



SHIRE
of
DANDARAGAN

MINUTES
of the
ORDINARY COUNCIL MEETING
held at the
COUNCIL CHAMBERS JURIEBAY
on
THURSDAY 24 JULY 2014
COMMENCING AT 5.07 PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

Table of Contents

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	1
1.1	DECLARATION OF OPENING	1
1.2	DISCLAIMER READING.....	1
2	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
4	PUBLIC QUESTION TIME	2
5	APPLICATIONS FOR LEAVE OF ABSENCE.....	2
6	CONFIRMATION OF MINUTES	2
6.1	MINUTES OF ORDINARY MEETING HELD 26 JUNE 2014.....	2
7	NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION AND COUNCIL APPOINTED DELEGATES REPORTS.....	2
8	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	4
9	REPORTS OF COMMITTEES AND OFFICERS	4
9.1	FINANCE.....	4
9.1.1	SUNDRY DEBTOR WRITE – OFF	4
9.1.2	ACCOUNTS FOR PAYMENT – JUNE 2014	6
9.1.3	SHIRE OF DANDARAGAN 2014 / 2015 ANNUAL MUNICIPAL BUDGET	7
9.2	INFRASTRUCTURE.....	14
9.3	ADMINISTRATION.....	14
9.3.1	REQUEST FOR ALTERNATIVE FIREBREAK – LANCELIN DEFENCE TRAINING AREA	14
9.3.2	JURIEN BAY VISITOR INFORMATION AND CIVIC CENTRE WORKING GROUP	17
9.4	TOWN PLANNING	19
9.4.1	PLANNING APPROVAL – PROPOSED OUTBUILDING (SHED WITH ATTACHED LEAN-TO) – LOT 281 SULINA CRESCENT, ALTA MARE	19
9.4.2	SCHEME AMENDMENT NO 21 (REZONING) – SPECIAL USE – LOT 62 ROBERTS STREET, JURIEN BAY – FINAL ADOPTION AND SCHEDULE	

OF SUBMISSIONS	22
9.4.3 WIND PROSPECT WA PTY LTD – PROPOSED RENEWAL AND EXTENSION TO APPROVAL FOR WIND MONITORING TOWERS – LOT 3 WADDI ROAD AND LOT 301 YANDIN ROAD, DANDARAGAN	29
9.4.4 ARDROSS ESTATES PTY LTD – PROPOSED TEST POND – LOT 9016 BASHFORD STREET, JURIEN BAY.....	31
9.4.5 PLANNING APPROVAL – AMENDED PLAN WITH REDUCED SIDE BOUNDARY SETBACK TO CONSTRUCTED OUTBUILDING – LOT 492 (7) ESSEX STREET, JURIEN BAY.....	32
9.4.6 DRAFT STATE PLANNING POLICY 3.7 AND PLANNING FOR BUSHFIRE RISK MANAGEMENT GUIDELINES.....	35
9.5 HEALTH	40
9.6 BUILDING	40
9.7 COUNCILLOR INFORMATION BULLETIN.....	40
9.7.1 SHIRE OF DANDARAGAN – JUNE 2014 COUNCIL STATUS REPORT	40
9.7.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – JULY 2014	40
9.7.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JUNE 2014	40
9.7.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JUNE / JULY 2014....	40
9.7.5 ILUKA – CATABY PROJECT UPDATE – MAY 2014.....	41
9.7.6 SENATOR SARAH HANSON-YOUNG – AUSTRALIAN GREENS’ SENATOR FOR SOUTH AUSTRALIA – WORLD REFUGE DAY	41
9.7.7 BELINDA & STEVEN BUITENHUIS – CITIZENSHIP CEREMONY.....	41
9.7.8 COUNCILS FOR DEMOCRACY – GIVE LOCAL GOVERNMENT BACK TO THE PEOPLE.....	41
9.7.9 WALGA – LOCAL GOVERNMENT NEWS – ISSUE 23.....	42
9.7.10 WALGA – ECO NEWS – ISSUE 6.....	42
9.7.11 LANG COPPIN LETTER OF CORRESPONDENCE – 23 JUNE 2014	42
9.7.12 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – FINANCIAL ASSISTANCE GRANTS (FAGS).....	42
9.7.13 DEPARTMENT OF COMMUNICATIONS – IMPORTANT INFORMATION ABOUT TV RECEPTION IN YOUR AREA	43
9.7.14 WALGA MEDIA RELEASE – PROPOSED SERVICES MODEL WOULD BENEFIT COMMUNITY.....	43
9.7.15 DEPARTMENT OF FIRE AND EMERGENCY SERVICES – PERMIT TO BURN THE BUSH – OFFICE OF BUSHFIRE RISK MANAGEMENT REVIEW	43

9.7.16	WALGA MEDIA RELEASE – CONFLICT OF INTEREST SUSPENDED FOR LGAB.....	43
9.7.17	SHIRE OF COOROW – PROPOSED SHIRE OF COOROW – LOCAL PLANNING SCHEME NO.3.....	43
9.7.18	DAVID TEMPLEMAN MLA SHADOW MINISTER FOR LOCAL GOVERNMENT – PARLIAMENTARY QUESTIONS	44
9.7.19	WALGA – LOCAL GOVERNMENT NEWS – ISSUE 24.....	44
9.7.20	DLGC – DIRECTOR GENERAL’S REPORT – JUNE 2014 EDITION	44
9.7.21	CERVANTES LODGE – FRACKING.....	44
9.7.22	PATRICIA TROTTER – CITIZENSHIP CEREMONY	45
9.7.23	WALGA – MUNICIPAL WASTE ADVISORY COMMITTEE INFORMATION – ISSUE 191	45
9.7.24	SHANE LOVE MLA – MEMBER FOR MOORE – LOCAL GOVERNMENT AMENDMENT (REGIONAL SUBSIDIARIES) BILL 2014.....	45
9.7.25	WALGA – LOCAL GOVERNMENT NEWS – ISSUE 25.....	45
9.7.26	WALGA – MEDIA RELEASE – BID TO EXTEND COMMUNITY SAY ON COUNCIL CHANGES.....	46
9.7.27	DEPARTMENT OF MINES AND PETROLEUM – PETROLEUM EXPLORATION PERMIT APPLICATION STP-EPA-0064	46
9.7.28	DISABILITY SERVICES COMMISSION – SECTOR E-BULLETIN – JUNE 2014	46
9.7.29	MRS CYNTHIA GEILES – JURIE COMMUNITY RECREATION CENTRE	46
9.7.30	WESTERN AUSTRALIAN PLANNING COMMISSION – STATE PLANNING STRATEGY 2050.....	46
9.7.31	COMMERCIAL OPERATOR ALERT – PARKS AND WILDLIFE STRATEGIC DIRECTIONS 2014-17.....	47
9.7.32	WALGA – STATE COUNCIL SUMMARY MINUTES – JULY 2014.....	47
9.7.33	WALGA PRESIDENT – TROY PICKARD – PRESIDENT’S STRATEGIC UPDATE.....	47
9.7.34	SOUTH PERTH MAYOR – SUSANNE DOHERTY – RESPONSE TO PRESIDENT’S STRATEGIC UPDATE	47
9.7.35	SHANE LOVE MLA MEMBER FOR MOORE – JURIE BAY INFILL SEWERAGE PROJECT.....	47
9.7.36	WALGA – LOCAL GOVERNMENT NEWS – ISSUE 26.....	47
9.7.37	WALGA – VACANCY FOR WA LOCAL GOVERNMENT ASSOCIATION MEMBER – HEALTHWAY BOARD MEMBER	48
9.7.38	WALGA MEDIA RELEASE – EXPLANATION NEEDED ON LGAB DELAY	

IMPACT.....	48
9.7.39 PUBLIC TRANSPORT AUTHORITY – TRANSWA – OPTIONS FOR CENTRAL WEST COAST.....	48
9.7.40 AUSTRALIA DAY COUNCIL OF WESTERN AUSTRALIA – AUSTRALIAN OF THE YEAR AWARDS	48
9.7.41 MINUTES OF RATEPAYERS MEETING HELD WEDNESDAY 2 JULY 2014	49
9.7.42 REGIONAL DEVELOPMENT COUNCIL – REGIONAL DEVELOPMENT COMMISSION BOUNDARIES AND ALIGNMENT	49
9.7.43 STATE LIBRARY OF WESTERN AUSTRALIA – BETTER BEGINNINGS FAMILY LITERACY PROGRAM FUNDING	49
9.7.44 DEPARTMENT OF ENVIRONMENT – NATIONAL HERITAGE LIST ASSESSMENT: LESUEUR-COOMALLO AREA.....	49
10 NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING	49
10.1 ADMINISTRATION.....	50
10.1.1 PROPOSED SITE FOR JURIE BAY INTERPRETATION COMPLEX	50
11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC.....	53
12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	53
13 CLOSURE OF MEETING	54

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 5.07pm and welcomed those present.

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 or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting."

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

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

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)
Mr W George	(Manager Building Services)
Miss D Kerr	(Council Secretary & PA)

Apologies

Approved Leave of Absence

Observers Christine Sparrow, Peter Lonnan and Clinton Strugnell

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Clinton Strugnell noted that the Seagate Estate public open space reserve funds have been held for approximately 10 years and asked if Council had any specific plans for these funds or if they are willing to take any recommendations from the community.

The Chief Executive Officer advised that Council did not have any plans for these funds at this stage however they will take it to a Council forum for further discussion.

5 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

Moved Cr Short, seconded Cr Kent

That leave of absence be approved as follows:

- Councillor M Sheppard – Sunday 3 August through to Friday 8 August 2014
- Councillor T Bailey – Friday 25 July – Wednesday 27 August 2014
- Councillor L Holmes – Friday 1 August – Friday 22 August 2014
- Councillor D Kent – Thursday 11 September – Wednesday 15 October 2014

CARRIED 9 / 0

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF ORDINARY MEETING HELD 26 JUNE 2014

COUNCIL DECISION

Moved Cr McGlew, seconded Cr Sheppard

That the minutes of the Ordinary Meeting of Council held 26 June 2014 be confirmed.

CARRIED 9 / 0

7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION AND COUNCIL APPOINTED DELEGATES REPORTS

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

Cr Short

- 1 July 2014 WALGA John Philips Function
- 2 July 2014 WALGA Video Presentation recording;
WALGA Strategic Forum; and
WALGA State Council
- 4 July 2014 Rural Water Council – Mukinbudin
- 18 July 2014 Moore Catchment Council Finance
- 21 July 2014 Water Corporation Customer Advisory Council
Regional Meeting with WC Board and Shires – York
- 22 July 2014 Water Corp CAC presentations to Board (WC)

Cr Sheppard

- 2 July 2014 Jurien Bay Progress Association
- 13 July 2014 Lions Club Convention Meeting
- 16 July 2014 Jurien Bay Chamber of Commerce

Cr McGlew

- 30 June 2014 Shire Roadwise Meeting Jurien Bay
- 30 June 2014 Dandaragan Community Centre meeting
- 3 July 2014 State Library WA Meeting
- 5 July 2014 Colin Moore Cross Country Dandaragan
- 14 July 2014 Education Working Party Meeting
- 16 July 2014 Lancelin Management Advisory Committee meeting
- 22 July 2014 Policy & Legislation Meeting SLWA - Conference
- 23 July 2014 Women, Wellbeing & Wine – Dandaragan

Cr Holmes

- 2 July 2014 Joint Chambers Alliance – Jurien Bay
- 21 July 2014 Wheatbelt Development Commission Northam
- 23 June 2014 Meeting with John Astill, Cervantes Chamber of
Commerce

Cr Slyn

- 14 July 2014 Education Working Group
- 16 July 2014 Jurien Bay Civic Centre Working Group Meeting

Cr Kulisa

- 4 July 2014 WALGA Training – Finance & Budget
- 9 July 2014 Jurien Bay Community Resource Centre
- 14 July 2014 Education Working Party
- 23 July 2014 Women, Wellbeing & Wine - Dandaragan

COUNCIL DECISION

Moved Cr Bailey, seconded Cr Short

That the delegates' reports to 24 July 2014 as presented be accepted.

CARRIED 9/0

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014
--

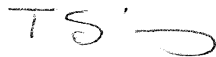

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 FINANCE

9.1.1 SUNDRY DEBTOR WRITE – OFF

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Debtors / Write-Offs
Disclosure of Interest:	Nil
Date:	24 June 2014
Author:	Terry Sims, Senior Ranger
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To seek Council permission to write off one sundry debtor account.

BACKGROUND

Section 6.12 give the Local Government the power to write off debts to Council.

- 6.12. *Power to defer, grant discounts, waive or write off debts*
- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government.*

** Absolute majority required.*

COMMENT

Permission to write off stale sundry debtor accounts is now being sought in accordance with Section 6.12 of the Local Government Act 1995. The details of the account provided below;

Invoice Number:	24479
Date of Invoice:	7 March 2013
Customer Name:	David Gammal
Details of Invoice:	Sustenance for Two British Bull Dogs
Amount of Invoice:	\$483.00 inc GST
Amount of Write Off:	\$483.00 inc GST

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

Comment: Mr David Gammal failed to collect his two British Bull Dogs from pound or pay for sustenance of same.

Numerous reminder emails and letters have been sent to Mr Gammal, unfortunately he refused to make contact. The amount has been outstanding for over a year in the hope that Mr Gammal would pay. We have tried to contact Mr Gammal through our collection agency who state:

“After doing all our internal searches there is no new information that can assist us in making contact.

Due to the small balance it will not be financially viable to proceed, and I suggest that we close this file.”

CONSULTATION

None

STATUTORY ENVIRONMENT

Section 6.12 of the Local Government Act 1995

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The Shire of Dandaragan has incurred an expense in maintaining sustenance for these two British Bull Dogs with the original intention of recouping this expense from the dog owner, resulting in a nil overall financial effect.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- **Confidential** - Copy of Invoice 24479 (Doc Id: 30072)
(Marked 9.1.1)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION

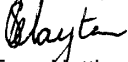

Moved Cr Kulisa, seconded Cr Sheppard

That Council authorise the write off of sundry debtor invoice 24479.

CARRIED BY ABSOLUTE MAJORITY 9 / 0

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

9.1.2 ACCOUNTS FOR PAYMENT – JUNE 2014

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	14 July 2014
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
Senior Officer:	Tony Mottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To accept the cheque and direct debit listing for the month of June 2014

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 and electronic funds transfer (EFT) listing for June 2014 totalled \$2,048,309.71 for the Municipal Fund.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 13 of the Local Government Financial Management Regulations 1997

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- cheque and direct debit listings for June 2014 (Doc Id: 232326) **(Marked 9.1.2)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION
--



Moved Cr McGlew, seconded Cr Short

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

That the Municipal Fund cheque and EFT listing for the period ending 30 June 2014 totalling \$2,048309.71 for the Municipal Fund be accepted.

CARRIED 9 / 0

9.1.3 SHIRE OF DANDARAGAN 2014 / 2015 ANNUAL MUNICIPAL BUDGET

Location:	N/A
Applicant:	None
Folder Path:	Business Classification Scheme / Financial Management / Budgeting / Allocations
Disclosure of Interest:	None
Date:	14 July 2014
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To consider and adopt the Shire of Dandaragan's Budget for the 2014/2015 financial year together with supporting schedules, including striking of the municipal fund rates, adoption of fees and charges, establishment of new reserve funds, setting of elected members fees for the year and other consequential matters arising from the budget papers.

BACKGROUND

The 2014/2015 draft budget has been prepared in accordance with the presentations made to Councillors at the budget workshops held between May and July 2014.

Proposed differential rates were advertised in the Weekend West 24-25 May 2014 for public comment. No submissions were received by 16 June 2014 when the public comment period closed.

COMMENT

The budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. The main features of the draft budget include:

- The budget has been prepared with a 3.0% rate increase.
- A capital works programme totalling \$13.14m for investment in infrastructure and buildings is planned. Including significant progress of the supertowns and the extension of the Jurien Bay Foreshore to Cook Street funded partially by Royalties for Regions.
- In accordance with Section 6.11 of the Local Government Act 1995, the purpose and use of money held in several different reserves are to be changed.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

- An estimated surplus of \$1.2m is anticipated to be brought forward from 30 June 2013. However this is unaudited and may change. Any change will be addressed as part of a future budget review.

CONSULTATION

- Chief Executive Officer
- Deputy Chief Executive Officer
- Executive Manager Infrastructure

STATUTORY ENVIRONMENT

Section 6.2 of the Local Government Act 1995 requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 5 and 6 of the Local Government Act 1995 refer to the setting of budgets and raising of rates and charges. The Local Government (Financial Management) Regulations 1996 details the form and content of the budget. The draft 2014/2015 budget as presented is considered to meet statutory requirements.

POLICY IMPLICATIONS

The budget is based on the principles contained in the Strategic Community Plan.

FINANCIAL IMPLICATIONS

Specific financial implications are itemised in the draft 2014/2015 budget attached for adoption.

STRATEGIC IMPLICATIONS

The draft 2013/2014 budget has been developed based on the Strategic Community Plan.

ATTACHMENTS

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

- Shire of Dandaragan Draft 2014 / 2015 Annual Municipal Budget (Doc Id: 32828)
(Marked 9.1.3)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION
--

Moved Cr Holmes, seconded Cr McGlew

PART A – MUNICIPAL FUND BUDGET FOR 2014 / 2015

Pursuant to the provisions of Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government

(Financial Management) Regulations 1996, the Council adopt the Budget as contained in Attachment 9.1.3 of this agenda and the minutes, for the Shire of Dandaragan for the 2014 / 2015 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type showing a net result for that year of \$2,286,524.
- Statement of Comprehensive Income by Department showing a net result for that year of \$2,286,524.
- Statement of Cash Flows.
- Rate Setting Statement showing an amount required to be raised from rates of \$5,150,719.
- Notes to and Forming Part of the Budget.
- Budget Program Schedules.
- Transfers to / from Reserve Accounts.

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

1. For the purpose of yielding the deficiency disclosed by the Budget adopted at Part A above, Council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the following differential general and minimum rates on Gross Rental Values and general and minimum rates on Unimproved Values.

1.1 General Rates

- General (GRV) 7.1997 cents in the dollar.
- Vacant Residential (GRV) 18.231 cents in the dollar.
- General (UV) 0.71214 cents in the dollar.
- Mining (UV) 0.71214 cents in the dollar.

1.2 Minimum Rates

- General (GRV) \$601.
- Vacant Residential (GRV) \$601.
- General (UV) \$601.
- Mining (UV) \$748.

2. Pursuant to section 6.45 of the Local Government Act 1995 and Regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council nominates the following due dates for the payment in full or by instalments:

- Full payment and 1st instalment due date 26 September 2014.
- 2nd instalment due date 26 November 2014.
- 3rd instalment due date 27 January 2015.
- 4th and final instalment due date 26 March 2015.

3. Pursuant to Section 6.46 of the Local Government Act 1995, Council offers a discount of 5% to ratepayers who

have paid their rates in full, including arrears and service charges, on or before 26 September 2014 or 35 days after the date of service appearing on the rate notice, whichever is the later.

4. Pursuant to section 6.45 of the Local Government Act 1995 and Regulation 67 of the Local Government (Financial Management) Regulations 1996, Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$6.67 (\$20 total) for each instalment after the initial instalment is paid.
5. Pursuant to section 6.45 of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 5% where the owner has elected to pay rates and service charges through an instalment option.
6. Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 10% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

PART C – RESERVE FUNDS – NEW RESERVE ESTABLISHED AND CHANGE OF PURPOSE AND/OR USE OF MONIES HELD

Pursuant to section 6.11 of the Local Government Act 1995 the Shire of Dandaragan will change the purpose and / or use of money for several of its reserves as follows:

Building Reserve

The “Building Reserve” is to be renamed to “Building Renewal Reserve” with the purpose changed to “to fund capital renewal of buildings and associated assets as guided by the Building Asset Management Plan.”

Rubbish Reserve

The “Rubbish Reserve” purpose is to be changed to “to be used to fund establishing, enhancing, rehabilitation or any other activities associated with new and existing landfill or waste sites”

Caravan Park Reserve

The “Caravan Park Reserve” purpose is to be changed to “to be used to fund improvements, other works and the promotion of caravan parks and their surrounds. To also fund planning, feasibility and establishment of new caravan parks.”

Playground Reserve

The “Playground Equipment Reserve” is to be closed and the purpose of the money held in this reserve is to be changed and moved to the “Public Open Space Renewal Reserve” with the purpose “to fund capital renewal of public open space and associated assets as guided by the Public Open Space Asset Management Plan.”

Parking Requirements Reserve

For clarity the “Parking Requirements Reserve” is to be renamed “Parking Requirements Reserve (Lot 1154 Sandpiper Street)” with the purpose of the reserve changed to “to fund future parking requirements in the Shire of Dandaragan in the vicinity of Lot 1154 Sandpiper Street, Jurien Bay as separately identified.”

Parks and Recreation Grounds Development Reserve

For clarity the “Parks and Recreation Grounds Development Reserve” is to be renamed “Parks and Recreation Grounds Development Reserve (Seagate Estate)” with the purpose of the reserve changed to “to fund the future purchase of land or development of parks and recreation grounds in the locality of Seagate Estates as separately identified or with Ministerial approval, for the improvement or development of parks and recreation.”

Landscaping Reserve

For clarity the “Landscaping Reserve” is to be renamed “Landscaping Reserve (Lot 1154 Sandpiper Street)” with the purpose of the reserve changed to “to fund future landscaping requirements in the Shire of Dandaragan in the vicinity of Lot 1154 Sandpiper Street, Jurien Bay as separately identified.”

Long Service Leave Reserve & Annual Leave Entitlements Reserve

The “Long Service Leave Reserve” and “Annual Leave Entitlements Reserve” are to be closed and the purpose of the money held in these reserves are to be changed and moved to a new reserve “Leave Reserve” with the purpose “to fund annual leave and long service leave entitlements.”

Road Construction Reserve & Footpath Construction Reserve

The “Road Construction Reserve” and “Footpath Construction Reserve” are to be closed and the purpose of the money held in these reserves are to be changed and moved to a new reserve “Infrastructure Construction Reserve” with the purpose “to fund capital renewal of infrastructure and associated assets as guided by the Infrastructure Asset Management Plan.”

Coastal Foreshore Development Reserve

The “Coastal Foreshore Development Reserve” is to be closed and the purpose of the money held in this reserve is to be changed and moved to “Public Open Space Construction Reserve” with the purpose “to fund capital construction and/or purchase of public open space and associated assets.”

Housing Reserve

The “Housing Reserve” is to be closed and the purpose of the money held in this reserve is to be changed and moved to “Building Construction Reserve” with the purpose “to fund capital construction and/or purchase of infrastructure and other associated assets.”

Infrastructure Construction Reserve

The “Infrastructure Construction Reserve” is to be established with the purpose of the money held in this reserve to be “to fund capital construction and/or purchase of infrastructure and associated assets.”

PART D – FEES AND CHARGES FOR 2014 / 2015

1. Pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges included in the draft 2014/2015 budget included as Attachment 9.1.3 of this agenda and minutes.
2. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, Council adopt the following charges for the removal and deposit of domestic and commercial waste:

Name	Description of Service	Rubbish Rate	Pensioner Rubbish Rate
Rubbish Service Level 1	Collection of one rubbish bin weekly and one recycling bin fortnightly	\$321	\$279
Rubbish Service Level 2	Collection of one rubbish bin weekly and two recycling bin fortnightly	\$389	\$347
Rubbish Service Level 3	Collection of one rubbish bin weekly and three recycling bin fortnightly	\$457	\$415
Rubbish Service Level 4	Collection of one rubbish bin weekly and four recycling bin fortnightly	\$525	\$483
Rubbish Service Level 5	Collection of one rubbish bin weekly and five recycling bin fortnightly	\$593	\$551

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

3. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, and section 6.16 of the Local Government Act 1995 Council adopt the following charges for the deposit of domestic and commercial waste:

General refuse (per cubic meter)	\$26.00
Separated recyclables	Free
Clean fill	Free
Scrap metal	Free
Car Tyres without rims (each)	\$3.60
4x4 Tyres without rims (each)	\$4.80
Truck Tyres without rims (each)	\$12.00
4x4 & Car tyres with rims (each)	\$12.00
Truck Tyres with rims (each)	\$33.00
Asbestos (per cubic meter)	\$72.00
Asbestos – Minimum Charge	\$72.00
Freezers, Fridges, Air conditioners (each)	\$15.00
Used Oil (per litre)	\$0.30
Oil Filters (each)	\$1.00
Uncontaminated green waste i.e. No weeds	Free
Uncontaminated concrete/ bricks	Free
Problematic wastes (per cubic meter)#	\$72.00
Emergency opening fee (per hour)	\$72.00

PART E – ELECTED MEMBERS’ FEES AND ALLOWANCES FOR 2014 / 2015

1. Pursuant to section 5.99 of the Local Government Act 1995 and Regulation 34 of the Local Government (Administration) Regulations 1996, Council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

President	\$ 24,720
Councillors	\$ 15,965

2. Pursuant to section 5.99A of the Local Government Act 1995 and Regulations 34A and 34AA of the Local Government (Administration) Regulations 1996, Council adopts the following annual allowances for elected members:

Telecommunications Allowance	\$ 500
Information Technology Allowance	\$ 1,000

3. Pursuant to section 5.98(5) of the Local Government Act 1995 and Regulation 33 of the Local Government (Administration) Regulations 1996, Council adopts the following annual local government allowance to be paid in addition to the annual meeting fee:

President	\$ 12,000
------------------	------------------

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014
--

4. Pursuant to section 5.98A of the Local Government Act 1995 and Regulations 33A of the Local Government (Administration) Regulations 1996, Council adopts the following annual local government allowance to be paid in addition of the annual meeting allowance:

Deputy President	\$ 3,000
------------------	----------

PART F – MATERIAL VARIANCE REPORTING FOR 2014/2015

In accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2014 / 2015 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

CARRIED BY ABSOLUTE MAJORITY 8 / 1

9.2 INFRASTRUCTURE

9.3 ADMINISTRATION

9.3.1 REQUEST FOR ALTERNATIVE FIREBREAK – LANCELIN DEFENCE TRAINING AREA

Location:	Shire of Dandaragan
Applicant:	Lancelin Defence
Folder Path:	Business Classification Scheme / Emergency Services / Planning / Fire Management Plans
Disclosure of Interest:	None
Date:	7 July 2014
Author:	Matthew Dadd, Community Emergency Services Coordinator
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

For Council to consider a request by the Department of Defence for an alternative fire break within the Lancelin Defence Training Area (LDTA).

BACKGROUND

Since the opening of Indian Ocean Drive (IOD) in 2010, installation of a firebreak along the eastern boundary of the LDTA has been of concern to many local residents and government agencies within the Shire of Dandaragan. This has been heavily discussed at quarterly LDTA Management Advisory Committee meetings held in Lancelin.

On the 26 March 2012, Donna Sampey, Environmental Officer

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

Department of Defence, requested that both the Shire of Gingin and Shire of Dandaragan send a Firebreak Warning Hazard Abatement Notice to the Department of Defence. On the 28 March 2012, the said Notice was sent to the Department outlining the Shire's firebreak requirements and advising that an infringement of \$250 could be issued if the firebreak was not compliant with the Firebreak Order (refer to attached letter Doc Id 3978).

The LDТА Fire Management Plan makes reference to the installation of a firebreak inside the eastern boundary of the LDТА, west of the IOD. The Department of Defence have stated on many occasions that they are awaiting Commonwealth level approval for the clearing of Carnaby's Black Cockatoo foraging habitat. Until this approval is obtained, surveying and clearing of the firebreak cannot be implemented. The Department of Defence is still dealing with the approvals process in relation to the Carnaby's Black Cockatoo foraging habitat.

It is unlikely that these approvals will be resolved anytime soon.

COMMENT

On the 8 May 2014, the Department of Defence was invited to attend the Council Forum and was given the opportunity to present their case relating to the firebreak variation.

Discussions included the Unallocated Crown Land, east of the Indian Ocean Drive (old Training Area handed back to the State). It is important to remember that the issue at hand is clearly about land held by the Department of Defence directly west of the IOD and not the land east of the IOD, as this is a separate matter altogether.

Discussions with the CBFCO Mr. Richard Allen is that Council hold a meeting with the CBFCO and DCBFCO's and discuss this matter further before making any decision.

Facts:

- It is highly probability the Federal Minister for Environment will not approve the disturbance of a Commonwealth protected species, such as the Carnaby's Black Cockatoo.
- Defence have spent \$4,000,000 over the last five years implementing, upgrading firebreaks and strategic access within the LDТА.
- Installation of a firebreak on the eastern boundary will serve very little purpose in suppressing wildfires in the area, as a directive was given to all FCO's and Volunteers not to cross the fence line west of the Indian Ocean Drive.
- The LDТА Fire Management Plan clearly states; no person or firefighter will enter upon LDТА without approval form Defence.
- It is also stated in the LDТА FMP that the IOD will be utilised as a strategic containment line if fire were to start within the LDТА.
- Approximately \$150,000 of tax payer's money would be saved

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

by not installing this firebreak.

- The Commonwealth Government & Departments are not bound by Local Government Regulations.
- The State Government is not bound by Local Government Regulations unless the lands are classified as freehold.
- The Shire of Dandaragan has no legislative power to direct the Department of Defence to install firebreaks.
- The area between IOD and the eastern boundary of the LDTA can be successfully managed by implementing prescribed fire at the right time, both reducing fuel loading and enhancing Biodiversity in the area. The Department of Defence would be responsible for all costs relating to the management of this buffer. Monies allocated to install the firebreak would more than cover the costs.

CONSULTATION

- Lancelin Defence Training Area Management Advisory Committee
- Department of Parks and Wildlife, Moora District Office
- Department of Fire & Emergency Services
- Chief Bush Fire Control Officer
- Community Emergency Services Coordinator
- Chief Executive Officer
- Councillors

STATUTORY ENVIRONMENT

- Shire of Dandaragan Firebreak Order 2013 / 2014
- Bushfire Act 1954, Section 33
- Environmental Protection Act, 1996 Section 11
- Environmental Protection Act 1996
- Conservation & Land Management Act, 1984
- Transfer of Land Act, 1893

POLICY IMPLICATIONS

There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relating to this item.

ATTACHMENTS

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

- Firebreak Warning Hazard Abatement Notice (Doc Id: 3978)
- correspondence from Department of Defence requesting an alternative firebreak within the LDTA (Doc Id: 21855)
- correspondence after the Forum 8 May 2014 from Mr. Jarrad Scott, Department of Defence (Doc Id: 32808)
- correspondence from Mr. Mike Spurge, Spurge Apiaries (Doc Id: 32809)

(Marked 9.3.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr McGlew, seconded Cr Short****That Council hold discussion with the CBFCO and DCBFCO's prior to making any decision relating to the request for an alternative firebreak.****CARRIED 9 / 0****9.3.2 JURIEB BAY VISITOR INFORMATION AND CIVIC CENTRE WORKING GROUP**

Location:	N/A
Applicant:	Jurien Bay Visitor Information and Civic Centre Working Group
Folder Path:	Business Classification Scheme / Economic Development / Programs / Tourism
Disclosure of Interest:	Nil
Date:	16 July 2014
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

PROPOSAL

For Council to receive the Jurien Bay Visitor Information and Civic Centre Working Group's (JBVICCWG) meeting minutes dated 16 July 2014 and endorse the operational policies further to the Service Agreement between the Shire of Dandaragan and the Jurien Bay Community Resource Centre (JBCRC).

BACKGROUND

At Council's meeting held on 27 February 2014 Council moved to adopt the Service Agreement for the Jurien Bay Visitor Information and Civic Centre (JBVICC) between the Shire of Dandaragan and the JBCRC:

Moved Cr Slyn, seconded Cr Bailey

That Council adopt the Draft Agreement for the Provision of Services between the Shire of Dandaragan and the Jurien Bay Community Resource Centre as per attachment 9.3.2 (Doc ID: 22216).

The Service Agreement focused solely on what services need to be provided by the JBCRC and the following items were to be reviewed by the JBVICCWG with operational outcomes and policies drafted at a later date:

- Clarity on responsibility for costs in particular areas.
- Clarity on parties' obligations.

A meeting of the JBVICCWG took place on 16 July 2014 where the group finalised the documentation relating to policies and operational outcomes. The Working Group has made recommendation to Council to receive the attached Minutes and

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

endorse the Policies.

COMMENT

The aim of the policies and operational outcomes is to create clarity further to the items of the Service Agreement between the Shire of Dandaragan and the JBCRC. They are working documents that will continue to be reviewed as the operational requirements of the new building are implemented.

As per the contents of the minutes the JBVICCWG acknowledges that there are further clarifications to be made and subsequent policies will be drafted as required but the policies and operational outcomes enclosed can be endorsed in the interim.

CONSULTATION

Jurien Bay Visitor Information and Civic Centre Working Group
Jurien Bay Community Resource Centre

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this report.

POLICY IMPLICATIONS

The JBVICCWG will continue to work towards further policies and operational outcomes as required to be presented to Council in the future to assist with the running of the new building.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this report.

STRATEGIC IMPLICATIONS

- Shire of Dandaragan Integrated Strategic Community Plan

OBJECTIVE 4: Facilitate Industry attraction, expansion and growth to generate diversified regional economy that attracts investment, wealth and income from outside the region and retains it for the benefit of the communities					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G1-O6-A4	Develop plans for self-supporting Visitor servicing in Jurien Bay and work in partnership with tourism industry and local business to staff and manage. Build strong relationship with Cervantes Visitor Centre and Discovery Centre at Pinnacles to generate Visitor Centre network.	Tourism Plans Town Centre Strategy Plan	Short-Medium	District	Tourism Industry CoC's

ATTACHMENTS

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

- Minutes JBVICCWG 16 July 2014 (Doc Id: 32976)
- Turquoise Coast Visitor Information Centre (TQVIC) Brochure Policy (Doc Id: 31045)

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

- TQVIC Merchandise Policy (Doc Id: 30071)
 - TQVIC Volunteer Policy (Doc Id: 29743)
- (Marked 9.3.2)**

VOTING REQUIREMENT

Simple majority

**OFFICER AND WORKING GROUP RECOMMENDATION /
COUNCIL DECISION**



Moved Cr Slyns, seconded Cr Holmes

That Council receive the JBVICCWG meeting minutes 16 July 2014 and endorse the policies further to the existing Service Agreement between the Shire of Dandaragan and the JBCRC as per the attachments 9.3.2.

CARRIED 9 / 0

9.4 TOWN PLANNING

9.4.1 PLANNING APPROVAL – PROPOSED OUTBUILDING (SHED WITH ATTACHED LEAN-TO) – LOT 281 SULINA CRESCENT, ALTA MARE

Location:	Lot 281 Sulina Crescent, Alta Mare
Applicant:	Fred and Linda Harvey
Folder Path:	Development Services App / Development Application / 2014 / 39
Disclosure of Interest:	None
Date:	9 July 2014
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager of Planning
Signature of Senior Officer:	

PROPOSAL

The applicant seeks planning approval for a shed with attached lean-to in Alta Mare. In accordance with the Council's 'Outbuilding and Temporary Accommodation in Rural Residential and Special Use – Rural Development Zones' Policy (the Policy), outbuildings exceeding 216m² require Council approval.

BACKGROUND

The subject lot is zoned Rural Residential. The proposed shed measures 10m x 20m (200m²) and the attached lean-to measures 4m x 20m (80m²) with a total area of 280m².

The proposed wall and ridge height slightly exceeds the Policy. The wall height is 4.3m (exceeding the Policy by 10cm) and the ridge height is 5.8m (exceeding the Policy by 36cm). The outbuilding is setback 100 metre from the front boundary and 15 metre from the side boundary and complies with the setback requirements of the Alta Mare Development Guidelines.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

Under clause 13 and 14 of the Policy as set out below, the Council can approve outbuildings up to 300m² if it is satisfied with the applicant's justification for a larger outbuilding.

Outbuildings

12. The following approval processes apply to the related area and height specifications for outbuildings in Rural Residential and Special Use-Rural Development zones:

External Cladding	Floor Area (In Aggregate)	Wall Height	Ridge Height	Neighbour Consultation	Determination by Council
Zincalume, White Colorbond and Off White Colorbond	Up to 12m ²	Up to 2.4m	Up to 4.2m	Not required	Not required
Non-Reflective Material	Up to 162m ²	Up to 4.0m	Up to 5.5m	Not required	Not required
	> 162m ² – 216m ²	> 4.0m – 4.2m	Up to 5.5m	Required	Only required if objections received from adjoining landowners
Non-Reflective Material Hill River Heights	Up to 120m ²	Up to 3.6m	Up to 4.5m	Not required	Not required

13. The Council shall not approve outbuildings with a floor area greater than 300 m² in aggregate.

14. Any application for an outbuilding proposing to exceed 216m² in size and a wall/ridge height exceeding the above will need to be supported by information justifying a larger outbuilding and evidence demonstrating to Council's satisfaction that:

- the outbuilding will be compatible with the setting;
- the amenity of the locality will not be adversely affected; and
- the height, bulk, scale, orientation and appearance of the outbuilding is acceptable in relation to development on adjoining land or on other land in the locality.

The applicant has provided justification for a larger outbuilding and this is provided below:

"In regards to the out Building at Lot 281 Sulina Crescent the size and height are necessary to garage our 40FT Coach we also have a car trailer, two cars, four wheeler bike and storage area for other equipment.

Regards Linda Harvey"

COMMENT

A site visit revealed there are similar sized outbuildings in the area. Given the proposal is setback 100 metre from the front

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

boundary and this will allow the outbuilding to be located on a lower portion of land, the height, bulk and scale of the proposed outbuilding is considered acceptable for the locality.

At the time of writing this report there had been no objections from adjoining neighbours.

It is the Officer recommendation the proposal is supported.

CONSULTATION

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 30 June 2014 and closed on the 18 July 2014.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

- Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones Policy
- 'Alta Mare' Development Guidelines

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Plans (Doc Id: 32637)
- Location Plan (Doc Id: 32666)
- Submission from applicant (Doc Id: 32639)

(Marked 9.4.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Kulisa

That Council grant planning approval for the proposed outbuilding in accordance with the attached approved plans date stamped 23 June 2014 on Lot 281 Sulina Crescent, Jurien Bay subject to:

- 1. All development shall be in accordance with the attached plans date stamped 23 June 2014 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. The roof and wall material being of non reflective nature and colour consistent with surrounding vegetation and / or predominant colours of the individual site;
3. The outbuilding not to be used for habitable purposes unless separate time limited approval has been granted for temporary accommodation in accordance with any Council Policy and
4. Any proposed apparatus for wastewater disposal be installed so that the leach drains are a minimum of 100m from a natural permanent watercourse, water body or existing drain and that the base of the leach drains be a minimum 2m above the highest known water table or an approved aerobic treatment unit be installed.

ADVICE NOTES:



- Note 1:** Any fill or retaining in excess of 500mm above natural ground level as part of any outbuilding development plans will require planning approval.
- Note 2:** The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development and it is advised the applicant contact the Manager of Building Services to discuss the provisions required with locating a shower and toilet inside the outbuilding prior to applying for a building permit;
- Note 3:** If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- Note 4:** 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 5:** The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845”

CARRIED 9 / 0

9.4.2 SCHEME AMENDMENT NO 21 (REZONING) – SPECIAL USE – LOT 62 ROBERTS STREET, JURIEN BAY – FINAL ADOPTION AND SCHEDULE OF SUBMISSIONS

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

Applicant:	Burgess Design Group on behalf of Carl Aloï
Folder Path:	Business Classification Scheme / Land Use Planning / Planning / Planning Scheme / Amendment 7.21 – Lot 62 Roberts Street
Disclosure of Interest:	None
Date:	11 July 2014
Author:	David Chidlow, Manager 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.21 and final adoption of the amendment to rezone lot 62 Roberts Street, Jurien Bay and the adjoining South West portion of Heaton Street Road Reserve from Tourist to Special Use.

BACKGROUND

The application was adopted for advertising at the September 2013 Council Meeting. At this meeting Council in part resolved:

1. In pursuance of Section 75 of the Planning and Development Act 2005 (as amended), amend Local Planning Scheme No.7 by rezoning Lot 62 Robert Street Jurien Bay from Tourism to Special Use and the adjoining south west portion (910m²) of Heaton Street from a Road Reserve to Special Use zone.
2. Advise the applicant of its resolution and request Scheme Amendment documents be updated in accordance with requirements of the Town Planning Regulations 1967.
3. Upon receipt of Amendment documents updated in accordance with its resolution, refer a copy of the amendment document to the Western Australian Planning Commission, and the Environmental Protection Authority pursuant to Section 81 of the Planning and Development Act 2005.
4. Subject to no objections being received from the Environmental Protection Authority, advertise the amendment for a period of 42 days seeking public comment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 (as amended).

Following the above process and approval from the Environmental Protection Authority, the amendment was advertised in accordance with the Planning and Development Act 2005 and a Schedule of Submissions prepared.

COMMENT

There is a need for Lot 62 Roberts Street to be a highly intensive development for a tourism use, given its strategic location. The approved development for Lot 62 is focused on tourism as a land use, conforming to the objectives of the Tourism Planning Strategy and Jurien Bay Town Centre Plan. The rezoning is to allow for the additional approved uses that do not conform with the tourism zoning, but complement the development of the Hotel and Residential Resort. The rezoning is to allow for the tourist vision for the site to be achieved while still allowing for the permitted

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

uses on site, approved by Council at the Ordinary Council Meeting on 15 December 2011, which would not be permitted under the current zoning under the LPS7.

The Shire has advertised and forwarded Amendment No. 21 to all relevant Government Authorities to satisfy the statutory requirements. If Council adopts the resolution to amend the Scheme as recommended, the amendment now proceeds to the Department of Planning and the Minister for final adoption.

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. 21 did not require environmental assessment, and further, did not provide any additional advice or recommendations on the proposed modifications.

The Scheme Amendment was subsequently advertised for a period of 42 days in line with the Town Planning Regulations, which closed 9 May 2014.

In response a total of 7 submissions were received. A summary of each submission together with staff comment is provided in the attachments.

STATUTORY ENVIRONMENT

Rezoning of the land by way of a Local Planning Scheme Amendment is undertaken in accordance with the provisions of the *Planning and Development Act 2005* and *Town Planning Regulations 1967*.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The proponent is required to pay the costs of preparation and advertising of the amendment.

STRATEGIC IMPLICATIONS

- Shire of Dandaragan Integrated Strategic Community Plan

5.15.1 GOAL NUMBER ONE: Strong Economic Base and Enabling Infrastructure					
OBJECTIVE 1: Ensure planning and land availability provides opportunity to generate quality growth and economic benefits to the community and Shire					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

G1-01-A11	Adopt recommendations and progress actions from Local Tourism Planning Strategy 2011.	Local Tourism Planning Strategy 2011	Short - Medium	District	Tourism WA
-----------	---	--------------------------------------	----------------	----------	------------

▪ Local Tourism Strategy

Recommendation 16

Initiate a Scheme Amendment to the Shire of Dandaragan Local Planning Scheme No. 7 (or omnibus amendment) to rezone the following Lots from 'Tourist' to 'Special Use' and include additional site and development requirements in Schedule 4: Special Use Zones - Lot 62 Roberts Street, Jurien Bay

ATTACHMENTS

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

- Schedule of Submissions (Doc Id: 32756)
(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Short

That Council:

1. pursuant to Regulations 17 (1) and 25 (fb) of the *Town Planning Regulations 1967* (as amended), note the submissions received and endorse the response to those submissions contained in the related Schedule of Submissions;
2. under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:
 - rezoning Lot 62 from 'Tourist' to 'Special Use' zone with a 'Special Use Area No.3' designation as shown on the Scheme Amendment Map;
 - zoning a portion of the Heaton Street Road Reserve 'Special Use' zone with a 'Special Use Area No.3' designation as shown on the Scheme Amendment Map;
 - amending the Scheme Map accordingly; and
 - amending Schedule 4 – Special Use Areas, contained within the Scheme Text by inserting SU 3 – Lot 62 (No.20) Roberts Street, Jurien Bay as follows:

Schedule 4 Special Use Areas

No.	Description of Land	Special Use	Conditions
SU 3	Lot 62 (No.20) Roberts Street and	Permitted Uses: Tourist Resort	1. The Heaton Street Road Reserve is to be designed and developed as an

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

	<p>portion of the Heaton Street Road Reserve, Jurien Bay</p>	<p>Serviced Apartment Restaurant Tavern Shop Office Café Hotel Grouped Dwelling Multiple Dwelling Cinema/theatre</p> <p>Discretionary Uses: Eco-Tourist Facility Civic Use Reception Centre Caretaker's Dwelling Fast Food Outlet Club Premises Convenience Store Art Gallery and Sales</p>	<p>integrated part of the overall site.</p> <ol style="list-style-type: none"> 2. Until such time as development of the hotel commences, the excised portion of Heaton Street is to be used as a "Public Car Park". 3. It is required that the portion of Heaton Street road reserve to be transferred is only to become part of the larger lot upon which the entire development would be situated and to remain part of that lot until the Hotel development on the north west corner of the site is completed or there are arrangements in place to satisfy Council that it will be completed. 4. A deed between the Shire of Dandaragan and the owner of Lot 62 Roberts Street that addresses the issues associated with the closure, realignment and ultimate land transfer of a portion of the Heaton Street Road Reserve to the landowner of Lot 62, on terms satisfactory to the Shire, must be executed before any development on Lot 62 Roberts Street is commenced. The further conditions that apply to this Special Use zone have no effect unless and until the deed is executed by the parties. 5. Development of the site shall generally in be accordance with a Development Approval granted by Council, unless otherwise determined by the Local Government in accordance with this Schedule. 6. No development, other than necessary communications equipment as determined by the Local Government, is permitted to exceed 40.0 metres in height measured from natural ground level. 7. All development shall commence at a minimum finished floor level of 3.4 metres above the Australian Height Datum. 8. Ease of public access to areas of high amenity within or adjoining the site shall be maintained at all times. 9. The maximum proportion of permanent residential occupancy units shall be such that the site area and uses retain a dominant tourism function and character. 10. The proportion of permanent residential units relative to the total number of accommodation units in the site shall be equal to or less than 45%, unless otherwise approved by the Local Government. 11. A register of guests is to be maintained for each short stay (restricted) unit to be made available for perusal by the Local Government
--	--	--	---

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

			<p>on request.</p> <p>12. As a whole any residential component of development, shall be of a design and scale that is subsidiary to the tourism component of the development such that the tourism component remains dominant in all aspects.</p> <p>13. All units in the development shall be designed to form part of an integrated residential and tourist complex and shall not be subject to compliance with the Residential Design Codes of Western Australia to the extent necessary to meet these requirements, unless specified under the local government planning scheme.</p> <p>14. Permanent residential occupancy units shall be concentrated in an area of the complex and provided with specific recreation and amenity facilities to ensure the management and use is an integrated part of the overall complex. In assessing the location of units, the permanent residential component shall be located to provide a transition between tourism development and surrounding residential uses.</p> <p>15. The development shall incorporate and maintain access to those facilities normally associated with tourist accommodation developments including recreation, entertainment facilities and integrated management facilities at all times.</p> <p>16. The development shall not interfere with, restrict access to, or in any way inhibit access and use of the Jurien Bay Foreshore area.</p> <p>17. Subdivision of the land is prohibited within the development site, other than via built strata subdivision or for the creation of separate lots for the completion of individual buildings as approved on a development application.</p> <p>18. Permanent residential accommodation is prohibited on the portion of the site upon which the proposed hotel is to be located (the disenfranchised western portion of the subject site). Council shall make it permissible for that land to be used only for a hotel and associated ancillary uses (such as a bar and/or restaurant). However, the use of the site for public recreational purposes may be permitted by Council until such a time as the construction of the Hotel commences.</p> <p>19. Any built strata subdivision of tourist accommodation in the development site shall be subject to a condition which requires a management</p>
--	--	--	---

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014



			<p>statement and associated agreements pursuant to section 5C of the Strata Titles Act (1985) to apply for a minimum of 25 years, and which includes;</p> <ul style="list-style-type: none"> ▪ The establishment of a Schedule 1 by-law that requires, as a minimum, a unit management agreement, lease or alternative arrangement between owner/s and the common facility manager/operator for a minimum period of 25 years; ▪ The ability for a Strata Company to terminate a contract with the facility manager/operator at the need of a 5 year contract or lesser period based on performance criteria as determined by the Strata Company; ▪ The management agreement shall cover all components (i.e. resort reception, security, maintenance, care taking, refurbishment, marketing, rights of access and other services) required to operate as a tourist facility; and ▪ Conditions outlines in Schedules 1, 2 and 2a of the <i>Strata Titles Act</i> together with the specific conditions detailed in the Shire's draft Local Tourism Planning Strategy that address facility management, development refurbishment, right of entry, internal fit out, register of bookings, length of stay, availability of service, and approval process. <p>20. Require that any built strata subdivision of short stay accommodation will include a notification in accordance with section 6 of the Strata Titles Act (1985) to the following effect: <i>"No person shall occupy any tourist accommodation unit for more than a total of 3 months in any 12 month period. A register of guests showing periods of occupancy is to be kept and made available to the local government on request in order to ensure compliance with this requirement."</i></p>
--	--	--	--

3. **authorise the Shire President and the Chief Executive Officer to execute the relevant documentation and affix the common seal pursuant to Regulations 22(1) of the Town Planning Regulations 1967 (as amended);**
4. **forward the Schedule of Submissions and a copy of each submission to the Western Australian Planning Commission together with three copies of the Amendment documents (duly modified, signed and sealed) for endorsement pursuant to Regulations 22(2) of the Town Planning Regulations 1967 (as amended);**
5. **request the Hon Minister for Planning grant final approval to Amendment No. 21 to the Shire of Dandaragan Local**

Planning Scheme No.7; and
6. inform those agencies and persons who made a submission on Amendment No. 21 to Local Planning Scheme No. 7 of its decision.

CARRIED 9 / 0

9.4.3 WIND PROSPECT WA PTY LTD – PROPOSED RENEWAL AND EXTENSION TO APPROVAL FOR WIND MONITORING TOWERS – LOT 3 WADDI ROAD AND LOT 301 YANDIN ROAD, DANDARAGAN

Location:	Lot 3 Waddi Road and Lot 301 Yandin Road, Dandaragan
Applicant:	Wind Prospect WA Pty Ltd on behalf of Mr G Creagh and Mr P W Shields
Folder path:	Development Services App / Development Application / 2011 / 14 & 15
Disclosure of interest:	None
Date:	11 July 2014
Author:	David Chidlow, Manager Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To consider an application from Wind Prospect WA Pty Ltd on behalf of Mr G Creagh and Mr P Shields to extend planning approval for two temporary wind monitoring towers, one located on Lot 3 and a second on Lot 301.

BACKGROUND

Council granted planning approval to Wind Prospect WA Pty Ltd on behalf of Mr G Creagh and Mr P Shields, for the erection of two wind monitoring towers, one to be located on Lot 3 Waddi Rd and the second to be located on Lot 301 Yandin Rd, Dandaragan, in March 2008.

These wind monitoring towers were subsequently constructed on 10 May 2008 and 15 May 2008 respectively.

Delays in commencing construction of the wind farms has meant that the towers have remained in place.

Wind Prospect WA Pty Ltd requests an extension to this Planning Approval to align the period of time in which these two wind monitoring towers can remain in place with the Planning Approval for the Waddi Wind Farm and Yandin Wind Farm granted at the December 2011 Council meeting.

COMMENT

The intention is that the relevant wind monitoring towers would remain in place until construction commences at each wind farm at which time the relevant wind monitoring tower would be removed.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

The timing of commencement of construction of each wind farm is currently uncertain however the permit for each wind farm requires that the development must be substantially commenced within 4 years. (January 2016)

It is therefore requested that an extension is provided to the period of time in which the two wind monitoring towers can remain in place to be such that the relevant wind monitoring tower must be removed within 3 months of construction commencing at the corresponding wind farm or upon expiry of the relevant wind farm planning permit. This would enable the wind monitoring towers to remain in place if an extension to the Planning Approval for one or both of the wind farms is sought and granted.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- submission from Wind Prospect WA Pty Ltd (Doc Id: 24862)
(Marked 9.4.3)

VOTING REQUIREMENT

Simple majority



OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Short

That planning approval previously granted to Wind Prospect WA Pty Ltd on behalf of Mr G Creagh and Mr P Shields for temporary wind monitoring towers one on Lot 3 Waddi Road and the second on Lot 301 Yandin Road, Dandaragan be renewed and extended until 11 January 2016 subject to the temporary wind towers being removed within 3 months of the commencement of construction of the relevant wind farm.

CARRIED 9 / 0

9.4.4 ARDROSS ESTATES PTY LTD – PROPOSED TEST POND – LOT 9016 BASHFORD STREET, JURIE BAY

Location:	Lot 9016 Bashford Street, Jurien Bay
Applicant:	Ardross Estates Pty Ltd
Folder Path:	Development Services App / Development Application / 2014 / 45
Disclosure of Interest:	None
Date:	11 July 2014
Author:	David Chidlow, Manager Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To consider an application from Ardross Estates for Planning Consent for the construction of a test pond for proposed lagoons.

BACKGROUND

In November 2003, approval was given to the Turquoise Coast Development Structure Plan at Jurien Bay. That Structure Plan has been prepared and approved in accordance with the requirements of the 'Special Development' zone.

Outlined within the Structure Plan was a proposal for the construction of lagoons which are water bodies for recreational purposes. One of the proposed lagoons was to be constructed within Cell 2. Cell 2 is situated immediately to the south of the existing Jurien Bay townsite on the eastern side of Indian Ocean Drive.

In July 2006 the developer was granted approval for a test lagoon to trial the process.

A smaller test pond is now proposed to trial some further improvements to the base of the proposed lagoon to determine if it will be suitable for the locality.

The proposed test pond will be a small pond 18m x 18m in area with a depth of 2m. It will be fully securely fenced. The proposed location is marked on the aerial plan in the attachments. It will not impact on any amenity in the locality.

COMMENT

The proposed test pond will be a temporary structure to trial the proposed lagoons associated with the Turquoise Coast Development Structure Plan.

CONSULTATION

- Ardross Estates Pty Ltd

STATUTORY ENVIRONMENT

- Town Planning and Development Act

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Application for approval (Doc Id: 32791)
- Plan and cross section of proposed lagoon (Doc Id: 32791)
- Plan indicating the proposed location of the lagoon (Doc Id: 32791)

(Marked 9.4.4)

VOTING REQUIREMENT

Simple majority

Christine Sparrow left the Council Chambers at 5.27pm

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Slyns, seconded Cr Short

That Council grant planning approval to Ardross Estates Pty Ltd for the construction of a test pond at Lot 9016 Bashford street, subject to the following conditions:

- 1. approval of the test pond in no way binds Council to approving of the eight hectare lagoon proposal;**
- 2. that Council be provided with all the necessary information following the monitoring of the test pond for a period of time;**
- 3. works to be carried out in accordance with the Dust Management and Suppression Plans in force currently, and;**
- 4. on completion of the trial the pond is to be filled with clean fill and the land and surrounds are to be reinstated to the satisfaction of the Shire of Dandaragan.**

CARRIED 9 / 0

9.4.5 PLANNING APPROVAL – AMENDED PLAN WITH REDUCED SIDE BOUNDARY SETBACK TO CONSTRUCTED OUTBUILDING – LOT 492 (7) ESSEX STREET, JURIE BAY

Location:	Lot 492 (7) Essex Street, Jurie Bay
Applicant:	K & L Hug
Folder Path:	Development Services Apps / Development Applications / 2014 / 34
Disclosure of Interest:	None
Date:	14 July 2014
Author:	David Chidlow, Manager Planning

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

Signature of Author:



Senior Officer:

Ian Rennie, Deputy Chief Executive Officer

Signature of Senior Officer:



PROPOSAL

The applicant seeks planning approval for a constructed outbuilding that was constructed too close to the side boundary. The approved outbuilding was to be a minimum of 1m setback from the boundary, it was erroneously constructed 0.4m from the boundary.

BACKGROUND

At its meeting held on 23 May 2013, Council refused a planning application from the proponent for a proposed outbuilding with a parapet wall, measuring 14m x 7m (98m²) with a maximum height of 4.5m for the following reasons:

1. the proposal does not appropriately address the performance criteria of the Residential Design Codes (2010);
2. the use had the potential to have an adverse impact on the amenity of the surrounding area and the affected adjoining property;
3. the proposed outbuilding does not preserve the amenity of the locality; and
4. the proposal far exceeds the provisions of the Shire's Local Planning Policy 8.6 – Outbuildings 'Residential Areas'.

At its meeting held on 25 July 2013 Council granted approval for an amended plan for an outbuilding with 3.6m high wall (4.5m ridge height) with an area of 78m², comprising a 13m wall length with a 1m boundary setback on the subject lot subject to the following conditions:

1. the materials and colours for the proposed outbuilding are to blend with the existing dwelling or surrounding environment to not detract from the amenity of the local neighbourhood; and
2. appropriate management storm water runoff is to be implemented and maintained on-site.

The outbuilding was subsequently constructed, however it was discovered that the builder had constructed it closer to the side boundary than approved. The Builder has now applied for a dispensation of the side boundary setback to a 0.4m setback.

COMMENT

There is very limited room between the dwelling and the side boundary where the outbuilding has been constructed. The outbuilding has been constructed right up to the dwelling verandah such that it is regarded as attached to the dwelling. The dwelling will require altering to meet of the Building Code of Australia for fire rating being close to the side boundary and attached to the dwelling.

The side boundary setback is already a reduced setback in that

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

the required setback is 1.5m. However at the time of granting the approval with a 1.0m setback it was recognised that there is limited space on the property to locate an outbuilding.

In order to comply with the setback, the outbuilding will have to be significantly modified and re-engineered.

CONSULTATION

The adjoining affected landowner previously objected to the size and parapet wall of the original application. There was no objection to the proposed amended outbuilding as approved in July 2013. Previous consultation with the adjoining land owner is that they object to the reduced side boundary setback (parapet).

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

- Local Planning Policy 8.6 – Outbuildings ‘Residential Areas’

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Application (Doc Id: 32805)
- Site plan(Doc Id: 32805)
- Elevations (Doc Id: 32805)

(Marked 9.4.5)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Kulisa, seconded Cr Holmes

That Council refuse the application for a reduced side boundary setback for the existing Outbuilding at Lot 492 Essex Street, Jurien Bay for the following reasons:

- 1. the proposal does not appropriately address the performance criteria of the Residential Design Codes;**
- 2. the proposed development does not comply with Tables 2a and 2b of the Residential Design Codes of the Shire of Dandaragan Local Planning Scheme No.7 in that the proposal does not conform to the setback provisions of the Codes;**
- 3. the use has the potential to have an adverse impact on the amenity of the surrounding area and the affected adjoining property;**

4. the proposed outbuilding does not preserve the amenity of the locality;
5. the proposal exceeds the provisions of the Shire's Local Planning Policy 8.6 – Outbuildings 'Residential Areas'.


Advice

Note 1: The applicant be advised that should they be aggrieved by this decision, or any conditions imposed, there is a Right to Review under the Planning and Development Act 2005. an application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845

CARRIED 9 / 0

9.4.6 DRAFT STATE PLANNING POLICY 3.7 AND PLANNING FOR BUSHFIRE RISK MANAGEMENT GUIDELINES

Location:	N/A
Applicant:	Department of Planning
Folder Path:	Business Classification Scheme / Land Use and Planning / Planning / Development Control Plans
Disclosure of Interest:	None
Date:	14 June 2014
Author:	David Chidlow, Manager Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The Department of Planning are seeking comment on the draft document Planning for Bushfire Risk Management Guidelines.

BACKGROUND

Draft State Planning Policy 3.7: Planning for Bushfire Risk Management (SPP 3.7) was considered by Council in May 2014 for comment to the Department of Planning. The Policy sets out the strategic framework for bushfire management planning throughout the state.

Council resolved at the May 2014 Council meeting to:

'advise the Department of Planning that it supports the draft State Planning Policy 3.7: Planning for Bushfire Risk Management (SPP 3.7).'

It is recognised by WALGA that the policy is welcomed because it attempts to reduce the risk of bushfire to people, property and

infrastructure.

The second document released is the draft revision to the current Planning for Bushfire Risk Management Guidelines. Whilst both documents can be considered together, the Policy provides the strategic direction and the revised Guidelines provide more detailed processes required to meet acceptable standards.

The Guidelines are designed to supplement the objectives and policy measures established in the Policy, to assist in their interpretation and provide advice on how bushfire risk is to be addressed when designing or assessing a proposal within a bushfire-prone area. Once finalised, the revised Guidelines will supersede the current Guidelines.

The revised guidelines are being released in draft form for a period of three months and submissions may be received any time within that period up to Friday 1 August.

COMMENT

The Manager Planning attended the Department of Planning presentation on the guidelines at WALGA on 23 May 2014. WALGA have prepared a submission to the Department of Planning which reflects the concerns of many Local Governments on this matter.

A copy of the full submission is provided in the attachments.

The key issues are discussed in the following WALGA summarised comments and the 34 recommendations made by WALGA are provided in the officer's recommendation.

In accordance with State Council's previous Resolution No 200.2/2013, the Association welcomes the release of the draft SPP and the WAPC's attempts to reduce the risk of bushfire to people, property and infrastructure by satisfying the recommendations made by Mr Keelty in his report on the 2011 Perth Hills. Further, the Association also welcomes the WAPC's intention to apply minimum bushfire protection provisions across the State through the use of 'mandatory provisions' negating the need for Local Governments to amend their planning schemes to enact the bushfire management provisions.

Nevertheless, the Association is concerned that the 'deemed provisions' which are crucial to successful application of the proposed land use planning bushfire risk management response, have not been included in the consultation. In light of this uncertainty, the Association is concerned about what will happen to those Local Governments who already have local planning scheme and policy provisions for bushfire risk management in place, together with how the process for adopting new local planning provisions which supplement the SPP and Guidelines will

work post adoption.

WALGA understands the WAPC's attempts to ensure that the planning and development approval process does not become overly cumbersome with the addition of bushfire risk management policy provisions. However the Association is concerned that in certain situations, the application of bushfire risk management policy provisions does not fall until the very last stage of the development process and these provisions are reliant on being applied through the building approval process. As such, where this is the case, the process is likely to result in buildings being built to satisfy higher construction standards which, through the application of measures such as building protection zones at the planning stage, may not be necessary.

Further, the legislation set out by the Building Act 2011 has been intentionally designed to streamline the building application as much as possible thus minimizing the ability for Local Governments to input. Adding complexity to the building approval process with the need to undertake bushfire hazard assessments clearly contravenes the intentions of the Act and without clear guidance, is likely to be problematic at least in the initial period post adoption.

Finally the Association harbors concerns about how the process for determining whether a person is suitably qualified to undertake bushfire hazard and bushfire attack level (BAL) assessments will be undertaken, particularly in the initial period post adoption of the SPP and deemed provisions.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

- State Planning Policies

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- WALGA Submission (Doc Id: 32812)

Previously distributed with the 22 May 2014 Council Meeting agenda:

- draft State Planning Policy 3.7: Planning for Bushfire Risk Management (Doc Id: 24185)
 - Bushfire FAQ (Doc Id: 24186)
 - Bushfire Guidelines (Doc Id: 24198)
 - Bushfire Appendices (Doc Id: 24199)
- (Marked 9.4.6)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Slyns, seconded Cr Short

That Council advise the Department of Planning that it supports the following comments as prepared by WALGA as its submission on the draft State Planning Policy 3.7: Planning for Bushfire Risk Management (SPP 3.7) and Planning for Bushfire Risk Management Guidelines.

1. *That the WAPC release the draft bushfire risk management 'deemed provisions' immediately for public consultation. The critical importance of the content of the deemed provisions is such that they should be afforded a minimum 3 month consultation period and the consultation periods for the SPP and Guidelines should be extended to allow comment to be provided on the overall framework of bushfire risk management planning controls.*
2. *That the WAPC and Building Commission provide guidance explaining how legislation relating to bushfire risk management connects to the Building Act 2011.*
3. *That guidance concerning the application of subdivision and development conditions together with model conditions are published by the WAPC.*
4. *That the WAPC clarify what the preferred planning approach is for those Local Governments who wish to adopt local planning controls that strengthen the bushfire risk management provisions set out by the draft SPP and Guidelines.*
5. *The preferred approach adopted by the WAPC should recognise those Local Governments who have already adopted planning provisions and processes to mitigate bushfire risk and not jeopardise these approaches, at least in the interim period following adoption of the SPP and the deemed provisions coming into effect.*
6. *That the WAPC clarify the definition and requirements for fire consultants.*
7. *That the process for managing conflicting advice in bushfire hazard assessment and bushfire attack level assessments are set out by the WAPC.*
8. *That the WAPC clarify, clearly and precisely in what situations and to what level/type of development the provisions of the SPP apply.*

9. *That the SPP clarifies if, and why Local Governments need the approval of the Fire and Emergency Services Commissioner to designated bushfire prone land.*
10. *The process for managing situations in which there is a difference of opinion in between a Local Government and the Commissioner over the designation of bushfire prone land is explained.*
11. *That guidance is provided relating to the process for excluding land from being designated bushfire prone is provided together with guidance concerning how such land is recognised in the mapping*
12. *That the SPP definition of 'unavoidable development' provides appropriate reference to the Guidelines.*
13. *That the SPP and Guidelines clarify what items are considered to be appropriate developer contributions.*
14. *That the Guidelines provide a full list of bushfire prone vegetation - 2.3 Identification of Default Bushfire-Prone Areas*
15. *That the default definition of bushfire-prone areas should include a minimum dimension.*
16. *That SPP and Guidelines make it clear when a bushfire hazard level assessment is needed and the rules governing who is appropriate to undertake such an assessment.*
17. *That the State Government make AS3959 available.*
18. *That the SPP and deemed provisions makes the level of compliance with the policy and guidelines clear.*
19. *That timeframes and procedures for receiving both DFES and DPaW feedback are clearly explained.*
20. *That the Guidelines identify ember protection measures, or the design criteria measures that should be considered in areas with a low bushfire hazard level.*
21. *That the Guidelines clarify when a BMP is needed.*
22. *That the SPP and Guidelines provide a broad definition or examples of intensification in the context of the bushfire risk management.*
23. *The Council strongly recommends that the WAPC clearly outline the process in which Local Governments can adopt supplementary planning provisions relating to the bushfire risk management mitigation together with the head of power supporting these provisions.*
24. *That the WAPC provide both the rationale and authority to require LPP approval together with process and likely timeframes for LPP and local planning scheme amendment endorsement.*
25. *That the WAPC clarify why extreme areas of bushfire risk shall be retained in public ownership.*
26. *The process of how the maps and provisions will be adopted into schemes, needs to be clearly explained.*
27. *That any restriction placed on the use of reserves and National Parks is clarified.*
28. *That the permitted height of any vegetation, including*

- shrubs and trees within two metres of a building is clearly stated.*
29. *That if appropriate, A2.2 g is expanded to include decks and other types of construction.*
 30. *Any requirements to maintain a reduce fuel load are made clear to all types of vegetation and environments to which it applies.*
 31. *That the Guidelines are consistent in stating whether building protection zones running across lot boundaries are supported.*
 32. *That appropriate reference or definition of fire resistance plant species is provided.*
 33. *That the Guidance clarifies the design criteria for vehicular access routes.*
 34. *That the access design arrangements for private driveways and battle axe lots is made consistent.*

CARRIED 9 / 0

9.5 HEALTH

9.6 BUILDING

9.7 COUNCILLOR INFORMATION BULLETIN

9.7.1 SHIRE OF DANDARAGAN – JUNE 2014 COUNCIL STATUS REPORT

Document ID: 32837

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 26 June 2014. **(Marked 9.7.1)**

9.7.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – JULY 2014

Document ID: 32793

Attached to the agenda is a copy of the Shire of Dandaragan's Executive Manager Infrastructure Report for July 2014. **(Marked 9.7.2)**

9.7.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JUNE 2014

Document ID: 30320

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for June 2014. **(Marked 9.7.3)**

9.7.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JUNE / JULY 2014

Document ID: 32823

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for June / July 2014. **(Marked 9.7.4)**

9.7.5 ILUKA – CATABY PROJECT UPDATE – MAY 2014

Document ID:

Current key activities include:

- Groundwater modelling;
- Public road modification design;
- Noise modelling;
- Metallurgy test work;
- Pit designs; and
- Plant relocation studies.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.5)**

9.7.6 SENATOR SARAH HANSON-YOUNG – AUSTRALIAN GREENS’ SENATOR FOR SOUTH AUSTRALIA – WORLD REFUGE DAY

Document ID:

World Refugee Day was celebrated on Friday 20 June 2014.

Local Council’s across Australia have taken the step to recognise the positive contribution refugees have made to Australian society by becoming a “Refugee Welcome Zone” This project was launched by the Refugee Council of Australia and gives Local Governments the opportunity to declare that they will welcome refugees, uphold their human rights, demonstrate compassion for new arrivals and enhance cultural and religious diversity.

9.7.7 BELINDA & STEVEN BUITENHUIS – CITIZENSHIP CEREMONY

Document ID:

“On Thursday 12 June we attended the Citizenship Ceremony for Patricia Trotter at the Shire office.

We would like to thank everyone involved in organising the ceremony and morning tea afterwards. It was a lovely personal ceremony enjoyed by all who attended.

Thank you again.”

9.7.8 COUNCILS FOR DEMOCRACY – GIVE LOCAL GOVERNMENT BACK TO THE PEOPLE

Document ID:

“Councils for Democracy was formed in response to the appalling manner in which the State Government’s contrived local government reform process has unfolded and also because WALGA, the peak body of Local Government in WA, has failed to support the sector’s concerns.

Councils for Democracy are not opposed to local government reform but we are appalled at what we have seen to be a highly divisive, unfair and duplicitous process. One that has prevailed

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014</p>
--

over us for the past 12 months and we believe, if implemented, will mar the local government landscape for a long time to come.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.8)**

9.7.9 WALGA – LOCAL GOVERNMENT NEWS – ISSUE 23

Document ID:

Inside this issue:

- School chaplains case – implications for local government
- Feedback sought on developing northern Australia
- Integrated Planning and Reporting Framework (IPR)
- Emission Reduction Fund White Paper Workshop
- Marine Oil Pollution Waste Management Guidelines
- Recreational Boating Facilities Scheme funding announcement
- Local Government Bike Plan Guidelines survey
- Training
- Photo card replaces proof of age card

9.7.10 WALGA – ECO NEWS – ISSUE 6

Document ID:

Inside this issue:

- Rangelands NRM plan now online
- City of Joondalup adapting to a new climate tuart revegetation
- Citrus growers urged to look out of citrus gall wasp
- Crab campaign a hit with locals
- Shire of Leonora becomes waterwise
- Community are invited to give the environment a helping hand
- WALGA Street Trees Workshop

9.7.11 LANG COPPIN LETTER OF CORRESPONDENCE – 23 JUNE 2014

Document ID:

“Firstly I am a rate payer of 2 farms, house & vacant block in Shire. I am writing this as I am locating my helicopter in a hangar at Jurien and have heard you are thinking about putting landing fees in.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.11)**

9.7.12 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – FINANCIAL ASSISTANCE GRANTS (FAGS)

Document ID:

“I am writing to you and the mayor and shire president of every council across Australia to ask you to join ALGA’s call to have the Government reverse its decision to freeze the indexation of the local government Financial Assistance Grants (FAGs) for three years until 2017-18.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.12)**

9.7.13 DEPARTMENT OF COMMUNICATIONS – IMPORTANT INFORMATION ABOUT TV RECEPTION IN YOUR AREA

Document ID:

“As the final step in Australia’s successful move to digital-only TV, some TV channels will be changing frequencies. This is part of a national programme known as the retune that moves free-to-air television channels to new frequencies to free up space for new services such as mobile broadband.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.13)**

9.7.14 WALGA MEDIA RELEASE – PROPOSED SERVICES MODEL WOULD BENEFIT COMMUNITY

Document ID: 30218

Local Governments will be able to divert more effort into delivering services to the community and less into bureaucratic processing under proposed new legislation.

Attached to the agenda is a copy of the above mentioned media release. **(Marked 9.7.14)**

9.7.15 DEPARTMENT OF FIRE AND EMERGENCY SERVICES – PERMIT TO BURN THE BUSH – OFFICE OF BUSHFIRE RISK MANAGEMENT REVIEW

Document ID: 24803

Under the provision of the *Bushfires Act 1954 (BF Act)*, local government are responsible for managing the Permit to Burn the Bush system (s18) and the appointment of Bush Fire Control Officers (s38) to issue such permits across its area. The BF Act also provides for the Local Government CEO to issue permits and to prescribe the duties and powers available to its Bush Fire Control Officers (FCOs). As part of a broader need to align prescribed burning practices to the international risk management standard (ISO 31000), the Office of Bushfire Risk Management (OBRM) commenced a review of the permit system in early 2013.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.15)**

9.7.16 WALGA MEDIA RELEASE – CONFLICT OF INTEREST SUSPENDED FOR LGAB

Document ID: 29294

“The community deserves an explanation as to why the requirement to declare conflict of interest has been suspended for the group reviewing the structure of metropolitan Councils.”

Attached to the agenda is a copy of the above mentioned media release. **(Marked 9.7.16)**

9.7.17 SHIRE OF COOROW – PROPOSED SHIRE OF COOROW – LOCAL PLANNING SCHEME NO.3

Document ID: 29650

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

“The Shire of Coorow has resolved to prepare a new Local Planning Scheme. The new Scheme shall be known as Local Planning Scheme No.3.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.17)**

9.7.18 DAVID TEMPLEMAN MLA SHADOW MINISTER FOR LOCAL GOVERNMENT – PARLIAMENTARY QUESTIONS

Document ID:

“Please find attached copies of my questions without notice that I asked of the Minister for Local Government in Parliament on Tuesday 10 June and Wednesday 11 June 2014.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.18)**

9.7.19 WALGA – LOCAL GOVERNMENT NEWS – ISSUE 24

Document ID: 30273

Inside this issue:

- Ministerial approval for local government rating policies
- Workshops – draft local government planning delegation best practice model
- \$300,000 in small grants for suicide prevention projects
- WA local government convention
- Human resources seminar
- Breakfast with Hon Anna Bligh
- Training
- Business in the Regions Survey

9.7.20 DLGC – DIRECTOR GENERAL’S REPORT – JUNE 2014 EDITION

Document ID: 30284

Inside this issue:

- Metropolitan local government reform update
- IPR capability survey results
- Training for elected members in country areas
- Local government rating application resources
- Getting prepared for bushfire season
- ECRU targets 100 per cent visits in 2014
- Celebrating women in non-traditional occupations
- Women and entrepreneurship luncheon
- Carers research symposium 2014
- Have your say on caravan parks and camping grounds
- Youth mentoring
- Youth friendly Communities Grants
- Annual OMI highlights
- WA Language Services Policy 2014 released

9.7.21 CERVANTES LODGE – FRACKING

Document ID: 30231

“The May 2014 – Northern Italian 5.8 earthquake that killed two dozen people is confirmed as entirely fracking induced, an

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

alarming and increasingly frequent consequence of fracking known as 'dynamic triggering'.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.21)**

9.7.22 PATRICIA TROTTER – CITIZENSHIP CEREMONY

Document ID: 30237

"Thank you Cr Wayne Gibson for presenting me with my 'Australian Citizenship Certificate' and thanks to all the Councillors who were present at the ceremony. I appreciate all the organising and preparation that went into making this such a special day for me, and thank you for the gifts and scrumptious morning tea."

9.7.23 WALGA – MUNICIPAL WASTE ADVISORY COMMITTEE INFORMATION – ISSUE 191

Document ID:

Inside this issue:

- Levy rationale released
- Discussing – product stewardship
- Plastic free launch
- Marine oil pollution (MOP) guidelines
- What's old is new again
- Asbestos management
- Battery bungalows
- Explosive renovations

9.7.24 SHANE LOVE MLA – MEMBER FOR MOORE – LOCAL GOVERNMENT AMENDMENT (REGIONAL SUBSIDIARIES) BILL 2014

Document ID: 30458

"I write to inform you that the Parliamentary National Party (PNP) has introduced a Private Member's Bill to WA Parliament to amend the Local Government Act 1995. The Local Government Amendment (Regional Subsidiaries) Bill 2014 introduces amendments to the Act to allow two or more local governments to form a subsidiary body, known as a regional subsidiary."

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.24)**

9.7.25 WALGA – LOCAL GOVERNMENT NEWS – ISSUE 25

Document ID: 32261

Inside this issue:

- Metropolitan local government reform – LGMA Breakfast – "Rising to the Challenge"
- Local government and animal welfare in emergencies forum
- Probity services course and workshop
- LGC14 – final call for registrations – don't miss out
- Service delivery to aboriginal communities
- HR seminar
- Breakfast with Hon Anna Bligh
- Training

9.7.26 WALGA – MEDIA RELEASE – BID TO EXTEND COMMUNITY SAY ON COUNCIL CHANGES

Document ID: 32228

“More Council mergers would be subject to vote by the affected communities under a proposal supported by WA Local Governments”

Attached to the agenda is a copy of the above mentioned media release. **(Marked 9.7.26)**

9.7.27 DEPARTMENT OF MINES AND PETROLEUM – PETROLEUM EXPLORATION PERMIT APPLICATION STP-EPA-0064

Document ID: 24726

The process for assessing the above application is nearing completion and it is intended that the permit will be offered in the near future.

Attached is a copy of the area plan for your comment in accordance with the Department of Mines and Petroleum’s protocol for referring petroleum title applications to relevant agencies. **(Marked 9.7.27)**

9.7.28 DISABILITY SERVICES COMMISSION – SECTOR E-BULLETIN – JUNE 2014

Document ID: 31053

Inside this issue:

- WA NDIS My Way update
- Supported accommodation transition update
- Enhanced quality system started 1 July
- Individual plans at the centre of annual reporting
- Disability Justice Centre project update
- WAFL Count Me In Round kicks off

9.7.29 MRS CYNTHIA GEILES – JURIEN COMMUNITY RECREATION CENTRE

Document ID: 31073

“As a proud member of the Jurien Bay community I wish to raise my concerns regarding the quality of the Jurien Community Recreation Centre.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.29)**

9.7.30 WESTERN AUSTRALIAN PLANNING COMMISSION – STATE PLANNING STRATEGY 2050

Document ID: 32254

On hand is a copy of the State Planning Strategy 2050. The State Planning Strategy has been endorsed by State Cabinet and was launched by the Hon John Day MLA, Minister for Planning, on 12 June 2014.

The State Planning Strategy is the Government’s highest order planning instrument, designed to enable a liveable, diverse,

connected and collaborative Western Australia, It provides a strategic planning framework for the State and takes a holistic and integrated view of planning and development. The Strategy prioritises population and economic growth as the key drivers behind the sustainable use and development of land throughout the State.

9.7.31 COMMERCIAL OPERATOR ALERT – PARKS AND WILDLIFE STRATEGIC DIRECTIONS 2014-17

Document ID:

“The Department of Parks and Wildlife wishes to advise that after 12 months of successful operations, the Department of Parks and Wildlife has released its revised Strategic Directions for the next three years, with specific goals for the next year, to be updated annually.”

To download the document please visit:
<http://www.dpaw.wa.gov.au/news/media-statements/item/790-department-of-parks-and-wildlife-strategic-directions-2014-17>

9.7.32 WALGA – STATE COUNCIL SUMMARY MINUTES – JULY 2014

Document ID: 32368

Attached to the agenda is a copy of the above mentioned minutes.
(Marked 9.7.32)

9.7.33 WALGA PRESIDENT – TROY PICKARD – PRESIDENT’S STRATEGIC UPDATE

Document ID: 32658

“As we draw closer to the Local Government Advisory Board’s reporting deadline, tensions in the metropolitan area are inevitably rising.”

Attached to the agenda is a copy of the above mentioned strategic update. **(Marked 9.7.33)**

9.7.34 SOUTH PERTH MAYOR – SUSANNE DOHERTY – RESPONSE TO PRESIDENT’S STRATEGIC UPDATE

Document ID: 32748

“I cannot in all consciousness let the email of the WALGA President pass by without comment.”

Attached to the agenda is a copy of the above mentioned response from Mayor Susanne Doherty. **(Marked 9.7.34)**

9.7.35 SHANE LOVE MLA MEMBER FOR MOORE – JURIE BAY INFILL SEWERAGE PROJECT

Document ID: 32260

Attached to the agenda is a copy of the above mentioned correspondence sent to the Minister for Water on 27 June 2014 with regard to the Jurie Bay Infill Sewerage Project. **(Marked 9.7.35)**

9.7.36 WALGA – LOCAL GOVERNMENT NEWS – ISSUE 26

Document ID: 32735

Inside this issue:

- Ministerial order – local government advisory board
- Road and rail crossing interface agreement with Brookfield Rail
- Federal government black spot funding
- HR Seminar
- Breakfast with Hon Anna Bligh
- Emission reduction fund workshop
- Draft guidance statement: regulating the use of waste derived materials
- Australia Day Council of WA – Australian of the Year Awards

9.7.37 WALGA – VACANCY FOR WA LOCAL GOVERNMENT ASSOCIATION MEMBER – HEALTHWAY BOARD MEMBER

Document ID: 32814

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.37)**

9.7.38 WALGA MEDIA RELEASE – EXPLANATION NEEDED ON LGAB DELAY IMPACT

Document ID: 32816

“Local Government staff and Elected Members would be expected to be concerned by the announcement today as of a delay to the recommended future structure of metropolitan Councils.”

Attached to the agenda is a copy of the above mentioned media release. **(Marked 9.7.38)**

9.7.39 PUBLIC TRANSPORT AUTHORITY – TRANSWA – OPTIONS FOR CENTRAL WEST COAST

Document ID: 32406

“In response to your letter dated 12 November 2013 and the then Ministers response (Reference 30-43434), Transwa have considered options for the Central West Coast region in their annual road coach route review that took place in the second quarter of 2014.”

Attached to the agenda is a copy of the above mentioned media correspondence. **(Marked 9.7.39)**

9.7.40 AUSTRALIA DAY COUNCIL OF WESTERN AUSTRALIA – AUSTRALIAN OF THE YEAR AWARDS

Document ID: 32651

“The Australian of the Year Awards has been acknowledging achievement and contribution to the nation since 1960. The Awards profile Australians who are role models for us all, who inspire us through their achievements and encourage us to work towards making Australia an even greater country. The Australian of the Year Awards offer you the opportunity to recognise someone you admire, one nomination is all it takes.”

Nominations close Friday 1 August 2014. Further information can be found online at www.onenomination.aoty.org.au.

9.7.41 MINUTES OF RATEPAYERS MEETING HELD WEDNESDAY 2 JULY 2014

Document ID: 32726

Attached to the agenda is a copy of the above mentioned minutes.
(Marked 9.7.41)

9.7.42 REGIONAL DEVELOPMENT COUNCIL – REGIONAL DEVELOPMENT COMMISSION BOUNDARIES AND ALIGNMENT

Document ID: 32705

“At the recent Regional Development Council (Council) meeting, the Council Members notes the issues referred to in your letter. However, a review of the Regional Development Commission boundaries is not currently proposed nor is it a priority for the Council at this time.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.42)**

9.7.43 STATE LIBRARY OF WESTERN AUSTRALIA – BETTER BEGINNINGS FAMILY LITERACY PROGRAM FUNDING

Document ID: 32727

“Over the past ten years the State Library of Western Australia, local government, community and child health and schools have worked together to grow Better Beginnings into the most extensive Australian family literacy program supporting the WA community.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.43)**

9.7.44 DEPARTMENT OF ENVIRONMENT – NATIONAL HERITAGE LIST ASSESSMENT: LESUEUR-COOMALLO AREA

Document ID: 24904

The Australian Heritage Council (Council) is assessing the Lesueur-Coomallo area for possible inclusion in the National Heritage List. The National Heritage List recognises places that are of outstanding national heritage value to the nation for their natural, Indigenous or historic heritage values. The Council’s initial assessment for this site is that it might have natural heritage values for an area incorporating the Lesueur National Park and Coomallo Nature Reserve.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.44)**

Officer Comment: Road reserves (such as Jurien East Road) should be excluded from the National Heritage List area.

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

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

10.1 ADMINISTRATION

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

The following item requires urgent consideration by Council:

Council to consider allowing the Jurien Bay Interpretation Complex Management Committee access to an area of land in order for the group to establish and construct the Interpretation Complex.

Councillor J Kulisa declared an impartiality interest at 5.46pm due to being a member of the Jurien Bay Interpretation Complex Management Committee

Councillor M Sheppard declared an impartiality interest at 5.46pm due to being a member of the Mens Shed Committee

OFFICER RECOMMENDATION / COUNCIL DECISION

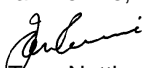

Moved Cr Short, seconded Cr Kent

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

Council to consider allowing the Jurien Bay Interpretation Complex Management Committee access to an area of land in order for the group to establish and construct the Interpretation Complex.

CARRIED 9 / 0

10.1.1 PROPOSED SITE FOR JURIEN BAY INTERPRETATION COMPLEX

Location:	Reserve 31884 (Jurien Bay Recreation Reserve)
Applicant:	Jurien Bay Interpretation Complex Management Committee on behalf of the Museum Group, ICAN, Jurien Bay Community Men's Shed & Jurien Bay Lions Club
Folder Path:	Business Classification Scheme / Parks and Reserves / Service Provision / Jurien Bay Recreation Ground
Disclosure of Interest:	None
Date:	21 July 2014
Author:	Ian Rennie, Deputy Chief Executive Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

Council to consider allowing the Jurien Bay Interpretation Complex Management Committee access to an area of land in order for the group to establish and construct the Interpretation Complex.

BACKGROUND

The Jurien Bay Interpretation Complex Management Committee is made up of the following groups:

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

- Jurien Bay Museum Group;
- ICAN;
- Jurien Bay Community Men's Shed; and
- Jurien Bay Lions Club.

The group have written to Council seeking an allocation of an area of land in order for them to construct the Interpretation Complex.

This issue has been considered by Council on a number of occasions and various locations have been considered over a lengthy period of time for locating of this complex.

In September 2012, the group was requested by Council to prepare and submit a proposal and a business plan in order to progress the development of the complex. In November 2013, the Management Committee submitted the management plan to Council. Council was provided a copy of the plan, refer to item 9.7.49 of the meeting of 28 November 2013.

Subsequently, representatives of the group had been requested to formally present the plan to Council and Mr Ron Hames attended the Council Forum of 27 February 2014.

Council subsequently inspected the site on 13 March 2014. An area of land was cleared to allow the survey to take place by Council staff.

A survey plan was prepared and submitted to Council unfortunately showing the wrong location for the proposed site. Council again inspected the site following the Forum held 10 July 2014.

COMMENT

A preliminary approach has been made to the Department of Lands seeking their comment on the possibility of the establishment of the complex on the Jurien Bay Recreation Reserve.

Two possibilities for the establishment of the site are:

1. Council obtaining power to lease over the reserve and an area of land being leased direct to the Management Committee. This will take a number of months to occur; or
2. Council to request a separate reserve being created with a management order in favour of Council with Council having power to lease over this separate reserve and to lease it to the Management Committee. This process will take longer and is somewhat more complicated.

The Department of Lands is of the opinion that as long as Council feels that the use is for a community type use (no commercial uses) it would fit into the category of recreation and is ancillary to the purpose of the reserve. If Council was to agree to the

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

development of the Complex on the reserve and subject to in actually being built, the Department will have no objection to an application from Council to amend the purpose of the reserve to include the Interpretation Complex.

If Council is agreeable in principle to the allocation of the area, subject to a correct survey being undertaken, the area of land could be allocated to the Group and issues such as servicing costs and the responsibility for head works for power, water, communications, effluent disposal, construction and maintenance of the building and the surrounds and legal costs would need to be agreed to by the Management Committee.

In the past, Council has been responsible for the carrying out of the clearing and earth works of such community sites. On this occasion however the site is very large (approximately 1.5 hectares) and it is apparent that a reasonable amount of fill would be required over this site and therefore the cost could be quite large. Council staff can prepare a costing for undertaking of this work, once more information has been submitted.

This arrangement is very similar to the arrangement agreed to by Council for the Returned and Services League. A similar arrangement also took place for the development of the Senior Citizens Centre.

Once Council and the Interpretation Complex Management Committee have agreed on the proposed plan and the processed involved as well as the responsibility for servicing of the site, then Council would be agreeable to amending the management order as suggested by the Department of Lands. At the end of the development of the site then Council would enter into a formal lease with the Jurien Interpretation Complex Management Committee for the use of the premises for the sole purpose of the Committee.

CONSULTATION

- Department of Lands
- Jurien Interpretation Complex Management Committee
- Council

STATUTORY ENVIRONMENT

- Land Administration Act 2005

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

It will be necessary for staff to prepare an accurate costing for the clearing and filling of the proposed site. All other development on the site should be at the expense of the Management Committee.

STRATEGIC IMPLICATIONS

The establishment of a museum and associated uses is not recognised in Council's Community Strategic Plan.

ATTACHMENTS

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

- Business Plan for the Jurien Bay Interpretation Complex, previously distributed to Council in November 2013 (Doc Id: 32392)
- Aerial photograph of the general vicinity indicating the proposed site (Doc Id: 33081)
- Extract from Council's Jurien Bay Recreation Reserve Plan (Doc Id: 33082)

(Marked 10.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Sheppard

That:

1. Council agree in principle to the establishment of the Jurien Interpretation Complex on Reserve 31884 (Jurien Bay Recreation Reserve) and seek approval from the Department of Lands for power to lease being granted to Council over the Reserve and for the leasing of a portion of the area to the Jurien Interpretation Complex Management Committee; and
2. the Jurien Interpretation Complex Management Committee be advised that Council will consider the clearing and earth works being carried out on the site following the preparation of a costing for the works to be undertaken and that all other works on site including servicing be at the expense of the Jurien Interpretation Complex Management Committee.

CARRIED 9 / 0

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 JULY 2014

13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 5.50pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date