



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

**MINUTES**

**of the**

**ORDINARY COUNCIL MEETING**

**held at the**

**COUNCIL CHAMBERS, JURIE BAY**

**on**

**THURSDAY 23 MARCH 2017**

**COMMENCING AT 4.03PM**

***THESE MINUTES ARE YET TO BE CONFIRMED***

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

# Table of Contents

<b>1</b>	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS .....</b>	<b>1</b>
1.1	DECLARATION OF OPENING.....	1
1.2	DISCLAIMER READING.....	1
<b>2</b>	<b>RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE .....</b>	<b>1</b>
<b>3</b>	<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>	<b>2</b>
<b>4</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>2</b>
<b>6</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>6</b>
6.1	MINUTES OF ORDINARY MEETING COUNCIL HELD 23 FEBRUARY 2017 .....	6
<b>7</b>	<b>ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION .....</b>	<b>6</b>
<b>8</b>	<b>PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS .....</b>	<b>6</b>
<b>9</b>	<b>REPORTS OF COMMITTEES AND OFFICERS.....</b>	<b>10</b>
9.4.2	JOINT DEVELOPMENT ASSESSMENT PANEL – PROPOSED INTENSIVE PIGGERY – LOT 3616 AGATON ROAD DANDARAGAN .....	10
<b>9.1</b>	<b>CORPORATE &amp; COMMUNITY SERVICES .....</b>	<b>31</b>
9.1.1	CERVANTES COUNTRY CLUB LEASE.....	31
9.1.2	AUDIT COMMITTEE MINUTES – 9 MARCH 2017.....	34
9.1.3	BUDGET REVIEW 2016 / 2017 .....	35
9.1.4	STATUTORY COMPLIANCE AUDIT RETURN 2016 .....	42
<b>9.2</b>	<b>INFRASTRUCTURE SERVICES .....</b>	<b>44</b>
9.2.1	BUDGET AMENDMENT – BAYLISS STREET CAPITAL RENEWAL PROJECT .....	44
<b>9.3</b>	<b>GOVERNANCE &amp; ADMINISTRATION .....</b>	<b>46</b>
9.3.1	COUNCIL MEETING SCHEDULE 2017 / 2018 .....	46
9.3.2	COUNCIL FORUMS SCHEDULE 2017 / 2018 .....	49
9.3.3	COMMUNITY GRANTS POLICY GUIDELINES .....	50
9.3.4	TURQUOISE COAST VISITORS CENTRE BUSINESS PLAN (2016 -2021).....	53
<b>9.4</b>	<b>DEVELOPMENT SERVICES .....</b>	<b>56</b>
9.4.1	PROPOSED DANGEROUS GOODS (JET- A FUEL) STORAGE CONTAINER, JURIEN BAY AIRPORT.....	56
9.4.2	THIS ITEM WAS DEALT WITH ON PAGE 10 .....	59
<b>9.5</b>	<b>COUNCILLOR INFORMATION BULLETIN .....</b>	<b>59</b>
9.5.1	SHIRE OF DANDARAGAN – FEBRUARY 2017 COUNCIL STATUS REPORT .....	59
9.5.2	SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – MARCH 2017.....	59
9.5.3	SHIRE OF DANDARAGAN – BUILDING STATISTICS – FEBRUARY 2017 .....	60
9.5.4	SHIRE OF DANDARAGAN – PLANNING STATISTICS – FEBRUARY 2017 .....	60
9.5.5	VOLUNTEERING WA - NOMINATIONS ARE NOW OPEN FOR THE WA VOLUNTEER OF THE YEAR AWARDS 2017 .....	60
9.5.6	JURIEN BAY COUNTRY GOLF CLUB INC – RETICULATION PROJECT .....	60

9.5.7	DEPARTMENT OF TRANSPORT – FINANCIAL IMPACT OF DISCONTINUATION OF VEHICLE LICENCE CONCESSION.....	60
9.5.8	HON BARNABY JOYCE MP – AUSTRALIAN SENATE INQUIRY.....	61
9.5.9	WALGA – ROADWISE ROAD SAFETY NEWLETTER – FEBRUARY 2017 – ISSUE 26.....	61
9.5.10	WALGA – ENVIRONNEWS – FEBRUARY 2017 – ISSUE 2.....	61
9.5.11	ALGA – 2017 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – CALL FOR MOTIONS.....	62
9.5.12	WALGA – WASTE NEWS – 24 FEBRUARY 2017 – ISSUE 26.....	62
9.5.13	WALGA – LOCAL GOVERNMENT NEWS – 17 FEBRUARY 2017 – ISSUE 6.....	62
9.5.14	WALGA – LOCAL GOVERNMENT NEWS – 24 FEBRUARY 2017 – ISSUE 6.....	62
9.5.15	DLGC – AGE-FRIENDLY COMMUNITIES GRANTS PROGRAM EVALUATION.....	63
9.5.16	WALGA – PROCUREMENT NEWS – FEBRUARY 2017 – ISSUE 2.....	63
9.5.17	DEPARTMENT OF REGIONAL DEVELOPMENT – EVALUATION OF THE ROYALTIES FOR REGIONS’ COUNTRY LOCAL GOVERNMENT FUND.....	63
9.5.18	CENTRAL WEST COAST SENIOR CITIZEN’S ASSOCIATION INC.....	63
9.5.19	WALGA – LOCAL GOVERNMENT NEWS – 3 MARCH 2017 – ISSUE 8.....	63
9.5.20	DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES – LICENSING CONCESSIONS FOR HEAVY VEHICLE FLEET.....	64
9.5.21	WALGA – VACANCY – LOCAL HEALTH AUTHORITIES ANALYTICAL COMMITTEE.....	64
9.5.22	WALGA MEDIA RELEASE – VEHICLE CONCESSIONS REQUIRED ACROSS FLEET.....	64
9.5.23	WALGA – WASTE NEWS – 10 FEBRUARY 2017 – ISSUE 27.....	64
9.5.24	WALGA – LOCAL GOVERNMENT NEWS – 10 MARCH 2017 – ISSUE 9.....	64
9.5.25	STABLE FLY ACTION GROUP – NEWSLETTER ISSUE 21.....	65
9.5.26	KEY PROJECTS UPDATE.....	65
<b>10</b>	<b>NEW BUSINESS OF AN URGENT NATURE - INTRODUCED BY RESOLUTION OF THE MEETING.....</b>	<b>65</b>
<b>11</b>	<b>CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC.....</b>	<b>65</b>
<b>12</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....</b>	<b>65</b>
<b>13</b>	<b>CLOSURE OF MEETING.....</b>	<b>65</b>

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

### 1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 4.03pm and welcomed those present.

### 1.2 DISCLAIMER READING

The disclaimer was read aloud as there were 19 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 G Yandle	(Executive Manager Infrastructure)
Mr D Chidlow	(Manager Planning)
Ms R Headland	(Council Secretary & PA)
Ms M Perkins	(Community Development Officer)

### Apologies

Mr S Clayton	(Executive Manager Corporate & Community Services)
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### Approved Leave of Absence

Nil

### Observers

Christine Brown, Norm Yukich, Colleen Yukich, Kevin McLean, Janice McLean, Sean Brown, Ineska Yukich, Philip Yukich, J McLean, Shane Nixon, Arthur

Tonkin, Greg Manning, Norma Crommelin, Cheyene Juhren, Sam Juhren, Karl Yukich, Margaret Stewart, Shireen Manning, Adam McKay

### 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

### 4 PUBLIC QUESTION TIME

Christine Brown

1. Research has shown that numerous large piggeries around Australia are choosing to use voluntary best pig management practices, such as not housing pigs in sheds and using the effluent to generate electricity. Why is this proposal by Westpork choosing not to follow these best pig management practices in regard to both environmental and animal welfare expectations?

*The President responded by saying that the question would be taken on notice and a response provided in due course.*

2. Westpork have publically stated on ABC Radio, the WA Countryhour, March 20, that they work cooperatively with neighbours to minimise the impact of such proposals on our local communities. What measures will Westpork take to regain trust and allay fears and concerns that our local community members have?

*The President responded by saying that the question would be taken on notice and a response provided in due course.*

3. Should an independent expert be called upon to assist the Shire of Dandaragan and the Councillors make a correct and informed decision regarding the piggery proposal, due to the extensive and technical nature of this proposal?

*The President responded by saying the Department of Environment Regulation (DER) is the State regulatory authority for the environmental protection of prescribed premises, such as piggeries. All intensive piggeries in Western Australia are required to be approved by the DER whom are considered the experts at assessing discharges and emissions from the proposal and that the Shire takes advice from the DER with regards to potential environmental impacts.*

Kevin McLean

1. The licensee of this proposal self-monitors annually to Government regulations. How can we be assured that these reports will be transparent and why is there is no independent third party responsible for such monitoring?

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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*The President responded by saying all piggeries in Western Australia are regulated by the DER, through the grant of an operating license issued under the Environmental Protection Act 1986. Westpork will be obligated to comply with the license for the site, as is the case for its other licensed piggeries. DER regularly inspects piggeries and Westpork is required to report non-compliances with its Environmental Protection Act licenses. Further detail in relation to Environmental Protection Act Licenses is publically available on DER's website.*

2. What safeguards will be put in place to ensure that when desludging of the effluent ponds takes place, no breach of the liner or linings occurs and if such an incident did occur, what measures would be taken to both repair and report such a breach?

*The President responded by saying the groundwater monitoring results and any breach of the liner would be reported to DER as required by the licence.*

3. What is the life expectancy of this proposed piggery and what guarantee does our local community have that all the land on this property will be in similar, if not better, condition than it is currently?

*The President responded by saying that the question would be taken on notice and a response provided in due course.*

#### **4.27pm**

**Executive Manager Infrastructure Garrick Yandle left the Council Chambers.**

Norm Yukich

1. This document is misleading as we have had no consultation at all about any planning proposal. Where did the information come from that we are an absentee owner? Out of 12 months of the year we would reside on this property for 8-9 months and have done since 1973. This is our major base for operating our farming business in this area.

*The President responded by saying that the question would be taken on notice and a response provided in due course.*

#### **4.30pm**

**Executive Manager Infrastructure Garrick Yandle re-entered the Council Chambers.**

2. The Module 1 (Moora 1) burial site is 75 metres so close to our boundary, our living facilities and shed are only 1.9km and best practices is a 2.5km buffer zone why are we are being comprised?

*The President responded by saying that the question would be taken on notice and a response provided in due course.*

3. Have been farming in this area since 1961 and I have accumulated a lot of knowledge and have a full understanding of rainfall and climate changes in

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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the area. With the climate change we are having more severe summer storms and intense rainfall in a short time. On dry sand water does not penetrate and we have had on several occasions water runoff with soil vegetation from this property Lot 3616 from the northern side including the burial pit, travelling up to a km and forming a lake on our property. Moora 1 module is located on a hill which is the highest point of the property, run off enters our property and forms a large lake. What practices have you got in place to ensure our property is not going to be affected?

*The President responded by saying that the question would be taken on notice and a response provided in due course.*

Philip Yukich

1. Our family business runs livestock and a producer of wool on the North and South side of the piggery. We have concerns about the vermin. As a wool producer we are using the best practices of non-mulesing our sheep will vermin be a problem as periodically burying carcasses and flies for fly strike. Is this the best practice? How will this impact on our farming business?

*The President responded by saying the management of burial pits aligns with best practice as outlined in the National Environmental Guidelines for Piggeries. Carcasses buried onsite will be covered with at least 500mm of soil.*

2. My residence for the past 31 years is at 5428 Brand Highway Boonanarring 13km directly west of the Westpork Piggery operation on Wannamal West Rd. We have experienced a large explosion of fly population that have led to windows and walls having to be washed periodically to remove fly faeces. The odour has been that severe that it has impregnated the washing which has resulted in rewashing on favourable days according to the wind direction. My concern is that the Moora residences will be in the odour zone. Has an odour study been conducted of the Moora area with the Moora town site taken into consideration?

*The President responded by saying odour has been addressed in the Works Approval Application, as required by DER's draft Separation Distances (2015) guideline, through the implementation of a Level 1 odour impact assessment (as described in APL, 2010).*

3. Over the years this area has had an influx of many different agricultural businesses e.g. Agrifresh and Moora Citrus. We must be mindful of wind direction and inversion and the chemicals being used. We must be mindful of the impact on everyone else's business and we ask for the same courtesy from Westpork. The buffer zone is inadequate for our farming practices. Westpork has more emphasis on the distance between their sheds than the distance of the neighbouring properties. Why are the buildings and burial pit so close to the boundary?

*The President responded by saying that the question would be taken on notice and a response provided in due course.*

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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Norma Crommelin

Expressed her concerns in relation to buildings and shipping containers being erected on Lots 256 and 257 Zendora Road, Alta Mare.

*The President responded by saying that the question would be taken on notice and a response from Will George, Building Manager would be provided in due course.*

Sean Brown

The burial pits will be covered over and mounded.

Trees are not allowed to be planted on these mounds as their roots may aid with nutrient leaching from the burial pit contents into both the soil and groundwater. Grasses & weeds will grow on these mounds instead. What will happen at the end of summer when the ground cover is very bare and patchy in regards to stormwater runoff, both wind and water erosion, in increased risk of odour and opportunity for scavenging?

*The President responded by saying that the question would be taken on notice and a response provided in due course.*

Shane Dixon

1. How will smell of piggery affect the value of the land?
2. Post construction of this proposal, what will be the operating hours and will restrictions be placed in regard to the wind direction & community amenity? (e.g. Noise, odour, dust emissions, manure spreading, effluent pond desludging)
3. What contingency plans are in place for
  - Interruption to electricity supply
  - Loss of water supply
  - Disease outbreaks
  - Interruptions to feed supplies, transport and abattoir operations
  - Effluent system overflow or escape?

*The President responded by saying that the question would be taken on notice and a response provided in due course.*

Kevin McLean

1. What dispute resolution process will take place if neighbours are adversely affected by odour, noise or dust emissions from the property?

*The Manager Planning, David Chidlow responded by saying that there were processes in place in the application.*

2. Who would bear the responsibility & liability if contamination were to occur?

*The Manager Planning, David Chidlow responded by saying that the license would be issued by Department Environmental Regulation (DER) and that the landowner would be responsible.*



<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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Arthur Tonkin

Main concern is groundwater level, in some cases the water table is at ground level. Concerned at use of a large quantity of water. Waste water would then run off into the groundwater where it is at the surface.

Also concerned that two (2) neighbouring properties received no notifications. Disregard of bushland to the east used for wildflowers.

*The Manager Planning, David Chidlow advised that Hydrologist is looking into this issue and this forms part of the JDAP. Independent Consulting with Shire of Moora occurred. Can provide advice when available.*

Philip Yukich outlined issues relating to the following matter:

- Inversions
- Burning Stubble Off
- Odour Emissions

## **5 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## **6 CONFIRMATION OF MINUTES**

### **6.1 MINUTES OF ORDINARY MEETING COUNCIL HELD 23 FEBRUARY 2017**

#### **COUNCIL DECISION**

**Moved Cr Scharf, seconded Cr McGlew**

**That the minutes of the Ordinary Meeting of Council held Thursday 23 February 2017 be confirmed.**

**CARRIED 8 / 0**

## **7 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

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

Good afternoon Tony, Shire Councillors, guests.

My name is Christine Brown and I live at 1716 Coomberdale West Road, Badgingarra, in the Shire of Dandaragan. Together with my partner, Kevin McLean, our three sons, Kevin's brother and mother, we farm approximately

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

7000ha in both the Shire of Dandaragan and Moora. Our family connections with this Shire began when the land along Agaton Road was first opened up for agricultural purposes in the early 1960's. Two of our sons plan on returning to the farm after completing their tertiary education in Perth. Our sons will be hoping to become another generation of young people who have grown up in the local community and are prepared to ensure it not only survives, but prospers.

We are very fortunate to consider our family as part of a small local community. This community is Yallalie and consists of approximately 40 people. The importance of community in a rural area is not to be underestimated. The strength and importance of our community has been very evident in the past two weeks. The proposal to develop an intensive piggery close to our farms, our family homes of many years, has united us as a strong, determined and focused community. We all know the importance of economic diversification – after all it is essentially what keeps communities alive, healthy, strong – it ensures their longevity. But economic diversity must not come at the expense of the way of lives of those people that form the framework of our local communities. It isn't that we are resistant to change or progress either – after all, the majority of us here today are third or even fourth generations of farmers, doing what we do best, what we love to do and do very well. We wouldn't be still here if that weren't the case. These two factors- tradition and progress- must be compatible with each other, working together towards a common goal, not one impinging or constraining the way of life of the other or how they go about their business of contributing to society.

Our community has very real concerns regarding this proposal.

The complete lack of community consultation and involvement in regards to a new intensive agricultural industry within the Shire has created a distinct feeling of distrust and fear amongst members. A good number of the family groups here today, including ours, were unaware that this proposal was actually well underway last year. Piggeries and where they fit into the world we live in, can be very emotive and dividing at the best of times. It is a well-researched fact that early open and honest communication with potential neighbours and potential communities goes a great distance to ease concerns and fears and how this new enterprise will be accepted into a community. The building of a firm foundation makes for good relationships. This most definitely has not been the case with this proposal.

Facts regarding the proposal have been publically stated but only the barest of information has been given. Words have been used that may have multiple meanings and so community members are ill-informed or may even have come to the wrong conclusion. Some of the information in the proposal is misleading, to the point of not even being factual. We have had so, so little time to absorb all of this information – we are the people, the families, the community who will feel the greatest ramifications of such a proposal. That leaves us with two choices – either to be accepting or, as we have chosen to do, make ourselves as informed as much as possible, because an informed choice will always be the best choice.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

This proposal will have a degree of net positive impact to our area if done correctly. This positive impact is hugely important for the overall health and survival of small regional centres. Nobody in our community is against growth or diversity - our concerns are that the impact of the piggery will have far more negative impacts, than positive, both in the short term and into well the future, on both the local environment and the community.

The risk of significant odour issues is a major concern to all our community represented here today. National Environmental Guidelines for Piggeries state 'Odour has been identified as the principle community amenity in relation to piggery developments. The Australian pig industry has recognised the need to improve its level of environmental performance to comply with rising community expectations.' Odour knows no boundaries or buffer zones. Our prevailing winds from the south east, our afternoon sea breeze from the south west and north west wind prior to a thunderstorm will ensure the odour will affect more than just our local community. Well documented research has proven that odour issues will more than likely be at their highest levels in hot, stable weather conditions. Odour radiation inversion at night and with light wind conditions, similar to smoke inversion when the burning of stubbles occurs, will be of significant concern for those lower in our local landscape, the lower areas of the Yallalie Crater being a prime example. All local community members present today are farmers. Working outdoors on our properties will be unpleasant, if not impossible. These odour issues will more than likely make it untenable for some families to remain in the Yallalie community. Our agricultural enterprises simply cannot be adequately managed from afar.

The massive scale and sheer intensity of this proposal is alarming. The proposal to house 68,000 pigs, with scope to add another 34,000 animals, will put this piggery into the top 5% of large piggeries across Australia. The majority of Westpork's other piggery operations, bar one, are significantly smaller than this. Due to the shape of the property Westpork have purchased and the requirement of set biosecurity distances between each Module, Modules have had to be located on extreme boundary edges. Buffer zones have been forced out onto neighbouring properties. This puts constraints on their business and how they choose to utilise their land. This is neither fair nor reasonable for those affected.

This proposal is to be situated on the Agaton Sandplain. The soil profile is deep sand, contains minimal to no clay and is extremely permeable. The open effluent ponds, large burial pits for dead pigs, piglets and afterbirth, the spreading of many tonnes of manure onto pastures on the farm with no incorporation into the soil, stormwater runoff from the piggery into neighbouring properties – the effect of these practices well into the future years is very much an unknown. The risk of groundwater contamination from leaching and breaches of these systems will have a huge impact for future generations. All farming enterprises in this area are using water from bores, soaks or wells – in our homes, our gardens and most importantly, for our livestock. We all depend on this supply, both in quality and quantity. At the end of summer, sandplain country, by its very light nature, is often bare of ground covering grasses or crop stubble. The significant open bare areas necessary for fire clearances around the piggery buildings, sheds, effluent ponds, tanks, feed silos and boundaries will be exposed to the full brunt of soil erosion due to wind and rain.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

Both noise and dust emissions will adversely impact our properties, our family homes, our way of life. Increased traffic on local roads will further add to their deterioration. Agaton Road is close to impassable for lengthy periods of time in winter after significant rain events. Heavy vehicle movement on this road has major consequences that continue on long after winter. This piggery, when fully operational, will operate 24 hours per day, 365 days of the year. There will be little respite from the noise of the sheer volume of animals confined in a concentrated area, ventilation system operations, large trucks transporting feed to the site and pigs to market and agricultural machinery working at all hours.

Our locality in the Shire has been fortunate to this point in time to have had minimal impact from stable fly. Open effluent ponds, open drainage systems and the storage and spreading of manure will all contribute to ideal breeding conditions for this pest. Other vermin (eagles, foxes, crows, wild dogs and cats), pests (mice, rats, galahs and cockatoos) and insects (flies and mosquitoes) will all impose on the way we live and the way we farm.

The impact on the amenity of the local area will be enormous.

Unfortunately, we also have doubts that some of the proposed economic opportunities from this piggery will filter down to communities in the Shire of Dandaragan. Local employment is seen as a big positive in this particular proposal. Only last year the WA Pork Producers Association (WAPPA) Productivity Commission Review raised concerns about the difficulties in attracting local people to work in piggeries in regional areas. A large orchard business operating in close proximity to the proposed piggery relies heavily on both overseas transient and visa holder workers. Long term, stable employment populations are necessary for the survival of our communities.

This piggery proposal is a huge venture. Recent research shows piggeries around Australia are choosing to adopt best pig management practices. They are choosing to voluntarily move their pigs from sheds into group housing in eco-shelters, negating the need for effluent ponds. Others are using the pig effluent in a completely closed anaerobic waste system, whereby the methane is captured and the resultant bio-gas provides more than enough electricity to power their entire enterprise. Effluent ponds can be covered and depending on the chosen material, odour from such ponds can be reduced by a staggering 75% to 100%. These best pig management practices are positive changes and have the potential to be an asset, instead of a liability, for our local environment, our local communities and animal welfare. Why is this proposal by Westpork not utilising more of these best pig management practices?

It has been said over the last two weeks that we, as a community and as individuals, need to take the emotion out of this debate. I wouldn't entirely agree with this statement – farmers, as we are, are intimately connected to environment around us. We are reliant on the soil, the breeze, the sun and the rain to allow us to follow our passion. If you take the emotion away you have just a shell left – an empty hollow that has no compassion or feeling. Local families are feeling 'cornered' by this proposal – they have been placed in an extremely overwhelming, challenging, vulnerable and quite possibly life-changing position – a position where I can say, without doubt, that not one of us asked for, or expected to have to deal with. The fallout of such a difficult

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

situation is that families will leave this area, the land we farm will be devalued and no-one will want to be here on a permanent basis – our united Yallalie community will become a social wasteland.

Together our united community has engaged the services of an independent environmental planning consultant. He has prepared a submission which has been presented to the Shire yesterday. I quote his overall finding – ‘It will be argued that this proposed development is of a scale, and will have consequent impacts, that makes it inconsistent with orderly planning for the area, in particular, it would have a significant impact on the rural character and amenity of the area surrounding the proposed development. Consequently, the proposal should either be refused on planning grounds, or significantly reduced in size.’ The question needs to be asked to Council - Is such a proposal appropriate for this rural area?

Over the past decade there has been a trend of increasing global community awareness regarding the food we choose to eat, in respect to how it is sourced, farmed and distributed. A misalignment exists between the communities and consumers values and ethics and the economic, environmental and animal welfare drivers of such a proposal.

This afternoon, our community, represented by the many family groups present, asks the Shire of Dandaragan to consider, very carefully, the longer term impacts of such a proposal – short term gains must not come at the expense of a community that is forced away, from family, from friends, from their own communities that they have been a part of and contributed to, for such a long time. The implications for local farming enterprises, small communities and the surrounding district are dependent on the decisions made now and long into the future.

Thank you

Jack McLean presented a verbal Deputation as per his written submission.

**COUNCIL DECISION**



**Moved Cr Richardson, seconded Cr Sheppard**

**That Council agree to move out of sequence and consider item 9.4.2.**

**CARRIED 8 / 0**

**9 REPORTS OF COMMITTEES AND OFFICERS****9.4.2 JOINT DEVELOPMENT ASSESSMENT PANEL – PROPOSED INTENSIVE PIGGERY – LOT 3616 AGATON ROAD DANDARAGAN**

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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Location:	Lot 3616 Agaton Road, Dandaragan
Applicant:	Westpork Pty Ltd
File Ref:	Development Services Apps / Development Applications / 2017/01
Disclosure of Interest:	None
Date:	8 March 2017
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

*Cr Richardson has declared an impartiality interest in Item 9.4.2 as a Director from Westpork is known to her on a professional basis.*

### PROPOSAL

The applicant is seeking planning approval for an intensive piggery located on Lot 3616 Agaton Road, Dandaragan. This application is required to be determined by the Regional Development Assessments Panel (Midwest/Wheatbelt JDAP).

### BACKGROUND

Lot 3616 Agaton Road is located in the Shire of Dandaragan and borders the Shire of Moora. It is located on the east side of Agaton Road approximately 8km north of its junction with North West Road (Badgingarra / Moora Road). The site is located 16 km northwest of the Moora townsite and 22 km northeast of the Dandaragan townsite, north of Perth. The lot comprises 1481 ha and is currently used for low intensity cattle farming with around 250 head of cattle and seasonal cropping, wheat and lupins. These uses will continue alongside the piggery. Westpork has entered into an agreement with the previous owners of the property - Aumin Pty Ltd – to lease back the land not used by the piggery.

Westpork is seeking Planning Approval for Module 1 (Moora 1) and Module 2 (Moora 2) under the Shire of Dandaragan Local Planning Scheme No 7. Moora 1 and Moora 2 will have the capacity to house approximately 68,000 pigs.

Longer term site planning provides for a third Module with the capacity for a further 34,000 pigs. Approval for Module 3 (Moora 3) will be subject of a future Application.

Lot 3616 is zoned “Rural” under the Shire of Dandaragan Local Planning Scheme No 7 – District Zoning Scheme.

The proposed use of a Piggery falls under the Use Class of “Animal Husbandry – Intensive” which is identified in the Zoning Table as a “D” (discretionary) Use. Whilst the application does not require advertising under the Scheme, shire staff were of the view that the proposed scale of the development would potentially have a significant impact on surrounding landowners and therefore warranted advertising seeking community comment. Section 5.3.4

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

“Avoiding land use conflict” of the December 2016 draft local planning strategy states that

*Registering of notifications on land titles alerting surrounding landowners to amenity impacts may also be needed to limit potential future land use conflicts. Those purchasing land will be made aware that living in or close to an agricultural area may impinge on their quality of lifestyle.*

The proposed piggery is consistent with the Shire’s current Local Planning Strategy – “Rural Land Use and Rural Settlement December 2012 as well as the advertised draft Local Planning Strategy – December 2016 being within an area identified for Rural purposes to accommodate a range of rural pursuits including intensive agricultural production. The proposed piggery is also consistent with State and Regional Strategies.

Most properties in the locality are cleared and used for grazing and cropping including those to the immediate south, west and north. The land to the immediate east and south-east comprises a large area of bushland.

The locality of the site is also experiencing intensification of agricultural pursuits with two citrus farms on Agaton Road and Prices Road.

There are three residences within 2km of the site.

The proposed piggery is a “Farrow to Finish” (breeding to finish) operation and comprises two “modules”, one situated adjacent to the central northern boundary (Moora 1) and the second situated adjacent to the central southern boundary (Moora 2). Each module will comprise a series of prefabricated modular sheds to accommodate the animals through their various stages of growth. The piggery will be operated as a high animal health facility with restricted access to other than piggery staff.

A small Office building including kitchen, toilet and shower facilities will be constructed. The construction of Moora 1 and Moora 2 will be staged with Moora 1 commencing as soon as practical after approvals with Moora 2 following on completion of Moora 1. The wastewater systems to each module will be similarly staged.

Each piggery module will have its own solid waste separation and wastewater pond system with no wastewater discharge to the environment. Pre-treatment of the effluent will be by Fan Separator to separate the solids from the liquids. Wastewater from each piggery module will flow into settlement traps before entering an anaerobic pond. The effluent discharged from the anaerobic pond then enters a facultative pond with the treated effluent finally being discharged to an evaporation pond.

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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All traps, ponds and channels will be fully lined and the ponds have been sized using real daily Bureau of Meteorology data to ensure adequate freeboard in extreme rainfall events.

Solid manure wastes from the Fan Separator will be applied to the site in the 'reuse area' in accordance with a Nutrient Management Plan (NMP). Solid waste from the trenches and pond systems will be exported off site to an approved disposal location.

Animal carcasses and inert waste generated will be disposed of on-site in an appropriate manner (Burial).

Westpork has been granted a water allocation of 889,140 kL per annum for the site by the Department of Water subject to the completion of a H2 assessment.

Under the Shire of Dandaragan Local Planning Scheme No.7 Agriculture Intensive, Agroforestry, and Animal Husbandry-Intensive which are located in a Public Drinking Water Supply Area, the local government will have due regard to the potential impact on groundwater quality.

#### Scheme Clause 4.21 PROTECTION OF WATER SOURCES

##### *4.21.1 Public Drinking Water Source Reserves*

*Public Drinking Water Reserves are located close to existing townsites and are covered by Water Source Protection Plans prepared by the Water and Rivers Commission (now Department of Environment and Conservation - DEC). Guidelines are available from DEC which establish whether a proposed use is compatible, incompatible or could be approved with conditions to protect water quality and supply.*

*In considering any development within a Public Drinking Water Source Area (PDWSA) Council will have due regard for the potential impact on water supplies and the compatibility of the proposed use. Any development in conflict with the DEC guidelines must be referred to DEC for comment to ensure water quality protection of the public drinking water reserves.*

The Moora townsite draws its water from bores located in the Shire of Dandaragan approximately 10 km south of the proposed piggery. It is noted that PDWSA for the Moora bores is a relatively small area covering the bores only. The proposed piggery is 10km distance from the PDWSA.

##### *4.21.2 Groundwater Areas*

*Groundwater protection areas have been established by the Water and Rivers Commission (now DEC) known as the Jurien Groundwater Area and Gingin Groundwater Area.*



<p><b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b></p>
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*Landowners and developers are required to obtain a licence prior to the construction of a bore or well on any property for groundwater extraction except for stock or domestic purposes.*

The Department of Environment Regulation, Department of Parks and Wildlife (both the previous DEC) and Department of Water have been consulted on this application.

**COMMENT**

The Shire and WAPC have adopted the Local Planning Strategy – Rural Land Use and Settlement 2012 (the Rural Strategy) which provides guidance to Council in assessing this type of application.

The following considerations are taken directly from the Rural Strategy and comments provided on each consideration.

Note - Council is presently advertising a new Local Planning Strategy that will replace the current abovementioned Strategy. The draft new Strategy contains the same matters in both versions of the Strategy to be taken into account when considering this application.

Local Planning Strategy – Rural Land Use and Settlement  
**APPENDIX 2 INTENSIVE AGRICULTURE PLANNING  
 CONSIDERATIONS WHEN ASSESSING A PLANNING  
 APPLICATION FOR INTENSIVE AGRICULTURE**

When Council is considering an application for either Agriculture – Intensive, Agroforestry, Animal Husbandry Intensive and Aquaculture it will take into account the following matters;

**Strategic Considerations**

Council will assess the potential impact of the Application and subsequent development to ensure:

**Services and infrastructure are adequate, including the road to be used to transport produce and to access the property, power, water and other requirements or can be adequately upgraded which would be the responsibility of the applicant.**

The applicant has advised that;

*A Traffic Impact Assessment of the proposed piggery has been undertaken by Shawmac Traffic Engineers [Appendix 2]. The Assessment, which was based on construction and operation of all three modules, concluded that:*

*The predicted traffic generation from the site for all three modules is 86 vehicles per day. Delivery trucks will travel south via Agaton Road, North West Road, Dandaragan Road and across to Moora Townsite*

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

*Expected average increase in traffic using these roads will not adversely impact the operation of the existing road network.*

*Sight distances at the Agaton Road / North West Road intersection are considered to be satisfactory, except the truck Entering Sight Distance from Agaton Road. This will require some clearing of roadside vegetation or the installation of an intersection warning sign*

*No modifications are considered necessary to the intersection of Agaton Road and North West Road*

*Crash history for five years to December 2015 for the Agaton Road / North West Road intersection indicated a total of five crashes; two involved animals and three involved trees*

*The overall development will be serviced by two access points on Agaton Road and there is clear sight distance in both directions from the proposed access locations to vehicles travelling along Agaton Road and there are no anticipated safety issues; and*

*The required car parking provision will be in accordance with Shire of Dandaragan Car Parking Policy and Australian Standards AS2890.1.*

*Preliminary discussions between Westpork and representatives of the Shire of Dandaragan and the Shire of Moora indicated a willingness on the part of both Shires to seek government funding for the upgrade of Agaton Road to a 9m sealed surface.*

*The Shires view the sealing of Agaton Road as beneficial not only to the piggery but also Agrifresh as well as being a means of attracting further development and particularly intensive agricultural projects to the area.*

Shire staff comment:

The last traffic count data collected along Agaton Road was in June 2015 for a period of 67 days including an average daily traffic of 27 vehicles per day. The proposed piggery application indicates an increase from 27 vehicles per day to 113 vehicles per days along Agaton Road.

Under Main Roads WA's Heavy Vehicle Operations Agaton Road is a local access route that is Conditionally Rated as Restricted Access Vehicle (RAV) Networks 3 – 6, with the following conditions "no operation on unsealed road segment when visibly wet, without road owner's approval. Not to be used as a through route. For local delivery and pickup only. Driver must carry documentation as proof of local delivery or pickup".

Agaton Road is also subjected to traffic commuting to and from the Agrifresh operations at various locations along this road. Ongoing maintenance and renewal issues have been prevalent along this road, especially during wet weather as well as heavy haulage during the drier summer months. Renewal activities in the past few years have included gravel re-sheeting with 150mm of gravel along at least 12 kilometres of road in a northerly direction from the North West Road intersection in an effort to improve the road condition.

Agaton Road, like any gravel road, remains susceptible to deterioration associated with increased travel movements, especially increased heavy haulage. Shire staff have concerns regarding the ongoing conditions of this road with the proposed increased traffic movements. The condition of the road will need to be monitored and potential methods for funding of expected increased maintenance and renewal costs will need to be investigated.

**There is no wider potential for land use conflict from things such as spray drift or smoke between existing and proposed use.**

*There is not expected to be any significant land use conflict between existing and proposed use from things such as spray drift or smoke.*

**It will have no adverse impact on catchment management and ground and surface water.**

The applicant has advised that;

*Four bores have been installed around the Stage 1 (Moora 1) wastewater treatment system and will be monitored. The parameters proposed to be monitored are sufficient to detect impacts from any potential leaks from the anaerobic and evaporative ponds.*

*Water samples will be collected in accordance with AS/NZS 5667.1–1998. Samples will be analysed at a National Association of Testing Authorities (NATA) accredited laboratory for the analysis undertaken.*

*An additional four bores will be installed around the Stage 2 (Moora 2) wastewater treatment system during construction of this system.*

*Daily visual inspections of the drainage lines will be undertaken to check for spills and leaks. Any spill or leak will be cleaned up immediately, and the cause of the spill or leak investigated and rectified.*

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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*The wastewater treatment system will be regularly monitored, at least every second day to ensure any pipe blockages are detected and cleared. Any preventative measures or corrective actions will be documented and included in the Annual Environmental Report submitted to DER.*

*Regular visual inspection of the burial pit will be undertaken to check for exposed carcasses. Contingency measures will be undertaken if required.*

*The Department of Water are providing additional information on this issue, initial comments are that the proposal can be managed so as not to impact on ground and surface water.*

**It will not sterilise land with potential for urban expansion or other long term land needs.**

*There is unlikely to be any urban expansion in the vicinity.*

#### Local Considerations

Council will assess proposals for intensive agriculture on the ability of the subject land to accommodate the proposed use, and with due consideration of the risk of off-site environmental impacts and conflict with neighbouring land uses. Factors to be addressed by the proponent and subsequently considered by Council include:

#### **the nature and capability of the land;**

The applicant has advised that;

*The Nutrient Management Plan (NMP) documents site conditions and investigations regarding the volumes and quality of effluent that can be sustainably applied to the site [Attachment 2]. Consideration of site conditions and incorporation of policy and guideline recommendations for spreading of manure indicate that with suitable management, the site is suitable for the spreading and assimilation of manure.*

*It is proposed to spread manure from the operation which has been pre-treated via a screw press to remove liquids. Sludge from the sedimentation trenches and basins will not be applied on site, but will be exported for use by a third party. Material treated via the screw press will be applied to a 1,236 ha reuse area being 83% of the site.*

*Volumes to be applied have been calculated conservatively to ensure sustainability of the operation based on soil conditions, depth to groundwater and proposed use. The reuse area will be split into two 618 ha areas with these areas used alternately on an annual basis for application of the screw press solids.*

*The nutrient loading of the proposed reuse areas have been designed to benefit the grazing and cropping operation on the farm, without negatively impacting on neighbours and the environment.*

**availability and adequacy of water supply;**

The applicant has advised that;

*Westpork has been granted a water allocation for the site by the Department of Water (Geraldton branch) subject to the completion of a H2 assessment. In accordance with the requirements of the H2 assessment drilling on the property has commenced and due for completion mid-December, with the final report and water allocation being confirmed in early 2017. Westpork expect to have access to 889,140 kL per annum. Westpork will be granted a Licence to Take Water from Department of Water under the Rights in Water and Irrigation Act 1914.*

**sensitivity of adjacent land uses;**

There are two significant issues that may impact neighbouring residents, these being odour and noise. Each is addressed separately by the applicant below;

*The generation of odour impacts is directly related to the strength or odour concentration associated with the source, its characteristics (if it is offensive or pleasant), frequency of occurrence, and duration of exposure and also the size of the odour source. The extent to which odour becomes a nuisance to a neighbour is also related to the separation distance between the source and the neighbour.*

*The main odour sources from the proposed piggeries are:*

- *Pig sheds – Dirty pigs smell as their body warmth encourages anaerobic breakdown of the manure on their skins*
- *Solids separated from the fan separator – wet manure generates odour; and*
- *Treatment ponds and mainly the anaerobic ponds, although the aerobic/evaporation ponds can become odorous if they are overloaded.*

*A Level 1 odour impact assessment in accordance with DER's Draft Separation Distances Guidance Statement has been undertaken to determine the appropriate buffer distances to each module of the proposed piggery.*

*The assessment is based on the number of Standard Pig Units, the odour potential having regard for waste treatment and management systems, the potential dispersion and the terrain and has been calculated at 2.5km from each piggery unit.*

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

*Based on calculated buffer distance of 2.5km, Moora 2 is compliant with this recommended buffer distance whereas Moora 1 intersects a residence located at 831 Agaton Road (Lot 3615), approximately 1.7 km west from the activity boundary and a residence located at 1126 Agaton Road (Lot 3611), approximately 1.9 km north from the activity boundary. The site is well buffered from the rural township of Moora, and from other surrounding rural residential receptors.*

*Consultation with the owners of the two rural residential properties located to the west and north of Moora 1 has confirmed that these properties are vacant and may be used occasionally, but are not the primary residences of the owners.*

*The residence to the north of the property is occasionally used by the owners when they tend to their general farming duties at the property. The owners' principle address is in Middle Swan.*

*The residence to the west is currently vacant. The owners reside on the eastern side of Moora. Westpork intends approaching the owners with the object of leasing the residence for personnel working at the piggery.*

*Regardless of the occupancy status of these properties, best practice odour control measures as outlined in the planning report will be implemented:*

Noise sources from an operational piggery are:

*Operation of pig sheds, specifically ventilation fans (small, medium or large). The sound power levels of the different fans were measured at Westpork's Mindarra piggery (Gingin) and were 84 dB (A) (small and medium fans) and 89 dB (A) (large fans). Pigs – Moving of the pigs within the finishing shed by operators causes them to squeal or grunt at a sound power level of 80 dB (A).*

*Noise modelling of these sources was undertaken by Herring Storer Acoustics. A night time operating scenario was modelled, as this represents periods of worst case noise emissions for Westpork. This scenario was highly conservative as it:*

- 1. assumed all fans on all sheds were operating at all times, where in reality during the night most fans would not be operational, as the ventilation system is designed for peak heat periods during hot summer days, with fans progressively shutting down during the evening or not be operational at all during winter.*
- 2. assumed for each shed, pig squeal noise was emitted, where in practice workers rarely move pigs at night, and therefore pigs would be undisturbed and unlikely to squeal/grunt.*

*The modelling report indicates noise levels received at the nearest neighbouring premises would comply with the Environmental Protection (Noise) Regulations 1997 under a night time (worst case) scenario. The noise level experienced at these noise sensitive receptors would range from 11 to 26 dB (A) which complies with the applicable LA10 assigned noise level of 35 dB (A).*

*The piggeries will be operated to comply with the Environmental Protection (Noise) Regulations 1997. Routine observations and inspections will be undertaken in regard to noise. Onsite management will be informed of the results of inspections and observations and will implement contingency actions to ensure compliance with Environmental Protection (Noise) Regulations 1997.*

*If complaints suggest that noise impacts are occurring a site inspection will immediately be conducted to determine the source. If the source can be readily addressed this will be rectified and action taken to prevent a recurrence. If the source requires changes in the design or management of the piggeries to be addressed the facility production rate will be reduced to the extent necessary to prevent noise impacts while the design change is implemented. Westpork will advise the complainant of the corrective action taken and the preventative measures proposed to prevent future disturbance to the complainer.*

*Due to non-constant nature of the noise sources, and the distance to the nearest residence (1.7 km away from the activity boundary), it is unlikely the amenity of residences will be significantly impacted. The risk is considered to be low.*

#### **remnant vegetation and wetland protection requirements;**

The applicant has advised that;

*The site is located in the Swan Coastal Plain biogeographical region and within the Dandaragan Plateau sub-region which is characterised by Banksia low woodland, Jarrah-Marri woodland, and by scrub-heaths.*

*Most of the lot has been cleared for grazing save for a small area of remnant vegetation along the eastern boundary and isolated paddock trees.*

*No Threatened Ecological Fauna Communities or Priority Ecological Fauna Communities occur on the site.*

*There are no identified wetlands and watercourses on the property other than the single circular lake feature in the vicinity of the eastern boundary of the site which appears to be surface expression of the groundwater located in a topographic depression*

**crop rotation and/or specific land management requirements;**

Not applicable to this application.

**any particular infrastructure layout or transport access requirements;**

Previously discussed under Services and infrastructure above

**the requirement for permission to use ground and surface water;**

The applicant is liaising with the Department of Water to satisfy this requirement.

**demonstrate the existing pre-development hydrological regime will be maintained or enhanced where possible;**

The applicant has advised that;

*The site is located within the Nambung River catchment and the Nambung/Cataby Coastal Tributaries subarea.*

*The site is located within the Department of Water proclaimed Jurien Groundwater Area, bounded by Moora to the south, the Indian Ocean to the west, Watheroo in the east and the Arrowsmith Groundwater Area in the north. Within the Jurien Groundwater Area, the site is situated in the Dinner Hill subarea. Several aquifers underlie the Dinner Hill subarea. The site is not within a Public Drinking Water Supply Area.*

*Four groundwater bores were installed in April 2016 and show a depth to groundwater varying between 14m to 15m across the site. The lake located on the eastern portion of the site is sitting at approximately 235 mAHD, and therefore is likely to be an expression of groundwater. Groundwater flow is generally from east to west.*

**the separation distances and/or buffers with the adjacent uses which are potentially incompatible can be contained on the subject land rather than being a constraint on adjacent land;**

The applicant has advised that;

*A Level 1 odour impact assessment in accordance with DER's Draft Separation Distances Guidance Statement has identified a calculated buffer distance of 2.5km.*

*Moora 2 is compliant with this recommended buffer distance.*



<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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*Moora 1 intersects a residence located at 831 Agaton Road (Lot 3615), approximately 1.7 km west from the activity boundary and a residence located at 1126 Agaton Road (Lot 3611), approximately 1.9 km north from the activity boundary. Based on consultation with the owners of these two rural residential properties the properties are vacant, and may be used occasionally, but are not the primary residences of the owners.*

*Regardless of the occupancy status of these properties, best practice odour control measures will be implemented which Westpork believes minimise the risk of adverse impacts on amenity of residents.*

The Shire of Dandaragan Local Planning Strategy – Rural Land Use and Rural Settlement 2012 provides the following minimum buffer between piggeries and residential use.

*Piggery 300m – 500m depending on size of operation and neighbouring land use - refer Dept. of Agriculture guidelines (Latto et al 2000)*

**the development impacts can be managed on site;**

The applicant has advised that;

*Given the site is within a rural area, there are few residences, substantial buffer distances to sensitive uses, construction activities at the site will be of limited duration and the proposed management measures including dust suppression and construction activities being limited to 7am and 5pm on weekdays, and between 7am and 2:30pm on Saturdays (no construction on Sundays); the risk of affecting the nearby premises is considered low.*

*The proposed treatment system is a closed system, with no wastewater discharge to the environment as all traps, channels and ponds will be fully lined. Based on detailed modelling, the proposed wastewater treatment system will have sufficient capacity to treat and hold wastewater generated from the piggeries including under extreme rainfall events. Westpork is an experienced operator with a good environmental management record as evidenced by their existing operations. Therefore the risk to groundwater and surface water quality is low.*

*The following solid waste management measures and depth to groundwater, will ensure the risk to groundwater is low:*

- *Manure will be applied to the reuse area in accordance with the Nutrient Management Plan for take up by seasonal crops*
- *The burial pits at least 2 m above the groundwater table will be used to dispose of pig carcasses. Carcasses buried onsite will be covered with at least 500mm of soil; and*

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

- *No hazardous materials (e.g. batteries) will be placed in the rubbish pit.*

*Four bores have been installed around the Stage 1 (Moora 1) wastewater treatment system and will be monitored. An additional four bores will be installed around the Stage 2 (Moora 2) wastewater treatment system during construction of this system.*

*A Level 1 odour impact assessment in accordance with DER's Draft Separation Distances Guidance Statement has identified a calculated buffer distance of 2.5km.*

*Moora 2 is compliant with this recommended buffer distance.*

*Moora 1 intersects a residence located at 831 Agaton Road (Lot 3615), approximately 1.7 km west from the activity boundary and a residence located at 1126 Agaton Road (Lot 3611), approximately 1.9 km north from the activity boundary. Based on consultation with the owners of these two rural residential properties the properties are vacant, and may be used occasionally, but are not the primary residences of the owners.*

*Regardless of the occupancy status of these properties, best practice odour control measures will be implemented which Westpork believes minimise the risk of adverse impacts on amenity of residents.*

*Noise modelling indicates that noise levels received at the nearest neighbouring premises from the piggery would comply with the Environmental Protection (Noise) Regulations 1997 under a night time (worst case) scenario. Due to the non-constant nature of the noise sources within the piggery, and the distance to the nearest residence (1.7 km), it is unlikely the amenity of residences will be significantly impacted.*

*A BAL Assessment of the proposed piggery considered all three modules and concluded that the determined Bushfire Attack Level (highest BAL) is BAL-12.5.*

*The Assessment concluded that the siting and design of each of the three modules is appropriate to the level of bushfire threat that applies to the site.*

*Fire prevention measures to be implemented at the piggery include firebreaks around the property, on-site firefighting equipment, large above ground storage of firefighting water and firefighting training for onsite personnel.*

*Any fires that start on the premises should be managed within minutes of starting. The site is currently not staffed on a routine basis so the presence of the piggeries will provide a permanent*

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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*on-site presence to allow a more rapid fire response. The risk is considered very low.*

*The development should not significantly detract from any scenic landscape and/or conservation attributes identified in the locality;*

The applicant has advised that;

*The site of the proposed piggery is located within an area that is open rural and, for the most part, cleared for cropping and grazing. The landform is generally mildly to moderately undulating and as a consequence sections of the buildings forming part of Moora 1 and Moora 2 will be occasionally visible from locations along Agaton Road.*

*The buildings forming each module are typically rural in design and scale and consistent with other buildings in the locality including those of the two citrus operations.*

*Agaton Road is a rural access road and primarily utilised by owners and residents and farm workers of local properties. The eastern road verge to Agaton road for the most part is well vegetated and generally offers good screening into adjacent properties.*

*Further, the proposed piggery is consistent with Council's longer term planning objectives for the locality and specifically the continuing encouragement of commercial agricultural production including intensive agricultural production.*

*Given the rural location, undulating landform, rural scaled buildings, limited and local traffic, verge screening and long term planning objectives for the locality; it is considered that the proposed piggery is consistent with the visual and landscape qualities of the locality.*

**the land use will have no adverse impact on the safety, health and amenity of residents in existing dwellings and it will not sterilize land with potential for urban expansion or other long term land needs such as mining;**

This has been discussed in separation buffers and distances above.

It is noted that it is unlikely that urban expansion would occur in proximity to this proposal. There is an exploration mining licence 70/3988 over the land (and surrounding land areas). However this is unlikely to conflict with the land use.

**other matters which may be required to be addressed if requested by Council.**

The applicant has advised that;

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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### Disposal of carcasses

*It is estimated that approximately 212 t per annum of dead pigs and afterbirth will require to be disposed of from each module (i.e. site total of 424 t per annum), to the associated burial pits [Figure 4: Site Plan]. Dead pigs will be removed by front end loader and deposited directly into the pits.*

*The base of the pits will be a minimum of 2m above the maximum water table and the carcasses will be covered with 500mm of sand/clay stockpiled adjacent to the pits.*

There may be additional comments/recommendations added by the officer to the JDAP report should additional environmental information as detailed above be provided prior to the JDAP meeting.

### CONSULTATION

Note – Under Local Planning Scheme No.7 the use is not an “A” use, and therefore did not require advertising. However given the scale of the project, it was felt that this matter should be put to the community for comment.

Advertising closed on 22 March in order to give sufficient time for comment. The Scheme requires 14 days; however this was extended out to a month due to publication dates of local newspapers and to give neighbours more time to make a response. The JDAP report is due by 20 April at the latest and the next Council meeting is on 27 April. Therefore the matter is put to this Council meeting with minimal time to consider submissions.

The proposal was advertised on the Shire website and in the following local newspapers circulating within the district

Geraldton Guardian  
Northern Valley Times  
Shire Matters in Red Gum (Dandaragan townsite)

- Environmental Protection Authority
- Department of Agriculture and Food (Moora and Geraldton)
- Department of Environment Regulation
- Department of Parks and Wildlife (Jurien Bay and Geraldton)
- Department of Regional Development and Lands
- Department of Health
- Department of Water (Perth and Geraldton)
- Water Corporation
- Shire of Moora – Mr Peter Williams
- Surrounding land owners within at least 10km (from 27 February) and
- Shire Officers

In addition to this advertising, the applicant has advised that;

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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*Westpork has consulted with and discussed the proposal with the owner of the vacant residence located at 831 Agaton Road, approximately 1.7 km west from the piggery activity boundary. The owner, who does not reside at this residence, had no comments or issues with the piggery being located at 898 Agaton Road.*

*The residence to the north is an absentee owner with their principal residence being in Middle Swan. Westpork will refrain from spreading manure close to their boundary when they are staying / working at the farm.*

*The owners of the property to the north-west were also consulted and are supportive of the proposed piggery as they see the import of solid waste from the piggery as an opportunity to significantly improve their soils and crop productivity.*

*Agrifresh have been consulted and are supportive of the proposal. The Paulownia farm was consulted but made no comment.*

*Westpork has also consulted with both the Shire of Dandaragan and Shire of Moora as part of the initial scoping and planning exercise. Both Shires were highly supportive of the proposed development.*

#### STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

#### POLICY IMPLICATIONS

State Planning Policy 2.5 - Rural Planning.

##### Section 5.8 Intensive agriculture

Intensive agricultural products are important contributors to the State's economy and are sold to domestic and export markets. Several localities in Western Australia produce much of the State's produce, including Carabooda, Gingin Brook, Perth Hills, Nowergup, Myalup, Manjimup, Donnybrook, Margaret River, Carnarvon, and Ord River. In addition, there are other dedicated sites that may produce a high percentage of a particular commodity in the context of State supply.

In order to operate effectively, producers may require areas of high agricultural productivity, water availability, suitable climatic conditions and ready access to markets and freight networks.

WAPC policy in regard to intensive agriculture is:

- (a) intensive agriculture is generally supported and encouraged on rural land provided rural amenity and environmental impacts can be effectively managed;
- (b) intensive agriculture sites of State significance should be protected from encroachment;
- (c) in considering buffer distances between intensive agriculture and sensitive land uses, the requirements of clause 5.12

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

should be observed, and the following matters may also affect the buffer –

- i. types of chemicals used and their method of application;
  - ii. the characteristics of the site/s, including vegetation, topography and prevailing winds;
  - iii. potential mitigation approaches, including fencing, vegetation buffers, open space, road reserves and other compatible uses; and
  - iv. potential staging and/or expansion intention of the intensive agriculture operator; and
- (d) where an intensive agriculture proposal may affect the nutrient load of a river, estuary or associated tributary and the system and/or its receiving water body has no further capacity to assimilate nutrients without an adverse impact on ecosystem health, a reduction in nutrient export is to be demonstrated.

**FINANCIAL IMPLICATIONS**

The applicant has paid a sum of \$39,485 with \$6,557 allocated to the Development Assessment Panel.

**STRATEGIC IMPLICATIONS**

- Shire of Dandaragan Local Planning Strategy – Rural Land Use and Rural Settlement.
- Draft Local Planning Strategy 2016
- 2016 – 2026 Strategic Community Plan

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

- Full details and plans were provided to Councillors via CD on 9 March 2017 at the Council Forum
- Hard copy summary of the proposal was provided to Councillors at the Council Meeting on 23 February 2017.
- Submission from Shane Nixon (Doc Id: 87921)

**(Marked 9.4.2)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

Moved Cr Scharf, seconded Cr Gibson

That Council advise the Midwest/Wheatbelt JDAP that it supports the proposed development of a Piggery on Lot 3616 Agaton Road, Dandaragan and the provides the following draft planning conditions:

1. The land use and development shall be in accordance with the approved plans and specifications (including any amendments marked in RED) unless otherwise conditioned by this approval.
2. The use when established shall at all times comply with the definition of Animal Husbandry – Intensive (Piggery) contained within the Shire of Dandaragan Local Planning Scheme No.7.
3. This approval is for Module 1 (Moora 1) and Module 2 (Moora 2) and any ancillary works with a capacity to house approximately 68,000 pigs. Separate future application will be required if a third Module with the capacity for a further 34,000 pigs is proposed.
4. The endorsed plans shall not be modified or altered without the prior written approval of either the Shire of Dandaragan or Midwest/Wheatbelt JDAP in accordance with Regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011.
5. The use and development must be substantially commenced within 3 years of the date of this approval.
6. The development at all times shall comply with the Nutrient Management Plan prepared by Aurora Environmental that was submitted with the application to the satisfaction of the Shire of Dandaragan.
7. The development at all times shall comply with the Works Approval Application prepared by Aurora Environmental that was submitted with the application to the satisfaction of the Shire of Dandaragan. This is not limited to, but specific mention is made to the management and mitigation strategies and contingency measures applicable to;
  - a) construction management;
  - b) wastewater effluent management;
  - c) solid waste management;
  - d) odour management;
  - e) noise management;
  - f) fire management; and
  - g) environmental monitoring and reporting.
8. The development at all times shall comply with the Bushfire Attack Level (BAL) Assessment prepared by Smith Fire Consulting that was submitted with the application to the satisfaction of the Shire of Dandaragan.
9. The development at all times shall comply with the Traffic Impact Assessment prepared by Shawmac Traffic Engineers that was submitted with the application to the satisfaction of the Shire of Dandaragan.

10. The piggeries will be operated to comply with the Environmental Protection (Noise) Regulations 1997. Routine observations and inspections will be undertaken in regard to noise. Onsite management will be informed of the results of inspections and observations and will implement contingency actions to ensure compliance with Environmental Protection (Noise) Regulations 1997.
11. Crossovers, access and egress to the subject site from Agaton Road and any road works shall be located and constructed to the satisfaction of the Shire of Dandaragan and include all necessary drainage and signage. Costs applicable to the construction of the access point/s onto the site and any related issues shall be borne by the proponent.
12. A road condition survey is to be completed by the applicant and submitted to the Shire detailing any maintenance work required to public roads as a result of transport activity to the satisfaction of the Shire of Dandaragan.
13. Prior to commencement of site works, the Applicant/Landowner is to enter into discussions with the Shire of Dandaragan to assess the impact of the additional (heavy) traffic on Agaton Road and proposed strategies (if appropriate) to deal with the increased traffic. Furthermore, should any road upgrading and/or maintenance be required as a result of the increased traffic, then a contribution towards the cost of undertaking those works to the satisfaction of the Shire of Dandaragan will be at the expense of the Applicant/Landowner.
14. All internal roadway surfaces within the site are to be constructed of a suitable material such as paving, road base, limestone or coarse gravel and compacted to limit dust generation, to the satisfaction of the Shire of Dandaragan.
15. Notices indicating the type of operation, hours of operation and potential impacts of the piggery operation are to be displayed adjacent to the Agaton Road frontage of the site to the satisfaction of the Shire of Dandaragan. The notices must state that development approval for the construction of the Development on the site has been granted.
16. The use and development must be conducted so that it has minimum impact on the amenity of the area by reason of :
  - a) transportation of materials, goods and commodities to and from the premises;
  - b) appearance of any buildings, works and materials; and
  - c) the emission of odour, noise, vibration, dust, wastewater, waste products or reflected light.



17. The applicant is to provide landscape screening to the satisfaction of the Shire of Dandaragan.
18. Prior to the commencement of the development, landscape plan detailing screening vegetation that is to be planted shall be submitted to the Shire and approved by the Shire of Dandaragan.
19. In addition to the disposal of carcasses strategy detailed in the submitted reports, the applicant is required to carry out the following procedures.
  - i. large carcasses should be split to minimise bloating;
  - ii. the pit bases should be at least 2 m above the water table at all times;
  - iii. pits should be situated on low permeability soils and / or low risk sites;
  - iv. carcasses need to be well covered with soil, or other suitable material, each day to avoid scavenging by feral animals and to prevent odour;
  - v. further clay should be compacted over filled pits;
  - vi. earth should be mounded over filled pits to promote shedding of stormwater; and
  - vii. the mounds should be grassed over, but trees should not be planted at the site as the roots allow water to move through the pit.
20. The anaerobic ponds are at all times to be covered with an impermeable cover in order to reduce odour escaping to the environment, excluding when maintenance is carried out.
21. The piggery is to be operated in accordance with guidance document "AUSTRALIAN PORK LIMITED - Minimising Odour from Piggeries 2015".
22. That operating hours will be applied with noise limitations and requirements being taken into consideration.

**Advice Notes:**

- Note 1:** Further to this approval, the Applicant may be required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and the *Health Act 1911* which are to be approved by the Shire's Manager Building Services and/or Manager Environmental Health prior to issuing a Building Licence.
- Note 2:** The Department of Health advises that any form of pest control using pesticides must comply with the Health (Pesticides) Regulations 2011.
- Note 3:** It is advised that the proposal should at all times comply with the Biosecurity & Agriculture (Stable Fly) Management Plan 2013 in order to minimize the effects of stable flies on the community.
- Note 4:** It is advised that the proposal should at all times comply with the provisions of the Food Act 2008 and related regulations, codes and guidelines.

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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**Note 5: The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.**

**CARRIED 8 / 0**



**COUNCIL DECISION**

**Moved Cr Scharf, seconded Cr Kulisa  
That the Council agree to resume back into sequence.**

**CARRIED 8 / 0**

## **9.1 CORPORATE & COMMUNITY SERVICES**

### **9.1.1 CERVANTES COUNTRY CLUB LEASE**

Location:	Reserve 32133 Cervantes
Applicant:	Cervantes Country Club
Folder Path:	Business Classification Scheme / Parks and Reserves / Usage / Leasing
Disclosure of Interest:	Nil
Date:	7 March 2017
Author:	Tony O'Gorman, Club Development Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

*Cr Holmes and Mr Ian Rennie disclosed an impartiality interest in Item 9.1.1 as they are financial members of the Cervantes Country Club.*

#### **PROPOSAL**

To lease Reserve 32133 to the Cervantes Country Club.

#### **BACKGROUND**

At the Council meeting held 25 January 2017 Council agreed in principle to the lease of Reserve 32133.

*Moved Cr McGlew, seconded Cr Scarf*

*That the Council:*

- 1. agree in principle to lease part of reserve 32133 to the Cervantes Country Club for \$1 per annum, for a period of twenty years;*
- 2. advertise the proposed lease of lot 336 Reserve 32133 to be entered into with the Cervantes Country Club for comment from the public in accordance with Section 3.58 of the Local Government Act; and*
- 3. all costs associated with providing the Cervantes Country Club with a lease over lot 336 Reserve 32133 to be borne by the Club, including advertising, lease drafting and any costs associated with surveying etc.*

**CARRIED 8 / 0**

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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COMMENT

The advertising to lease Reserve 32133 has now been completed in accordance with section 3.58 of the Local Government Act.

No submissions were received by the close date at 28 February 2017.

CONSULTATION

- Cervantes Community
- Department of Lands
- Advertisement in The West Australian and the Pinnacles Express

STATUTORY ENVIRONMENT

- Land Administration Act 1997
- Local Government Act 1995 (S3.58)
- Planning and Development Act 2005 (S136)

POLICY IMPLICATIONS

Shire of Dandaragan Policy 6.5 Reserves

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

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

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

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

**FINANCIAL IMPLICATIONS**

There are no financial implications relevant to this item.

**STRATEGIC IMPLICATIONS**

2016 – 2026 Strategic Community Plan

<b>Goal 2 - Healthy Safe and Active Community.</b>	
<b>Objectives</b>	<b>How the Shire would Contribute</b>
2.4 Provide recreation and community facilities and activities	b) Manage club leases and other community leases

**ATTACHMENTS**

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

- Draft lease document prepared by McLeod's Barristers and Solicitors (Doc Id: 79073)

***(Marked 9.1.1)***

**VOTING REQUIREMENT**

Absolute majority

**OFFICER RECOMMENDATION 1 / COUNCIL DECISION**

**Moved Cr Sheppard, seconded Cr Scharf**

- 1. That the Cervantes Country Club be granted a twenty year lease on Reserve 32133 for an annual rental of \$1.**
- 2. That the Shire of Dandaragan negotiate with the Department of Lands to facilitate leasing Reserve 32133 to the Cervantes Country Club.**
- 3. All costs associated with providing a lease to the Cervantes Country Club is borne by the Club, including advertising, lease drafting and any costs associated with surveying etc.**

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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**4. All appropriate building and planning approvals are sought through the Shire approvals process.**

**CARRIED BY ABSOLUTE MAJORITY 8 / 0**

VOTING REQUIREMENT

Simple majority



**OFFICER RECOMMENDATION 2 / COUNCIL DECISION**

**Moved Cr Kulisa, seconded Cr Richardson**

**That Council authorise the President and Chief Executive Officer to the affix of the Shire of Dandaragan's Common Seal to the lease agreement document between the Shire of Dandaragan and Cervantes Country Club for the purpose of leasing Club premises on Reserve 32133.**

**CARRIED 8 / 0**

**9.1.2 AUDIT COMMITTEE MINUTES – 9 MARCH 2017**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Audit / Internal
Disclosure of Interest:	Nil
Date:	9 March 2017
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Author:	

**PROPOSAL**

To receive the Audit Committee Meeting Minutes (unconfirmed) held on 9 March 2017.

**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

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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changes will be presented to Council at the following Council meeting.

**COMMENT**

The purpose of the Audit Committee Meeting held 9 March 2017 was to consider the Budget Review for 2016/17 and the Compliance Audit Return for 2016.

**STRATEGIC IMPLICATIONS**

There are no strategic implications relevant to this item.

**ATTACHMENTS**

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

- Minutes of the Audit Committee Meeting (unconfirmed) held on 9 March 2017 (Doc Id: 87746)

***(Marked 9.1.2)***

**VOTING REQUIREMENT**

Simple majority

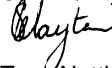

<b>OFFICER/COMMITTEE RECOMMENDATION/COUNCIL DECISION</b>
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**Moved Cr Slyns, seconded Cr McGlew**

**That the unconfirmed minutes of the Audit Committee Meeting held on 9 March 2017 be received.**

**CARRIED 8 / 0**

**9.1.3 BUDGET REVIEW 2016 / 2017**

Location:	Shire of Dandaragan
Applicant:	N / A
Folder ID:	Business Classification Scheme / Financial Management / Financial Reporting / Reviews
Disclosure of Interest:	None
Date:	9 March 2017
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

That the budget review for the 2016 / 2017 financial year based on the financial statements from 1 July 2016 to 31 December 2016 be recommended for adoption.

**BACKGROUND**

As part of the amendments to the Financial Management Regulations (1996), Regulation 33A - Review of budget has been inserted.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

*“This requires;*

- 1. between 1 January and 31 March in each year, local government is to carry out a review of its annual budget for that year;*
- 2. it is to be submitted to council within 30 days of the review;*
- 3. Council is to consider the review and determine whether or not to adopt the review, any parts of the review or any recommendations made in the review; and*
- 4. a copy of the review and determination is to be then forwarded to the Department within 30 days.”*

**COMMENT**

Staff have reviewed the 2016 / 2017 budget to identify any significant variances. The financial statements to the 31 December 2016 have been used as the basis for the review, however, where a variance has occurred and is known prior to the completion of the staff component of the review on 15 February 2017, these have been accounted for.

Following is a detailed summary of the identified variances:

		\$
<b>17150</b>	<b>Interest on Muni Investments</b>	<b>20,000</b>
Interest on Bank Account less than budgeted		
<i>Affect: Reduce income / Reduce available funds</i>		
<b>13180</b>	<b>Other Reimbursements</b>	<b>(8,545)</b>
Good driver rebate received from LGIS		
<i>Affect: Increase income / Increase available funds</i>		
<b>13180</b>	<b>Other Reimbursements</b>	<b>(6,828)</b>
Dividend received from LGIS		
<i>Affect: Increase income / Increase available funds</i>		
<b>14150</b>	<b>Other Grants</b>	<b>(10,741)</b>
Additional Operating grant from DFES to account for overspend in 2015/16		
<i>Affect: Increase income / Increase available funds</i>		
<b>15110</b>	<b>Other Non-Operating Grants</b>	<b>(118,897)</b>
<b>64100</b>	<b>Plant &amp; Equipment</b>	<b>118,897</b>
New fire appliance from DFES		
<i>Affect: Increase income / Increase plant and equipment asset</i>		
<b>21010</b>	<b>Bushfires Act Infringements</b>	<b>17,500</b>
Bushfire Act infringement income less than budgeted		
<i>Affect: Reduce income / Reduce available funds</i>		
<b>20710</b>	<b>Recycling Charges</b>	<b>(5,000)</b>
Recycling income greater than budgeted		
<i>Affect: Increase income / Increase available funds</i>		
<b>20822</b>	<b>Dandaragan Transit Park</b>	<b>(6,171)</b>
Park fees greater than budgeted		
<i>Affect: Increase income / Increase available funds</i>		
<b>27055</b>	<b>Consultancy</b>	<b>(3,000)</b>

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

Ward review consultant less than budgeted		
<i>Affect: Decrease expense / Increase available funds</i>		
<b>37185</b>	<b>Members Training</b>	<b>(8,000)</b>
Members training expense less than budgeted		
<i>Affect: Decrease expense / Increase available funds</i>		
<b>27055</b>	<b>Consultancy</b>	<b>(5,000)</b>
Proposed aged care feasibility study in conjunction with baptist care will no longer go ahead		
<i>Affect: Decrease expense / Increase available funds</i>		
<b>28545</b>	<b>Materials and Contracts (ALL)</b>	<b>4,398</b>
Fire mitigation to Shire controlled sumps required		
<i>Affect: Increase expense / Decrease available funds</i>		
<b>15110</b>	<b>Other Non-Operating Grants</b>	<b>(175,671)</b>
<b>15112</b>	<b>Other Non-Operating Contributions</b>	<b>34,975</b>
<b>62100</b>	<b>Buildings &amp; Improvements</b>	<b>61,620</b>
Council Decision 9.1.5 27 October 2016 - approved changes to Cervantes Community Centre project		
<i>Affect: Increase non-operating grant income / Reduce non-operating contribution / Increase building asset</i>		
<b>20812</b>	<b>Civic Centre Room Hire</b>	<b>27,000</b>
Civic centre room hire less than budgeted		
<i>Affect: Reduce income / Reduce available funds</i>		
<b>27065</b>	<b>Contract Labour - Other</b>	<b>(60,000)</b>
<b>26110</b>	<b>Salaries</b>	<b>60,000</b>
Council Decision 9.1.5 25 August 2016 - cease outsourcing of visitor servicing		
<i>Affect: Increase salaries and wages / Decrease contractor expense</i>		
<b>15110</b>	<b>Other Non-Operating Grants</b>	<b>(191,250)</b>
<b>66400</b>	<b>Infrastructure - Parks &amp; Reserves</b>	<b>191,250</b>
Sandy Cape Blueprint project extended to a further stage. Additional grant funding received to increase the scope of the Sandy Cape expansion		
<i>Affect: Increase non-operating grant income / Increase Infrastructure - Parks and Reserves Asset</i>		
<b>20830</b>	<b>Lease Charges</b>	<b>(48,750)</b>
Back dated lease payments from Cervantes Caravan Park following re-valuation		
<i>Affect: Increase income / Increase available funds</i>		
<b>20160</b>	<b>Building Licences</b>	<b>15,000</b>
Building licence fees less than budgeted		
<i>Affect: Reduce income / Reduce available funds</i>		
<b>20751</b>	<b>Commercial Waste Disposal</b>	<b>120,000</b>
An anticipated commercial waste agreement has not come to fruition		
<i>Affect: Reduce income / Reduce available funds</i>		
<b>22120</b>	<b>Fuel Rebate</b>	<b>(6,000)</b>
Fuel rebate from the ATO greater than budgeted		
<i>Affect: Increase income / Increase available funds</i>		
<b>31130</b>	<b>Vehicle &amp; Plant Insurance</b>	<b>11,000</b>
Plant insurance premium greater than budgeted		
<i>Affect: Increase Expense / Reduce available funds</i>		
<b>15110</b>	<b>Other Non-Operating Grants</b>	<b>(7,000)</b>
<b>66500</b>	<b>Infrastructure - Other</b>	<b>1,363</b>



**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

<b>51211</b>	<b>Caravan Park Reserve</b>	<b>5,364</b>
Council Decision 9.1.4 27 October 2016 - Black Waste Dump points		
<i>Affect: Increase non-operating grant income / Increase Infrastructure - Other Asset / Transfer Caravan Park reserve to municipal fund</i>		
<i>Affect: Increase Infrastructure - Other asset / Increase Furniture and Equipment asset / Increase non-capitalised asset expense / reduce tourism expense</i>		
<b>66100</b>	<b>Infrastructure - Roads (Dandaragan Road)</b>	<b>(75,848)</b>
<b>66100</b>	<b>Infrastructure - Roads (Dandaragan Road)</b>	<b>(49,500)</b>
<b>66100</b>	<b>Infrastructure - Roads (North West Road)</b>	<b>(24,170)</b>
<b>66100</b>	<b>Infrastructure - Roads (Rowes Road)</b>	<b>(39,700)</b>
<b>66100</b>	<b>Infrastructure - Roads (Mimegarra Road)</b>	<b>149,289</b>
<b>66100</b>	<b>Infrastructure - Roads (Jurien East Road)</b>	<b>65,420</b>
<b>15120</b>	<b>RRG Grant (Regional Road Group Dandaragan Road)</b>	<b>48,156</b>
<b>15120</b>	<b>RRG Grant (Regional Road Group Dandaragan Road)</b>	<b>32,929</b>
<b>15120</b>	<b>RRG Grant (Regional Road Group Northwest Road)</b>	<b>16,113</b>
<b>15120</b>	<b>RRG Grant (Regional Road Group Rowes Road)</b>	<b>21,307</b>
<b>15120</b>	<b>RRG Grant (Regional Road Group Jurien East Road)</b>	<b>(118,505)</b>
To account for variations to actual road projects versus budget and to maximise grant income amendments to the Infrastructure - Roads budget are proposed		
<i>Affect: Reduce Infrastructure - Roads asset \$189,218 (RRG002 \$75,848, RRG002A \$49,500, RRG005 \$24,170, RRG007 \$39,700) / Increase Infrastructure - Roads asset \$214,709 (RRG027 \$149,289, RRG856 \$65,420) / Reduce available funds \$25,491</i>		
<b>51111</b>	<b>Municipal Bank</b>	<b>(84,206)</b>
Overall reduction in available funds resulting from above mentioned changes		

In addition to the above mentioned changes the actual opening surplus carried was \$32,632 less than budgeted.

The effect of these variances results in a revised Rate Setting Statement as follows:

<b>SHIRE OF DANDARAGAN</b>		
<b>RATE SETTING STATEMENT by Department</b>		
<b>for the year ending 30 June 2017</b>		
<b>Description</b>	<b>Annual Budget 2016/17</b>	<b>Budget Review 2016/17</b>
<b>Operating</b>		
<b>Revenues / Sources</b>		
Governance	32,375	47,747
General Purpose Funding (Excluding Rate Revenue)	1,746,624	1,726,624
Law, Order and Public Safety	504,230	616,369
Health	9,658	9,658
Education & Welfare	(0)	(0)
Community Amenities	1,944,839	1,963,010
Recreation and Culture	827,008	1,131,954
Transport	2,552,109	2,552,109
Economic Services	184,613	218,363

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

Other Property and Services	203,244	89,244
	<b>8,004,701</b>	<b>8,355,078</b>
<b>Expenses / (Application)</b>		
Governance	(665,214)	(654,216)
General Purpose Funding	(180,643)	(180,643)
Law, Order and Public Safety	(1,090,967)	(1,090,967)
Health	(377,867)	(377,867)
Education & Welfare	(5,000)	(0)
Community Amenities	(2,261,637)	(2,266,035)
Recreation and Culture	(3,133,761)	(3,133,761)
Transport	(5,412,532)	(5,412,532)
Economic Services	(750,114)	(761,452)
Other Property and Services	(195,167)	(206,167)
	<b>(14,072,902)</b>	<b>(14,083,640)</b>
<b>Adjustments for Non-Cash (Revenue) and Expenditure</b>		
(Profit)/Loss on Asset Disposals	(106,776)	(106,776)
Movement in Accrued Interest	(0)	(0)
Movement in Accrued Salaries and Wages	(0)	(0)
Movement in Employee Provisions	(0)	(0)
Movement in Deferred Rates	(0)	(0)
Movement in Accrued Expenses	(0)	(0)
Depreciation on Assets	(5,711,376)	(5,711,376)
<b>Total Operating less non-cash items</b>	<b>(250,050)</b>	<b>89,590</b>
<b>Capital Revenue and (Expenditure)</b>		
Purchase Land and Buildings	(1,095,449)	(1,157,069)
Purchase Furniture and Equipment	(63,300)	(74,136)
Purchase Plant and Equipment	(959,640)	(1,078,627)
Purchase Infrastructure Assets - Roads	(4,459,189)	(4,484,680)
Purchase Infrastructure Assets - Parks & Reserves	(1,073,694)	(1,264,944)
Purchase Infrastructure Assets - Other	(1,371,801)	(1,382,101)
Capital Works in Progress	(0)	(0)
Proceeds from New Debentures	(0)	(0)
Proceeds from disposal of assets	110,000	110,000
Repayment of Debentures	(212,928)	(212,928)
Payment Self Supporting Loan to Community Group	(0)	(0)
Self-Supporting Loan Principal Income	48,989	48,989
Transfer to Reserves	(318,132)	(318,132)
Transfer from Reserves	1,589,437	1,594,801
Surplus/(Deficit) July 1 B/Fwd.	2,283,523	2,250,891
Surplus/(Deficit) June 30 C/Fwd.	(15,605)	(132,443)
<b>Amount raised from rates</b>	<b>5,756,629</b>	<b>5,745,903</b>

The 2016 / 17 Budget Review has also been presented to the Audit Committee at its meeting held on 9 March 2017 whereby the Audit Committee agreed to recommend to Council that the Budget Review, as presented with a deficit of \$132,443, be adopted, and

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

the identified variances be formally adopted as budget amendments.

**CONSULTATION**

- Chief Executive Officer
- Executive Manager Infrastructure

**STATUTORY ENVIRONMENT**

- Regulation 33A and 34 of the Local Government Financial Management Regulations (1996)

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item.

**FINANCIAL IMPLICATIONS**

The adoption of this budget review will amend the budget with an overall recognition of a deficit of \$132,443.

**STRATEGIC IMPLICATIONS**

2016 – 2026 Strategic Community Plan

*Goal 5: Proactive and leading local government*

5.2 High Performing Administration	c) compliance in all legislative requirements and functions
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**ATTACHMENTS**

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

- Audit Committee Meeting Minutes – 9 March 2017 (Doc Id: 87746)

**(Marked 9.1.3)**

**VOTING REQUIREMENT**

Absolute majority

**OFFICER/COMMITTEE RECOMMENDATION/COUNCIL DECISION**

**Moved Cr Gibson, seconded Cr Sheppard**

**That the Budget Review, as presented with a deficit of \$132,443, be adopted, with the following variances being formally adopted as budget amendments:**

		\$
17150	Interest on Muni Investments	20,000
13180	Other Reimbursements	(8,545)
13180	Other Reimbursements	(6,828)
14150	Other Grants	(10,741)
15110	Other Non-Operating Grants	(118,897)
64100	Plant & Equipment	118,897
21010	Bushfires Act Infringements	17,500
20710	Recycling Charges	(5,000)



<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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20822	Dandaragan Transit Park	<b>(6,171)</b>
27055	Consultancy	<b>(3,000)</b>
37185	Members Training	<b>(8,000)</b>
27055	Consultancy	<b>(5,000)</b>
28545	Materials and Contracts (ALL)	4,398
15110	Other Non-Operating Grants	<b>(175,671)</b>
15112	Other Non-Operating Contributions	34,975
62100	Buildings & Improvements	61,620
20812	Civic Centre Room Hire	27,000
27065	Contract Labour - Other	<b>(60,000)</b>
26110	Salaries	60,000
15110	Other Non-Operating Grants	<b>(191,250)</b>
66400	Infrastructure - Parks & Reserves	191,250
20830	Lease Charges	<b>(48,750)</b>
20160	Building Licences	15,000
20751	Commercial Waste Disposal	120,000
22120	Fuel Rebate	<b>(6,000)</b>
31130	Vehicle & Plant Insurance	11,000
15110	Other Non-Operating Grants	<b>(7,000)</b>
66500	Infrastructure - Other	1,363
51211	Caravan Park Reserve	5,364
26110	Salaries	8,610
66500	Infrastructure - Other	8,936
63100	Furniture & Equipment	10,836
28888	Expensed Minor Assets (below cap threshold)	3,051
28735	Tourism Expenses	5,000
28735	Tourism Expenses	<b>(5,323)</b>
66100	Infrastructure - Roads (Dandaragan Road)	<b>(75,848)</b>
66100	Infrastructure - Roads (Dandaragan Road)	<b>(49,500)</b>
66100	Infrastructure - Roads (North West Road)	<b>(24,170)</b>
66100	Infrastructure - Roads (Rowes Road)	<b>(39,700)</b>
66100	Infrastructure - Roads (Mimegarra Road)	149,289
66100	Infrastructure - Roads (Jurien East Road)	65,420
15120	RRG Grant (Regional Road Group Dandaragan Road)	48,156
15120	RRG Grant (Regional Road Group Dandaragan Road)	32,929
15120	RRG Grant (Regional Road Group Northwest Road)	16,113
15120	RRG Grant (Regional Road Group Rowes Road)	21,307
15120	RRG Grant (Regional Road Group Jurien East Road)	<b>(118,505)</b>

**CARRIED BY ABSOLUTE MAJORITY 8 / 0**

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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**9.1.4 STATUTORY COMPLIANCE AUDIT RETURN 2016**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Corporate Management / Audit / Internal
Disclosure of Interest:	None
Date:	9 March 2017
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

To adopt the Statutory Compliance Audit Return for the period 1 January 2016 to 31 December 2016 be adopted.

**BACKGROUND**

Local governments in Western Australia are required to complete, on an annual basis, a Compliance Audit Return (CAR). The Return is a self-assessment of compliance with Local Government (Audit) Regulation 13 and covers compliance in the areas of Caravans and Camping, Cemeteries, Commercial Enterprises, Delegations, Disclosure of Interest, Disposal of Property, Elections, Executive Functions, Finance, Local Government Employees, Grants Commission, Local Laws, Meeting Process, Miscellaneous Provisions, Official Conduct, Swimming Pools and Tenders.

In December 2011, Mr Castrilli announced a reduction of 20 per cent to the size of the CAR with a further 70 per cent reduction in 2012, meaning local governments will deal with eight, not 27 pages.

The remaining questions relate to areas of compliance considered high risk, such as:

- financial interest disclosures;
- procurement and tendering;
- delegation and use of delegated power; and
- the recruitment and appointment of the Chief Executive Officer.

The Compliance Audit Return has been reviewed by the Audit Committee at its meeting held on 9 March 2017 with the following recommendation being carried:

**OFFICER RECOMMENDATION / COMMITTEE DECISION**

*Moved Cr Sheppard, seconded Cr Kulisa*

*That it be recommended to the Audit Committee that the Compliance Audit Return as per attached for the period 1 January 2016 to 31 December 2016 be adopted.*

**CARRIED 4 / 0**

## MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017

Following Council's review and adoption of the Compliance Audit Return a certified copy of the return, along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit, is to be submitted to the Director General of the Department of Local Government and Communities by **31 March 2017**.

### COMMENT

For the period 1 January 2016 to 31 December 2016 the CAR demonstrates that the Shire has achieved a satisfactory level of compliance with only one area of non-compliance identified in the areas under review. This related to the Delegations Register which is required under the *Local Government Act 1995 (Section 5.18)* to be reviewed annually. In this instance the Shire's Delegations Register was not reviewed and adopted by Council in the 2015/2016 financial year but in July 2016.

During the Audit Committee meeting, the Committee queried item 11 within the Disclosure of Interest section (s5.88(4)). In particular, the Audit Committee queried if ex Councillor Carey's return had been removed from the register when he resigned.

It was confirmed that this had occurred, and the response was amended accordingly.

### CONSULTATION

- Chief Executive Officer
- Executive Manager Corporate and Community Services
- Executive Secretary

### STATUTORY ENVIRONMENT

The contents of the Compliance Audit Return relates to the *Local Government Act 1995* and a range of local government legislation

### 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

#### *Goal 5: Proactive and leading local government*

5.2 High Performing Administration	c) compliance in all legislative requirements and functions
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### ATTACHMENTS

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

- Compliance Audit Return 2016 (Doc Id: 87870)

**(Marked 9.1.4)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER/COMMITTEE RECOMMENDATION/COUNCIL DECISION**

**Moved Cr Kulisa, seconded Cr Sheppard**

**That the Compliance Audit Return as per attached (Doc Id: 87870) for the period 1 January 2016 to 31 December 2016 be adopted.**

**CARRIED 8 / 0**

**9.2 INFRASTRUCTURE SERVICES**

**9.2.1 BUDGET AMENDMENT – BAYLISS STREET CAPITAL RENEWAL PROJECT**

Location:	Bayliss Street, Jurien Bay
Applicant:	Garrick Yandle, Executive Manager Infrastructure
Folder Path:	Business Classification Scheme / Financial Management / Budgeting / Capital Works
Disclosure of Interest:	Nil
Date:	13 March 2017
Author:	Garrick Yandle, Executive Manager Infrastructure
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

That Council consider a budget amendment for additional income associated with the Bayliss Street capital renewal project.

**BACKGROUND**

Capital renewal works for Bayliss Street have been outlined in the 2016/17 Council Budget. Renewal works include the following:

- Seal renewal
- Improved street parking
- Wider footpaths and new kerbing
- End of trip facilities

Bayliss Street and its associated infrastructure is a key conduit to the Jurien Bay District High School, as well as the Shire Administration Building, the Jurien Bay Family Resource Centre and Jurien Bay CWA building. The ongoing renewal and upgrade of key infrastructure components associated with Bayliss Street is vital to ensure safe access is available to these key destinations within the Jurien Bay Civic Precinct. The improvement of the dual use path along Bayliss Street was identified in the *Shire of Dandaragan Bike Network Plan 2015 – 2020*.

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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The renewal works have been funded by various sources including:

- Roads to Recovery funding.
- Department of Transport Regional Bike Network grants.
- Council Municipal funds.

#### COMMENT

During the 2017/18 financial year additional funding sources have become available to further assist with the delivery of these projects. The sources include:

- Department of Transport Regional Bike Network, an additional \$5,000.
- Jurien Bay P& C, \$2,500.

#### CONSULTATION

- Chief Executive Officer – Tony Nottle
- EMCCS – Scott Clayton
- Asset Infrastructure Coordinator – Angus Padfield

The delivery of key infrastructure projects regarding Regional Bike Network grants requires the Shire to work closely with the Jurien Bay District High School and its relevant stakeholders. Shire staff have been in regular communication with David Thomas, JBDHS Principal, as well as Jeremy Carter, President of JBDHS P&C, regarding key components of this project. This has enabled the Shire to obtain these additional sources of funding.

- Department of Transport.
- Jurien Bay District High School – David Thomas (Principal)
- Jurien District High School P&C – Jeremy Carter (President)

#### STATUTORY ENVIRONMENT

Section 6.8 of the Local Government Act – 1995.

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

The following additional sources of income will be added to the 2016/17 Council Budget:

- Department of Transport Regional Bike Network, \$5,000 ex GST.
- Jurien Bay P&C, \$2,500 ex GST.

#### STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan



**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

<i>Goal 1: 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 b) provide and manage footpaths, cycleways, walkways and trails for connectivity and recreation
<i>Goal 2: Healthy, Safe and Active Community</i>	
Objective	How the Shire will contribute
2.2: Ensure aged friendly community.	c) Activate Aged Care Plan
<i>Goal 1: Great Place for Residential and Business Development</i>	
BUSINESS AS USUAL	e) Footpaths, cycleways, walkways and trails d) Roads and bridges

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Absolute majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Gibson, seconded Cr Scharf**

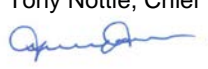
**That Council authorise a budget amendment for additional income associated with the Bayliss Street capital renewal works from the following sources:**

- 1. Department of Transport Regional Bike Network \$5,000 ex GST; and**
- 2. Jurien Bay P&C, \$2,500 ex GST.**

**CARRIED BY ABSOLUTE MAJORITY 8 / 0**

**9.3 GOVERNANCE & ADMINISTRATION**

**9.3.1 COUNCIL MEETING SCHEDULE 2017 / 2018**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Corporate Management / Meetings / Meetings
Disclosure of Interest:	None
Date:	2 February 2017
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**PROPOSAL

To determine a Council meeting schedule for the period 1 July 2017 to 30 June 2018 and to consider start times for Council Meetings.

BACKGROUND

On an annual basis, local governments in Western Australia are required to establish and advertise a schedule of Council meetings. The Shire of Dandaragan's current schedule sets meetings up to 30 June 2017 and as such it is timely to adopt a new schedule.

COMMENT

Currently, Council meets every fourth Thursday of the month, excepting December. Other changes can occur due to public holidays.

In previous years, Council has allocated one Ordinary Meeting of Council to be held in Cervantes, Dandaragan and Badgingarra. The town that holds the Annual General Meeting of Electors also has the Ordinary Meeting of Council held the same day in that location. In this year's situation, the Annual General Meeting of Electors is to be held in Jurien Bay. In Cervantes, Dandaragan and Badgingarra there will be one Ordinary Council Meeting.

Council set the 4.00pm start time which has been in place since July 2016. This time was adopted by Council when the dates for the 2016 / 2017 Council Meeting Schedule were adopted.

Please note that Australia Day falls on Friday 26 January 2018. Good Friday is 30 March 2018.

Council has previously discussed the pressures of a long meeting day with the Council Meeting commencing at 4.00pm following the Forum and various other commitments prior. There has been no evidence to suggest that a 4.00pm start has increased the number of members of the public to a Council Meeting.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 requires the advertising of a local government's ordinary meetings of Council.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

*Goal 5: Proactive and Leading Local Government*

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

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

Moved Cr Kulisa, seconded Cr Scharf


That Council adopt the following meeting schedule for the 2017 / 2018 financial year:

<b>DAY</b>	<b>DATE</b>	<b>TIME</b>	<b>MEETING VENUE</b>
Thurs	27 July 2017	4.00pm	Jurien Bay
Thurs	24 August 2017	11.00am	Jurien Bay School Visit
Thurs	28 September 2017	4.00pm	Dandaragan
Thurs	26 October 2017	4.00pm	Jurien Bay
Thurs	23 November 2017	4.00pm	Jurien Bay
Thurs	21 December 2017	4.00pm	Jurien Bay
Thurs	25 January 2018	4.00pm 6.00pm	Jurien Bay AGM of Electors
Thurs	22 February 2018	4.00pm	Jurien Bay
Thurs	22 March 2018	4.00pm	Badgingarra
Thurs	26 April 2018	4.00pm	Jurien Bay
Thurs	24 May 2018	4.00pm	Cervantes
Thurs	28 June 2018	4.00pm	Jurien Bay

**CARRIED 8 / 0**

## MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017

### 9.3.2 COUNCIL FORUMS SCHEDULE 2017 / 2018

Location: Shire of Dandaragan  
 Applicant: N/A  
 Folder Path: Business Classification Scheme / Corporate Management / Meetings / Meetings  
 Disclosure of Interest: None  
 Date: 2 February 2017  
 Author: Tony Nottle, Chief Executive Officer  
 Signature of Author: 

#### PROPOSAL

To determine a Council forum meeting schedule for the period commencing 1 July 2017 to 30 June 2018.

#### BACKGROUND

Council generally hold forums on the second Thursday of each month, at Jurien Bay commencing at 9.00am and as required prior to Council Meetings at the venue of the Council Meeting.

#### COMMENT

The current system seems to be working well, however if any Councillors wish to raise issues please do so.

#### CONSULTATION

Nil

#### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

Financial implications relate to the Councillors travel expenses and catering and are not deemed to be significant.

#### STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and Leading Local Government</i>	
<b>Objectives</b>	<b>How the Shire will Contribute</b>
5.2 High performing Administration	c) Compliance in all legislative requirements and functions

#### ATTACHMENTS

Nil

#### VOTING REQUIREMENT

Simple majority

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

**OFFICER RECOMMENDATION / COUNCIL DECISION**

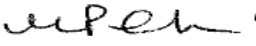

**Moved Cr Richardson, seconded Cr Scharf**

**That Council adopt the following Council forum dates / times for the purpose of informally progressing issues of policy, strategy and to receive delegations and presentations:**

DAY	DATE	TIME	VENUE
Thursday	13 July 2017	9.00am	Jurien Bay
Thursday	10 August 2017	9.00am	Jurien Bay
Thursday	14 September 2017	9.00am	Jurien Bay
Thursday	12 October 2017	9.00am	Jurien Bay
Thursday	9 November 2017	9.00am	Jurien Bay
Thursday	7 December 2017	9.00am	Jurien Bay
Thursday	11 January 2018	9.00am	Jurien Bay
Thursday	8 February 2018	9.00am	Jurien Bay
Thursday	8 March 2018	9.00am	Jurien Bay
Thursday	12 April 2018	9.00am	Jurien Bay
Thursday	10 May 2018	9.00am	Jurien Bay
Thursday	14 June 2018	9.00am	Jurien Bay

**CARRIED 8 / 0**

**9.3.3 COMMUNITY GRANTS POLICY GUIDELINES**

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Grants & Subsidies / Programs / Community Funding
Disclosure of Interest:	Nil
Date:	7 March 2017
Author:	Michelle Perkins, Community Development Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

To amend the Community Grants Policy Guidelines in relation to large projects made up of multiple phases, planning strategy projects, and to reflect the change of name of Tronox Management Pty Ltd (from Tiwest Joint Venture)

**BACKGROUND**

At the 12 August 2016 Ordinary Council Meeting, a decision was made to review the Community Grants Program Policy to clarify

<p><b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b></p>
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ambiguous guidelines for eligibility, in particular guideline *Annual Grants 3.i* “Funding will be deemed ineligible for the following: for applicants to carry out forward planning strategies of sporting clubs and community organisations”. It was also discussed at the 9 February 2017 Council Forum.

Guideline 3.i. was added initially to prevent organisations from breaking up projects that ultimately resulted in a durable item into separate components for funding in both the Community Grants Program and then again in the Shire of Dandaragan & Tronox Sporting and Recreation Facilities Fund (which funds durable items). This was not entirely clear to the Shire’s Community Grants Committee during the 2016 / 2017 meeting due to ambiguous guidelines.

On 20 July 2016, staff received an email advising that Tiwest Joint Venture is now called Tronox Management Pty Ltd. This amendment to Policy 1.6 Guideline 3.a. will reflect that name change.

#### COMMENT

By creating clearer guidelines for use by the Shire’s Community Grants Committee and the general public, complaints and dissatisfaction from groups in future rounds will be reduced, and the Committee will achieve valid outcomes and those outcomes will be reliable regardless of the make-up of the Shire’s Community Grants Committee.

#### CONSULTATION

- Shire of Dandaragan Community Grants Committee (Cr. McGlew, Cr. Kulisa, Cr. Holmes, Cr. Richardson)
- Executive Manager Corporate & Community Services
- Deputy Chief Executive Officer
- Christine Bean, Community Relations Coordinator, Tronox Management Pty Ltd

#### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

#### POLICY IMPLICATIONS

Changes will be to the following Policy 1.6 Community Grants Program

3. *Funding will be deemed ineligible for the following:*

- a) *applications that are eligible for the Shire of Dandaragan / Tiwest Fund or CSRFF; and*
- i) *for applicants to carry out forward planning strategies of sporting clubs and community organisations.*

#### FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 3: Strong and Connected Community</i>	
<b>Objectives</b>	<b>How the Shire will contribute</b>
3.4 Support community-led initiatives e.g. Community owned assets and visual art	a) Provide community grant program, set at a percentage of rates and reviewed four yearly in the Corporate Business Plan

ATTACHMENTS

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

- Original Shire of Dandaragan Policy 1.6 Community Grants Program (Doc Id: 87096)
- Shire of Dandaragan Policy 1.6 Community Grants Program showing changes (Doc Id: 87888)

**(Marked 9.3.3)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**


**Moved Cr Gibson, seconded Cr Kulisa**

**That Council amend Shire of Dandaragan Policy 1.6 Community Grants Program, prior to the opening of the 2017 / 2018 Community Grants Program, to reflect the following changes:**

- 1. annual Grants Guideline 3.a. to read “applications that are eligible for the Shire of Dandaragan / Tronox Management Fund or CSRFF” instead of “applications that are eligible for the Shire of Dandaragan / Tronox Fund or CSRFF;**
- 2. annual Grants Guideline 3.i. to read “applications for any activity deemed to be a component of a wider project that will ultimately result in a durable item” instead of “for applicants to carry out forward planning strategies of sporting clubs and community organisations”; and**
- 3. add Annual Grants Guideline 6. “writing, assistance with writing, or preparation of, planning or strategic documents is eligible for funding under this policy.**

**CARRIED 8 / 0**

### 9.3.4 TURQUOISE COAST VISITORS CENTRE BUSINESS PLAN (2016 -2021)

Location:	NA
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Economic Development / Industries / Tourism
Disclosure of Interest:	Nil
Date:	13 March 2017
Senior Author:	Tony Nottle, Chief Executive Officer
Signature of Senior Author:	

#### PROPOSAL

For Council to receive the Turquoise Coast Visitors Centre Business Plan (the Plan) and establish a Visitors Centre Working Group to assist with the review and further development of the Plan to promote the Turquoise Coast Visitors Centre (TCVC) service, brand and initiatives.

#### BACKGROUND

In April 2016, the Shire of Dandaragan, through the TCVC, was successful in obtaining a \$17,573 grant from Tourism Western Australia in their 'Regional Visitor Centre Sustainability Grant through Royalties for Regions' program.

The TCVC's grant engaged the services of a suitable consultant to develop a Plan, operating model and constitution.

At Council's Forum held on the 23 February 2017, Kim Hewson from Economic Transitions presented the draft Plan. The Plan included a number of recommendations and goals to meet over the ensuing five year period.

#### COMMENT

The brief for the report was to identify best-practice visitor centre management models and establish a plan moving forward of tasks to be completed and projects to be implemented at the TCVC in both short term and long term schedules.

The points raised are suggestions only and there are no firm requirements for any or all the items to be implemented. The time frames for implementation are also negotiable and can be amended depending on the operational requirements, staffing and financial position of the visitor centre. Some suggestions have already been implemented or are in the process of being put into action.

In considering this report, some items for more detailed discussion have been identified by Shire staff and executives and the implications of their potential implementation are noted. Within the Plan, key areas were discussed with recommendations surrounding the following topics:

- establishment of an Incorporated Association;
- staffing arrangements;



<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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- future opportunities;
- changing the name of the centre to 'Jurien Bay Visitor Centre';
- consideration of rationalisation of the current library space;
- KPI's for TCVC staff;
- operations; and
- business goals.

During the development of this report, it is understood that the imminent release of a Strategic Plan from the State Library Board of WA may impact on some of the business goals of the Plan.

Council once again discussed the Plan at its Forum held on the 9 March 2017. The CEO was requested to present the report to Council at the next available meeting for consideration. Council also discussed the need for a more inclusive working party to assist Council moving forward in the delivery of tourism services via the TCVC.

Council may wish to implement elements of the Plan over time however, it is recommended that a TCVC Working Party be established to work with key staff to develop the Plan further.

Ideally, such a working party would consist of the following representation:

- 2 x Councillors
- 2 x community representatives
- 2 x business representatives
- 1 x Department of Parks & Wildlife representative

The Working Party would establish and present a Terms of Reference to Council for endorsement, and continue to work to achieve outcomes in accordance with those Terms of Reference.

#### CONSULTATION

- Council via Council Forum
- Economic Development Coordinator

#### STATUTORY ENVIRONMENT

There are no statutory implications in relation to this item.

#### POLICY IMPLICATIONS

There are no policy implications in relation to this item. However, the Plan may suggest a direction that Council may wish to consider in a policy at a future time.

#### FINANCIAL IMPLICATIONS

There is sufficient budget available for the costs of the writing of the Plan. Implementation of the Plan would be subject to budget consideration in future budgets.

#### STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017</b>
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<i>Goal 1: Great place for residential and business development</i>	
Objective	How the Shire will contribute
1.5 Facilitate 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 c) Expand and improve the visitors' centres network

**ATTACHMENTS**

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

- Turquoise Coast Visitor Centre Business Plan 2016 - 2021 (Doc Id: 79720)  
**(Marked 9.3.4)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION 1 / COUNCIL DECISION**

Moved Cr Slyns, seconded Cr Kulisa

That Council acknowledge and receive the Turquoise Coast Visitor Centre Business Plan (5 Year Plan) 2016 - 2021 Doc ID: 79720.

**CARRIED 8 / 0**

**COUNCIL DECISION**

Moved Cr Gibson, seconded Cr Kulisa

That Council agree to suspend standing orders.

**CARRIED 8 / 0**

Discussion took place on the possible Council Representatives for the working group, with Councillors Kulisa, Scharf and Slyns expressing an interest. A Ballot was undertaken which resulted in Councillors Scharf and Slyns being elected, with Councillors Kulisa and Gibson being proxies.

**COUNCIL DECISION**

Moved Cr McGlew, seconded Cr Gibson

That Council agree to resume standing orders.

**CARRIED 8 / 0**

**OFFICER RECOMMENDATION 2 / COUNCIL DECISION**

Moved Cr Richardson, seconded Cr Sheppard

That Council:

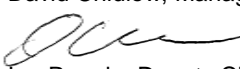
1. Agree to establish a Turquoise Coast Visitor Centre Working Group to establish an appropriate Terms of Reference to be presented to Council by 31 May 2017 to

- further review and develop the Turquoise Coast Visitor Centre Business Plan (5 Year Plan) 2016-2021 to provide support to the Turquoise Coast Visitor Centre service.
2. Agree that the newly established Turquoise Coast Visitor Centre Working Group consist of:
    - a. 2 x Councillor representatives, those being:
      - i. Cr Slyn, (Proxy Cr Kulisa)
      - ii. Cr Scharf, (Proxy Cr Gibson)
    - b. 2 x community representatives
    - c. 2 x business representatives
    - d. 1 x Department of Parks & Wildlife representative
 Request the CEO to advertise for the vacant community and business representatives.

CARRIED 8 / 0

## 9.4 DEVELOPMENT SERVICES

### 9.4.1 PROPOSED DANGEROUS GOODS (JET- A FUEL) STORAGE CONTAINER, JURIEBAY AIRPORT

Location:	Jurien Bay Airport
Applicant:	Shire of Dandaragan
File Path:	Business Classification Scheme / Traffic and Transport / Service Provision / Airports and Landing Facilities
Disclosure of Interest:	None
Date:	8 March 2017
Author:	David Chidlow, Manager Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

For Council to consider an application for installation of dangerous goods (Jet- A) fuel storage container at the Jurien Bay Airport to support the Emergency Rescue Helicopter Service.

#### BACKGROUND

The Department of Fire and Emergency Services submit the following request;

*We are looking to place an 8ft, fully bunded, Dangerous Goods (DG) container at the Jurien Bay airport. These containers would be used to store 4 – 200 litre drums of JET- A fuel to support the rescue helicopters operations in the region. We currently store our fuel with one of the airport tenants, however DFES would like to provide additional safety and security of the jet fuel with the placement of the DG container. The container would be padlocked, however we have in place operational agreements with the WA Police Air Wing, as well as our DFES Helitak / fire-fighting helicopters that would also have access to the fuel if needed.*

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

*As shown in the attached sample photos, the container has a bunded capacity of over 1,000 litres which would provide additional protection from environmental contamination. The containers are also compliant with Australian Standard 1940 for the safe storage of flammable and combustible liquids, and ensures the necessary fire protection requirements for fuel storage. Also as shown in the picture, we will place signage with the phone number contact in case anyone needs to notify us of any issues with the DG container.*

*The location at the airport we are looking to place the container is right next to the current fuel storage area (please see attached photo). This ensures the necessary 3m clearance from any vegetation and buildings. Additionally, all aviation emergency services are already familiar with this location, as well as providing quick and easy access to the fuel.*

*As part of the process, we request formal written approval from the Shire, prior to us arranging transport for the DG container. We greatly appreciate your assistance in supporting the Emergency Rescue Helicopter Service.*

Photographs of the proposed dangerous goods container and proposed location are provided in the attachments.

#### COMMENT

The proposed container will be located adjacent to the existing fuel storage facility at the airport. The container will be located on the western side of the existing facility and further distance from the runway.

At present fuel is stored in a nearby hanger. Having a dangerous goods container to store the fuel is a better outcome than the existing arrangements.

#### CONSULTATION

Nil

#### STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- Dangerous Goods Safety Act 2004
- Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007

#### POLICY IMPLICATIONS

There are no local policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

#### STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

<i>GOAL 5: Proactive and Leading local Government</i>	
<b>Objectives</b>	<b>How the Shire will contribute</b>
5.6 Implement sound corporate governance and risk management	g) Manage risk

### ATTACHMENTS

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

- Images of Dangerous Goods container (Doc Id: 87912 & 87914)
- Site Plan (Doc Id: 87915)

**(Marked 9.4.1)**

### VOTING REQUIREMENT

Simple majority

### OFFICER RECOMMENDATION / COUNCIL DECISION

**Moved Cr Gibson, seconded Cr Scharf**

**That Council grant approval to the Department of Fire and Emergency Services to install dangerous goods (Jet - A) fuel storage container at the Jurien Bay Airport on Reserve 35408 subject to the following conditions:**

- 1. All development shall be in accordance with the attached plans subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government.**
- 2. A minimum separation distance of 45 metres being provided between the fuel trailer and the centreline of the airport runway.**
- 3. The storage and handling of the fuel being conducted in accordance with Australian Standard 1940-2004 or any update applying to the same.**
- 4. Measures being taken to avoid or at least minimize the potential for groundwater and / or stormwater contamination resulting from this facility.**
- 5. A fire response plan being approved by the Shire's Community Emergency Services Coordinator.**

### **Advice Notes:**

**Note 1: Refuelling equipment is to be managed in accordance with the *Dangerous Goods Safety Act 2004* and the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*.**

**Note 2: Quality and dispersing of fuel is the responsibility of the equipment owner. Refuelling aircraft is the pilots' responsibility in accordance with Civil Aviation Order (CAO) 20.9.**

**Note 3: In relation to Condition 4 above, please find attached relevant Water Quality Protection Notes.**

- Note 4:** In relation to Condition 5 above, the fire response plan may influence the location of the Container. Any fire response plan prepared for the container should be referred to the Community Emergency Services Coordinator (9652 0800) for consideration and approval.
- Note 5:** If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- Note 6:** Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- Note 7:** The applicant be advised that in the event of any future changes to the airport layout and design, the applicant may be required at their own cost to relocate the DG container onsite.
- Note 8:** 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

#### 9.4.2 THIS ITEM WAS DEALT WITH ON PAGE 10

### 9.5 COUNCILLOR INFORMATION BULLETIN

#### 9.5.1 SHIRE OF DANDARAGAN – FEBRUARY 2017 COUNCIL STATUS REPORT

Document ID: 87410

Attached to the agenda is a copy of the Shire’s status report from the Council Meeting held 23 February 2017. **(Marked 9.5.1)**

#### 9.5.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – MARCH 2017

Document ID: 87775

Attached to the agenda is a copy of the Shire of Dandaragan’s Executive Manager Infrastructure Report for March 2017. **(Marked 9.5.2)**

**9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – FEBRUARY 2017**

Document ID: 87549

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for February 2017. *(Marked 9.5.3)*

**9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – FEBRUARY 2017**

Document ID: 87188

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for February 2017. *(Marked 9.5.4)*

**9.5.5 VOLUNTEERING WA - NOMINATIONS ARE NOW OPEN FOR THE WA VOLUNTEER OF THE YEAR AWARDS 2017**

Document ID: 86449

*“Volunteers are the backbone of communities in cities and towns around our state, contributing \$39 billion to WA’s economy each year. Without the support of volunteers many of our community services and programs could not operate.*

*The WA Volunteer of the Year Award is a wonderful opportunity for you to recognise the organisations and / or individuals you know who generously give their time and dedication to make our communities better places to live.”*

This package was emailed to Councillors on 20 February 2017.

**9.5.6 JURIE BAY COUNTRY GOLF CLUB INC – RETICULATION PROJECT**

Document ID: 87065

“We refer to the Club’s presentation to Council of their 2016 Strategic Plan that outlined our intention to reticulate the course fairways in order to improve the golfing experience of both members and visitors. This is considered to be a medium to long-term project with the first phase being the sourcing of a good quality, reliable water supply.”

Attached to the agenda is the entire content of correspondence *(Marked 9.5.6)*

**9.5.7 DEPARTMENT OF TRANSPORT – FINANCIAL IMPACT OF DISCONTINUATION OF VEHICLE LICENCE CONCESSION**

Document ID: 86998

“The Department of Transport (DoT) advised in a letter dated 30 December 2016 that the vehicle licence concession currently offered to Western Australian Local Government Authorities (LGA) will be discontinued effective from 1 July 2017. DoT has since received a number of enquiries about the financial impact this will have on LGA vehicle fleets.”

Attached to the agenda *(Marked 9.5.7)* is the full content of this correspondence.

**9.5.8 HON BARNABY JOYCE MP – AUSTRALIAN SENATE INQUIRY**

Document ID: 87098

“We are writing to encourage you to get involved in an Australian Senate inquiry on the relocation of government bodies to regional areas. We believe the Senate committee would value your views on why areas outside big cities deserve jobs.

The inquiry will look at the operation, effectiveness and consequences of relocating corporate Commonwealth entities, as well as the economic, environment and capability implications. Inquiries such as this are an important mechanism for you to present your Council’s views to Parliament and have them placed on the public record.”

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

**9.5.9 WALGA – ROADWISE ROAD SAFETY NEWLETTER – FEBRUARY 2017 – ISSUE 26**

Document ID: 87093

In this issue:

- Farewell Andrea Smithson
- Are You Participating in the 2017 *Blessing of the Roads* Campaign?
- Child Car Restraint Update
- City of Swan Asks Locals: “How Safe is Your Car?”
- Tenterden Top-Up Coffee Stop: First Year Proves Rewarding
- Choose Your Ride in Northam
- Corrigin Movie Club Puts Road Safety on the Big Screen
- WALGA’s RoadWise Joins National Road Safety Partnership Program (NRSPP)
- Government Announces Latest Road Safety Community Grants Recipients
- Road Safety Commission (RSCom) Launches Monthly eNewsletter
- 2017 Australasian Road Safety Conference – Call for Abstracts
- Busy Brain Syndrome – The Root Cause of Driver Distraction?

**9.5.10 WALGA – ENVIRONEWS – FEBRUARY 2017 – ISSUE 2**

Document ID: 87160

In this issue:

- Win for the Environment and its Volunteers
- *Omeo My-oh! Artificial Reefs Ohoy!*
- Save the Date: 2017 State NRM and Coastal Conference
- Environmental Planning Tool Training
- Mindarie Regional Council Earth Carer Program
- Healthy Wildlife = Healthy Communities
- Improving the Quality of the Runoff to the River Collie
- *Carpobrotus* Conundrum
- Information and Tools for Coastal Adaption
- Funding for Waterwise Verges
- A Global Compendium of Weeds



Events and funding opportunities

- Upcoming Events
- Funding Opportunities

**9.5.11 ALGA – 2017 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – CALL FOR MOTIONS**

Document ID: 87172

“The Australian Local Government Association (ALGA) is the nation peak advocacy body for local government. ALGA’s work includes but is not limited to the establishment of nation policy and extensive liaison and lobbying with departments. Ministers and other parliamentarians at the Commonwealth level to achieve better outcomes for local councils.

The 2017 National General Assembly of Local Government (NGA), to be held in Canberra from 18 – 21 June. On behalf of AGLA Board I am writing to invite your council to participate in the 2017 NGA by submitting a notice of motion”.

**9.5.12 WALGA – WASTE NEWS – 24 FEBRUARY 2017 – ISSUE 26**

Document ID: 87305

In this issue:

- Get Waste Certified Now
- Tyre’s yet?
- Container Deposit Scheme Stretch
- Mattress Migration

**9.5.13 WALGA – LOCAL GOVERNMENT NEWS – 17 FEBRUARY 2017 – ISSUE 6**

Document ID: 87015

In this issue:

- Local Sports Stars Program
- Vehicle Licence Fee Concessions
- Training
- Accessible Voting for Eligible Electors
- Workshop on Outdoor Fitness Areas
- ACROD Parking Training
- National Plan to Reduce Violence Against Women and Their Children
- Amendments to Public Building Regulations
- Amendment to Building Act

**9.5.14 WALGA – LOCAL GOVERNMENT NEWS – 24 FEBRUARY 2017 – ISSUE 6**

Document ID: 87304

In this issue:

- Local Area Traffic Management Cycling Guidelines – Open for Comment
- Boards and Committees Updates
- Training
- Updated Guidelines for Planning in Bushfire Prone Areas
- 2017 State Regional Arts Conference

**9.5.15 DLGC – AGE-FRIENDLY COMMUNITIES GRANTS PROGRAM EVALUATION**

Document ID: 87317

“In 2016, in consultation with the Age-friendly Interagency Group, the Department of Local Government and Communities commenced work to evaluate the Age-friendly Communities Local Government Grants Program. Local governments, including those that have not accessed grants through the program, may be contacted by the University of Western Australia to participate in the evaluation.”

**9.5.16 WALGA – PROCUREMENT NEWS – FEBRUARY 2017 – ISSUE 2**

Document ID: 87433

In this issue:

- Procurement Network Forum
- WA Local Government Convention & Trade Exhibition
- Plant Machinery Equipment
- Engineering Services Panel
- Energy Services
- Local Sport Star Program
- WALGA Tax Service 2017 FBT Workshop
- Town Planning Services
- Metropolitan Library Courier Service
- Workwear and Personal Protective Equipment
- Parks and Gardens
- Financial Services
- Data Data Data, Get You Hot Data
- Preferred Supplier Update

**9.5.17 DEPARTMENT OF REGIONAL DEVELOPMENT – EVALUATION OF THE ROYALTIES FOR REGIONS’ COUNTRY LOCAL GOVERNMENT FUND**

Document ID: 87345

A copy of the Department of Regional Development – Evaluation of the Royalties for Regions’ Country Local Government Fund is available on request.

**9.5.18 CENTRAL WEST COAST SENIOR CITIZEN’S ASSOCIATION INC**

Document ID: 87323

CWCSCA Inc. has written enquiring as to whether a shelter can be installed at the bus stop near the Caltex Garage. Most of the users of the bus are in the senior age group and it would be great if there was somewhere for people to sit out of the weather while waiting.

**9.5.19 WALGA – LOCAL GOVERNMENT NEWS – 3 MARCH 2017 – ISSUE 8**

Document ID: 87594

In this issue:

- Vehicle Concession Cut Campaign
- WALGA Divestment Position

- EPA Briefing Session: Navigating the Environmental and Planning Approvals Process
  - Seeking Comments: WALGA Public Health Survey
  - Blessing of the Roads Campaign
  - Training
  - Community Heritage and Icons Grant Program
  - Festivals Australia Grant Program
  - Off-road Vehicles Workshop
- Mailbag:
- INFOPAGE: Blessing of the Roads Campaign

**9.5.20 DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES – LICENSING CONCESSIONS FOR HEAVY VEHICLE FLEET**

Document ID: 87629

Local Government Minister Paul Miles confirms heavy vehicles to continue receiving licensing concessions.

- Concessions will benefit local governments, regional, rural and metro communities.

Attached to the agenda is the entire content of the email received from the Minister. **(Marked 9.5.20)**

**9.5.21 WALGA – VACANCY – LOCAL HEALTH AUTHORITIES ANALYTICAL COMMITTEE**

Document ID: 87638

Nominations for the above position (1 Metropolitan and 1 non Metropolitan Member) are now open closing Monday 10 April 2017 at 5pm. For further details about the committee contact Trevor Chapman on 6304 2014 or via email [t.chapman@ecu.edu.au](mailto:t.chapman@ecu.edu.au).

**9.5.22 WALGA MEDIA RELEASE – VEHICLE CONCESSIONS REQUIRED ACROSS FLEET**

Document ID: 87659

A claim by some Liberal candidates that heavy vehicles would now be excluded from licence concession cuts is insufficient and will still deliver an unacceptable impact on Councils and their communities.

Attached to the agenda is the full content of the Media Release. **(Marked 9.5.22)**

**9.5.23 WALGA – WASTE NEWS – 10 FEBRUARY 2017 – ISSUE 27**

Document ID: 87757

In this issue:

- The W&R Crown Affair
- Vehicle Concession Cut Campaign
- Bicycle Reuse for Humanity
- Seeking Comments: WALGA Public Health Survey

**9.5.24 WALGA – LOCAL GOVERNMENT NEWS – 10 MARCH 2017 – ISSUE 9**

Document ID: 87759

In this issue:

- Natural Disaster Relief and Recovery Arrangements

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2017**

- Training
- Vacancies on Boards and Committees
- Community Alert: Tomato Potato Psyllid Pest
- Workshop for Local Government Pool Inspectors

**9.5.25 STABLE FLY ACTION GROUP – NEWSLETTER ISSUE 21**

Document ID: 87782

Attached to the agenda is newsletter from the Stable Fly Action Group. **(Marked 9.5.25)**

**9.5.26 KEY PROJECTS UPDATE**

Document ID: 78102

Attached to the agenda is Key Projects Update. **(Marked 9.5.26)**

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

Nil

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

Nil

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

Nil

**13 CLOSURE OF MEETING**

The presiding member declared the meeting closed at 5.52pm.

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

Signed .....

Presiding person at the meeting at which the minutes were confirmed

Date .....