- *Retain the 'Tourist' zoning under Local Planning Scheme No. 7.*

ATTACHMENTS

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

- Amendment Proposal (Doc Id: 78158)

(Marked 9.4.4)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION
--

Moved Cr Sheppard, seconded Cr Richardson

That Council:

- 1. resolves, pursuant to the Regulation 35(2) of the Planning and Development (Local Planning Schemes)**

- Regulations 2015 (the Regulations), that Amendment 30 is a complex amendment because it is an amendment relating to a development that is of a scale, or will have an impact, that is significant relative to development in the locality; and
2. resolves, pursuant to Regulation 37(1)(c) not proceed to advertise Amendment 30 to rezone Lot 450 Hill Street and Lot 671 Dalton Street, Jurien Bay ('the subject land') from 'Tourist' to "Special Use' to the Local Planning Scheme for the following reasons;
 - a) The application is contrary to the recommendations of the Shire of Dandaragan Local Tourism Strategy 2012 (the strategy) for this site which seeks to retain the Tourist zoning of this property due to its close location and proximity to the foreshore.
 - b) The need for the retention of Tourist zoned lots and achieving quality tourism outcomes is a key concern raised within the Strategy.
 - c) The location of short stay units on the beachfront is a key requirement to maintain a mandatory tourism component to the overall development. The proposed location of the tourist short stay units away from the beachfront and facing a residential zone is not accepted as achieving a significant tourist component.
 3. pursuant to Regulation 37(5) within 21 days provide a copy of the this resolution to the Commission.

CARRIED 8 / 0

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – NOVEMBER 2016 COUNCIL STATUS REPORT

Document ID: 77615

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 24 November 2016. **(Marked 9.5.1)**

9.5.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – DECEMBER 2016

Document ID: 78088

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

9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – NOVEMBER 2016

Document ID: 77744

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

9.5.4 NATIONAL AUSTRALIA DAY COUNCIL – AUSTRALIAN CITIZENSHIP AFFIRMATION

Document ID: 77771

Attached to the agenda is a copy of correspondence from National Australia Day Council encouraging you to consider holding a short Australian Citizenship Affirmation ceremony as part of your celebrations for Australia Day. **(Marked 9.5.4)**

9.5.5 DAVID TEMPLEMAN – CERTIFICATE OF APPRECIATION LGMA 2016

Document ID: 77371

“I wish to congratulate you on the award bestowed on you at the LGMA 2016 Annual State Conference Awards.”

Attached to the agenda is entire correspondence **(Marked 9.5.5)**

9.5.6 HON MICHAEL MISCHIN MLC – MEDIA STATEMENT – GREATER MOBILE PHONE COVERAGE FOR REGIONAL WA

Document ID: 77634

- 78 additional mobile base stations and small satellite cells to be built
- \$20 million boost announced for Regional Telecommunications Project
- Made possible by Liberal National Government’s Royalties for Regions program.

Attached to the agenda is entire media release **(Marked 9.5.6)**

9.5.7 SHIRE OF GINGIN – PROPOSED RECREATIONAL BOAT LAUNCHING FACILITY

Document ID: 77618

“I am writing to advise you of a major project that the Shire of Gingin has planned for its upper coastal region. This project is an open boat launching facility with could potentially extend into a marina development. It has been on the Shire’s agenda for the last 20 years and is starting to gather momentum through recent studies that we have undertaken through the Recreational Boating Facilities Fund administered by the Department of Transport.”

Attached to the agenda is the entire content of the correspondence **(Marked 9.5.7)**

9.5.8 WESTERN AUSTRALIAN ELECTORAL COMMISSION – LOCAL GOVERNMENT ORDINARY ELECTION: 2017

Document ID: 77507

“The next local government ordinary elections will be held on 21 October 2017. While this is still some distance in the future, I have enclosed an estimate for your next ordinary election (should you wish to hold a postal election) to assist in your 2017 / 2018 budget preparations.”

Attached to the agenda is correspondence (**Marked 9.5.8**)

9.5.9 REGIONAL DEVELOPMENT AUSTRALIA – LATEST NEWS

Document ID: 77494

In this issue:

- What we have been up to in 2016 & our focus for 2017
- Building Better Regions Fund (BBRF) Guidelines Released
- RDA Wheatbelt ENews – Nov 2016
- RDA Wheatbelt – Enterprising Communities Program
- RDA Network News – October 2016
- Independent Review on the RDA Programme
- RDA Wheatbelt 'Build your Business' Program
- RDA Wheatbelt Telecommunications Submission
- Federal Grants Available for Innovative Agribusiness
- Road to Riches Business Support Directory - 2016

9.5.10 HON MARK LEWIS MLC – MEDIA STATEMENT – REPORT SHOWS INVESTMENT KEY TO AGRIFOOD SECTOR

Document ID: 77492

- Report estimates \$10 billion in capital investment needed
- Made possible by Liberal National Government's Royalties for Regions program

Mr Lewis said with an estimated \$60 billion in assets and mostly productive land, the sector does not lack capital, but does require further investment to double its value by 2025. The report predicts that with a minimum of \$10 billion in new capital investment, the Western Australian Agrifood sector could achieve this level of growth.

9.5.11 WALGA – ENVIRO NEWS NOVEMBER 2016 – ISSUE 20

Document ID: 77311

In this issue:

- Biosecurity Position and Recommendation Paper
- City of Swan Staff Dig Workplace Work Farm
- Drainage Swale Management for the City of Armadale
- A Two Pronged Approach for Prickly Pear Management in Esperance
- Glen Forrest Environmental Education Project
- Albany Residents Turn a Shade of Green for Green Fair on the Square
- One Small Step for Geraldton, One Giant Leap for the Coast
- Banksia Woodlands of the Swan Coastal Plain – Endangered Status
- Switch Your Thinking New Environmental Business Award
- Bee Swan Removal – Swarm Patrol
- Prepare for Summer with Waterwise Garden Rewards

Events and funding opportunities

- Upcoming Events
- Funding Opportunities

9.5.12 WALGA – WASTENEWS – 25 NOVEMBER 2016 – ISSUE 21

Document ID: 77445

In this issue:

- LG Focus: Nappy Launch
- DER Regulatory Rollout
- Community Waste Funds
- Concrete Advice on Asbestos Roofs
- Sewage Sweepstakes

9.5.13 WALGA – ROADWISE – ROAD SAFETY NEWSLETTER – NOVEMBER 2016 – ISSUE 23

Document ID: 76353

In this issue:

- 'Horns and Hooves on the Highway' Campaign Wins Regional Road Safety Award
- Welcome Cherie Wallace
- Road Ribbon for Road Safety®: Encouraging Road Safety and Shared Responsibility
- Remembering Ron Smith
- Child Car Restraint Update
- Great Eastern Highway Road Safety Alliance Gaining Momentum
- First Traffic Lights in Hedland?
- Shark Bay Youth Group Test Their Road Safety Knowledge
- Workplace Road Safety at Orontide
- WOW! ZAP! POW! Road Safety Super Heroes in Joondalup
- Targeting Fatigue, the Silent Killer in the Wheatbelt North Region
- "M8 the Call Can W8" Campaign 2016 to Launch With Additional Funding
- Anglers Raise Awareness of Fatigue at State Dry Casting Championships

9.5.14 WALGA – LOCAL GOVERNMENT NEWS – 18 NOVEMBER 2016 – ISSUE 45

Document ID: 77228

In this issue:

- Meeting with Minister for Emergency Services
- Final Call – Human Resources Forum
- Road Ribbon for Road Safety
- Training
- LG Risk Vision Launch
- Regional Survey Forms Input to Policy Development
- One-Day Conference on Risk Management
- Regional Event Scheme Application Ends – One Month Until Deadline
- Age-friendly Communities Local Government Grants Program

9.5.15 WALGA – LOCAL GOVERNMENT NEWS – 25 NOVEMBER 2016 – ISSUE 46

Document ID: 77354

In this issue:

- Biosecurity Position and Recommendations Paper
- Training

- 2017 WA Local Government Convention Accommodation and Parking
- Boards and Committees Update
- Civic Services
- New Strategy to Support WA Biosecurity Released
- Regional Development Australia – Funding Streams
- New National Disability and Carers Advisory Council

Mailbag:

- Economic Briefing: November 2016
- Infopage: 2017 WA Local Government Convention Parking and Accommodation
- Infopage: Disability Guide for Local Government

9.5.16 RURAL HEALTH AGENCY REFERENCE GROUP – FINDING MY PLACE

Document ID: 77231

In this issue:

- Industry collaboration the way of the future
- Collaboration underway
- Other Initiatives

9.5.17 DEPARTMENT OF LANDS – PROPOSALS REGARDING THE PARKS AND RESERVES ACT 1895

Document ID: 77230

“The Department of Lands (DoL) is proposing to amend the initial proposal to repeal the *Parks and Reserves Act 1895* (PRA) as recommended in the 2004 Final Report on the Review of the *Land Administration Act 1997* (LAA)”

If you wish to discuss the matter further please contact Lorraine Fitzpatrick on (08) 6552 4758 or by email lorraine.fitzpatrick@lands.wa.gov.au

9.5.18 WALGA – MEDIA RELEASE – GET YOUR ROAD RIBBON ON IN 2016

Document ID: 77227

Local Governments and members of the wider community are being encouraged to get their road ribbons on as the WA Local Government Association (WALGA) RoadWise launches the 2016 Road Ribbon for Road Safety®

The campaign commences on Sunday 20 November, aligning with the United Nations World Day of Remembrance for Road Traffic Victims, and runs until Monday, 9 January 2017.

9.5.19 MRS CHRISTINE DAVIS – SUMP AT T JUNCTION OF SHEARWATER DRIVE & WARD STREET

Document ID: 77254

Attached to the agenda is correspondence from Mrs Christine Davis in relation to a meeting with Mr Troy Wright on the matter of a fire hazard of the sump at the T junction of Shearwater and Ward Streets (**Marked 9.5.19**)

9.5.20 STATE ADMINISTRATIVE TRIBUNAL – HEPPLER -V- SHIRE OF DANDARAGAN

Document ID: 76464

Attached to the agenda is the Final Order of the decision made by the State Administrative Tribunal hearing Hepple –v- Shire of Dandaragan (**Marked 9.5.20**)

9.5.21 HON MARK LEWIS MLC – MEDIA STATEMENT - POTATO INDUSTRY TRANSITION PACKAGE AVAILABLE

Document ID: 77318

- \$12 Million to support potato growers' transition to deregulated marketplace
- Made possible by Royalties for Regions Investment

Mr Lewis said Western Australia's potato industry was deregulated on September 30, 2016, providing growers with greater choice and flexibility to pursue higher value markets and value adding opportunities and \$12 million of Royalties for Regions funding had been allocated to a grower adjustment package.

9.5.22 HON MIA DAVIES MLA – MEDIA STATEMENT - MAKE WATER SUPPLIES PART OF YOUR BUSHFIRE PLAN

Document ID: 77446

- An independent water supply is crucial for residents planning to stay and defend
- During a bushfire, the Water Corporation works to supply water for as long as possible, but scheme water cannot be guaranteed

"If a bushfire damaged infrastructure or there is a loss of power, this will result in a total loss of water. This is why, if you choose to stay and defend your home, it is absolutely critical that you have your own water supply and pumping capability."

9.5.23 DEPARTMENT OF FIRE & EMERGENCY SERVICES – LOCAL GOVERNMENTS & DFES WORKING COLLABORATIVELY TO IMPROVE PREPARATION AND RESPONSE TO BUSH FIRES

Document ID: 77337

"In recent years the Shared Responsibility to prepare for and respond to bushfires across Western Australia has challenged our fire agencies and local communities. Whilst Department of Fire and Emergency Services (DFES) and Local Governments (LGs) are always working collaboratively in the service we deliver, there is always opportunity for continuous improvement"

Attached to the agenda is the full content of this correspondence (**Marked 9.5.23**)

9.5.24 HON COLIN BARNETT MLA – MEDIA STATEMENT - RED TAPE CUTS IN LINE FOR NATURE-BASED TOURISM

Document ID: 77320

- Unnecessary regulation in starting and running an eco or nature-based tourism business to be identified.

“Cutting red tape to make it easier to open and run an eco or nature-based tourism business is the next focus for the Liberal National Government’s 90-day regulatory mapping project. By focusing on eco and nature-based tourism businesses, the Government is supporting one of the State’s potential growth sectors.”

9.5.25 HON ALBERT JACOBS MLA – MEDIA STATEMENT – CASH BACK FOR VOLUNTEERS TO SEPARATE WASTE

Document ID: 77785

- Litter collection groups can get up to \$500 cash back for separating waste
- \$5 per bag for recyclables or weeds, \$3 per bag for general household waste

“Volunteer groups will be rewarded with cash payments under a new Liberal National Government program aimed at diverting recyclable waste from landfill in Western Australia.

The Clean Communities Initiative encourages volunteers who already do community litter work to separate rubbish from reusable items so more recyclable materials can be recovered Mr Jacobs said.”

9.5.26 WALGA – LOCAL GOVERNMENT NEWS – 2 DECEMBER 2016 – ISSUE 47

Document ID: 77975

In this issue:

- Expanding Road Safety Awareness
- Training
- Shared Path Design Technical Guidelines
- Arts Grant Funding for Regional Councils

Mailbag

- InfoPage: New Exemption Policy to the Liquor Control Act 1988 and Local Government Implications

9.5.27 HON BILL MARMION MLA – MEDIA STATEMENT – FUNDING SCHEME TO BENEFIT RECREATIONAL BOATERS

Document ID: 77678

- Recreational Boating Facilities Scheme calling for funding applications
- Up to \$1.5 million available for new or improved WA boating facilities

Mr Marmion said “Boating is extremely popular throughout Western Australia, and the State Government is committed to providing safe and sustainable infrastructure. We want to ensure everyone, who uses recreational boating facilities, gets a voice in terms of how new or existing facilities, can be developed or improved for the benefit of all boaters.”

9.5.28 MR SHANE LOVE MLA – MEDIA RELEASE - \$5 MILLION UPGRADE FOR JURIE BAY HEALTH CENTRE

Document ID: 77999

- \$5 million upgrade for Jurie Bay Health Centre

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 15 DECEMBER 2016

Member for Moore Shane Love MLA has welcomed news of an upgrade to the Jurien Bay Health Centre worth nearly \$5 million.

Works will include a new triage room, new dental treatment facilities, improved vehicle access, new consulting rooms for mental health practitioners, a new Child Health and acute treatment area and improved staff facilities.

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

The presiding member declared the meeting closed at 4.45pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date