



## **NOTICE OF AN ORDINARY COUNCIL MEETING**

The next Ordinary Meeting of the Dandaragan Shire Council will be held on **Thursday 27 April 2017** at the **Dandaragan Community Recreation Club, Dandaragan** commencing at **4.00pm**.

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

*The format for the day is as follows:*

- |                        |                                    |
|------------------------|------------------------------------|
| <b>10.30am</b>         | <b>Stable Fly Forum</b>            |
| <b>12.00 / 12.30pm</b> | <b>LUNCH</b>                       |
| <b>3.00pm</b>          | <b>Agenda Briefing Session</b>     |
| <b>4.00pm</b>          | <b>Ordinary Meeting of Council</b> |
| <b>5.00pm</b>          | <b>Public Forum</b>                |

A handwritten signature in blue ink, appearing to read "Tony Nottle", is positioned above the printed name.

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

20 April 2017



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

**AGENDA AND BUSINESS PAPERS**

for the

**ORDINARY COUNCIL MEETING - PUBLIC**

to be held

**AT THE DANDARAGAN COMMUNITY RECREATION CLUB**

on

**27 APRIL 2017**

**COMMENCING AT 4.00PM**

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



## ORDINARY COUNCIL MEETING

**27 APRIL 2017**

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

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

<b>DAY</b>	<b>DATE</b>	<b>TIME</b>	<b>MEETING VENUE</b>
Thurs	27 April 2017	4.00pm	Dandaragan
Thurs	25 May 2017	4.00pm	Jurien Bay
Thurs	22 June 2017	4.00pm	Jurien Bay
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

Public Forums commence immediately following the closure of the Council Meeting which is generally about 5.00pm.

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

**BY ORDER OF THE COUNCIL**

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



## **DISCLAIMER**

### INFORMATION FOR THE PUBLIC ATTENDING A COUNCIL MEETING

**Please note:**

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

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

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

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



## COUNCIL MEETING INFORMATION NOTES

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

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

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

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

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

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

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

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

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

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

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

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

### **NOTE:**

### 10.3 Unopposed Business

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

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

## SHIRE OF DANDARAGAN QUESTIONS FROM THE PUBLIC

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

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

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

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

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

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

We hope this note assists you in the asking of your question and thank you for your interest and participation in the affairs of our Shire.

SHIRE OF DANDARAGAN

QUESTIONS FROM THE PUBLIC

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

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

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

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

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

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

**QUESTION:**

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

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

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



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

**NAME OF PERSON MAKING DISCLOSURE**

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

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

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

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

Council Meeting:                      Yes                      No                      (Please  
Circle)

or

Committee Meeting:                      Yes                      No                      (Please  
Circle)

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

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

Nature and Extent of Financial Interest:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of Person Making Disclosure:

\_\_\_\_\_

Signature of Staff Recording Financial Interest:

\_\_\_\_\_

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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

### 1.1 DECLARATION OF OPENING

### 1.2 DISCLAIMER READING

*"No responsibility whatsoever is implied or accepted by the Shire of Dandaragan for any act, omission, 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."*

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

### Members

Councillor L Holmes	(President)
Councillor D Slyns	(Deputy President)
Councillor W Gibson	
Councillor K McGlew	
Councillor J Kulisa	
Councillor M Sheppard	
Councillor P Scharf	
Councillor D Richardson	

### Staff

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

### Apologies

### Approved Leave of Absence

## 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Written responses were given to questions taken on notice at the Council Meeting held 23 March 2017 as follows:

Christine Brown asked the following questions:

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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 following response was provided to Christine Brown following the asking of the question at the Council Meeting of 23 March 2017.

- *There are a range of Production Systems employed within the Industry, including Free Range; Outdoor Bred Raised Indoor; and Indoor Housing. The Outdoor Bred Raised Indoor standard stipulates that the growing herd must be raised in a deep litter system (such as straw, rice hulls, etc). Indoor housing systems in most cases involve sheds with liquid effluent systems, however some indoor systems do incorporate a deep litter component.*
  - *Each production system comes with its own set of best management practices and there is recognition that each system has certain benefits along with certain challenges.*
  - *Westpork's proposal to use sheds with Electronic Sow Feeders, climate control systems, auto-sort technology is regarded as best practice.*
  - *There are currently 22 Biogas systems installed within the Australian Pork Industry, 100% of the system are on farms that are operate with sheds and liquid effluent systems. Research conducted by the Pork CRC demonstrated that although it was not impossible, there are technical issues associated with generating biogas from deep litter systems.*
  - *In many cases the principle driver behind a Biogas investment is power requirements associated with feed milling or the displacement of diesel powered generators in isolated rural areas. Facilities near reliable power supplies or straight piggery operations with relatively low power usage struggle to make Biogas commercially viable.*
  - *It was Westpork's intention to present a proposal that incorporated a Biogas system. The use of sheds, the inclusion of a pull plug effluent system as opposed to a flushing system were features incorporated into the design of this development to better enable a Biogas development within the effluent system.*
  - *The Biogas proposal involved a commercial power company building, owning, and operating the Biogas plant, selling power to Westpork along with exporting power off site. Unfortunately, the Federal Government changed ARENA's (Australian Renewable Energy Agency) funding mechanism. This altered the economics of the project to the extent that constructing a Biogas plant at the proposed piggery was not commercially viable, forcing the power company to withdraw from the project.*
  - *Should the economics associated with Biogas become viable for this site. It would be Westpork's intention to revisit the issue, with the view that we seek the necessary approvals from both the Department of Environment Regulation and the Shire of Dandaragan to incorporate a biogas system into the process.*
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 following response was provided to Christine Brown following the asking of the question at the Council Meeting of 23 March 2017.

- *Westpork has sought to engage and will continue efforts to reach out to people within the local community to better understand their concerns and needs in this process.*
- *To this end Westpork remains willing to meet with people to better understand their concerns and to discuss the logic of what Westpork has put forward.*
- *A key part of any development is the consultation process which we are currently going through. Projects like ours are advertised with the view that the application is scrutinized by local stakeholders, and people are invited to make submission on the application. This information feeds back into the regulatory framework, so the necessary controls on the development can be considered during the planning authority assessment process, to protect the environment and minimize disturbance to stakeholders. Alternatively, if the consultation process brings forward a deficiency in the application, then consideration needs to be made to amend or alter part of the application to address this deficiency.*

Kevin McLean asked the following questions:

1. 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 following response was provided to Kevin McLean following the asking of the question at the Council Meeting of 23 March 2017.

- *Several techniques can be utilized to desludge anaerobic ponds. Ponds can be desludged using vacuum tankers, sludge pumps on the pond bank, sludge pumps on floating pontoons, miniature dredges, long-reach excavators, swamp dozers and other methods. The technique chosen by Westpork for desludging appropriate for the volume of material that accumulates in the pond will be decided prior to each desludging event. It is in the best interests of Westpork not to damage the liner as this would be a financial expense and also stop operations.*
- *Westpork has extensive experience with piggery operations and routinely conducts desludging operations. To date there is no evidence of liners being damaged because Westpork ensures that ponds which require desludging are constructed with thick clay liners and appropriate equipment is used in the desludging process.*
- *Groundwater bores will be installed around effluent ponds and groundwater monitored in accordance with the requirements of the license.*
- *Groundwater monitoring will identify any changes to groundwater quality and enable Westpork to assess if there has been a breach to the liner.*
- *The affected pond would be taken offline immediately and the clay liner fixed and compacted to geotechnical standards for engineered barriers.*
- *The groundwater monitoring results and any breach of the liner would be*

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*reported to DER as required by the licence.*

2. 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 following response was provided to Kevin McLean following the asking of the question at the Council Meeting of 23 March 2017.

- *Westpork has been successfully operating one of its sites for over 30 years, with no plans to leave that site. This investment is a long-term investment for the company and in the community of Moora/Dandaragan.*
- *Westpork's preferred business model is not to directly farm the surplus land surrounding its piggery development. Westpork looks to partner with a local farmer, who by in large have adjoining properties and the local knowledge on farming systems in the area.*
- *Westpork has agreed to lease back the property to the previous owners who will operate and manage the farm to the same standard as they have always done. In the event this relationship is discontinued sometime in the future, Westpork would seek interest from its immediate neighbors on whether they would like to farm the land.*
- *This process is designed to ensure the surrounding land is well managed, by local people and in accordance with good farming practices.*

Norm Yukich asked the following questions:

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 following response was provided to Norm Yukich following the asking of the question at the Council Meeting of 23 March 2017.

- *Westpork in its reply to this question is not intending to further upset Mr. Yukich or his family, but to outline its understanding in relation to this question. After Westpork's most recent telephone discussion, Westpork believes Mr. Yukich will dispute its reply.*
- *Prior to agreeing to purchase its property, Westpork looked extensively throughout the region for a suitable property, this included Mr. Yukich's property. During the investigation of Mr. Yukich's property:*
  - *It was divulged that Westpork was looking for site to locate a large- scale piggery, capable of housing two to three modules with each module housing 2,800 sows, farrow to finish;*
  - *Potential sites on Mr. Yukich's property were canvassed, given separation distances between units, gravel and clay resources were pointed out;*
  - *Westpork put forward it was an operator of pigs, not a wheat/sheep farmer and would lease its surplus land to neighboring farmers. Mr. Yukich expressed an interest in leasing the property back on a long- term basis should a sale go though and nominated a proposed lease fee.*

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- *Mr. Yukich stated he had been farming in the region for a long period. He and his sons farmed at Gingin and Middle Swan, where his principle address was. It was Mr. Yukich who disclosed that fact that his principle address was at Middle Swan and in that process indicated that was where he spent the majority of his time.*
  - *Westpork did not place a formal offer on Mr. Yukich's property due to its concerns in relation to several technical issues associated with the property.*
  - *It is Westpork's belief that the proposal currently being assessed is identical to that outlined to Mr. Yukich as part of the investigation of his property. The exception being that it is now to be located on the neighboring property.*
  - *In relation to Mr. Yukich's assertion that he resides on his property for 8-9 months of the year, this information should be feedback as part of his submission. Westpork undertakes to notify the DER of this discrepancy in its application so that it can be considered as part of the Works Approval Process.*
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 following response was provided to Norm Yukich following the asking of the question at the Council Meeting of 23 March 2017.

- *The decision to locate the Module 1 was driven in part by Westpork's understanding of the representation Mr. Yukich made when looking to sell his property and its desire to have separation between the two units for disease and biosecurity purposes.*
  - *The recommended buffer distance is offered as a guideline to prevent adverse impacts due to odour and/or noise. The buffer relates primarily to the key sources for odour and noise which are the sheds and effluent treatment system. The burial pit is a minor source of odour and on its own, the buffer zone is considerably less than 1.9km.*
  - *Considering the information provided by Mr. Yukich in the previous question consultation with Mr. Yukich and his family is required and/or an amendment to the application needs consideration. Westpork shall contact Mr. Yukich to work through this issue. As stated Westpork will also advise the DER of the change in position.*
  - *There are several potential solutions in regards the buffer distance including covering the anaerobic pond with an impermeable cover. Covering the anaerobic pond alone reduces the required buffer distance between the farm and Mr. Yukich's living facility to 1.5km.*
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 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

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 APRIL 2017**

forms a large lake. What practices have you got in place to ensure our property is not going to be affected?

The following response was provided to Norm Yukich following the asking of the question at the Council Meeting of 23 March 2017.

- *While noting the comment, there is little evidence of surface water flow (e.g. runnels or erosion scars etc.) on Lot 3616, the piggery property.*
- *Module one is located on a relatively high point on the property. The piggery complex will be constructed with a slight slope, north to south or from a practical perspective towards the effluent system. The purpose of this is to allow gravity to move the effluent to the pond system. This slope of the complex will direct water away from Mr. Yukich's property.*
- *The burial pit is designed to prevent surface water flowing into the pit or escaping from it so it is considered highly unlikely that it will result in off-site impacts.*

Philip Yukich asked the following question:

1. 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 following response was provided to Norm Yukich following the asking of the question at the Council Meeting of 23 March 2017.

- *In terms of normal farming practices, Westpork's experience is that it has had minimal impact on the commercial activity of the farmers surrounding its other operational piggeries.*
- *Due to the topography of the landscape modules have been placed higher in the landscape to allow gravity fed drainage to move effluent from piggery modules into lower lying effluent ponds and Westpork requirements to maintain a certain distance between modules.*

Norma Crommelin asked the following question:

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

The following response was provided to Norma Crommelin following the asking of the question at the Council Meeting of 23 March 2017.

*The owners of Lot 256 Zendora Road have been approached in relation to the shipping containers currently located on the lot.*

*The containers are used to store furniture from their metropolitan dwelling as they are preparing to construct a dwelling on the lot.*

*The matter of a shipping container used as a site office or storage facility for the duration of a current building permit was discussed, and as they do not have a current building permit the owner has been advised to relocate the shipping containers, or to apply for planning and building approval to establish the containers with structural modifications to become a shed.*

*As a shed the containers will require tie-down footings and stormwater collection and protection measures.*

*During the planning approval process the aggregated shed areas will be taken into account to ensure that the Shed Policy is applied in accordance with the allowable aggregate shed floor areas for Alta Mare.*

*Lot 257 Zendora Road started as unauthorised work, but after Council's approach a planning approval application and a building permit application was lodged for approval. The structure is a shed with an engineer designed roof connecting the two structures to create one large shed.*

*The planning approval and the building permit have ensured that the structure performs as the requirements for a normal shed building.*

*The planning approval was granted as delegated authority as the building is less than the maximum allowable floor area for sheds in Alta Mare, as permitted by the Local Area Planning Scheme, and a building approval was granted on March 3<sup>rd</sup> 2017 with conditions to be met for the structure.*

*Other similar discoveries of shipping containers on lots within the area are also being pursued with the same purpose.*

*The matter of the original purpose for a shipping container is changeable if an applicant can demonstrate that the final structure performs as a building of the same building classification in accordance with the minimum requirements of the Building Code of Australia. Under these conditions once the requirements of the Building Code have been satisfied a building permit cannot be refused.*

Sean Brown asked the following questions:

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 following response was provided to Sean Brown following the asking of the question at the Council Meeting of 23 March 2017.

*This matter is covered in the Works approval to the Department of Environment Regulation The works application report states - Exposed pig carcasses are known to attract feral animals and can also cause odour problems. Nutrients and bacteria from the decomposing carcasses can leach into the groundwater if the base of the burial pit is not sufficiently separated from the water table or if the base of the burial pits is not appropriately sealed. 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. Regular visual inspection of the burial pit will be undertaken to check for exposed carcasses. Contingency measures will be undertaken if required.*

#### **5.4.5 Contingency Measures**

*Should pig carcasses be exposed by scavenging feral animals, Westpork will place a thicker soil cover over the burial pit.*

#### **5.4.6 Targets and Limits**

*No exposed pig carcasses on the ground surface.*

#### **5.4.7 Environmental Risk**

*Following the implementation of management measures the risk to groundwater is low.*

Shane Nixon asked the following questions:

1. How will smell of piggery affect the value of the land?

The following response was provided to Shane Dixon following the asking of the question at the Council Meeting of 23 March 2017.

*This question cannot be answered. Developers may be attracted to the area for more intensive land uses which may increase values, equally, there may be a devaluation due to a piggery nearby or there may be no change.*

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)

The following response was provided to Shane Dixon following the asking of the question at the Council Meeting of 23 March 2017.

*The only potential impacts that can be varied by operating hours are noise, manure spreading and desludging. The applicant has demonstrated that noise will not impact on surrounding land owners. Scheduling of manure spreading and desludging will be carried out taking into account weather conditions and potentially involve discussions with neighbouring properties.*

3. What contingency plans are in place for

The following response was provided to Shane Dixon following the asking of the question at the Council Meeting of 23 March 2017.

- Interruption to electricity supply – *none that the Shire is aware of.*

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 APRIL 2017**

- Loss of water supply – *the Department of Water (DoW) have allocated sufficient water resources to the developer.*
- Disease outbreaks – *these are covered in standard procedures as set out by health and agriculture department guidelines*
- Interruptions to feed supplies, transport and abattoir operations *These are management issues for the Piggery*
- Effluent system overflow or escape? *These are covered in the works approval and it is expected in the Department of Environment Regulation (DER) licencing.*

**4 PUBLIC QUESTION TIME****5 APPLICATIONS FOR LEAVE OF ABSENCE****6 CONFIRMATION OF MINUTES****6.1 MINUTES OF THE ORDINARY MEETING HELD 23 MARCH 2017.****7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Presentation of National Medal to Mr Richard William ALLEN for long and dedicated service as a Volunteer Fire Fighter and St John's Ambulance volunteer.

**8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS****9 REPORTS OF COMMITTEES AND OFFICERS**

## 9.1 CORPORATE & COMMUNITY SERVICES

### 9.1.1 ACCOUNTS FOR PAYMENT – FEBRUARY 2017

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	16 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 accept the cheque, EFT and direct debit listing for the month of February 2017.

#### BACKGROUND

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

#### COMMENT

The cheque, electronic funds transfer (EFT) and direct debit payments for February 2017 totalled \$1,654,382.99 for the Municipal Fund.

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

#### CONSULTATION

- Chief Executive Officer

#### STATUTORY ENVIRONMENT

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

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

#### STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

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<i>Goal 5: Proactive and leading local government</i>	
BUSINESS AS USUAL	k) Finance

**ATTACHMENTS**

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

- Cheque, EFT and direct debit listings for February 2017 (Doc Id: 88003 )

***(Marked 9.1.1)***

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

**That the Municipal Fund cheque and EFT listing for the period ending 28 February 2017 totalling \$1,654,382.99 for the Municipal Fund be accepted.**

### 9.1.2 ACCOUNTS FOR PAYMENT – MARCH 2017

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	12 April 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 accept the cheque, EFT and direct debit listing for the month of April 2017.

#### BACKGROUND

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

#### COMMENT

The cheque, electronic funds transfer (EFT) and direct debit payments for April 2017 totalled \$2,166,533.32 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the March 2017 Accounts for payment, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting, in order that research can be undertaken and details provided either at the time of the query or at the meeting.

#### CONSULTATION

- Chief Executive Officer

#### STATUTORY ENVIRONMENT

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

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

#### STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<b>AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 APRIL 2017</b>
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<i>Goal 5: Proactive and leading local government</i>	
BUSINESS AS USUAL	k) Finance

**ATTACHMENTS**

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

- Cheque, EFT and direct debit listings for March 2017 (Doc Id: 89091)

***(Marked 9.1.2)***

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

**That the Municipal Fund cheque and EFT listing for the period ending 31 March 2017 totalling \$2,166,533.32 for the Municipal Fund be accepted.**

### 9.1.3 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 28 FEBRUARY 2017

Location:	Shire of Dandaragan
Applicant:	N/A
Folder:	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	19 April 2017
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To table and adopt the monthly financial statements for the period ending 28 February 2017

#### BACKGROUND

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 28 February 2017.

#### COMMENT

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

##### 1. Net Current Assets

Council's Net Current Assets [i.e. surplus / (deficit)] position as at the 28 February 2017 was \$3,854,699. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves and Restricted Assets. The current position indicates that Council can easily meet its short-term liquidity or solvency.

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

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

##### 2. Material Variances

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

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 APRIL 2017**

Economic Services

Income is at 110% and is due to a Regional Visitor Centre Sustainability grant.

Expenditure is at 80% of Y-T-D budget and is due to less than budgeted expenditure on tourism as well as less than budgeted employee costs.

Other Property and Services

Expenditure is at 151% and is due to overhead and plant on-cost allocations. This is generally a timing issue and is a result of actual costs being incurred inconsistently throughout the year, but being applied consistently through the wages process. This is a non-cash item and is monitored continuously.

Should Councillors wish to raise any issues relating to the 28 February 2017 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and leading local government</i>	
BUSINESS AS USUAL	k) Finance

ATTACHMENTS

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

- Financial statements for the period ending 28 February 2017 (89257)

**(Marked 9.1.3)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION**

**That the monthly financial statements for the period 28 February 2017 be adopted.**

### 9.1.4 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 MARCH 2017

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	19 April 2017
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 March 2017

#### BACKGROUND

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 31 March 2017.

#### COMMENT

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

#### 3. Net Current Assets

Council's Net Current Assets [ie surplus / (deficit)] position as at the 31 March 2017 was \$2,968,909. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves and Restricted Assets. The current position indicates that Council can easily meet its short-term liquidity or solvency.

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

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

#### 4. Material Variances

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

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 APRIL 2017**

Economic Services

Expenditure is at 82% of Y-T-D budget and is due to less than budgeted expenditure on tourism as well as less than budgeted employee costs.

Other Property and Services

Expenditure is at 165% and is due to overhead and plant on-cost allocations. This is generally a timing issue and is a result of actual costs being incurred inconsistently throughout the year, but being applied consistently through the wages process. This is a non-cash item and is monitored continuously.

Should Councillors wish to raise any issues relating to the 31 March 2017 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and leading local government</i>	
BUSINESS AS USUAL	k) Finance

ATTACHMENTS

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

- Financial statements for the period ending 31 March 2017 (89273)

**(Marked 9.1.4)**

VOTING REQUIREMENT

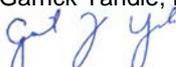
Simple majority

**OFFICER RECOMMENDATION**

**That the monthly financial statements for the period 31 March 2017 be adopted.**

## 9.2 INFRASTRUCTURE SERVICES

### 9.2.1 BUDGET AMENDMENT – BASHFORD STREET CAPITAL RENEWAL PROJECT

Location:	Bashford Street, Jurien Bay
Applicant:	Garrick Yandle, Executive Manager Infrastructure
Folder Path:	Business Classification Scheme / Financial Management / Budgeting / Capital Works
Disclosure of Interest:	Nil
Date:	18 April 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 planning and development of the *Jurien Bay Town Centre Revitalisation Project Business Case*.

#### BACKGROUND

Planning and design works for the Bashford Street capital renewal have been outlined in the 2016/17 Council Budget. Planning and design works include the following:

- Update Concept Design to Preliminary Design
- Liaison with regulatory authorities
- Design specifications
- Project Cost Estimate and Budget development
- Identify potential funding sources
- Design report.

Planning for the upgrade to Bashford Street, and the associated town centre, in Jurien Bay has been in progress for a number of years. During this time the Jurien Bay community has undergone numerous rounds of community consultation under the guise of differing descriptonal titles, as part of the associated planning. These include:

- Foreshore Management Plan (1999)
  - Prior to existing Dobbyn Park Development
  - Identified possible “new jetty” and upgrade to activate foreshore (with Norfolk Island Pines as a key feature)
  - “There is scope to achieve the vision of Jurien Bay developing as an active and vibrant waterside town with the beach featuring much more prominently in the town design and character.” (Foreshore Management Plan 1999)
- Jurien Bay Foreshore Development Plan (2008) - UDLA
- Strategic Community Plan 2011-2021
  - 4 x Town Workshops + key agency and “backcasting” workshops
  - 5 Goals
    - Relevant Strategies:

- Progress Town Centre Strategy
- Develop Civic Precinct
- Infill Sewerage
- Continue Foreshore Development Area
- Coordinate Plan for Entrance Statements and coastal nodes
- Town Centre Strategy Workshops (2011)
  - 3 sessions held with a focus on:
    - Character of Jurien Bay
    - Role of the Town Centre
    - Opportunities, Challenges, Links & Relationships
  - “Activation of the foreshore & public realm”
- Supertowns Growth Plan & Workshops (2011 & 2012)
  - Regional planning document focusing on Jurien Bay as a future Regional Centre
  - Ambitious growth plan for a population of up to 20,000 residents and identified trigger points for key infrastructure
  - Identified 3 x priority projects:
    - Residential Aged Care
    - City Centre Enhancement Project (included Bashford Street and Infill Sewer)
    - Industry Development Planning
- Bashford Street; Streetscape Upgrade Concept (Cardno, February 2014)
  - Concept Details
    - Town Centre Strategy
    - Town Entry Landscape
    - Town Centre Approach
    - Town Centre
  - Consultation
    - Presented to Council
    - Written comments from Councillors
    - Technical review from officers
- Bashford Street; Streetscape Upgrade Concept Design (Cardno, 2015)
  - Concept Design Overview
    - TOWN CENTRE STRATEGY
      1. To develop a sequenced landscape and road entry into Jurien Bay
    - TOWN ENTRY LANDSCAPE
      1. Develop a sense of entry into Jurien Bay from both the north and south.
      2. Achieved by combination of tree and understorey planting plus earth mounding.
      3. New entry signage to welcome people to Jurien Bay.
    - TOWN CENTRE APPROACH
      1. Defined by an avenue of trees planted along the Bashford Street along with maintained understorey planting works

- 2. Sidewalk realigned and moved back from the road edge to allow planting works
- TOWN CENTRE
  - 1. Single lane carriageway with central median strip
  - 2. Avenue of trees with understorey planting.
  - 3. Allowance for long vehicle parking
  - 4. Ends of the dual carriageway defined by roundabouts large enough to allow for turning movement of vehicle and caravan
  - 5. Improved pedestrian links along western edge of Bashford Street
  - 6. Revised car parking pattern to the shopping centres
  - 7. Revised traffic management throughout the town centre
- Consultation
  - Advertised for public comments (January 2015)
  - Public Information Session and Community Workshop (February 2015)
  - Endorsed by Council (March 2015)
  - Proceed to Preliminary Design
- Strategic Community Plan 2016 - 2026
  - 4 x Town Workshops
  - Relevant outcomes
    - 1.1) Ensure planning and land availability provides opportunity for sustainable growth and lifestyle options / choices
      - a) Strategic land use planning across the shire, with a focus on coastal settlement and town centre strategy.
      - c) Activate Growth Plan.
    - 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.
    - 1.5) Facilitate population and visitor attraction and growth to expand and diversify the regional economy.
      - b) Work with developers and communities to coordinate plan for entrance statements with developments nodes and town.
    - 2.2) Ensure age friendly community.
      - a) Undertake planning for development of the Shire of Dandaragan as an Aged Friendly Community.
    - 4.2) Support positive land and bio-diversity management practices.
      - a) Manage and maintain priority road verges which link or are strategic sites on Shire reserves.

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 APRIL 2017**

Since early 2015 Shire officers have continued working closely with the design consultant Cardno to rectify key technical issues associated with the design and progress design from Concept to Preliminary. This process has been ongoing with no committed funds available for the full scale project to commence and no finite end date for design to be completed. Other major funded capital projects within Jurien Bay townsite such as the Foreshore Redevelopment and Infill Sewerage Project have taken priority during this time. With the completion of both projects in early 2017 an increased focus can now be directed towards finalising the design of the Bashford Street: Streetscape Upgrade Project.

During this time officers have continued to investigate potential funding sources and refine the overall budget of the project. This has also identified small scale minor components of the overall project that could be constructed with available funding and resources. These “quick wins” or “low hanging fruit” components have included the following projects and their associated funding sources:

<b>Project</b>	<b>Funding Source</b>	<b>Funding Amount</b>	<b>Total Cost</b>
<b>Dual Use Paths</b>			
▪ Dryandra Blv – Lindsay St (15/16)	Department of Transport (DoT) – Aged Friendly Communities (AFC)	\$31,000	\$100,000
▪ Lindsay St – Cook St (15/16)	DoT - Regional Bike Network (RBN)	\$10,780	\$50,000
▪ Whitfield Rd – Nineteenth Ave (15/16)	DoT - AFC	\$20,000	\$58,000
▪ White St – Roberts St (16/17)	DoT - RBN	\$23,750	\$50,000
▪ Batt St – Whitfield Rd (17/18)	DoT - RBN	\$30,000	\$60,000
▪ Bayliss St (Bashford St – Hamersley St) (16/17)	DoT - RBN	\$21,000	\$42,000
▪ Whitfield Road (Bashford St – Hamersley St) (16/17)	DoT - RBN	\$20,000	\$40,000
<b>Road Renewal</b>			
▪ Bayliss Street (16/17)	Municipal Funds		\$80,000
▪ Murray Street (16/17)	Roads to Recovery (RTR)	\$193,000	\$193,000
▪ Lesueur Drive (14/15)	RTR	\$635,000	\$635,000
▪ Carmella Street (16/17)	RTR	\$185,000	\$185,000
<b>Tourist Facilities</b>			
▪ Entry Statements North and South End (16/17)	Municipal Funds		\$90,000
▪ Jurien Bay Dump Point (16/17)	Caravan Park Reserve		\$10,000

**COMMENT**

The CEO and EMI have had ongoing discussions with the Wheatbelt Development Commission regarding potential funding sources for large scale components of this project. In June 2016 WDC submitted a *Concept Brief* entitled *Bashford Street*

*Enhancement Project* to the Royalties for Regions (RFR) programme entitled *Southern Investment Initiative*. This outlined:

- Project Description
- Key Project Alignment
- Project Objectives
- Project Outcomes / Benefits
- Funding Requirements
- Current Status
- Options Analysis
- Alignment to Regional Blue Prints

This *Concept Brief* was submitted by WDC on behalf of the Shire of Dandaragan. This was packaged together with 3 other similar projects from other key regional centres within the wheatbelt, these being:

- Shire of Northam
- Shire of Merredin
- Shire of Narrogin.

Following submission of the Concept Brief the WDC has been successful in obtaining further funding to develop a Business Case for each of the four towns named *Regional Centres Program*. The Business Case will then be able to be submitted to various funding bodies, such as RFR (WA State Government) or Infrastructure Australia (Federal Government) in an endeavour to gain further funding associated with the major capital works of the projects.

The *Regional Centres Program (Jurien Bay Town Centre)* will see the provision of a safe, attractive and functional design that will enhance road safety, create pedestrian friendly linkages, stimulate private investment and enhance business profitability in Jurien Bay.

The Jurien Bay Town Centre Project is part of a broader program to invest in economic infrastructure that will activate, connect and enhance accessibility to the CBD's of four Wheatbelt Regional Centres (Northam, Jurien Bay, Merredin and Narrogin). This will result in increased private investment, increased tourism numbers and spend, increased commercial activity, enhanced liveability, and workforce attraction.

The title of the project has undertaken a further rebranding as part of the Business Case development where all four towns are positioned under the banner of *Revitalising Regional Centres Program*. The Shire of Dandaragan's project will be entitled *Jurien Bay Town Centre Revitalisation Project*.

Funding obtained by WDC, and other costs associated with the development of the Business Case, will contribute towards tasks such as project management, legal advice, research, provision of

external expertise, planning, economic analysis and reporting. An overview of funding and costs include:

- Funds for WDC to compile and coordinate Business Case activities.
- A funding amount of \$30,000 (ex GST) has been allocated for each Shire to undertake design and planning activities.
- In-kind works from each Shire associated with coordinating design and planning activities, as well as collation of previous documentation and development of supporting documentation for the Business Case.

Shire of Dandaragan officers have been assisting WDC in the development of the Business Case in early 2017. These works have largely been undertaken by the CEO, EMI and Executive Secretary. This has mainly been through the development of the following documents:

- Project Management Plan
- Project Procurement Plan
- Project Communication Plan
- Stakeholder Engagement List
- Alignment to Local Policies and Strategies Document
- Project Risk Assessment and Risk Management Plan
- Project Budget Development.

The Shire of Dandaragan has already allocated approximately \$190,000 for design consultancy in its annual budgets from 2013/14 through to 2016/17. The unused portion of this allocation has been rolled over each year as the design progresses.

It is envisaged that the additional \$30,000 from WDC will assist the Shire to undertake further activities specifically associated with the development of the Business Case. These activities and their indicative cost include:

- Cost Estimate and Budget Development from WALGA Preferred Civil Contractor (approximately \$15,000).
- Review of Underground Power Scope, Costs and Budget Development from Western Power (approximately \$15,000).

#### CONSULTATION

- Chief Executive Officer – Tony Nottle
- Executive Manager Corporate & Community Services – Scott Clayton
- Asset Infrastructure Coordinator – Angus Padfield
- Wheatbelt Development Commission

#### Community and Council Consultation

- Foreshore Management Plan (1999)
- Jurien Bay Foreshore Development Plan (2008) - UDLA
- Strategic Community Plan 2011-2021
- Town Centre Strategy Workshops (2011)

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- Supertowns Growth Plan & Workshops (2011 & 2012)
- Bashford Street; Streetscape Upgrade Concept (Cardno, February 2014)
- Bashford Street; Streetscape Upgrade Concept Design (Cardno, 2015)
- Strategic Community Plan 2016 - 2026

#### STATUTORY ENVIRONMENT

- Section 6.8 Local Government Act – 1995.
- Section 11 Local Government (Functions & General) Regulations 1996 – When tenders have to be publically invited.

#### POLICY IMPLICATIONS

Shire of Dandaragan Purchasing Policy and Tender Guide 1.15.

#### FINANCIAL IMPLICATIONS

The Shire of Dandaragan has already allocated approximately \$190,000 for design consultancy in its annual budgets from 2013/14 through to 2016/17. The unused portion of this allocation has been rolled over each year as the design progresses.

The following outlines the financial implications associated with the additional source of income from the Wheatbelt Development Commission:

- \$30,000 ex GST added to the 2016/17 Council Budget for *Jurien Bay Town Centre Revitalisation Project Business Case* development.
- Additional income proposed to be utilised for the following tasks associated with the *Business Case* development:
  - Cost Estimate and Budget Development from WALGA Preferred Civil Contractor (approximately \$15,000).
  - Review of Underground Power Scope, Costs and Budget Development from Western Power (approximately \$15,000).

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**STRATEGIC IMPLICATIONS**  
2016 – 2026 Strategic Community Plan

<b><i>Goal 1: Great Place for Residential and Business Development</i></b>	
<b>Objectives</b>	<b>How the Shire will contribute</b>
1.1 Ensure planning and land availability provides opportunity for sustainable growth and lifestyle options / choices	a) Strategic land use planning across the Shire, with a focus on coastal settlement and town centre strategy
1.3 Ensure timely provision of essential and strategic infrastructure	c) Activate Growth Plan 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
1.5: Facilitate population and visitor attraction and growth to expand and diversify the regional economy.	b) Work with developers and communities to coordinate plan for entrance statements with developments nodes and town.
<b><i>Goal 2: Healthy, Safe and Active Community</i></b>	
<b>Objectives</b>	<b>How the Shire will contribute</b>
2.2: Ensure aged friendly community.	a) Undertake planning for development of the Shire of Dandaragan as an Age Friendly Community
<b><i>Goal 4: Health Natural and Built Environment</i></b>	
<b>Objectives</b>	<b>How the Shire will contribute</b>
4.2: Support positive land and bio-diversity management practices.	a) Manage and maintain priority road verges which link or are strategic sites on Shire reserves
<b><i>Goal 1: Great Place for Residential and Business Development</i></b>	
<b>BUSINESS AS USUAL</b>	a) Strategic land use planning and projects d) Roads and bridges e) Drainage including swales f) Footpaths, cycleways, walkways and trails.
<b><i>Goal 4: Health Natural and Built Environment</i></b>	
<b>BUSINESS AS USUAL</b>	b) Road verge management.

**ATTACHMENTS**

Circulated with the agenda [is/are] the following [item/items] relevant to this report:

- Bashford Street Enhancement Project Concept Brief (Doc Id: 89346)

***(Marked 9.2.1)***

**VOTING REQUIREMENT**

Absolute Majority.

**OFFICER RECOMMENDATION**

That Council authorise a budget amendment to;

1. recognize an operating contribution from the Wheatbelt Development Commission of \$30,000 ex GST for the development of the *Jurien Bay Town Centre Revitalisation Project Business Case*, and;
2. recognise a corresponding consultancy expense for the following tasks associated with *Business Case* development:
  - a. Cost Estimate and Budget Development from WALGA Preferred Civil Contractor (estimated to be \$15,000 ex GST).
  - b. Review of Underground Power Scope, Costs and Budget Development from Western Power (estimated to be \$15,000 ex GST).

### 9.3 GOVERNANCE & ADMINISTRATION

#### 9.3.1 REQUEST FOR AN OFFICIAL COUNCIL DELEGATE CENTRAL WEST COAST SENIOR CITIZEN GROUP INC.

Location:	N/A
Applicant:	Central West Coast Senior Citizen Group Inc.
Folder Path:	Business Classification Scheme / Government Relations / Meetings / Representatives
Disclosure of Interest:	None
Date:	29 March 2017
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

#### PROPOSAL

Council has received a request from the Central West Coast Senior Citizen Group Inc. (CWCSG) for an official Councillor representative to their organisation and that their committee be added to the list of Outside Committees and Organisations.

#### BACKGROUND

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

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

CWCSG advises that over the last few years Councillor Mike Sheppard has been an unofficial delegate and the committee has very much enjoyed keeping up with what is happening in the Shire through him.

The committee would now request that an official Council delegate be appointed to attend the meetings held on the second Tuesday of the month at the RSL Village commencing at 1.30pm.

#### COMMENT

The request from the CWCSG is a reasonable one and is supported by the CEO.

For the purposes of continuity it is suggested that Cr Mike Sheppard be appointed, however it is suggested that nominations for this committee reassessed at Council's bi-annual discussion in relation to representation on outside committees and groups following the October Ordinary Election in 2017.

#### CONSULTATION

- Central West Coast Senior Citizen Group Inc

#### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

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**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

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

**ATTACHMENTS**

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

- Current list of delegates to outside committees and organisations (Doc Id: 60687)  
**(Marked 9.3.1)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

**That Council:**

- 1. add the Central West Coast Senior Citizen Group Inc. to their list of outside committees and organisations being represented by a Councillor delegate; and**
- 2. agrees to appoint Cr Sheppard as its delegate for the Central West Coast Senior Citizen Group Inc.**

### 9.3.2 CITIZEN OF THE YEAR CATEGORY REVIEW

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Community Relations / Awards (Prizes) / Citizen of the Year
Disclosure of Interest:	Nil
Date:	6 January 2017
Author:	Michelle Perkins, Community Development Officer
Signature of Author:	
Senior Officer:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Senior Officer:	

#### PROPOSAL

To consider possible changes to the Citizen of the Year Awards categories.

#### BACKGROUND

The CEO received a letter from the Jurien Bay Community Mens Shed requesting that the Shire consider the option of adding the category of Senior Citizen of the Year. A process of consultation was subsequently undertaken by Staff to gauge opinions of older people around the Shire.

The matter was discussed at the June 2016 Council Forum and Councillors requested Staff research what categories surrounding Shires use for their Awards.

#### COMMENT

Staff obtained the following information from surrounding Shires:

- Shire of Gingin have Citizen of the Year; Young Citizen of the Year; Group or Event of the Year; in addition to Community Spirit Medallions issued during International Volunteer Day.
- Shire of Irwin have Citizen of the Year; Citizen of the Year (Youth); Citizen of the Year (Senior); Active Citizenship Award (Group or Event).
- Shire of Moora have Citizen of the Year; Senior Citizen of the Year; Young Citizen of the Year; Volunteer of the Year; and Event of the Year.

Feedback from CDOs at surrounding Shires indicated their categories worked well, however they each struggled with getting sufficient nominations every year for the Young Citizen of the Year category. All other categories received a significant number of nominations each year - enough to justify a number of categories.

Our Shire continues to struggle to get a significant number of nominations each year, and Staff believe that adding an additional category will exacerbate this issue by dividing up the small number of nominations we currently receive. For example, this year, the

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nomination period had to be extended because no nominations were received prior to the initial nomination cut-off date.

Additional feedback given to the CDO by the public previously was that the assessment criteria for Citizen of the Year are unclear as to whether the application should include work and achievements over the lifetime of the nominee or just the previous twelve (12) months. Currently the assessment matrix has one question only (#6) that relates to the previous twelve (12) month period. The Officer believes that clarifying some of these issues may increase the amount of nominees received each year.

#### CONSULTATION

- CDO, Shire of Gingin
- CDO, Shire of Moora
- CDO, Shire of Irwin
- Jurien Bay Community Men's Shed
- Cervantes Country Women's Association
- Individual Members of the Public
- Executive Manager Corporate & Community Services
- Deputy Chief Executive Officer

#### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

Adding a category to the Citizen of the Year Awards would cost an additional \$550 in the first year to purchase a new honour board and additional printing of certificates.

If the Officers Recommendation is passed, there would be no financial implications.

#### 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>
3.2 Encourage community leadership and volunteering	a) Encourage recruitment and retention of volunteers and develop strategies to invite new members to join community groups

#### ATTACHMENTS

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

- Young Citizen of the Year Award 2016 & Citizen of the Year Award 2016 Assessment Matrix (Doc Id: 67505)

***(Marked 9.3.2)***

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

**That Council continue with existing Citizen of the Year Awards categories and do not add any additional categories.**

### 9.3.3 APPLICATION OF COMMON SEAL

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Governance / Authorisations / Council Seal
Disclosure of Interest:	None
Date:	13 April 2017
Author:	Julie Rouse, Executive Secretary
Signature of Author:	

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

#### PROPOSAL

To seek Council's endorsement for the retrospective use of the Shire of Dandaragan's Common Seal on two Withdrawal of Caveat forms; Number L858764 and K930065 on Lot 8836 on Deposited Plan 152520

#### BACKGROUND

The Shire of Dandaragan's Common Seal has been applied on two Withdrawal of Caveat forms lodged against Lot 8836 on Deposited Plan 152520 and numbered L858764 and K930065. New caveats will be lodged following the change of ownership.

#### COMMENT

Application of the Shire's Common Seal in these two instances is accompanied by the signature of the President and the Chief Executive Officer.

A register is maintained to record all occasions on which the seal is applied and in this instance relates to Item 246 and 247 within the Shire of Dandaragan's Seal Register.

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

#### CONSULTATION

Nil

#### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

2016 – 2026 Strategic Community Plan

<i>Goal 5: Proactive and leading Local Government</i>	
Objectives	How the Shire will contribute
5.2 High Performing Administration	c) Compliance in all legislative requirements and functions

ATTACHMENTS

Nil

VOTING REQUIREMENT

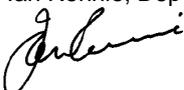
Simple majority

**OFFICER RECOMMENDATION**

**That Council authorise the President and Chief Executive Officer to execute the relevant documentation and endorse the affixing of the Shire of Dandaragan's Common Seal to two Withdrawal of Caveat forms lodged against Lot 8836 on Deposited Plan 152520 and numbered L858764 and K930065.**

## 9.4 DEVELOPMENT SERVICES

### 9.4.1 JURIEB BAY CITY CENTRE STRATEGY - SCHEME AMENDMENT AND JURIEB BAY FORESHORE COMMERCIAL DEVELOPMENT PLAN

Location:	N/A
Applicant:	Internal
File Ref:	Business Classification Scheme / Land Use and Town Planning / Planning / Planning Scheme
Disclosure of Interest:	Nil
Date:	11 April 2017
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

Request for Council to approve funding of a Scheme Amendment (Jurien Bay City Centre Strategy) and a Commercial Development Plan for the Jurien Bay Foreshore.

#### BACKGROUND

The Jurien Bay City Centre Strategy plan was adopted by Council in 2012. The Strategy is a longer-term perspective plan than the notional 10-15 year timeframe set for a local planning strategy. Hence the name of the Strategy being the "City Centre" Strategy Plan to recognise its future regional centre status.

The implementation of the plan is highly dependent on provision of mains sewer being constructed in the town centre precinct. With the completion of the sewer pump station and commencement / tendering of various stages of infill sewer, there is opportunity for Council to implement scheme amendments to support more intense development and allow for future sewer dependent development as envisaged in the City Centre Strategy.

Other triggers that support zoning changes include the redevelopment of Lot 96 Bashford Street (old CRC building) that is the subject of a current redevelopment proposal. The development of the combined Catholic / Anglican Church in the community uses precinct and other general enquiries for potential development applications in the City Centre Strategy plan area.

In conjunction with the above project, Council is requested to fund the following additional project.

#### **Foreshore Commercial Development Project**

With the nearing completion of the next stage of the Jurien Bay Foreshore project, there is a need to identify and control

commercial activities that will be encouraged to promote tourist activities along the foreshore.

Staff have received a number of enquiries regarding new mobile food vehicles operating near the existing and new foreshore area.

Several current tourism operators have expressed interest in relocating to the new foreshore area when it is completed.

There is an opportunity to achieve a vibrant and active environment along the foreshore that will encourage tourists to the town. There is also potential for conflict between business and the public using the foreshore, or businesses vying for prime space. Council also has to be mindful of the impact on established local businesses. In order to achieve a balance that will work, a planned approach is needed.

The Shire of Dandaragan holds a management order with power to lease over the Jurien Bay Foreshore Reserve.

With synergies between these two projects, there is a cost saving in combining the request for quotes.

In 2016, the Shire was allocated \$20,000 that was remaining for an outstanding project for a land rationalisation study for Jurien Bay. This project was originally to be carried out by the WDC and Landcorp, however it was deemed that this was better to be done by the Shire. As such the \$20,000 was allocated to the Shire of Dandaragan.

Five planning consultants that have previously undertaken private as well as Council projects in the Shire and are familiar with the locality and Council's strategic directions were invited to quote for the above projects either separately or combined. One response was received and is within the estimated budget for these projects.

#### COMMENT

#### **Scope of works – Project 1 - Scheme Amendment (Jurien Bay City Centre Strategy)**

The consultant is to allow costing for and follow the Department of Planning's flowchart (attached) either for a standard or complex amendment to a Local Planning Scheme depending on the resolution of the Council once the amendment is initiated. It is anticipated that the process will be for a complex amendment.

Review current state and local planning framework applicable to amendment.

Including but not limited to:

- Western Australian Planning Commission - State Planning Policies:
  - State Coastal Planning Policy 2.6 (SPP 2.6)
  - Urban Growth and Settlement Policy 3 (SPP 3)
  - Residential Planning Codes Policy 3.1 (SPP 3.1)
- Western Australian Planning Commission - Coastal Planning Policy 6.1 (DC 6.1)
- Shire of Dandaragan Local Planning Scheme No 7 and relevant Local Planning Policies
- Shire of Dandaragan Coastal Plan 1999 (pages 123 - 131)
- Tourism Planning Taskforce Report 2006
- Shire of Dandaragan Draft Local Tourism Planning Strategy
- Shire of Dandaragan Local Laws

### **Site Investigation**

Site investigations will be required by the consultant to gain an understanding of the town centre and coastal environs, and provide direction on various elements of the amendment through its preparation (allow one site visit).

### **Preparation of a Draft Scheme Amendment Document**

Preparation of a draft scheme amendment that provides for the following:

- Rezoning generally in accordance with the Jurien Bay City Centre Strategy and Model Provisions for Planning Schemes.
- Dual use zoning - Recode the residential zoned land from a single residential code to a dual residential code and to adjust the residential code border to coincide with the respective dual coded areas subject to upcode density if connected to sewer.
- Additional tourism and commercial uses being supported (subject to sewer).
- Mixed uses supported (subject to sewer).
- Commercial uses along Bashford Street supported (subject to sewer).

### **Shire staff will prepare a report to the Council**

- Modify draft scheme amendment as required by the Council and / or the Department of Planning prior to public consultation  
Note - subject to classification as a complex amendment, the consent of the Department of Planning is required prior to advertising.
- Public consultation / workshop following Council resolution to prepare an amendment
- Public consultation to gain community input is required in the form of advertising and two workshops, one with the local business community and Councillors; and one with the broader community by invitation (allow two workshops) in Jurien Bay.

Shire staff will provide the venue as well as advertising to landowners, newspapers and community groups.

**The consultant should allow for the following**

- confirm project and workshop objectives, format and structure, in consultation with the Manager Planning;
- identify and select workshop participants, in consultation with the Manager Planning;
- prepare and draft briefing papers and the workshop agendas;
- prepare relevant maps, base plans, context and site analysis plans and aerial photographs as required;
- lead / conduct and facilitate workshops;
- lead and co-ordinate all associated workshop activities;
- present and distil the principles of best practice urban design;
- present and distil the key issues, opportunities and constraints;
- lead, and co-ordinate the production, debate and review of the design scenarios and concepts developed during the workshops;
- prepare a report following the workshops and community consultation summarising the principal issues and planning comments associated with those workshops; and
- prepare a schedule of submissions received as part of the advertising process and provide consultants planning responses to the comments raised.

**Final scheme amendment**

Following advertising of the draft scheme amendment and in light of comments received and subsequently accepted by the Council, the 'final' scheme amendment will be prepared and presented to the Council for consideration and adoption (with or without modification).

Once adopted by the Council, the 'final' document will be referred to the Western Australian Planning Commission / Minister of Planning for endorsement followed by a notice being published in the local newspapers to this effect.

**Scope of works – Project 2 - Commercial Development Plan for the Jurien Bay Foreshore**

Review the existing guiding policy framework - 'Local Planning Policy 8.12 Mobile and Itinerant Vendors and Commercial Activities on Reserved Land (Including Foreshore)' for the consideration of approving trader licences on foreshore land.

Provide advice on governance and decision making for foreshore trader licences such that Council can establish an appropriate risk

framework for maintaining the foreshore amenity, improving tourist experiences and income generation (in lieu of rates).

Investigate infrastructure requirements such as water, power, sewer and ablution facilities availability for a range of trader / pop up / kiosk type vendors in the study areas, includes potential sharing of infrastructure with the caravan park.

Produce a draft planning policy that addresses all of the above issues and includes a map of the foreshore showing areas suitable for trading purposes. This map may include setbacks / buffers from existing food premises.

In drafting the policy, the following factors are to be considered and addressed, but not necessarily expressed in the policy:

- Potential conflicts between public and commercial activities on the foreshore.
- Competition with existing food outlets nearby.
- Competition between traders and any restrictions on numbers / types.
- The granting of leases of land thereby, restricting activities to set boundaries or permitting unrestricted access to traders with possibly a restriction on numbers based on types of traders i.e. food vans, adventure tour activities, hire businesses such as kayaks etc.
- Responsibility for providing public amenities.
- Proposed development on Lot 62 Roberts Street and changes to the north section of the foreshore.
- Jurien Bay Caravan Park Development Plan.
- State Planning Policy 2.6 Coastal Management

Given that there was only one quote received that it is within the cost estimate, there is no requirement to rank the selection criteria. It is noted that the quote meets all of the selection criteria for relevant experience, key personnel skills and experience, methodology and price. A copy of the quote addressing the selection criteria is provided in the attachments.

#### CONSULTATION

Nil

#### STATUTORY ENVIRONMENT

- Planning and Development Act 2005

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

<b>Projects</b>	<b>Proposed Fee (ex GST)</b>
Project 1 - Scheme Amendment - Jurien Bay City Centre Strategy	\$20,440.00
Project 2 - Jurien Bay Foreshore Commercial Development Plan	\$ 6,330.00
Discount if able to offer both projects	\$1,338.50 (5%)
<b>PROJECT TOTAL</b>	<b>\$25,431.50</b>
WDC / LANDCORP CONTRIBUTION	(\$20,000.00)
<b>BUDGET SHORTFALL</b>	<b>\$ 5,431.50</b>

STRATEGIC IMPLICATIONS

The action to implement scheme amendments is listed in the City Centre Strategy as action number 12.

**Table 5.1 Implementation Actions for Staged Development of the City Centre**

<b>No.</b>	<b>Action</b>	<b>Lead stakeholder</b>	<b>Staging</b>	<b>Comments</b>
12	Zoning Changes	Shire of Dandaragan	Short Term	Council should initiate amendments to the current scheme to reflect changes to zoning and development standards based on the Strategy Plan.

ATTACHMENTS

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

- Request for Quote (Doc Id:87389)
- Quote received (Doc Id: 89352)

**(Marked 9.4.1)**

VOTING REQUIREMENT

Absolute majority

**OFFICER RECOMMENDATION**

**That Council authorise a budget amendment to:**

- 1. Recognise an operating contribution of \$20,000 ex GST from WDC / Landcorp to undertake a land rationalisation study for Jurien Bay, and;**
- 2. Recognise a consultancy expense of \$25,431.50 ex GST to undertake:**
  - A. Scheme Amendment – Jurien Bay City Centre Strategy.**
  - B. Jurien Bay Foreshore Commercial Development Plan.**

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

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

Applicant: Allering & Associates on behalf of D Thompson

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

Disclosure of Interest: None

Date: 11 April 2017

Author: David Chidlow, Manager of Planning

Signature of Author: 

Senior Officer: Ian Rennie, Deputy Chief Executive Officer

Signature of Senior Officer: 

### PROPOSAL

The purpose of this report is for Council to consider submissions to Scheme Amendment No.29 (Indian Ocean Rock Lobster) and final adoption of the amendment to rezone Lot 11 (4) Madrid Street, Lots 10 (31), 9 (33), 8 (35), 7 (37), 362 (39) and 5 (41) Catalonia Street, Cervantes as a Special Use zone under clause 4.7.1 of the Scheme as a Tourism Industry zone.

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

### BACKGROUND

The application was adopted for advertising at the December 2016 Council Meeting. At this meeting Council resolved:

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

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

#### *Schedule 4 – Special Use Zones*

No.	Description of land	Special use	Conditions
5.	Lot 11 (4) Madrid Street, Cervantes; Lots 10 (31), 9	Tourism and Industry, including the following uses:	1. A local development plan and associated coastal management

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	<p>(33), 8 (35), 7 (37), 362 (39) and 5 (41) Catalonia Street, Cervantes</p>	<p><i>Permitted (P)</i></p> <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Light Industry</li> <li>• Service Industry</li> <li>• Carpark</li> </ul> <p><i>Discretionary (D)</i></p> <ul style="list-style-type: none"> <li>• Single House</li> <li>• Grouped Dwelling</li> <li>• Workforce Accommodation</li> <li>• Fuel Depot</li> </ul> <p><i>Discretionary, subject to notice being given (A)</i></p> <ul style="list-style-type: none"> <li>• Intensive Agriculture</li> <li>• Fast Food Outlet</li> </ul>	<p><i>and adaptation plan shall be prepared for the site in accordance with Part 6 of the Deemed Provisions and State Planning Policy 2.6 - State Coastal Planning Policy, prior to the granting of any development approvals for the site.</i></p> <ol style="list-style-type: none"> <li>2. <i>The local development plan shall identify the area within which a single house or grouped dwellings are to be located and shall specify the number of proposed dwellings within the identified area based on a R12.5 density.</i></li> <li>3. <i>Development shall be in accordance with the local development plan.</i></li> <li>4. <i>A landscaping plan is to be prepared and implemented to the satisfaction of the local government. All landscaped areas are to be maintained in good condition thereafter.</i></li> <li>5. <i>Development shall have due regard to coastal hazards including sea level rise and proposed development must be responsive to measures identified in the coastal management and adaptation plan.</i></li> <li>6. <i>All driveways, parking and manoeuvring areas are to be constructed and maintained to the satisfaction of the local government.</i></li> <li>7. <i>Parking requirements</i></li> </ol>
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			<p><i>for all future development shall be in accordance with Table 2 – site and Development Requirements</i></p> <p><i>8. Single houses, grouped dwellings and workforce accommodation are for the accommodation of the owners of, and managers and employees engaged in the operations of a restaurant, fast food outlet, light and service industry and intensive agriculture.</i></p> <p><i>9. Any fuel depot shall exclude the sale in bulk of solid or liquid or gaseous fuel.</i></p> <p><i>10. Intensive Agriculture undertaken on the site shall be restricted to aquaculture only</i></p> <p><i>11. Fishing Boat Storage to continue pursuant to Clause 4.8 of Local Planning Scheme No.7, as amended</i></p>
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- 3. Modifying the Scheme Maps to show Special Use Site No. 5.*
- 4. Amending the definition of ‘agriculture – intensive’ in Clause 2 – Land use definitions of Schedule 1 – Dictionary of Defined Words and Expressions of the Shire of Dandaragan Local Planning Scheme No. 7 as follows:  
agriculture — intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following —*
  - a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;*
  - b) the establishment and operation of plant or fruit nurseries;*
  - c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);*
  - d) aquaculture;*

5. *Inserting 'workforce accommodation' into Clause 2 – Land use definitions of Schedule 1 – Dictionary of Defined Words and Expressions of the Shire of Dandaragan Local Planning Scheme No. 7 as follows:  
workforce accommodation means premises, which may include modular or relocatable buildings, used —*
  - a) *primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
  - b) *for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.*
6. *resolves, pursuant to the Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), that Amendment 29 is a standard amendment for the following reasons:*
  - a) *The proposed Scheme Amendment would result in minimal impact on land in the scheme area that is not the subject of the amendment as the land use already exist on site;*
  - b) *The proposed Scheme Amendment would not result in any significant environmental, social, economic or governance impacts on the land within the scheme area given that it will facilitate the continued operation and refinement of activities that currently exist at the subject site; and*
  - c) *The proposed amendment is not a complex or basic amendment.*
7. *authorise Council officers to prepare the scheme amendment documentation.*
8. *authorise the affixing of the common seal to and endorse the signing of the amendment documentation.*
9. *pursuant to Section 81 of the Planning and Development Act 2005, refers Amendment 29 to the Environmental Protection Authority;*
10. *pursuant to regulation.37 (2) of the Regulations, provides two copies of Amendment 29 to the Western Australian Planning Commission*
11. *proceed to advertise the amendment to the local planning scheme subject to receipt of a coastal hazard risk management and adaptation strategy report and updated transport impact assessment to the satisfaction of the CEO of the Shire.*

CARRIED 8 / 0

#### COMMENT

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

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

The Scheme Amendment seeks to:

1. Introduce a list of uses that can be approved at the discretion of Council;
2. Introduce a Local Development Plan to guide future development. The Local Development Plan would be required to be endorsed by the Shire prior to the granting of any development approvals of the site. As part of this Scheme Amendment request an indicative concept plan has been prepared to provide a broad outline for the intended future development of the site. This will ultimately inform the Local Development Plan. After the Scheme Amendment is gazetted, prior to development application being sought, it is intended that the indicative concept plan will be reviewed and modified as required. The Local Development Plan will then be formally lodged after the Scheme Amendment is gazetted;
3. Include conditions relating to landscaping and car parking; and
4. Require that the proposed future accommodation building (residential building) be limited to use by on site workers.

### CONSULTATION

In accordance with Council's resolution, the Scheme Amendment was referred to the Environmental Protection Authority for comment, and the Western Australian Planning Commission for information.

The Environmental Protection Authority advised that Amendment No. 29 did not require environmental assessment, and further, did not provide any additional advice or recommendations on the proposed modifications.

Council resolved, pursuant to the Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), that Amendment 29 is a standard amendment. The Scheme Amendment was subsequently advertised for a

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period of 42 days in line with the Regulations, which closed 10 March 2017.

In response a total of 3 submissions were received. A summary of each submission together with staff comment is provided in the attachments.

**STATUTORY ENVIRONMENT**

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

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item.

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

2016 - 2026 Strategic Community Plan

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

<i>Goal 1: Great Place for Residential and Business Development</i>	
<b>Objectives</b>	<b>How the Shire will Contribute</b>
1.5 Facilitate industry, population and visitor attraction and growth to expand and diversify the regional economy	a) Tourism and marketing with a focus on promotion and product development based on natural assets in partnership with the Department of Parks and Wildlife
1.4 Ensure Shire is "open for business" and supports industry and business development	b) Identify and engage with future new business and industry opportunities

**ATTACHMENTS**

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

- Scheme Amendment No. 29 (Doc Id 89353)
- Schedule of submissions (Doc Id 89437).

**(Marked 9.4.2)**

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

That Council:

1. Pursuant to Regulation 50 (2) of the Planning and Development (Local Planning Schemes) *Regulations 2015*, consider the submissions received and endorse the response to those submissions contained in the related Schedule of Submissions;
2. Pursuant to Regulation 50 (3) of the Planning and Development (Local Planning Schemes) *Regulations 2015*, resolves to support Amendment Number 29 to Local Planning Scheme Number 7 without modifications;
3. Pursuant to Section 75 of the Planning and Development Act 2005, resolves to amend Shire of Dandaragan Local Planning Scheme No. 7 by:
  - Shire of Dandaragan Local Planning Scheme No. 7 Amendment No.29
  - Rezoning Lots 5, 7, 8, 9 and 10 and the part of Lot 362 fronting Catalonia Street, Cervantes from “Residential” to “Special Use – Tourism and Industry” and Lot 11 Madrid Street and the rear portion of Lot 362 (abutting the ocean front) Catalonia Street, Cervantes from “Industrial” to “Special Use – Tourism and Industry”
  - Amending Schedule 4 – Special Use Zones of the Shire of Dandaragan Local Planning Scheme No. 7 as follows:

**Schedule 4 – Special Use Zones**

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

		<p>being given (A)</p> <ul style="list-style-type: none"> <li>• Intensive Agriculture</li> <li>• Fast Food Outlet</li> </ul>	<p> dwellings within the identified area based on a R12.5 density.</p> <p>3. Development shall be in accordance with the local development plan.</p> <p>4. A landscaping plan is to be prepared and implemented to the satisfaction of the local government. All landscaped areas are to be maintained in good condition thereafter.</p> <p>5. Development shall have due regard to coastal hazards including sea level rise and proposed development must be responsive to measures identified in the coastal management and adaptation plan.</p> <p>6. All driveways, parking and manoeuvring areas are to be constructed and maintained to the satisfaction of the local government.</p>
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#### **Modifying the Scheme Maps to show Special Use Site No. 5.**

**Amending the definition of ‘agriculture – intensive’ in Clause 2 – Land use definitions of Schedule 1 – Dictionary of Defined Words and Expressions of the Shire of Dandaragan Local Planning Scheme No. 7 as follows:**

**agriculture — intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following —**

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;**
- (b) the establishment and operation of plant or fruit nurseries;**
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);**
- (d) aquaculture;**

**Inserting ‘workforce accommodation’ into Clause 2 – Land use definitions of Schedule 1 – Dictionary of Defined Words**

**and Expressions of the Shire of Dandaragan Local Planning Scheme No. 7 as follows:**

**workforce accommodation means premises, which may include modular or relocatable buildings, used —**

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and**
  - (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.**
- 4. Authorize the President and the Chief Executive Officer to execute the relevant documentation and affix the common seal. ;**
  - 5. Forward the Schedule of Submissions and a copy of each submission to the Western Australian Planning Commission together with two copies of the Amendment documents (duly modified, signed and sealed) for endorsement. ;**
  - 6. Request the Hon Minister for Planning grant final approval to Amendment No. 29 to the Shire of Dandaragan Local Planning Scheme No.7; and**
  - 7. Inform those agencies and persons who made a submission on Amendment No. 29 to Local Planning Scheme No. 7 of its decision.**

### 9.4.3 PROPOSED ADDITIONS TO FACTORY – LOBSTER SHACK – LOTS 9 & 10 CNR MADRID AND CATALONIA STREETS, CERVANTES

Location: Lots 9 & 10 Cnr Madrid and Catalonia Streets  
Street, Cervantes

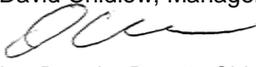
Applicant: David Thompson

Folder Path: Development Services App / Development  
Application / 2016 / 54

Disclosure of Interest: None

Date: 18 April 2017

Author: David Chidlow, Manager of Planning

Signature of Author: 

Senior Officer: Ian Rennie, Deputy Chief Executive Officer

Signature of Senior Officer: 

#### PROPOSAL

The proponent is seeking planning approval for additions to an existing factory at Lots 9 & 10 Cnr Madrid and Catalonia Streets, Cervantes.

#### BACKGROUND

The proposed extension to the exiting lobster factory will have a gross floor area (GFA) of 1,278m<sup>2</sup>. The existing factory comprises a GFA of 1,614m<sup>2</sup>. The propose additions are for the purposes of housing additional tanks for live lobster aquaculture.

#### Land use. (Current)

Lots 9 & 10 have a zoning of Residential under the Shire of Dandaragan's Local Planning Scheme No. 7 (LPS7) with an R Coding of R12.5.

Under the current Scheme use table "Aquaculture" in the Residential Zone is a "D" use under Local Planning Scheme Number 7.

'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval. Advertising is not required.

The use "Aquaculture" is also listed in the uses associated with "Agriculture – intensive"

The current scheme definition is as follows;

**"agriculture - intensive"** means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following -

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;

- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or
- (d) aquaculture;

Under the current Scheme use table “Agriculture – intensive” in both the Residential Zone and the Industrial Zone is an “x” use under Local Planning Scheme Number 7.

‘x’ means that the use is not permitted.

The scheme notes that;

*The local government must refuse to approve any ‘X’ use of land. Approval to an ‘X’ use of land may only proceed by way of an amendment to the Scheme.*

The above are contradictory, however if Council resolves to grant final approval to the Scheme amendment in the previous item to this agenda. Then the amendment will allow such development under the “special use” zone.

#### Scheme amendment

Council at its meeting held on 15 December 2016 resolved to initiate a Scheme amendment to change the zoning of this lot and surrounding lots from a mix of Industrial and Residential Zones to “Special Use – Tourism and Industry”. The amendment was advertised and has been presented at this meeting for final approval. The amendment states that “*Intensive Agriculture undertaken on the site shall be restricted to aquaculture only*”

#### COMMENT

##### **Traffic Considerations**

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

Any additional traffic generated by future development on site in accordance with the Local Development Plan will require assessment having regard to existing and proposed access arrangements to the site and the capacity of the existing roads to accommodate such development.

The applicant has provided an indicative parking plan which will require updating with the overall site parking requirements in accordance with Local Development Plan. This should be a condition of approval.

The following table sets out the parking requirements for the existing uses and proposed increase in dining area in accordance with the Shire’s Local Planning Policy 8.7 – Planning “Car

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Parking” (LPP 8.7). Applicable to this application is the provision of an additional 13 bays for the additions.

Parking IORL					
Building	Gross floor Area	Employees	Seats	Formula	Required
Dining	274		200	1 bay for 20 m <sup>2</sup> GFA or 1 bay for every 4 seats provided whichever is greater.	50
Deck	69				18
Toilets New	19				
Toilets exist	66				
Exist Gazebos	201		150		38
Kitchen new	70				
Sub total	699			GFA =35 bays	
Existing factory	1614	10 full time		1 bay for 100 m <sup>2</sup> GFA plus 1 bay for every two employees	22
factory new	1278	No increase expected		1 bay for 100 m <sup>2</sup> GFA plus 1 bay for every two employees	13
Tourism				Nil available	
Grand total	4233		350		141

There is sufficient land area available to accommodate the 68 bays required as part of this application. However it is recognised that there needs to be an overall parking plan that addresses parking for the entire site. This is also a requirement of the Scheme Amendment.

There are difficulties in applying LPP 8.7 as this does not take into account the nature of this operation that relies heavily on tourist buses rather than private cars. There are examples where the Shire has problems with tourism operators that comply with the parking provisions, yet these are insufficient for their operations.

Being a local planning policy, Council has the option of varying the requirements based on individual circumstances. In this case, it is recommended that shire staff work with the operator of the business to determine a suitable parking outcome/plan that meets the needs of the business and accommodates all parking so as not to cause a disturbance to nearby residential properties. This may be a mixture of alternate parking numbers based on car, bus, motorcycle and cycling parking facilities.

Provided in the attachments is a copy of the parking arrangements previously approved. Despite the approval the maintenance of fishing vessels has been carried out in this area.

### **Infrastructure Considerations**

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

### **Coastal Planning Considerations**

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

Adequate coastal hazard risk management and adaptation planning should be undertaken by the responsible management authority and/or proponent where existing or proposed development or landholders are in an area at risk of being affected by coastal hazards over the planning timeframe. Coastal hazard risk management and adaptation planning should include as a minimum, a process that establishes the context, vulnerability assessment, risk identification, analysis, evaluation, adaptation, funding arrangements, maintenance, monitoring and review, and communicate and consult.

Where a coastal hazard risk is identified it should be disclosed to those likely to be affected. On consideration of approval for subdivision and/or development current and/or future lot owners should be made aware of the coastal hazard risk by providing the following notification on the certificate on title: Vulnerable Coastal Area –This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years.

The Shires of Gingin and Dandaragan are presently working on a Coastal Hazard and Risk Management Adaptation Plan. Although not ready for public advertising, the Shire is aware that the subject property is subject to long term coastal erosion. The applicants have been advised of this risk.

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**CONSULTATION**

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period closed on 22 March 2017.

A schedule of submissions is provided in the attachments.

**STATUTORY ENVIRONMENT**

- Local Planning Scheme No 7.

**POLICY IMPLICATIONS**

- Local Planning Policy 8.7 "car parking".

**FINANCIAL IMPLICATIONS**

The applicant has paid a standard planning application fee of \$800.

**STRATEGIC IMPLICATIONS**

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>
1.4 Ensure Shire is "open for business" and supports industry and business development	b) Identify and engage with future new business and industry opportunities
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

**ATTACHMENTS**

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

- Development Application and Plans (Doc Id: 89354)
- Schedule of Submissions (Doc Id: 89439)
- copy of the parking arrangements previously approved (Doc Id: 89474)

**(Marked 9.4.3)**

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**That Council grant planning approval to D Thompson for a proposed extension of existing factory on Lots 9 & 10 Cnr Madrid and Catalonia Streets, Cervantes as per the attached plans dated 9 March 2017 subject to the following conditions;**

1. All development shall be in accordance with the attached plans date stamped 09 March 2017 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. Notification being placed on the title with all costs associated with the preparation and lodgement of the notification being paid by the applicant advising "This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years."
3. The vehicle parking area, access way(s), right of way and crossover shall be designed, constructed, kerbed, drained, line marked and thereafter maintained in accordance with the approved plan and specification to the satisfaction of the Executive Manager Infrastructure prior to the occupation of the development for the use hereby permitted.
4. The applicant is required to provide an overall parking layout plan to the satisfaction of the Manager Planning, that sets out all of the parking requirements for all land uses on the subject site prior to development commencing.
5. A minimum of the equivalent of 13 car parking bays which may comprise a mix of bus, car, motorcycle and cycling facilities are required to be provided for this development in accordance with an overall parking plan.
6. A minimum of 1 car parking bay to be provided and marked for the exclusive use of vehicles displaying ACROD issued disabled parking permits. Such bay shall be located conveniently to the principal building entrance and with a minimum width of 3.2 metres.
7. Crossover shall be designed and constructed to the specification and satisfaction of the Executive Manager Infrastructure.
8. Any required "No parking signage" and vehicular guide signs to the parking facility to be installed at the applicant's cost to the specification and satisfaction of the Executive Manager Infrastructure.
9. Development to be connected to mains sewer.
10. A storm water drainage management plan and detailed technical drawings and specifications for the car park area are to be submitted for approval by the Executive Manager Infrastructure prior to the construction of parking bays.
11. Storm water from roofed and paved areas being disposed of to the specification and satisfaction of the Executive Manager Infrastructure. Storm water to be retained on-site and connected to the existing drainage system at pre-development hydraulic flow rates and water quality

regimes. A geotechnical report is to be submitted detailing site conditions, particularly in respect to soil and groundwater and storm water disposal by soakage (clearance, quantity, soil permeability and location and size of soak wells). Where possible, water sensitive urban design methods are encouraged including the grading of hardstand areas to allow storm water to be disposed of within garden beds and rainwater tanks (above or below ground). Such captured water to be used for the watering of garden beds subject to suitable treatment to remove any oils, fuels and other contaminants.

12. The development is to be provided with a suitable enclosure for the storage and cleaning of rubbish receptacles to the satisfaction of the Manager Environmental Health and the Executive Manager Infrastructure
13. The development being designed and constructed to allow access and facilities for people with disabilities in accordance with the Building Code of Australia and AS 1428.1.
14. A separate application for planning approval including a plan or description of all signs for the proposed development (including signs painted on the building) shall be submitted and approved by the Council prior to the erection of any signage on the site.
15. No signs are to be displayed in the road reserve without approval.
16. All waste product (rejected or dead lobster) to be disposed of by means to the satisfaction of the Principal Environmental Health Officer.

**ADVICE NOTES:**

- Note 1:** The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.
- Note 2:** If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- Note 3:** A Bushfire Attack Level Assessment may be required for structures within 100m of bushland or as identified in the Department of Fire and Emergency Services Bushfire Mapping.
- Note 4:** With reference to drainage conditions, all stormwater drainage shall be designed and constructed at the applicant's cost and in accordance with the

requirements of local government and the current Australian Rainfall and Run-off Manual. Stormwater retention of run-off from roof and or other paved/impervious areas shall be provided on site. The design is to ensure the discharge of stormwater from the developed site is so as to restrict discharge to that which existed prior to development. Design overflow from soak wells and site drainage shall ensure no discharge onto or through adjoining properties. Details on the site specific design of control and disposal of stormwater from the site are to be submitted with the preparation of a building application.

**Note 5:** The applicant be advised that portion of this lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years (this advice is based on draft mapping that has not as yet been approved or made available for public use.).

**Note 6:** 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”**

#### 9.4.4 PROPOSED SERVICE STATION AND ASSOCIATED SHOP – LOT 104 CNR MURRAY AND ANDREWS STREETS - JURIEN BAY

Location:	Lot 104 Cnr Murray and Andrews Streets Jurien Bay
Applicant:	Anita Jaffari
Folder Path:	Development Services Apps/ Development Applications/ 2017/13
Disclosure of Interest:	None
Date:	17 April 2017
Author:	David Chidlow, Manager of Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

The proponent is seeking planning approval for a service station and associated shop located on Lot 104 Cnr Murray and Andrews Streets, Jurien Bay.

#### BACKGROUND

This application is for a Service Station and shop at Lot 104 Murray Street comprising 4 bowzers under canopy, each bowser will have six hose capacity. Associated with the service station is a retail area of (318m<sup>2</sup> in floor area), kitchen of (75m<sup>2</sup> in floor area) and store of (60m<sup>2</sup> in floor area).

Under the Shire of Dandaragan Local Planning Scheme No.7 (the Scheme) zoning is “Commercial”. Both “service station” and “shop” uses are permitted “P” uses in this zone.

The Scheme states:

*Note 2. The local government will not refuse a ‘P’ use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme, and may refuse or impose conditions on any development of the land.*

#### COMMENT

The Council cannot refuse this application, however it may set conditions of approval. The commercial zone in Jurien Bay has no specific development requirements apart from one parking bay per 20m<sup>2</sup> net lettable area. All other conditions are to be determined by the Council in each case as per the below table 2 from Local planning Scheme No.7.

**TABLE 2: SITE AND DEVELOPMENT REQUIREMENTS TABLE \*\***

Controls	Minimum Boundary Setback (metres)			Maximum Plot Ratio	Minimum landscape Area %	Minimum Number of Car Parking Bays
	Front	Rear Average	Sides			
Commercial Zone Jurien	*	*	*	*	*	1 bay for every 20 sqm (nla).

\*\* This table is intended as a guideline and may be varied at the discretion of the local government

\* Means 'to be determined by the local government' in each particular case.

Land uses are defined in the Scheme as follows;

“**service station**” means premises used for —

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/convenience retail nature; and
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles,

but does not include premises used for a transport depot, panel beating, spray painting, major repairs or wrecking;

“**shop**” means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom or fast food outlet;

#### Parking

The Property Council of Australia (PCA) has developed an industry standard for measuring building areas of different property types that is widely used.

#### Net lettable area (NLA)

Net lettable area (NLA) is used to calculate tenancy areas in:

- office buildings
- office and business parks.

#### Gross floor area

Gross lettable area (GLA) is used to calculate tenancy areas in:

- industrial buildings
- warehouses
- showrooms
- freestanding supermarkets.

In general terms, GLA is the floor space contained within a tenancy at each floor level.

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 APRIL 2017**

Both NLA and GFA have common facilities areas and amenities/plant excluded from the calculations.

The scheme requirement of 1 bay for every 20 sqm (nla) is more appropriate to an office development rather than a service station and associated shop. Parking is often for short periods and there is space around the bowlers that is generally utilised more than separate designated parking bays.

Given the small scale of this service station development, the provision of 8 bays plus 1 accessible bay in addition to bowler parking is reasonable.

#### CONSULTATION

The proposal was advertised to surrounding landowners until 26 April 2017. Should any submissions be received after the writing of this report, these will be forwarded to Councillors for consideration.

#### STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.

#### POLICY IMPLICATIONS

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

#### FINANCIAL IMPLICATIONS

The applicant has paid a standard planning application fee of \$3520.

#### STRATEGIC IMPLICATIONS

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 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	h) Maintain and implement up to date policies and procedures (including delegations)

#### ATTACHMENTS.

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

- Plans (Doc Id: 89358)
- Location Plan (Doc Id: 89359)

**(Marked 9.4.4)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION**

That Council grant planning approval to Anita Jaffari for a Service Station and Shop at Lot 104 Cnr Murray and Andrews Streets, Jurien Bay subject to the following conditions:

1. All development shall be in accordance with the attached approved plans dated 10 April 2017 and subject to any modifications required as a consequence of any conditions of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
2. A finalised Landscape Master Plan and the list of plant species as endorsed by the Chief Executive Officer or his designated representative (prior to development commencing).
3. All landscaping within the site and along the Road Reserves shall be implemented and maintained to a high standard for a period of four (4) years by the proponent in accordance with the approved Landscape Master Plan and the list of plant species as endorsed by the Chief Executive Officer or his designated representative.
4. Provision of 8 new car bays and 1 accessible car bays on-site constructed to a sealed, drained and line marked standard to the satisfaction of the Chief Executive Officer or his designated representative. All new car parking bays will comply with AS2890 Part 1 Parking Facilities - Off Street Car Parking.
5. All internal access roads, driveways and service bays shall be fit for purpose and constructed to a sealed and drained standard to the satisfaction of the Chief Executive Officer or his designated representative.
6. Driveway crossovers will not be permitted within 25 metres of a median break or a road intersection and shall be located in accordance with the Main Roads WA standards for sight distances.
7. Any vehicle crossovers are to be designed, constructed and drained to the satisfaction of the Chief Executive Officer or his designated representative prior to commencement of development.
8. Applicants are required to provide a traffic impact assessment prepared by a suitably qualified traffic consultant, which addresses on-site traffic management and road design
9. Prior to commencing any clearing or earthworks onsite, the proponent must submit and have approved a dust management plan in accordance with Shire policy 7.9 Dust management requirements for development works within the Shire of Dandaragan.

10. Directional and other signage to international standards shall be installed around the facility to the satisfaction of the local government. All external signage and entry statements are the subject to a further application to the local government for approval and must comply with the Local Planning Policy 8.6 – Advertising Devices.
11. Any external lighting proposed on the subject property must be installed as to not have a detrimental impact upon traffic in the vicinity or upon the general amenity of neighbouring properties.
12. applicants are required to demonstrate compliance with noise regulations and State Planning Policy 4.1; State Industrial Buffer Policy.
13. Development to be connected to mains sewer.
14. Toilets to be made available to the public during business hours.

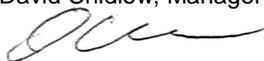
**Advice Notes:**

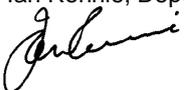
- Note 1.** With reference to drainage conditions, all stormwater drainage shall be designed and constructed at the applicant's cost and in accordance with the requirements of local government and the current Australian Rainfall and Run-off Manual. Stormwater retention of run-off from roof and or other paved/impervious areas shall be provided on site. The design is to ensure the discharge of stormwater from the developed site is so as to restrict discharge to that which existed prior to development. Design overflow from soak wells and site drainage shall ensure no discharge onto or through adjoining properties. Details on the site specific design of control and disposal of stormwater from the site are to be submitted with the preparation of a building application.
- Note 2.** Noise levels from any compressors or other mechanical equipment is to not disturb the amenity of nearby sensitive land uses.
- Note 3.** All development to comply with the following guidelines;
- i. Department of Mines and Petroleum (WA) publication, for online information see <[www.dmp.wa.gov.au](http://www.dmp.wa.gov.au)> select *resources safety > dangerous goods .storage and handling Design, installation and operation of UG petroleum storage.*
  - ii. *Department of Water - Water quality protection notes (WQPN),*  
Water quality protection note 49 - September 2013  
Service stations

- *WQPN 10 Contaminant spills - emergency response*
  - *WQPN 62 Tanks for underground chemical storage*
  - *WQPN 64 Tanks - closure of underground chemical storage*
  - *WQPN 65 Toxic and hazardous substances - storage and use*
  - *WQPN 68 Wash-down of mechanical equipment.*
  - iii. *Standards Australia -*
    - *AS 4360 Risk management*
    - *AS 4897 The design, installation and operation of underground petroleum storage systems*
  - iv. *Standards and best practice guidelines for vapour recovery at petrol service stations (NSW DECCW 2009).*
- Note 4.** Grant of planning consent is not a building permit. A building permit must also be obtained for this development.
- Note 5.** Approval of the Department of Mines and Petroleum.
- Note 6.** Compliance with the *Environmental Protection (Noise) Regulations 1997*. The applicant is to provide a Noise Management Plan to the satisfaction of the Shire of Dandaragan Chief Executive Officer.
- Note 7.** This approval shall expire if the development hereby approved has not been substantially commenced within two years of the date hereof - or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by Council. Any extension of approval that may be granted would be for a maximum 12 months and also subject to the receipt of a 'renewal fee' in accordance with the 'Planning Services Fees and Charges Schedule' adopted each year by Council.
- 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"

### 9.4.5 COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLANNING - DANDARAGAN

Location: Cervantes and Jurien Bay Foreshore and associated areas  
 Applicant: Ashley Robb on Behalf of the Shire of Dandaragan  
 Folder Path: Business Classification Scheme / Land Use and Town Planning / Planning / Management Plans  
 Disclosure of Interest: None  
 Date: 18 April 2017  
 Author: David Chidlow, Manager of Planning  
 Signature of Author: 

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

#### PROPOSAL

Council to endorse the advertising of coastal erosion hazard maps for community workshops scheduled in May 2017.

#### BACKGROUND

The Shires of Dandaragan and Gingin will release coastal erosion hazard maps and host community workshops in May, as part of an ongoing project to plan for the immediate and long term risks associated with coastal erosion. The project is being undertaken in accordance with State Planning Policy 2.6: Coastal Planning Policy, which outlines specific planning guidance for coastal managers across Western Australia. An important part of the process will be seeking community input on how the Shires might best manage foreseeable changes to coastlines within their boundaries.

Community engagement sessions will be held in each Shire on the last weekend of May. At the sessions, the community will have the opportunity to view and discuss the maps, provide information about the uses and values of coastal areas to inform future planning, and see examples of how other communities are adapting to coastal change. These sessions are open to all members of the public and participants will be asked to complete a feedback form at the session. The sessions will use a display format so that community members can arrive and leave at any time. Coastal engineers, marine scientists, planners and Shire representatives will be on hand to discuss the information in person.

The information gathered at these sessions will inform the next stages of the process, which is to begin identifying adaptation solutions for addressing coastal erosion. All information and an online feedback form will be provided on the Shire's website following the sessions, for community members who cannot attend the sessions.

Community Engagement Session Dates:

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Shire of Dandaragan: Saturday 27 May from 11am to 2pm, Jurien Bay Administration Centre.

**COMMENT**

Ashley Robb, Project Manager, Coastal Adaptation Planning Gingin Dandaragan Coastal Partnership presented to the Council at the Forum held on 23 March 2017.

Mr Robb outlined the draft Coastal Report for Dandaragan and presented the coastal hazard mapping to the Council.

The publication of these maps for community input is an important step in the drafting of the Coastal Report. Council endorsement is sought at this meeting in order to meet timelines for the advertising of community sessions and to meet the projects deadlines as required under the funding arrangement with the Department of Planning.

**CONSULTATION**

This process will commence the consultation.

**STATUTORY ENVIRONMENT**

- Local Planning Scheme No 7.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

The project has been funded by the Department of Planning, the Shires of Dandaragan and Gingin.

**STRATEGIC IMPLICATIONS**

2016 – 2026 Strategic Community Plan

<i>Goal 4: Healthy Natural and Built Environment</i>	
<b>Objectives</b>	<b>How the Shire will contribute</b>
4.1 Maintain integrity of coastal and marine environments	a) Manage pressure on coastal/beach environment from visitation/locals on Shire of Dandaragan reserves

<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 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	h) Maintain and implement up to date policies and procedures (including delegations)

ATTACHMENTS.

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

- Coastal Hazard Maps Cervantes (Doc Id: 89364)
- Coastal Hazard Maps Jurien Bay (Doc Id: 89365)

***(Marked 9.4.5)***

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION**

**That Council endorse the advertising of the Cervantes and Jurien Bay coastal erosion hazard maps for the community workshop scheduled in May 2017.**

## 9.5 COUNCILLOR INFORMATION BULLETIN

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

Document ID: 88574

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

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

Document ID: 89096

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

### 9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – MARCH 2017

Document ID: 88560

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

### 9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – MARCH 2017

Document ID: 88260

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

### 9.5.5 ROADWISE ROAD SAFETY NEWSLETTER – MARCH 2017 – ISSUE 3

Document ID: 88122

In this issue:

- Welcome, Nicky Smith!
- Help WALGA's RoadWise Shine a Light on Road Safety During May
- 'Celebrate City Beach' Event Helps Highlight the Importance of Safe Vehicles
- Minilya Roadhouse Joins the Coffee Stop Family
- Hedland RoadWise Group Back in Business
- Avon Valley: WA's First Motorcycle Friendly Region
- I Slow Down in Derby as Road Safety Shines at the Derby Expo
- Road Safety Heroes in Rockingham
- *Blessing of the Roads* – Joint Event
- Bike Week Community Bike Ride in Kalgoorlie
- Kalbarri RoadWise, Kalbarri District High School and SDERA Working Together
- Cranbrook Residents Stay 'Healthy in the Bush'
- 'Readiness to Travel' Stop Offers Free Vehicle Inspections in Dongara
- Katanning Senior High School (KSHS) *Get Up and Go Day*

### 9.5.6 WALGA – WASTE & RECYCLE CONFERENCE 2017

Document ID: 88125

Waste & Recycle 2017 is themed *Sorting our waste: valuing it as a resource*. This theme represents our changing view of waste from a discarded product to a resource in its own right and the need to 'sort' out what we're doing with waste.

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

#### **9.5.7 LOCAL GOVERNMENT NEWS – 17 MARCH 2017 – ISSUE 10**

Document ID: 88032

In this issue:

- WA State Election 2017
- Save the Date: Health and Wellbeing Forum
- Local Government Honours Awards 2017
- Free Training Sessions for WALGA'S Environmental Planning Tool (EPT)
- Procurement and Contract Management Training
- Recorded Webinar on Gift Declaration
- Vacancies on Boards and Committees
- Facility Development Seminar

Mailbag:

- Infopage: Legal Advice on Industrial Relations Jurisdiction

Media Release:

- Collaborative Approach Anticipated with New Local Government Minister

#### **9.5.8 WALGA WASTE NEWS – 24 MARCH 2017 – ISSUE 28**

Document ID: 88327

In this issue:

- Waste 101: Back to Basics
- New Environment Minister
- Illegal Dumper Convicted in Armadale
- Review of the Product Stewardship Act 2011

#### **9.5.9 LOCAL GOVERNMENT NEWS – 24 MARCH 2017 – ISSUE 11**

Document ID: 88321

In this issue:

- Flood Damage Recovery WANDRRA Funding)
- Seeking Comments: WALGA Public Health Survey
- Training
- Guidelines and Specifications for Residential Crossovers
- WALGA/LGIS Human Resources Forum
- Innovation in Local Government Forum – Metropolitan Local Governments

#### **9.5.10 WALGA PROCUREMENT NEWS – MARCH 2017 – ISSUE 33**

Document ID: 88369

In this issue:

- Going Local
- Declare It!
- Are you at Risk?
- WA Building and Construction Industry Code of Conduct 2016 (the 'BCI Code')

- A Real Risky Business
- Call for Case Studies in Procuring Sustainably
- Legal Services
- Engineering Consulting Services
- Town Planning
- Energy Services
- Temporary Labour
- Business Systems Software and Services

**9.5.11 AUSTRALIAN BUREAU OF STATISTICS – 2016 CENSUS DATA RELEASE**

Document ID: 88384

Attached to the agenda is ABS Census Data Release Fact sheet.  
**(Marked 9.5.11)**

**9.5.12 DEPARTMENT OF AGRICULTURE AND FOOD – PLANNING APPLICATION PIGGERY LOT 3616 AGATON ROAD**

Document ID: 88373

“Thank you for the opportunity to comment on the application for Planning Approval for a piggery at Lot 3616 Agaton Road, Dandaragan. In principal, the Department of Agriculture and Food Western Australia (DAFWA) supports the expansion of the pig industry in Western Australia, provided that the activities undertaken by the developing enterprise do not result in environmental degradation or negative impacts on adjacent agriculture businesses or properties.”

Attached to the agenda is the entire correspondence. **(Marked 9.5.12)**

**9.5.13 DEPARTMENT OF AGRICULTURE AND FOOD - BADGINGARRA RESEARCH FACILITY**

Document ID: 88343

“Thank you for your letter of 31 January 2017 to the then Minister for Agriculture and Food regarding the current status of the Badgingarra Research Facility.

I note that you have had discussions with the then Minister expressing the Shire’s desire to acquire the Badgingarra Research Facility. As you would be aware the Department and Shire have since entered into a three year extension to the current lease which will expire on 28 February 2020.”

**9.5.14 LOCAL GOVERNMENT NEWS – 31 MARCH 2017 – ISSUE 12**

Document ID: 88472

In this issue:

- Meeting with Minister for Local Government, Heritage, Culture and the Arts, Hon David Templeman MLA
- Land Use Planning and Urban Greening Presentation
- Training
- Disability Standards for Accessible Public Transport: Draft
- Bridges Renewal Programme – Round 3

- Innovation in Local Government Forum – Metropolitan Local Governments
- Vacancies on Boards and Committees
- Local Government Honours Awards 2017
- WALGA/LGIS Human Resources Forum
- Local Government Health and Wellbeing Forum

**9.5.15 THE LISTENING POST NEWSPAPER ARTICLE - JURIEBAY RSL SUB BRANCH**

Document ID: 88606

The Listening Post hits the road to bring the stories of regional Sub-Branched to the fore. Their first visit for this series was to the Juriebay RSL Sub-Branch.

Attached to the agenda is a copy of the article. *(Marked 9.5.15)*

**9.5.16 AUSTRALIAN COUNCIL OF SMOKING & HEALTH – A TOBACCO FREE WESTERN AUSTRALIA BY 2025**

Document ID: 88416

“Earlier this year, ACOSH released a significant document. ‘Seven actions to achieve a Tobacco Free Western Australia by 2025’, and ACOSH are seeking Councils support in helping make these recommendations a reality.

The use of tobacco is still the leading cause of preventable disease and premature death in Australia. Two-thirds of Australian smokers are likely to die because they smoked, and smoking will cause the deaths of 1.8 million smokers now alive.”

A copy of this document is available on request.

**9.5.17 SMALL BUSINESS DEVELOPMENT CORPORATION – SMALL BUSINESS FRIENDLY LOCAL GOVERNMENTS INITIATIVE**

Document ID: 88610

“Since this initiative was launched by the Small Business Development Corporation (SBDC) in August 2016, 15 local governments, encompassing close to 30 per cent of the State’s small businesses, have signed up.”

Attached to the agenda is entirety of the correspondence. *(Marked 9.5.17)*

**9.5.18 HON PAUL PAPALIA CSC MLA MEDIA STATEMENT – FUNDING TO CREATE SUSTAINABLE VISITOR CENTRES IN REGIONAL WA**

Document ID: 88726

- \$1.05 million available for innovative projects
- Grants to support economic sustainability of regional visitor centres
- Visitor centres generate more than 900 jobs and inject \$117 million into economy

Attached to the agenda is a copy of the media statement (**Marked 9.5.18**)

**9.5.19 WALGA – WASTE NEWS 7 APRIL 2017 – ISSUE 29**

Document ID: 88828

In this issue:

- W&R Call for Papers Closes Today!
- LG Focus: BHRC Certified Fresh
- Metro Officers – Nominate Now!
- Dirty Business

**9.5.20 WALGA – NOTICE OF ANNUAL GENERAL MEETING 2017**

Document ID: 88730

The Annual General Meeting for the Western Australian Local Government Association (WALGA) will be held on Wednesday 2 August 2017 as part of the Local Government Convention. The meeting will be held at the Perth Convention Exhibition Centre.

Attached to the agenda is the Notice of Annual General Meeting. (**Marked 9.5.20**)

**9.5.21 WALGA – LOCAL GOVERNMENT NEWS 7 APRIL 2017 – ISSUE 13**

Document ID: 88834

In this issue:

- NAMN Forum: Habitat Creation and Wildlife Corridors
- Training
- Emergency Fund Opens
- Glyphosate Review Outcome
- Vacancies on Boards and Committees
- WALGA / LGIS Human Resources Forum
- Local Government Health and Wellbeing Forum
- Fighting Ageism with Film

**9.5.22 NATURAL AREA MANAGEMENT NETWORK FORUM – HABITAT CREATION AND WILDLIFE CORRIDORS - INVITATION**

Document ID: 88879

Invitation to join NAMN Forum for this opportunity to hear from organisations and land managers undertaking projects to create green spaces in the urban environment and assist wildlife move through the landscape. Speakers for the day include representatives from the WA Biodiversity Science Institute, UWA, Perth NRM, DPaW, the Water Corporation and the City of Perth.

Attached to the agenda is the invitation. (**Marked 9.5.22**)

**9.5.23 LOCAL GOVERNMENT HEALTH & WELLBEING FORUM - INVITATION**

Document ID: 88923

WALGA will hold a Local Government Health and Wellbeing Professional Development Forum which will provide a range of

information on health and wellbeing to Local Government Elected Members and Officers.

Attached to the agenda is the invitation. **(Marked 9.5.23)**

**9.5.24 WALGA STATE COUNCIL AGENDA – 5 MAY 2017**

Document ID: 88939

The next State Council will be held on 5 May 2017 and a copy of the agenda can be found on the WALGA website at – <http://walga.asn.au/About-WALGA/Structure/State-Council/Agenda-and-Minutes.aspx>

**9.5.25 LOCAL GOVERNMENT NEWS – 13 APRIL 2017 – ISSUE 14**

Document ID: 89045

In this issue:

- Open Letter to WALGA Members
- WANDRRA Funding Update
- Financial Assistance Grants Thunderclap Campaign
- Local Government NDIS Roundtable Discussion
- Training
- RSL / WALGA ANZAC Day Award
- Local Government Health and Wellbeing Forum
- Local Government Honours Awards 2017
- Peel-Harvey Catchment Council Community Environment Grants
- Recognition for Coastal Care Excellence
- Regional Visitor Centre Sustainability Grant Program
- Bushfire Awareness Course Subsidy Scheme

Media Release:

- Rural Fire Service Dismissal Premature
- Conscious Thought the Easter Road Safety Challenge

**9.5.26 MENTAL HEALTH COMMISSION – WA MENTAL HEALTH CONFERENCE AND AWARDS: 13-14 JULY 2017**

Document ID: 89275

The Western Australian Association for Mental Health (WAAMH), with the support of the WA Mental Health Commission (MHC), will host the WA Mental Health Conference and Awards 2017 at the Perth Concert Hall on 13 and 14 July 2017.

For further information about the Conference and Awards can be found at [waamh.org.au/conference](http://waamh.org.au/conference).

**9.5.27 CERVANTES RATEPAYERS & PROGRESS ASSOCIATION (INC)**

Document ID: 89271

Attached to the agenda is correspondence from Cervantes Ratepayers & Progress Association (Inc) **(Marked 9.5.27)**

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

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

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

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

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

Local Government Act 1995

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
  - (a) all council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
  - (a) a matter affecting an employee or employees;
  - (b) the personal affairs of any person;
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
  - (e) a matter that if disclosed, would reveal —**
    - (i) a trade secret;
    - (ii) information that has a commercial value to a person; or**
    - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
  - (f) a matter that if disclosed, could be reasonably expected to —
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
    - (ii) endanger the security of the local government’s property; or

**AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 APRIL 2017**

- (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
  - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

Local Government (Administration) Regulations 1996

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

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

## **11.1 RAC CERVANTES HOLIDAY PARK - RENT REVIEWS**

### **OFFICER RECOMMENDATION**

**That the meeting be closed to members of the public at \_\_:\_\_pm in accordance with Section 5.23 (2)(e)(ii) of the Local Government Act 1995 and Regulation 4A of the Local Government (Administration) Regulations 1996 to allow Council to discuss Item 11.1.1 'RAC Cervantes Holiday Park - Rent Review'.**

### **11.1.1 RAC CERVANTES HOLIDAY PARK - RENT REVIEW**

Location:	Lot 300 Aragon Street, Cervantes
Applicant:	RAC Parks & Resorts
Folder Path:	Business Classification Scheme / Council Properties / Leasing Out / Caravan Parks
Disclosure of Interest:	Nil
Date:	4 April 2017
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

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

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

## **13 CLOSURE OF MEETING**