



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

**MINUTES**

**of the**

**ORDINARY COUNCIL MEETING**

**held at the**

**COUNCIL CHAMBERS, JURIE BAY**

**on**

**THURSDAY 22 AUGUST 2019**

**COMMENCING AT 11.02AM**

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

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

# Table of Contents

<b>1</b>	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS .....</b>	<b>1</b>
	1.1 DECLARATION OF OPENING.....	1
	1.2 DISCLAIMER READING.....	1
<b>2</b>	<b>RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE .....</b>	<b>1</b>
<b>3</b>	<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>	<b>2</b>
<b>4</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>2</b>
<b>5</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>3</b>
<b>6</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>3</b>
	6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 25 JULY 2019.....	3
<b>7</b>	<b>NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION .....</b>	<b>4</b>
<b>8</b>	<b>PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS .....</b>	<b>4</b>
<b>9</b>	<b>REPORTS OF COMMITTEES AND OFFICERS.....</b>	<b>5</b>
	<b>9.1 CORPORATE &amp; COMMUNITY SERVICES .....</b>	<b>5</b>
	9.1.1 ACCOUNTS FOR PAYMENT – JULY 2019.....	5
	9.1.2 REVIEW OF TRONOX GRANT APPLICATIONS 2019 / 20.....	6
	9.1.3 REVIEW OF COMMUNITY GRANT APPLICATIONS .....	9
	9.1.4 INTERIM FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 30 JUNE 2019 .....	13
	9.1.5 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 JULY 2019.....	15
	<b>9.2 INFRASTRUCTURE SERVICES .....</b>	<b>17</b>
	9.2.1 SHIRE OF DANDARAGAN PANEL OF PRE-QUALIFIED SUPPLIERS – ADDITIONAL APPLICANTS FOR CONSIDERATION.....	17
	9.2.2 TENDER RFT 01 / 19 WASTE MANAGEMENT ATTENDANT FOR THE DANDARGAN AND BADGINGARRA LANDFILL / WASTE TRANSFER SITES.....	22
	<b>9.3 DEVELOPMENT SERVICES.....</b>	<b>26</b>
	9.3.1 REST IN REEF PROJECT – JURIE BAY FORESHORE.....	26
	<b>9.4 GOVERNANCE &amp; ADMINISTRATION .....</b>	<b>32</b>
	<b>9.5 COUNCILLOR INFORMATION BULLETIN .....</b>	<b>32</b>
	9.5.1 SHIRE OF DANDARAGAN – JULY 2019 COUNCIL STATUS REPORT.....	32
	9.5.2 SHIRE OF DANDARAGAN – INFRASTRUCTURE REPORT – APRIL – JULY 2019.....	32
	9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JULY 2019 .....	32
	9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JULY 2019.....	33
	9.5.5 SHIRE OF DANDARAGAN TOURISM / LIBRARY REPORT FOR JULY 2019.....	33
	9.5.6 AVON WASTE – SHIRE OF DANDARAGAN WASTE REPORT 2018 / 2019.....	33

9.5.7	DEPARTMENT OF PLANNING, LANDS & HERITAGE, DEPARTMENT OF TRANSPORT.....	33
9.5.8	WHEATBELT NORTH REGIONAL ROAD GROUP .....	33
9.5.9	RAC – LOCAL GOVERNMENT STRATEGIC TRANSPORT PRIORITIES SURVEY RESULTS .....	33
9.5.10	DEPARTMENT OF HEALTH – BIOSOLIDS USE AT SUTHERLANDS FARM.....	33
<b>10</b>	<b>NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING.....</b>	<b>33</b>
	<b>10.1 GOVERNANCE &amp; ADMINISTRATION.....</b>	<b>33</b>
	10.1.1 PROPOSED MAKING OF LOCAL LAWS FOR THE SHIRE OF DANDARAGAN IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995.....	34
<b>11</b>	<b>CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC.....</b>	<b>39</b>
<b>12</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>39</b>
<b>13</b>	<b>CLOSURE OF MEETING .....</b>	<b>40</b>

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

### 1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 11.02am and welcomed those present.

*"I would like to acknowledge the traditional owners of the land we are meeting on today, the Yued people of the great Nyungar Nation and we pay our respects to Elders both past, present and emerging."*

### 1.2 DISCLAIMER READING

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

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

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

### Members

Councillor L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor A Eyre	
Councillor W Gibson	
Councillor K McGlew	
Councillor R Shanhun	
Councillor D Slyns	

### Staff

Mr B Bailey	(Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr D Chidlow	(Executive Manager Development Services)
Ms R Headland	(Council Secretary & Personal Assistant)
Mr T O'Gorman	(Economic & Club Development Officer)
Ms M Perkins	(Manager Community & Customer Service)

### Apologies

Councillor D Richardson  
Councillor J Clarke

**Approved Leave of Absence**

Nil

**Observers**

Mr M Sheppard, Mrs J Evans, Mr I Styles, Ms Katherine Allen, Dr Rob Keogh, Students & Teachers from Dandaragan, Badgingarra and Cervantes Schools

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

Nil

**4 PUBLIC QUESTION TIME**

Mr Sheppard asked about the removal of the signage on Bashford Street in front of the Senior Citizens building and whether they were required to have a permit to have their A Frame sign out on the verge for a once a week event.

*The Executive Manager of Development Services responded by saying approval can be granted for community groups to have an A Frame sign advertising events subject to maximum 14 days prior to the event and removed immediately after and 1m<sup>2</sup> and within 2kms of the event under both Main Roads and Shire Policy.*

Max Harris from Dandaragan asked if the Shire could please place more rubbish bins at the Dandaragan oval when football and hockey are being played.

*The Chief Executive Officer responded by saying that the Shire works with the local sporting clubs to supply sufficient rubbish bins for match days and would have Shire staff discuss any further needs with the sporting clubs to ensure the facility remains neat and tidy.*

Demi Steele from Cervantes asked why the Shire keeps removing their cubbies in Valencia Road.

*The Chief Executive Officer responded by saying that although he wasn't aware of any specific tree houses that have been removed but occasionally Shire staff may be concerned about safety which may result in some structures being dismantled.*

Bon Swarbrick from Cervantes asked if the Shire has any plans to remove the feral goats from (Marine Fields).

*The Chief Executive Officer responded by saying that the Shire does not have any immediate plans to eradicate the feral goats however the Shire usually coordinates such activities with local NRM groups such as NACC.*

Kelly Wilkins from Badgingarra asked if the Shire had a plan for the future of Badgingarra

*The Shire President responded by saying that Badgingarra was a special place and the first place she visited when she first came to the Shire of Dandaragan.*

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

*Like many small regional communities there are challenges but we expect that new industry and businesses are looking closely at the area and potentially there will be many more jobs near Badgingarra soon.*

Molly Knowles from Cervantes asked if there were any future plans to clean up the seaweed from the foreshore to improve the quality of swimming, especially during swimming lessons.

*The Chief Executive Officer responded by saying that the seaweed is part of the eco system and is essential for the dune stabilisation.*

Mackenzie Freeman from Dandaragan asked if the Shire had planned to place electric charging points for electric cars in mind with more electric cars being driven and that they would encourage more people to venture into country towns.

*The Chief Executive Officer responded by saying that there were electric switches for electric cars in Cervantes and Jurien Bay. Companies such as Telsa are placing charging stations at local businesses and expect there will be more charging stations in the future.*

Mason Alone from Dandaragan asked if the Shire could extend the footpath from Pioneer Park to the Dandaragan Community Recreation Club (DCRC)

*The Chief Executive Officer responded by saying that the Shire's 2019 / 2020 budget included funds for extending the footpath between the DCRC and Dandaragan Mechanical Services.*

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

### **COUNCIL DECISION**

Moved Cr Shanhun, seconded Cr Slyns

That the following request for leave of absence be approved:

Cr Gibson – 24 August 2019 to 12 September 2019 inclusive.

**CARRIED 7 / 0**

## **6 CONFIRMATION OF MINUTES**

### **6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 25 JULY 2019**

#### **COUNCIL DECISION**

Moved Cr Scharf, seconded Cr Gibson

That the minutes of the Ordinary Meeting of Council held Thursday 25 July 2019 be confirmed.

**CARRIED 7 / 0**

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019****7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

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

Katherine Allen – NACC Proposed Coastcare Support Program

Mike Sheppard – Proposed Community Management of Recreation Reserve  
31652, Lot 185 Cameron Street

Cervantes Students Year 5 / 6 Class - Light Audit

## 9 REPORTS OF COMMITTEES AND OFFICERS

### 9.1 CORPORATE & COMMUNITY SERVICES

#### 9.1.1 ACCOUNTS FOR PAYMENT – JULY 2019

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	9 August 2019
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

#### PROPOSAL

To accept the cheque, EFT and direct debit listing for the month of July 2019.

#### 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 July 2019 totalled \$1,017,994.00 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the July 2019 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

There are no strategic implications relevant to this item.

#### ATTACHMENTS

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



<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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- Cheque, EFT and direct debit listings for July 2019 (Doc Id: 138341)

**(Marked 9.1.1)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr McGlew, seconded Cr Eyre**

**That the Cheque and EFT listing for the period ending 31 July 2019 totalling \$1,017,994.00 for the Municipal Fund be accepted.**

**CARRIED 7 / 0**

**9.1.2 REVIEW OF TRONOX GRANT APPLICATIONS 2019 / 20**

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Grants and Subsidies / Applications / Tronox Community Grants
Disclosure of Interest:	Nil
Date:	9 August 2019
Author:	Michelle Perkins, Manager Customer & Community Services
Senior Officer:	Scott Clayton, Executive Manager Corporate & Community Services

PROPOSAL

The purpose of this report is to consider the allocation of funds for the Tronox Management and Shire of Dandaragan Sporting and Recreation Facilities Fund grant determinations for the 2019 / 2020 financial year.

BACKGROUND

The purpose of this budget item is to allocate a sum of money each year for 'assisting local organisations to provide or improve sporting and recreational facilities and to purchase or improve items of durable equipment'. The funds are allocated by a Committee, made up of two representatives from each community within the Shire of Dandaragan, a Tronox Management representative, Shire President (or representative), and Manager Customer and Community Services.

Council has allocated an amount of \$15,000 in the 2019 / 2020 annual budget for the Sporting and Recreation Facilities Fund, and Tronox has once again contributed to match the funding. In addition, there are carry-over funds from last year's unallocated funds and funds foregone due to incomplete projects. The total funds available is \$35,184.00.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

**COMMENT**

As indicated in the minutes of the grant committee meeting held 1 August 2019, this year 16 applications were submitted by sporting clubs and community organisations. The sum of all requests was \$36,448.55.

The Committee agreed to fund the following list of 15 projects:

Organisation	Project Description	Project Cost (\$)	Grant (\$)
Advance Dandaragan	Swipe Card Access System	1,030.66	515.33
Advance Dandaragan	Treadmill	2,499.00	1,249.50
Badgingarra Community Association	Glass Dishwasher	4,398.90	2,199.45
Badgingarra Community Association	Chairs	5,739.00	2,869.50
Cervantes Community Recreation Centre	Security System	8,356.25	4,179.00
Cervantes Historical Society	Television and Stand	1,024.79	510.00
Dandaragan Bowling Club	Shade Cloth Frame	426.82	213.41
Dandaragan Bowling Club	Loading Ramp	701.55	350.75
Jurien Bay Community Resource Centre	Podcast Equipment	1,424.95	712.48
Jurien Bay Community Resource Centre	Video Gaming Equipment	1,464.00	732.00
Jurien Bay Motor Cycle Club	Handheld Radios	1,649.85	824.00
Jurien Sport and Recreation Centre	Photo Voltaic Panels	8,895.00	4,447.50
Lions Club of Jurien Bay	Water Tank	3,234.00	351.33
Lions Club of Jurien Bay	Off-Grid Solar Power System	29,397.00	14,698.75
Wolba Wolba Heritage Site Management Committee	Pizza Oven	2,662.00	1,331.00
<b>Total</b>		<b>\$72,903.77</b>	<b>\$35,184.00</b>

**CONSULTATION**

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

**STATUTORY ENVIRONMENT**

Local Government (Functions and General Regulations) 1996

**POLICY IMPLICATIONS**

Shire of Dandaragan Policy 5.1 C-5CG01 – Community Grants

**FINANCIAL IMPLICATIONS**

Council has made provision in the budget for \$30,000 expenditure which comprises matching income from Tronox of \$15,000 and

## MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019

general purpose revenue of \$15,000, plus balance brought forward from 2018 / 2019 of \$5,184.00.

### STRATEGIC IMPLICATIONS

Strategic Community Plan - Envision 2029

04 – Community	The Shire's resident population will grow more than the WA regional average supported by increased community recreation and cultural opportunities and access to key liveability factors such as health and wellbeing services and educational opportunities
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### ATTACHMENTS

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

- Minutes of the Tronox Shire of Dandaragan Grant Committee meeting on 1 August 2019 (Doc Id: 138259)
- Tronox & Shire of Dandaragan Sporting and Recreation Facilities Fund Assessment Criteria (Doc Id: 132309)  
**(Marked 9.1.2)**

### VOTING REQUIREMENT

Simple Majority

### OFFICER RECOMMENDATION / COUNCIL DECISION

**Moved Cr McGlew, seconded Cr Gibson**

**That Council:**

- 1. receive the minutes from the Tronox Shire of Dandaragan Grant Committee meeting from 1 August 2019.**
- 2. approve the following grant applications for the Sporting and Recreation Facilities Fund for the 2019 / 2020 financial year, as recommended at the committee meeting on 1 August 2019;**

Organisation	Project Description	Project Cost (\$)	Grant (\$)
Advance Dandaragan	Swipe Card Access System	1,030.66	515.33
Advance Dandaragan	Treadmill	2,499.00	1,249.50
Badgingarra Community Association	Glass Dishwasher	4,398.90	2,199.45
Badgingarra Community Association	Chairs	5,739.00	2,869.50
Cervantes Community Recreation Centre	Security System	8,356.25	4,179.00
Cervantes Historical Society	Television and Stand	1,024.79	510.00
Dandaragan Bowling Club	Shade Cloth Frame	426.82	213.41
Dandaragan Bowling Club	Loading Ramp	701.55	350.75
Jurien Bay Community Resource Centre	Podcast Equipment	1,424.95	712.48
Jurien Bay Community Resource Centre	Video Gaming Equipment	1,464.00	732.00
Jurien Bay Motor Cycle	Handheld Radios	1,649.85	824.00

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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Organisation	Project Description	Project Cost (\$)	Grant (\$)
Club			
Jurien Sport and Recreation Centre	Photo Voltaic Panels	8,895.00	4,447.50
Lions Club of Jurien Bay	Water Tank	3,234.00	351.33
Lions Club of Jurien Bay	Off-Grid Solar Power System	29,397.00	14,698.75
Wolba Wolba Heritage Site Management Committee	Pizza Oven	2,662.00	1,331.00
<b>Total</b>		<b>\$72,903.77</b>	<b>\$35,184.00</b>

**CARRIED 7 / 0**

### 9.1.3 REVIEW OF COMMUNITY GRANT APPLICATIONS

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Grants and Applications / Shire Community Grants
Subsidies /	
Disclosure of Interest:	Nil
Date:	12 August 2019
Author:	Michelle Perkins, Manager Customer & Community Services
Senior Officer:	Scott Clayton, Executive Manager Corporate and Community Services

#### PROPOSAL

The purpose of this report is to authorise the allocation of funds for the Shire of Dandaragan Community Grants for 2019 / 2020.

#### BACKGROUND

In accordance with the Shire of Dandaragan Policy 5.1 C-5CG01 – Community Grants, notices were placed in each of the four local community newspapers and by other formats, inviting applications from community groups. The objective of the Community Grants is to provide funds to community-based organisations and individuals, to support the promotion and development of social, economic, recreation, art and cultural benefits for the residents of the Shire of Dandaragan.

#### COMMENT

This year, the funding pool, including a carryover from the previous financial year, is \$34,636.04. The Grants Program received a total of 20 applications with a total funding request of \$28,445.00:

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

ORGANISATION	PROJECT DESCRIPTION	GRANT REQUEST
Badgingarra Community Association	Inspirational Dinner	\$1,500
Cervantes Chamber of Commerce	Roar by the Shore	\$2,000
Cervantes Community Recreation Centre	Venue Hire subsidy for cultural performances for CCRC	\$1,500
Cervantes Cultural Committee	Art Therapy: Artistic Wisdom for Youth and Above	\$1,600
Coastal Kids Care	CKC Christmas Carnival	\$1,500
Dandaragan Community Resource Centre	Grow in Dandaragan	\$2,000
Dandaragan Community Resource Centre	Carols by the Lake	\$1,000
Dandaragan Playgroup	Child / Infant First Aid Course	\$1,130
ICAN – Inspirational Community Arts Network	Community Art Workshops	\$2,000
Jurien Bay Community Resource Centre	Pre-Christmas and Australia Day Movie Screenings	\$800
Jurien Bay Football Club	Jurien Bay Community Christmas Tree Event	\$1,000
Jurien Bay Playgroup	Little Mess Makers	\$1,000
Jurien Bay Progress Association	Jurien Bay Garden Competition	\$1,140
Jurien Bay Progress Association	Kids Fun Day	\$1,275
Jurien Bay Regional Herbarium Group	National Tree Day 2020	\$700
Jurien Bay Regional Herbarium Group	Native Plant Give-Away Day	\$1,200
Jurien Sports & Recreation Centre	Country Arts WA 'Shows on the Go'	\$2,000
Nambung Country Music Muster	Nambung Country Music Muster	\$1,100
RSL Jurien Bay Sub-Branch	Midwest Regional RSL Concert	\$2,000
Wolba Wolba Heritage Site Management Committee	Aggies Cottage Pop Up Shop	\$2,000
	<b>TOTAL</b>	<b>\$28,445.00</b>

This will be the eleventh consecutive year of the Shire of Dandaragan Community Grants Program. The assistance provided by the Shire is to support community events and is not intended to be the sole source of funding.

The Community Grants Committee met on 7 August 2019 to consider the applications.

The first item of discussion was to consider the eligibility of the applications. The Cervantes Community Recreation Centre application to provide a subsidy for the centre's venue hire was considered ineligible and was not recommended for funding. All other applications were considered eligible.

Despite being eligible, it was recommended that the following application not be funded:

<p><b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b></p>
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Applicant: Cervantes Chamber of Commerce  
 Request: Roar by the Shore  
 Comment: The applicant was funded through a separate Shire annual budget allocation to the value of \$8,000 therefore it was recommended that this application be declined. This was based on the precedent set last year when an applicant applied for funding through both the annual budget requests as well as a community grant for the same event and was advised that if they were successful through the annual budget, the community grant application would be withdrawn.

The remaining applications were deemed eligible and the working party recommends Council award grants to all remaining groups to the value of \$24,945.00.

The Committee discussed Council's decision to not fund the Indian Ocean Festival through the annual budget and the prioritisation of the Roar by the Shore event; based on funds remaining in the community grant pool, recommended that although the Indian Ocean Festival Committee did not submit an application and therefore would be theoretically ineligible, that a grant of \$2,000 be offered to this important and ongoing local event and a recommendation to the organising committee to ensure they submit an application in future for consideration if no budget allocation is to be forthcoming.

#### CONSULTATION

- Councillor Dahlia Richardson
- Councillor Kaye McGlew
- Councillor Darren Slys

#### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

#### POLICY IMPLICATIONS

In accordance with Shire of Dandaragan Policy 5.1 C-5CG01 – Community Grants

#### FINANCIAL IMPLICATIONS

Council has made provision in the annual budget to allocate 0.5% of the gross yield of budgeted rates income to fund recurring and annual community grants. In 2019 / 2020, \$34,636.04 is available including a carryover amount from 2018 / 2019.

#### STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

04 – Community	The Shire's resident population will grow more than the WA regional average supported by increased community recreation and cultural opportunities and access to key liveability factors such as health and wellbeing services and educational opportunities
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### ATTACHMENTS

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

Shire of Dandaragan Policy 5.1 C-5CG01 – Community Grants  
(Doc Id: 138379)

**(Marked 9.1.3)**

### VOTING REQUIREMENT

Simple Majority

### OFFICER RECOMMENDATION / COUNCIL DECISION

**Moved Cr Scharf, seconded Cr Eyre**

**That Council:**

- Fully fund the following grant applications:**

ORGANISATION	PROJECT DESCRIPTION	GRANT
Badgingarra Community Association	Inspirational Dinner	\$1,500
Cervantes Cultural Committee	Art Therapy: Artistic Wisdom for Youth and Above	\$1,600
Coastal Kids Care	CKC Christmas Carnival	\$1,500
Dandaragan Community Resource Centre	Grow in Dandaragan	\$2,000
Dandaragan Community Resource Centre	Carols by the Lake	\$1,000
Dandaragan Playgroup	Child / Infant First Aid Course	\$1,130
ICAN – Inspirational Community Arts Network	Community Art Workshops	\$2,000
Jurien Bay Community Resource Centre	Pre-Christmas and Australia Day Movie Screenings	\$800
Jurien Bay Football Club	Jurien Bay Community Christmas Tree Event	\$1,000
Jurien Bay Playgroup	Little Mess Makers	\$1,000
Jurien Bay Progress Association	Jurien Bay Garden Competition	\$1,140
Jurien Bay Progress Association	Kids Fun Day	\$1,275
Jurien Bay Regional Herbarium Group	National Tree Day 2020	\$700
Jurien Bay Regional Herbarium Group	Native Plant Give-Away Day	\$1,200
Jurien Sports & Recreation Centre	Country Arts WA 'Shows on the Go'	\$2,000
Nambung Country Music Muster	Nambung Country Music Muster	\$1,100
RSL Jurien Bay Sub-Branch	Midwest Regional RSL Concert	\$2,000
Wolba Wolba Heritage Site	Aggies Cottage Pop Up Shop	\$2,000

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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Management Committee		
Indian Ocean Festival Committee	Indian Ocean Festival	\$2,000
	TOTAL	\$26,945.00

**2. Reject the following grant applications:**

ORGANISATION	PROJECT DESCRIPTION	GRANT
Cervantes Chamber of Commerce	Cervantes Roar by the Shore	\$2,000
Cervantes Community Recreation Centre Inc. Management	Venue Hire Subsidy for Cultural performances for CCRC	\$1,500
	TOTAL	\$3,500

**CARRIED 7 / 0**

**9.1.4 INTERIM FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 30 JUNE 2019**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder:	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	13 August 2019
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

**PROPOSAL**

To receive the interim monthly financial statements for the period ending 30 June 2019.

**BACKGROUND**

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 30 June 2019.

**COMMENT**

The statements presented are interim until such time as the annual financial statements are audited and adopted by Council.

A significant change not yet reflected in these statements are the fair revaluation of Plant, Furniture and Equipment of which, the report from the valuer has not yet been finalized.

Other changes may occur that will vary these statements from those audit and published at a later date.



<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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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 30 June 2019 was \$1,792,087. 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 12 and reconciled with the Statement of Financial Activity on page 3 of the financial statements.

The amount raised from rates, shown on the Statement of Financial Activity (page 3), reconciles with note 6 (page 13) 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.

Note 13 of the attached report details any significant variances. Should Councillors wish to raise any issues relating to the 30 June 2019 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no policy implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 30 June 2019 (Doc Id: 138491)

**(Marked 9.1.4)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Eyre, seconded Cr Slyns**

**That the interim monthly financial statements for the period 30 June 2019 be received.**

**CARRIED 7 / 0**

**9.1.5 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 JULY 2019**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	12 August 2019
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

**PROPOSAL**

To table and adopt the monthly financial statements for the period ending 31 July 2019.

**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 July 2019.

**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 [i.e. surplus / (deficit)] position as at the 31 July 2019 was \$1,288,383. 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 12 and reconciled with the Statement of Financial Activity on page 3 of the financial statements.

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
---

The amount raised from rates, shown on the Statement of Financial Activity (page 3), reconciles with note 6 (page 13) 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.

Note 13 of the attached report details any significant variances. Should Councillors wish to raise any issues relating to the 31 July 2019 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 31 July 2019 (Doc Id: 138381)

**(Marked 9.1.5)**

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Scharf, seconded Cr Eyre**

**That the monthly financial statements for the period 31 July 2019 be adopted.**

**CARRIED 7 / 0**

## 9.2 INFRASTRUCTURE SERVICES

### 9.2.1 SHIRE OF DANDARAGAN PANEL OF PRE-QUALIFIED SUPPLIERS – ADDITIONAL APPLICANTS FOR CONSIDERATION

Location:	Shire of Dandaragan
Applicant:	Various
Folder Path:	Tenders / Tenders 2017 / Request for Applications / New Applicants for Consideration
Disclosure of Interest:	Nil
Date:	23 July 2019
Author:	Denaye Yandle, Executive Secretary
Senior Officer:	Brad Pepper, Acting Executive Manager Infrastructure

#### PROPOSAL

That Council consider additional applicants to join the Shire of Dandaragan's Panel of Pre-Qualified Suppliers.

#### BACKGROUND

In 2013 the Shire of Dandaragan conducted a tender process to establish a panel for the "Supply of various goods and services and plant hire". This panel contract was for a period of 2 years and allowed Shire officers to procure a range of goods and services from a list of suppliers, predominantly local, without the necessity to undertake an exhaustive procurement process each time regular goods or services were required. This panel expired in 2015.

In September 2015 amendments were made to the Local Government (Functions and General) Regulations 1996, Part 4 - Provision of goods and services, Division 3 - Panels of pre-qualified suppliers. This provided further clarity to local government authorities regarding how to set up pre-qualified supplier panels. Since this amendment was introduced Shire officers have received ongoing advice from both the Department of Local Government, Sport and Cultural Industries (the Department or DLGCI) as well as staff from Western Australian Local Government Association (WALGA) in an effort to ensure the Shire of Dandaragan's procurement process for establishing a new Prequalified Supplier Panel is undertaken in accordance with the requirements of the Local Government (Functions and General) Regulations 1996, Part 4 - Provision of goods and services, Division 3 - Panels of pre-qualified suppliers.

In October 2017 an RFA was put out for advertising inviting applicants to apply to join a panel for pre-qualified suppliers for various services which included:

- RFA 01/17 Building & Mechanical Services
- RFA 02/17 Civil Works
- RFA 03/17 Technical Services
- RFA 04/17 Town Maintenance

The scope of services required was advertised across 4 x RFA documents for the following categories and scope of services.

**01/17 – Building & Mechanical Services**

1. Roofing
2. Demolition Works
3. Registered Builder
4. Carpenter
5. General Handyman
6. Brick Laying and Paving
7. Glazing Works
8. Working at Heights Services
9. Painting
10. Plumber
11. Electrician
12. Mechanical Services
13. Fabrication and Welding

**02/17 – Civil Works**

1. Engineering Services
2. Road Building and Bulk Earthworks
3. Urban Road Construction
4. Earthmoving Equipment
5. Haulage and Freight
6. Road and Street Maintenance
7. Provision of earthmoving Equipment at a Fire
8. Supply of Bulk Materials

**03/17 – Technical Services**

1. Strategic Community Development Consultancy Services
2. Engineering Consultancy Services
3. Environmental Consultancy Services
4. Asset Management Services
5. Architectural Services

**04/17 – Town Maintenance**

1. Vegetation Management
2. Turf Management
3. Irrigation Services
4. Fencing
5. Street Sweeping
6. Drainage Pipe Clearing and Cleaning

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

The Qualitative Selection Criteria was advertised as follows:

Description of Qualitative Criteria	Weighting %
<b>A) Capabilities</b> Outline the key services, skills, personnel and equipment that your company can provide the Shire of Dandaragan. <ol style="list-style-type: none"> <li>i. Key services and skills (10%)</li> <li>ii. Key personnel (10%)</li> <li>iii. Relevant equipment (5%)</li> </ol>	25%
<b>B) Relevant experience in providing this service (include referees)</b> Provide details of previous successful delivery of services: <ol style="list-style-type: none"> <li>i. Up to a maximum of 5 projects (20%)</li> <li>ii. 1 paragraph description outlining scope of work (10%),</li> <li>iii. Cost (5%),</li> <li>iv. Timeframe (5%)</li> <li>v. Referee (10%) - Must include referee details.</li> </ol> <b>Scaling of Project Clients</b> <ul style="list-style-type: none"> <li>- Shire of Dandaragan (scale 1).</li> <li>- Regional WA local government authorities (scale 0.8).</li> <li>- WA local government authorities (scale 0.6).</li> <li>- State Government agencies (scale 0.4)</li> <li>- Other clients (scale 0.2).</li> </ul>	50%
<b>C) Local Supplier</b> Outline the primary location of your business <ol style="list-style-type: none"> <li>i. Shire of Dandaragan (max 25%)</li> <li>ii. Neighbouring local government authority (max 20%)</li> <li>iii. Regional WA (max 15%)</li> <li>iv. Perth (max 10%)</li> <li>v. Other (max 5%)</li> </ol>	25%
<b>D) Price</b> Provide unit rates for the following relevant items where applicable <ol style="list-style-type: none"> <li>i. Service</li> <li>ii. Personnel</li> <li>iii. Equipment</li> <li>iv. Other</li> </ol>	For reference purposes only Use to compare Similar Applications.

Applications received were reviewed and put to Council at the Ordinary Meeting held 25 January 2018. Following on from this meeting a panel booklet was been compiled containing all successful applicants and their details which was distributed to all staff for their reference on Tuesday 27 November 2018.

All submissions received were evaluated against the qualitative criteria. Where information within the submissions was unclear or required further clarification, applicants were sent a written query via email for clarification. Each submission was given an overall qualitative ranking score out of 100. Upon review of all submissions with relevance to the number of submissions, quality of submissions and services required it was deemed that the minimum cut off score to be considered for recommendation to the panel was 70.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

COMMENT

Following the initial RFA process, it was acknowledged that should additional applicants wish to apply to join the panel they were encouraged to do so and their application would be reviewed as in the original process and put to Council for final decision.

The following tables provide an assessment overview of the additional submissions received based upon the Qualitative Criteria assessment.

	JBay Concreting
02/17 – Civil Works	
1. Engineering Services	
2. Road Building and Bulk Earthworks	
3. Urban Road Construction	
4. Earthmoving Equipment	
5. Haulage and Freight	
6. Road and Street Maintenance	Y
7. Provision of Earthmoving Equipment at a Fire	
8. Supply of Bulk Materials	
WALGA Preferred Supplier	N
CUA Member	N
Qualitative Criteria Ranking	100

CONSULTATION

- Executive Management Team

STATUTORY ENVIRONMENT

Local Government (Functions and General) Regulations 1996, Part 4 - Provision of goods and services, Division 3 - Panels of pre-qualified suppliers.

POLICY IMPLICATIONS

Policy 1.15 Shire of Dandaragan Purchasing Policy and Tender Guide

FINANCIAL IMPLICATIONS

As per the Shire of Dandaragan Purchasing Policy and Tender Price information listed in the Panel submissions, specifically unit rates for various items of equipment and services will provide Shire officers with an indicative pricing schedule for the various items. This has enabled officers to undertake a value for money assessment of comparable services as part of the pre-qualification selection process. It will allow the Shire to engage the relevant contractor at a predetermined rate for specific services where the work required can be on a simple schedule of rates basis.

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

The selection and engagement of Panel members will be on a project by project basis, at the relevant Shire officer's discretion, utilising the thresholds of Section 6 of Council's Purchasing Policy and Tender Guide to provide the best suitable outcome for the Shire of Dandaragan when procuring each individual service. These thresholds as outlined in the Policy are:

Amount of Purchase	Policy
Up to \$5,000	<p>Direct purchase from a supplier using a Purchase Order or Corporate Credit Card issued by the Shire; or obtain at least one (1) oral or written quotation from a suitable supplier, either from:</p> <ul style="list-style-type: none"> <li>• a local supplier listed on an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• from the open market.</li> </ul>
\$5,001 - \$10,000	<p>Direct purchase from a supplier using a Purchase Order or Corporate Credit Card issued by the Shire; obtaining at least one (1) oral or written quotation from a suitable supplier, either from:</p> <ul style="list-style-type: none"> <li>• a local supplier listed on an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• from the open market.</li> </ul>
\$10,001 - \$19,999	<p>Obtain at least three verbal or written quotations, from a suitable supplier, either from:</p> <ul style="list-style-type: none"> <li>• a local supplier listed on an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• from the open market.</li> </ul>
\$20,000 - \$39,999	<p>Obtain at least three (3) written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <ul style="list-style-type: none"> <li>• a local supplier listed on an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• from the open market.</li> </ul>
\$40,000 - above	<p>Obtain at least three (3) written quotations from suppliers by formal invitation under a Request for Quotation, containing price and detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from:</p> <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• from the open market.</li> </ul>

**STRATEGIC IMPLICATIONS**

**Strategic Community Plan – Envision 2029**

01 - Infrastructure	The Shire will sustain a dynamic Infrastructure network responsive to usage demand and attracts and retains residents and businesses
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**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Shanhun, seconded Cr Gibson**

**That Council endorse the following supplier to the Shire of Dandaragan Pre-qualified Supplier Panel based upon the assessment of the Qualitative Criteria of the Request for Applications under the relevant category as follows:**

	<b>JBay Concreting</b>
<b>02/17 – Civil Works</b>	
<b>1. Engineering Services</b>	
<b>2. Road Building and Bulk Earthworks</b>	
<b>3. Urban Road Construction</b>	
<b>4. Earthmoving Equipment</b>	
<b>5. Haulage and Freight</b>	
<b>6. Road and Street Maintenance</b>	<b>Y</b>
<b>7. Provision of Earthmoving Equipment at a Fire</b>	
<b>8. Supply of Bulk Materials</b>	
<b>WALGA Preferred Supplier</b>	<b>N</b>
<b>CUA Member</b>	<b>N</b>
<b>Qualitative Criteria Ranking</b>	<b>100</b>

**CARRIED 7 / 0**

**9.2.2 TENDER RFT 01/19 WASTE MANAGEMENT ATTENDANT FOR THE DANDARGAN AND BADGINGARRA LANDFILL / WASTE TRANSFER SITES**

Location:	Badgingarra and Dandaragan
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification / Waste Management / Tendering / Tender Evaluations
Disclosure of Interest:	Brad Pepper, Coordinator Infrastructure Services
Date:	30 July 2019
Author:	Brad Pepper, Coordinator Infrastructure Services
Senior Officer:	Brent Bailey, Chief Executive Officer

*The author has declared an impartiality interest to this item due to one of the applicants including him as a reference.*

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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PROPOSAL

That Council consider awarding the tender for the Waste Management Attendant for the Dandaragan and Badgingarra Landfill / Waste Transfer sites in two separate contracts:

- Badgingarra Landfill / Waste Transfer site – Waste Management Attendant.
- Dandaragan Landfill / Waste Transfer site – Waste Management Attendant.

BACKGROUND

The Shire of Dandaragan currently outsources the position of Waste Management Attendant for the Dandaragan and Badgingarra Landfill / Waste Transfer sites.

The Attendant's position is responsible for the collection of fees in a reliable manner, providing supervision of customers at all times and the general operation of the sites during opening hours.

The sites are opened to the public at the following times –

	<i>Dandaragan</i>	<i>Badgingarra</i>
Wednesday	1.00pm – 5.00pm	8.00am – 12.00pm
Friday	8.00am – 12.00pm	1.00pm – 5.00pm
Saturday	8.00am – 12.00pm	

This contract was previously tendered in the same manner in 2015 for a period of 48 months which resulted in the Badgingarra Waste / Transfer site being contracted to Desmond Greenwood and the Dandaragan Waste / Transfer site being contracted to Lindsay Hotker.

RFT 01/2019 was advertised as follows:

- The West Australian on Saturday 6 July 2019
- The Shire website [www.dandaragan.wa.gov.au/tenders](http://www.dandaragan.wa.gov.au/tenders).
- Local papers

Submissions closed on Monday 29 July 2019 at 2pm.

**Tender Submissions**

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

At 2pm on 29 July 2019 the tender period closed with tenders received from the following three tenderers:

- Lyndsay Williams
- Lyall Ward
- Desmond Greenwood

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

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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Tenderers	Badgingarra	Dandaragan	Both Sites
Lyndsay Williams	\$ 20,176.00	\$ 30,264.00	\$ 50,440.00
Lyall Ward	-	\$ 23,040.00	-
Desmond Greenwood	\$ 15,360.00	-	-

### **Tender Assessment**

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

Qualitative Criteria	Weighting
Previous experience in delivery of a similar service	25%
Tender price	75%
<b>Total</b>	<b>100%</b>

To make a fair assessment to all tenderers the Waste / Transfer sites were assessed separately. Following the Tender Assessments, the adjusted tender prices and rankings for each Transfer Site were as follows:

### **Badgingarra Transfer Site**

Contractor	Hourly Rate	Monthly Cost	Annual Cost	Ranking
Desmond Greenwood	\$ 40.00	\$ 1,280.00	\$ 15,360.00	1
Lyndsay Williams	\$ 48.50	\$ 1,681.00	\$ 20,176.00	2

All prices exclude GST

Note: Lyall Ward did not submit a price for the Badgingarra Waste Transfer Site.

### **Dandaragan Transfer Site**

Contractor	Hourly Rate	Monthly Cost	Annual Cost	Ranking
Lyall Ward	\$ 40.00	\$ 1,920.00	\$ 23,040.00	1
Lyndsay Williams	\$ 48.50	\$ 2,522.00	\$ 30,264.00	2

All prices exclude GST

Note: Desmond Greenwood did not submit a price for the Dandaragan Waste Transfer Site.

All tenderers satisfactorily met the compliance criterion outlined in the RFT.

### **COMMENT**

Based upon the result of the Tender Assessments the preferred Tenderers are Desmond Greenwood and Lyall Ward. The

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

recommendation is Desmond Greenwood be awarded the Contract for Badgingarra \$15,360.00 exclusive of GST and Lyall Ward be awarded the Contract for Dandaragan \$23,040.00 exclusive of GST, for a total of \$38,400.00 exclusive of GST.

A summary of this recommendation is as follows:

ITEM	CONTRACTOR	PRICE
Badgingarra Waste / Transfer Site	Desmond Greenwood	\$ 15,360.00
Dandaragan Waste / Transfer Site	Lyall Ward	\$ 23,040.00
Total (ex GST)		\$ 38,400.00

The key reasons that Desmond Greenwood and Lyall Ward were ranked first are:

- Both Mr Greenwood and Mr Ward have previous experience working at either one or both of the Waste Transfer sites for the Shire in full time or caretaker roles.
- Both prices submitted were ranked the highest.

CONSULTATION

- Chief Executive Officer
- Coordinator Infrastructure Services

STATUTORY ENVIRONMENT

Local Government (Functions & General) Regulations 1996  
Part 4 – Provision of goods and services Division 2 —  
Tenders for providing goods or services (s. 3.57)

POLICY IMPLICATIONS

Shire of Dandaragan Purchasing Policy and Tender Guide 1.15.

FINANCIAL IMPLICATIONS

The following is a summary of the recommended Contractor and their awarded tender prices for each transfer site:

ITEM	CONTRACTOR	PRICE
Badgingarra Waste / Transfer Site	Desmond Greenwood	\$ 15,360.00
Dandaragan Waste / Transfer Site	Lyall Ward	\$ 23,040.00
Total (ex GST)		\$ 38,400.00

The total price for the 2 sites is comparable to the value of the previous Contract value of \$43,008.00 per annum plus GST.

STRATEGIC IMPLICATIONS

There are no policy implications relevant to this item.

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Shanhun, seconded Cr Eyre**

**That Council award RFT 01/2019 for the Waste Management Attendant for the Badgingarra and Dandaragan Landfill / Waste Transfer Sites in two separate contracts, for a period of three years (with an option for a further two) at the Shire's sole discretion as follows:**

- 1. Badgingarra Landfill / Waste Transfer Site – Waste Management Attendant to Desmond Greenwood for the annual sum of \$15,360.00 (ex GST).**
- 2. Dandaragan Landfill / Waste Transfer Site – Waste Management Attendant to Lyall Ward for the annual sum of \$23,040.00 (ex GST).**

**CARRIED 7 / 0**

### **9.3 DEVELOPMENT SERVICES**

*Cr Shanhun and Cr Scharf declared an impartiality in this item being members of the Jurien Bay Community Men's Shed.*

#### **9.3.1 REST IN REEF PROJECT – JURIEN BAY FORESHORE**

Location:	Reserve 28541 Jurien Bay Foreshore
Applicant:	Jurien Bay Community Men's Shed
Folder Path:	Business Classification Scheme / Parks and Reserves / Usage / Permissions
Disclosure of Interest:	None
Date:	9 August 2019
Author:	David Chidlow, Executive Manager Development Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

Jurien Bay Men's Shed seeks Council approval to delete the development condition placed on the "Rest in Reef" project that *"eligibility be limited to those persons whose ashes have been placed within the Rest in Reef balls and had resided in the Shire of Dandaragan or had a close affinity with the Shire"*.

BACKGROUND

In 2013 the Jurien Bay Men's Shed established an artificial reef dive trail constructed of 79 specially designed and fabricated concrete reef balls. It is the only dive trail in Australia (to date) constructed in this manner.

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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The rest in reef project received approval from the now Department of Biodiversity, Conservation and Attractions (DBCA) for a maximum of 100 rest in reef balls.

The rest in reef project allows remembrance of a person who loved the ocean and wishes that their ashes be mixed with the concrete in the construction of a reef ball and positioned as to become a part of the artificial reef that makes up the dive trail.

Many people have had their ashes spread over the waters of Jurien Bay, the rest in reef ball concept allows for a more permanent placement of the ashes. The rest in reef ball creates an eco-friendly habitat for marine creatures,

There is no legal impediment to putting ashes into the ocean.

At the 18 December 2014 Council meeting Council resolved;

*That Council supports the placement of name plates to accompany the Rest in Reef Balls in the Artificial Reef Interpretive Area with the following qualifications:*

- 1. that the name plates be a maximum of 50mm x 30mm;*
- 2. name plate eligibility be limited to those persons whose ashes have been placed within the Rest In Reef Balls and had resided in the Shire of Dandaragan or had a close affinity with the Shire; and*
- 3. that the Jurien Bay Community Men's Shed be advised that they are wholly responsible for all costs associated with installation, administration and all future maintenance and renewal costs.*

To date a total of nine rest in reef balls have been placed with the ashes of people that have met the conditional approval.

#### COMMENT

When the rest in reef project was discussed by Council at a forum held on 13 November 2014 the following comments were noted.

*"Generally the idea of more reef balls (with or without human ashes) was supported. A number of concerns about the memorial plaques were raised by elected members on the day.*

*It is noted that there are a couple of memorial plaques placed on seats in the park. However these are inconspicuous. If several hundred rest in reef balls are placed over time, this could result in several hundred plaques on the recreation reserve wall. This will in effect turn the wall and associated area into a memorial. This may attract the placement of flowers by family members of the deceased. The Reserve is for recreation purposes and a memorial is not in keeping with the purpose of the area".*

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
---

These comments are still valid, and are the reason for the limitations placed on the approval.

The applicant has provided the following comments in support of the project.

*The Jurien Bay Men's Shed established the artificial reef, constructed of concrete reef balls some 6 years ago, at the old jetty site. The 79 reef balls installed soon attracted marine life and over 50 different species were counted on them. The reef proved to be a very popular tourist attraction as it created a snorkel trail and allowed people to observe some of the Jurien Marine Park's marine life, whilst snorkelling just off the town beach.*

*The rapid accretion of sand occurring along that stretch of beach has, however, buried these reef balls and the cost to reposition or replace them is estimated to be in excess of \$60,000. If they were repositioned or replaced the ongoing accretion of sand would necessitate ongoing monitoring and a plan in place to move them before they became buried again.*

*The initial cost of the artificial reef project was over \$100,000 including the hiring of a technician and moulds from the Eastern States. The initial cost also included signage, brochures and other infrastructure that is still in place. If the Shire wishes to re-establish the artificial reef the Men's Shed is willing to participate in discussions about the options available. JBCMS member, Ian Stiles was involved in the original project and has maintained an active interest and involvement.*

*A second Men's Shed initiative, which has also proved successful, has been the Rest in Reef (RiR) project. The Department of Parks and Wildlife (DPaW) gave permission for the JBCMS to place up to 100 RiR balls in the Marine Park. Since 2013 (6 years) there have been 8 (sic. 9) balls positioned. These RiR balls are manufactured with a deceased person's ashes mixed in with the concrete before it is poured into the mould.*

*People requiring the Rest in Reef ball are informed in writing that although the RiR ball is positioned in 6 metres of water there is a good chance that it will be buried by sand in 3 to 5 years. All the people so informed have to date, accepted this fact.*

*The RiR balls weigh about 175kg and are a lot smaller than the artificial reef balls, which come in at 750 Kg and require a Pontoon and crane to load them. Positioning the RiR balls is a much easier task, as they are easily lowered off a specially fabricated platform from the Volunteer Marine Rescue boat "Crikey".*

*Cost of a Rest in Reef ball to a bereaved family is \$1500, \$900 of which goes to the Jurien Bay Men's Shed, \$450 to the Jurien Volunteer Marine Rescue and \$150 to the patent holders of the RiR mould. When a Rest in Reef ball is positioned it involves a service which may bring up to 30 or more visitors to the town.*

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
---

*Many of the mourners spend one or more days in Jurien Bay, providing significant economic benefit for local businesses.*

*After DPaW approved of the Rest in Reef Ball project in the Marine Park, the proposal was put before the Shire of Dandaragan, where after Council approved the project, with a condition that only people from Jurien Bay or who had an affinity with Jurien Bay could be placed in a RiR ball. We believe that this stipulation should be removed.*

*JBCMS is the only organisation in Australia that provides a rest in reef ashes burial option for deceased persons. There are many people around Australia who love the sea who want to have their ashes interred within a reef ball or who would like to have their deceased loved one remembered in a Rest in Reef ball. Accordingly, JBCMS requests the Shire to remove the condition and to approve any Australian to have their ashes interred within a reef ball and to be a part of the Jurien Bay Marine Park.*

*We believe expanding the RiR initiative will provide both economic and social benefits to the town, while also building on the artificial reef project at no cost to the local community. If the condition is removed, we intend to have articles written about RiR in magazines and social media aimed at older people Australia wide.”*

It is noted that opening up the rest in reef ball project Australia wide may bring economic benefit to the town and rebuild the rest in reef project.

Removing the condition and opening up the project to anyone potentially worldwide may be at the expense of locals wishing to have their ashes in the reef balls due to uptake from people with no connections to Jurien Bay taking all of the approved reef balls (100).

The officer recommendation is that the amendment for the approval contain a percentage of reef balls for locals as per the original approval. Given that only 9 “locals” have taken up the rest in reef burial since December 2014, it is suggested that 20% of the rest in reef balls be allocated to those that have a linkage to Jurien Bay as per the original Council resolution. This percentage includes the 9 already taken by locals.

#### CONSULTATION

- Department Biodiversity Conservation and Attractions (Parks and Wildlife)

#### STATUTORY ENVIRONMENT

- Local Government Act 1995
- Local Government (Administration) Regulations 1996



<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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R.10. Revoking or changing decisions (Act s. 5.25(1)(e))

- (1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —
  - (a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or
  - (b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first mentioned decision must be made —
  - (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or
  - (b) in any other case, by an absolute majority.
- (3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

Members present at the 18 December 2014 meeting.

Councillor W Gibson  
 Councillor K McGlew  
 Councillor L Short (Seconder)  
 Councillor J Kulisa  
 Councillor D Kent  
 Councillor T Bailey  
 Councillor M Sheppard (Mover)  
 Councillor L Holmes  
 Councillor D Slyns

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

Strategic Community Plan - Envision 2029

02 - Prosperity	The Shire will experience broad economic and population growth with decreasing economic barriers, diversified agriculture and fisheries output and vibrant visitor economy
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ATTACHMENTS

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

- Letter from Jurien Bay Men's Shed (Doc Id: 136219)
- Image of current plaques (Doc Id: 138577)

***(Marked 9.3.1)***

VOTING REQUIREMENT

If Council wishes to revoke the decision passed at the Ordinary Meeting held 18 December 2014, it will be necessary for at least one third of the offices (whether vacant or not) of members of the Council to support consideration of the matter before the motion can be moved (Administration Regulation 10, Local Government Act 1995). This means the support of three elected members is necessary before the next stage of the process to consider the revocation of the Motion. To be successful, the revoked motion must be carried by an absolute majority.

Officer Recommendation 1 – Absolute majority

Officer Recommendation 2 – Simple majority

**Councillors Scharf, Shanhun, and Slyns supported a motion for Council to consider revoking the following Council decision from the Ordinary meeting of Council held on 18 December 2014.**

***Moved Cr Sheppard, seconded Cr Short***

***That Council supports the placement of name plates to accompany the Rest in Reef Balls in the Artificial Reef Interpretive Area with the following qualifications:***

- 1. that the name plates be a maximum of 50mm x 30mm;***
- 2. name plate eligibility be limited to those persons whose ashes have been placed within the Rest In Reef Balls and had resided in the Shire of Dandaragan or had a close affinity with the Shire; and***
- 3. that the Jurien Bay Community Men's Shed be advised that they are wholly responsible for all costs associated with installation, administration and all future maintenance and renewal costs.***

**CARRIED 5 / 4**

OFFICER RECOMMENDATION 1 / COUNCIL DECISION

**Moved Cr Eyre, seconded Cr Slyns**

**That Council revoke the following Council decision from the Ordinary meeting of Council held on 18 December 2014 at item 9.4.14.**

**That Council supports the placement of name plates to accompany the Rest in Reef Balls in the Artificial Reef Interpretive Area with the following qualifications:**

- 1. that the name plates be a maximum of 50mm x 30mm;**

2. name plate eligibility be limited to those persons whose ashes have been placed within the Rest In Reef Balls and had resided in the Shire of Dandaragan or had a close affinity with the Shire; and
3. that the Jurien Bay Community Men's Shed be advised that they are wholly responsible for all costs associated with installation, administration and all future maintenance and renewal costs

CARRIED BY ABSOLUTE MAJORITY 7 / 0

#### OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr Slyn, seconded Cr Eyre

That Council supports the placement of name plates to accompany the Rest in Reef Balls in the Artificial Reef Interpretive Area with the following qualifications:

1. that the name plates be a maximum of 50mm x 30mm;
2. name plate eligibility be limited to those persons whose ashes have been placed within the Rest In Reef Balls with a minimum of 20% of all name plates being limited to those persons that had resided in the Shire of Dandaragan or had a close affinity with the Shire; and
3. that the Jurien Bay Community Men's Shed be advised that they are wholly responsible for all costs associated with installation, administration and all future maintenance and renewal costs.

CARRIED 7 / 0

## 9.4 GOVERNANCE & ADMINISTRATION

### 9.5 COUNCILLOR INFORMATION BULLETIN

#### 9.5.1 SHIRE OF DANDARAGAN – JULY 2019 COUNCIL STATUS REPORT

Document ID: 138092

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 25 July 2019. *(Marked 9.5.1)*

#### 9.5.2 SHIRE OF DANDARAGAN – INFRASTRUCTURE REPORT – APRIL – JULY 2019

Document ID: 138264

Attached to the agenda is a copy of the Shire of Dandaragan's Infrastructure Report for April – July 2019. *(Marked 9.5.2)*

#### 9.5.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JULY 2019

Document ID: 138168

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for July 2019. *(Marked 9.5.3)*

**9.5.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JULY 2019**

Document ID: 138170

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for July 2019. *(Marked 9.5.4)*

**9.5.5 SHIRE OF DANDARAGAN TOURISM / LIBRARY REPORT FOR JULY 2019**

Document ID: 138343

Attached to the agenda is monthly report for Tourism / Library for July 2019. *(Marked 9.5.5)*

**9.5.6 AVON WASTE – SHIRE OF DANDARAGAN WASTE REPORT 2018 / 2019**

Document ID: 137478

Attached to the agenda is Shire of Dandaragan Waste Report 2018 / 2019 from Avon Waste. *(Marked 9.5.6)*

**9.5.7 DEPARTMENT OF PLANNING, LANDS & HERITAGE, DEPARTMENT OF TRANSPORT**

Document ID: 137685

Attached to the agenda is Coastal erosion hotspots in Western Australia information sheet. *(Marked 9.5.7)*

**9.5.8 WHEATBELT NORTH REGIONAL ROAD GROUP**

Document ID: 138139

Attached to the agenda is correspondence from Wheatbelt North Regional Road Group with regards to RRG Road project underspend. *(Marked 9.5.8)*

**9.5.9 RAC – LOCAL GOVERNMENT STRATEGIC TRANSPORT PRIORITIES SURVEY RESULTS**

Document ID: 137948

Attached to the agenda is a copy of the LGA Strategic Transport Priorities Survey Results 2019. *(Marked 9.5.9)*

**9.5.10 DEPARTMENT OF HEALTH – BIOSOLIDS USE AT SUTHERLANDS FARM**

Document ID: 137836

Attached to the agenda is correspondence with relation to biosolids use at Sutherlands Farm: Front Gate and Rocky. *(Marked 9.5.10)*

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

**10.1 GOVERNANCE & ADMINISTRATION**

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

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

The following item requires urgent consideration by Council:

The purpose of this report is for Council to make, in accordance with the Local Government Act 1995 and other relevant Acts, new and amendment local laws for the Shire of Dandaragan.

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Scharf, seconded Cr Eyre**

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

**The purpose of this report is for Council to make, in accordance with the Local Government Act 1995 and other relevant Acts, new and amendment local laws for the Shire of Dandaragan.**

**CARRIED 7 / 0**

**10.1.1 PROPOSED MAKING OF LOCAL LAWS FOR THE SHIRE OF DANDARAGAN IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995**

Location:	Shire of Dandaragan
Applicant:	N / A
Folder Path:	Business Classification Scheme / Law & Enforcements / Local Laws / Review of Local Laws
Disclosure of Interest:	Nil
Date:	21 August 2019
Author:	Phillip Swain, Local Laws Consultant
Senior Officer:	Brent Bailey, Chief Executive Officer

**PROPOSAL**

The purpose of this report is for Council to make, in accordance with the Local Government Act 1995 and other relevant Acts, new and amendment local laws for the Shire of Dandaragan.

**BACKGROUND**

The Shire of Dandaragan's current Local Laws were gazetted on various dates since 2001. A review of the Shire of Dandaragan Local Laws was commenced, following a resolution of Council, on 26 May 2016. Following that review, at its full meeting of 18 December 2016, Council directed Administration to;

1. Prepare amendments for the following Local Laws;
  - a) Local Government Property Local Law;
  - b) Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law;
  - c) Extractive Industries Local Law;
  - d) Local Laws Relating to Fencing;
  - e) Parking and Parking Facilities Local Law 2010;
  - f) Cemeteries Local Law 2001;
  - g) Bush Fire Brigades Local Law;
  - h) Health Local Laws 2005;
2. To prepare draft local laws to repeal the following local laws

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
---

- subject to the preparation of suitable replacement local laws;
- a) Standing Orders Local Law 2001;
  - b) Sand Drift Prevention and Abatement Local Law 2009;
  - c) Local Law Relating to Pest Plants;
  - d) Dogs Local Law;
3. To prepare the necessary documentation to repeal the Local Law Relating to Beekeeping; and
  4. To prepare a draft Shire of Dandaragan Waste Local Law 2017.

The Health Local Laws 2005 (Gazetted 13 September 2005 & subsequently amended 19 September 2006 & 22 May 2007), following the local law review, were proposed for amendment. However, with the adoption of the Public Health Act 2016, and the substantial amendment of the former Health Act 1911, (now the Health (Miscellaneous Provisions) Act 1911), it was determined that the Health Local Laws not be amended.

At its meeting of the 27th June 2019 Council resolved the following;

That Council notes the minor changes to the draft local laws, as outlined in Attachment A, and directs Administration to seek the consent of the CEO of the Department of Water and Environmental Regulation to “make” the Shire of Dandaragan Waste Local Law 2019.

On the 6th August 2019 the Shire received advice from the Department of Water and Environmental Regulation advising that the Chief Executive Officer had consented to the local law on 31st July 2019. Council is therefore now at liberty to make the Waste Local Law 2019 as consented to.

#### COMMENT

The Shire has given statewide public and local notice of the proposed local laws, as outlined in Attachment A.

The current drafts have been improved, following various circulars and comments in recent years, from the Department of Local Government Sport and Cultural Industries (formerly DLGC) and the Joint Standing Committee on Delegated Legislation (JSCDL). Comments received from the Department and Ministerial offices have been considered and minor changes included.

#### CONSULTATION

The Shire of Dandaragan community has been consulted throughout the adoption of new Shire of Dandaragan Local Laws is both a legislative and consultative process. State-wide and local public notice was given on 3rd December 2018 and the proposed local laws were advertised on the Shire website.

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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Submissions closed on the 24th January 2019 and no public submissions were received.

Administration also sought comments from relevant government agencies and Ministers offices, on the legislative changes. A series of minor formatting and wording changes were proposed by the Department of Local Government and Communities and the Department of Water and Environmental Regulation (DEWR) with respect to the draft Waste Local Law 2019. The recommended changes were incorporated into the drafts and noted by Council at its June meeting.

#### STATUTORY ENVIRONMENT

It is a requirement of the Waste Avoidance and Resource Recovery Act 2007 that any local government local law has the consent of the CEO of the relevant Department (DWER), prior to being “made” by the local government. The Shire has now received that consent and all the local laws outlined in Attachment A can be made.

The Shire has considered submissions in relation to the local laws and may now make the local laws as proposed or make local laws that is not significantly different from what was proposed. None of the changes included in the drafts amount to “substantial change”.

Once made, the local laws will be published in the Government *Gazette* and copies will be forwarded to the relevant Ministers. Explanatory Memorandums for each local law will be prepared and be forwarded to the Joint Standing Committee on Delegated Legislation.

The final step will be for the Shire to give local public notice —

- (a) stating the titles of the local laws; and
- (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
- (c) advising that copies of the local law may be inspected or obtained from the local government’s office.

Although not essential with respect to this report, it is a requirement of the Local Government Act that at a Council meeting the person presiding is to give notice to the meeting of the purpose and effect of any proposed local law including any amendment. The *Local Government (Functions and General) Regulations 1996* Part 1A-Local Laws, prescribe the following:

***Notice of purpose and effect of proposed local law - s. 3.12(2)***

*For the purpose of section 3.12, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that -*

- (a) the purpose and effect of the proposed local law is included*

<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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*in the agenda for that meeting; and*  
 (b) *the minutes of the meeting of the council include the purpose and effect of the proposed local law.*

The purpose and effect of each local law is again stated below for information:

The intended Purpose and Effect of the Shire of Dandaragan Waste Local Law 2019 are:

**Purpose:** The purpose of the local law is to provide for the regulation, control and management of activities and issues relating to waste collection, recycling, reuse and disposal within the district of the Shire of Dandaragan.

**Effect:** The effect of the local law is to control activities and manage influences on waste collection, recycling, reuse and disposal within the district of the Shire of Dandaragan.

The intended Purpose and Effect of the Shire of Dandaragan Local Government (Council Meetings) Local Law 2019 are:

**Purpose:** The purpose of the local law is to provide for rules and guidelines which apply to the conduct of meetings of the Council and its Committees and to the meetings of electors within the district of the Shire of Dandaragan.

**Effect:** The effect of the local law is to establish requirements for better decision making by the Council and Committees, the orderly conduct of meetings, better understanding of the processes of conducting meetings and the more efficient and effective use of time at meetings, within the district of the Shire of Dandaragan.

The intended Purpose and Effect of the Shire of Dandaragan Site Erosion and Sand Drift Prevention Local Law 2019 are;

**Purpose:** The purpose of this local law is to provide for the regulation, control and management of site erosion, sand and dust on land within the district.

**Effect:** The effect of the local law is to establish controls on site erosion, sand and dust, with which owners and occupiers of land within the district of the Shire of Dandaragan must comply, if directed.

The intended Purpose and Effect of the Shire of Dandaragan General Amendment Local Law 2019 are:



**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

**Purpose:** The purpose of the local law is to provide for the repeal and amendment of the Shire of Dandaragan Local Laws to provide for the good governance of the district of the Shire of Dandaragan.

**Effect:** The effect of the local law is to repeal and amend existing local laws within the district of the Shire of Dandaragan to provide for the good governance of the municipality.

The intended Purpose and Effect of the Shire of Dandaragan Local Law Relating to Pest Plants 2019 are;

**Purpose:** The purpose of the local law is to provide for the regulation, control and management of pest plants on land within the district.

**Effect:** The effect of the local law is to establish controls on specified pest plants, with which owners and occupiers of land within the district of the Shire of Dandaragan must comply, if directed.

The intended Purpose and Effect of the Shire of Dandaragan Dogs Local Law 2019 are:

**Purpose:** The purpose of the local law is to provide for the regulation, control and management of the keeping of dogs within the district of the Shire of Dandaragan.

**Effect:** The effect of the local law is to establish the requirements with which owners and occupiers of land within the district of the Shire of Dandaragan must comply in order to keep dogs and provides the means of enforcing the local law.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Direct costs associated with this report will be limited to Administration and consultancy and gazettal costs. All costs, including the preparation of the final local law report, letters to Ministers and Departments, the preparation of Explanatory Memos, and final gazettal will be undertaken via budgeted expenditure.

STRATEGIC IMPLICATIONS

Strategic Community Plan - Envision 2029

04 – Community	The Shire's resident population will grow more than the WA regional average supported by increased community recreation and cultural opportunities and access to key liveability factors such as health and wellbeing services and educational opportunities
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<b>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019</b>
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A region that develops and supports community leadership and collective values	Provide an industry leading local government organisation promoting community confidence and support in our decision-making processes.
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**ATTACHMENTS**

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

- Attachment A – Shire of Dandaragan Draft Local Laws (Doc Id: 138850)

**(Marked 10.1.1)**

**VOTING REQUIREMENT**

Absolute Majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Shanhun, seconded Cr Eyre**

**That in accordance with section 3.12 of the Local Government Act 1995, Council makes the following local laws, as contained in Attachment A;**

- 1. Shire of Dandaragan Waste Local Law 2019**
- 2. Shire of Dandaragan Local Government (Council Meetings) Local Law 2019;**
- 3. Shire of Dandaragan Site Erosion and Sand Drift Prevention Local Law 2019;**
- 4. Shire of Dandaragan Local Law Relating to Pest Plants 2019; and**
- 5. Shire of Dandaragan Dogs Local Law 2019;  
Shire of Dandaragan General Amendment Local Law 2019;**

**CARRIED BY ABSOLUTE MAJORITY 7 / 0**

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

Nil

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

Nil

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 AUGUST 2019**

**13 CLOSURE OF MEETING**

The presiding member declared the meeting closed at 12.09pm.

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

Signed .....

Presiding person at the meeting at which the minutes were confirmed

Date .....