



SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

BADGINGARRA COMMUNITY CENTRE

on

THURSDAY 24 MAY 2012

COMMENCING AT 4.10 PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 4.10pm 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 S Love	(President)
	Councillor L Short	(Deputy President)
	Councillor M Russell	
	Councillor D Kent	
	Councillor L Holmes	
	Councillor W Gibson	
	Councillor T Bailey	
	Councillor K McGlew	
	Councillor M Sheppard	

Staff	Mr T Nottle	(Chief Executive Officer)
	Mr I Rennie	(Deputy Chief Executive Officer)
	Mr J Hurley	(Manager Planning)
	Mr R Pepper	(Manager Technical Services and Works)
	Mr W George	(Manager Building Services)
	Mr S Clayton	(Manager Corporate Services)
	Mr P Varelis	(Senior Planner)

Apologies

Approved Leave of Absence

Observers Mike Kenny, Marlene Neethling, Jonathan Nelson and Tony Abbey (from 4.45pm)

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

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Nil

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF ORDINARY MEETING HELD 26 APRIL 2012

COUNCIL DECISION

Moved Cr Russell, seconded Cr Kent

That the minutes of the Ordinary Meeting of Council held 26 April 2012 be confirmed.

CARRIED 9 / 0

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

Cr Love

- 28 April 2012 Jurien Bay Skydive Opening
- 30 April / 1 May 2012 Wheatbelt Regional Planning Advisory Committee – Narrogin
- 3 May / 4 May 2012 Wheatbelt Development Commission – Narrogin
- 7 May 2012 Jurien Bay Town Centre Strategy Steering Committee
- 9 May 2012 Landcorp Briefing – Jurien Bay
- 11 May 2012 Agrifresh Inspection Agaton Road
- 15 May 2012 Climate Change Signing Ceremony – Perth
- 18 May 2012 Minister Energy – Geraldton
- 22 May 2012 Badgingarra Community Association Meeting – Badgingarra

Cr Sheppard

- 7 May 2012 Town Centre Steering Group
- 16 May 2012 Central Coast Health Advisory Group
- 16 May 2012 Jurien Bay Chamber of Commerce

Cr Short

- 26 March 2012 Advance Dandaragan – History Sub Com

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- 29 / 30 March 2012 Avon Midland Zone Conference – York
- 3 April 2012 Koojan Gillingarra LCDC
- 10 April 2012 Wheatbelt Health MOU
- 13 April 2012 Rural Water Council
- 23 April 2012 Advance Dandaragan – History Sub Com
- 24 April 2012 SPC Policy 2.6 Review
- 25 April 2012 ANZAC Day Service – Dandaragan
- 26 April 2012 WALGA Planning Reform Policy Forum
- 27 April 2012 Moore Catchment Council HR and Policy Management
- 27 April 2012 Moore Catchment Council Special OGM
- 30 April 2012 Municipal Waste Advisory Council – Greenhead
- 2 / 3 May 2012 WALGA State Council Regional Meeting
- 11 May 2012 Agrifresh Site Meeting
- 14 May 2012 Advance Dandaragan Dinner Meeting
- 17 May 2012 NACC / MCC Living Landscapes
- 17 May 2012 Advance Dandaragan Strategic Community Plan Comments Meeting
- 18 May 2012 Road Safety LG and Community Grants
- 21 May 2012 MCC Workshop
- 22 May 2012 WALGA Meeting of Mayors and Presidents Metro Reform

Cr Russell

Nil

Cr McGlew

- 27 April 2012 SuperTown Presentation - Northam
- 7 May 2012 Dandaragan Community Centre AGM
- 9 May 2012 Iluka Information Session – Dandaragan
- 14 May 2012 Advance Dandaragan Quiet Achiever Dinner
- 17 May 2012 NACC Waterwise Gardening – Moora
- 18 May 2012 Portrait of Portugal Lunch – Cervantes
- 21 May 2012 Coastal Wheatbelt Health Districts Services Planning
- 23 May 2012 Youth Leadership Workshop Jurien Bay

The delegates' reports to 24 May 2012 were accepted.

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

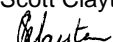
Nil


9 REPORTS OF COMMITTEES AND OFFICERS**9.1 FINANCE****9.1.1 PROPOSED DIFFERENTIAL RATING**

Location:
Applicant:

Shire of Dandaragan

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Folder ID:	8547
Disclosure of Interest:	None
Date:	9 May 2012
Author:	Scott Clayton, Manager Corporate Services
Signature of Author:	

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

PROPOSAL

To authorise the advertising of proposed differential rating for properties rated using the gross rental value (GRV) method of valuation.

BACKGROUND

In order to make up a budget deficiency when adopting annual budgets, a local government is to impose either a uniform or differential general rate on rateable land in its district (Section 6.32 of the Local Government Act 1995). Further, in imposing a rate a Local Government is to set both a rate which is expressed as a rate in the dollar of the gross rental value of land in its district to be rated on gross rental value, and a rate in the dollar of the unimproved value of land to be rated on unimproved value.

Historically, the Shire of Dandaragan had uniformly applied a general rate on rateable properties within its district.

However for the rating year 2011 / 2012, as a result of the changes to the prescribed percentage within the Land Valuation Regulations 1979 used to calculate the assessed value for GRV purposes of vacant residential and rural residential land it was necessary to implement differential rating for properties rated using the GRV method. This would be required to ensure not only that rates are levied to produce an equitable charge for the provision of services within the Shire of Dandaragan, but to apply a premium to vacant residential and rural residential properties to encourage the lands improvement to provide additional value to the growing community.

Section 6.33 of the Local Government Act 1995 states;

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —
 - (a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*;
 - (b) a purpose for which the land is held or used as determined by the local government;
 - (c) whether or not the land is vacant land; or
 - (d) any other characteristic or combination of characteristics prescribed.
- (2) Regulations may —
 - (a) specify the characteristics under subsection (1) which a

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- local government is to use; or
 (b) limit the characteristics under subsection (1) which a local government is permitted to use.

Further, for the Shire of Dandaragan to impose differential rates Section 6.36 (3) of the Local Government Act 1995 requires the proposed differential rate to be advertised "within the period of 2 months preceding the commencement of the financial year."

At the Special Meeting of Council held 16 June 2011, Council authorised the Chief Executive Officer to advertise its intention to impose differential rating for properties rated within its district using the GRV method as follows;

<i>Rating Category*</i>	<i>Proposed Rate in \$</i>	<i>Proposed Minimum Charge</i>	<i>Objects of and Reasons for Proposed Rate</i>
GRV - General	\$0.075307	\$545	To levy a rate in the dollar to produce an equitable charge for the provision of services within the Shire of Dandaragan
GRV – Vacant Residential Jurien & Cervantes Town sites only	\$0.125475	\$545	To levy a rate in the dollar at a premium of the GRV – General rate to reflect not only Council's desire to encourage improvement of land but to also signify that it prefers land to be developed to provide additional value to the growing community.
GRV – Vacant Rural Residential	\$0.125475	\$545	To levy a rate in the dollar at a premium of the GRV – General rate to reflect not only Council's desire to encourage improvement of land but to also signify that it prefers land to be developed to provide additional value to the growing community.

COMMENT

It is proposed to continue with the differential rating introduced in 2011 / 2012.

Using the 2011 / 2012 differentials and applying a percentage increase is considered the most appropriate approach to determining the differential rates for the 2012 / 2013 draft budget.

The Western Australian Local Government Association (WALGA) has developed a cost measure known as the Local Government Cost Index (LGCI).

The LGCI is used by Local Governments across Western Australia to communicate movements in the cost to deliver services over time. It is essentially a measure of inflation that applies to Local Government expenditure, in the same way that the Consumer

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Price Index (CPI) measures movements in the cost of goods and services purchased by households.

In its Economic Briefing published in January 2012, WALGA has estimated that the LGCI will increase 4% for the 2012 / 2013 financial year.

Therefore, it is proposed to apply this increase of 4% to the differential rates introduced in 2011/ 2012 for the purposes of Section 6.36 (3) of the Local Government Act 1995.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Section 6.32 of the Local Government Act 1995
- Section 6.33 of the Local Government Act 1995
- Section 6.36 of the Local Government Act 1995

POLICY IMPLICATIONS

There are no policy implications relevant to this report.

FINANCIAL IMPLICATIONS

The application of differential rating is for the purpose of apportioning the rate revenue derived between different categories of property owners.

There are no budget implications from applying differential rating. The intention with proposing a differential rate is to maintain the proportion of rate revenue derived from each property.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this report.

ATTACHMENTS

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

- WALGA January 2012 Economic Briefing
(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

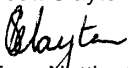

That Council, in accordance with Section 6.36 of the Local Government Act 1995, authorise the Chief Executive Officer to advertise its intention to apply differential rating as allowed under Section 6.35 of the Local Government Act 1995, for Gross Rental Valuation (GRV) properties in the district as follows;

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<i>Rating Category*</i>	<i>Proposed Rate in \$</i>	<i>Proposed Minimum Charge</i>	<i>Objects of and Reasons for Proposed Rate</i>
GRV - General	\$0.078319	\$567	To levy a rate in the dollar to produce an equitable charge for the provision of services within the Shire of Dandaragan
GRV – Vacant Residential Jurien Bay & Cervantes Town sites only	\$0.130494	\$567	To levy a rate in the dollar at a premium of the GRV – General rate to reflect not only Council’s desire to encourage improvement of land but to also signify that it prefers land to be developed to provide additional value to the growing community.
GRV – Vacant Rural Residential	\$0.130494	\$567	To levy a rate in the dollar at a premium of the GRV – General rate to reflect not only Council’s desire to encourage improvement of land but to also signify that it prefers land to be developed to provide additional value to the growing community.

CARRIED 9 / 0

9.1.2 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 30 APRIL 2012

Location:	Shire of Dandaragan
Applicant:	N/A
File Ref:	Fin8
Disclosure of Interest:	None
Date:	May 2012
Author:	Scott Clayton, Manager Corporate Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To table and adopt the monthly financial statements for the period ending 30 April 2012.

BACKGROUND

As part of the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 30 April 2012.

COMMENT

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

1. Net Current Assets

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Council's Net Current Assets [ie surplus / (deficit)] position as at the 30 April 2012 was \$3,544,286. The composition of this equates to Current Assets minus Current Liabilities less Cash Assets that have restrictions on their use placed on them, in this case Reserves, Restricted Assets and Trust. The current position indicates that Council can easily meet its short-term liquidity or solvency.

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

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

2. Material Variances

The Statement of Financial Activity provides variances to budget by way of percentages. Council's adopted policy states a 10 percent threshold for these variances to be reported. An explanation of these variances is as follows:

Governance

Income is at 180.4% of Y-T-D budget and is due to other reimbursements, primarily the LGIS members experience bonus, good driver rebate, and 100% reimbursement of cleaning costs at Dandaragan CRC.

General Purpose Funding

Expenditure is at 70.3% of Y-T-D budget and is due to legal and valuation expenses being less than budgeted.

Health

Expenditure is at 74.6% of Y-T-D budget and is primarily due to doctor servicing invoices not yet received, as well as employee costs being less than budgeted as a result of the Environmental Health Officers position being vacant.

Recreation and Culture

Expenditure is at 75.3% of Y-T-D budget. This is due to salaries and materials and contracts being less than budgeted. This can partly be explained by the recognition of accrued salaries as at the 30 June 2011 and reversed on 1 July 2011. In addition, there was a significant number of Parks and Gardens Staff taking annual leave over the first two months of the financial year.

A further examination of timesheets suggest a significant portion of the parks and garden teams hours are being directed to other departments in the first half of the year, such as septic tank cleaning, waste site maintenance, road patching and verge

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maintenance. This is being monitored, it currently presents an allocation issue rather than a true cost saving. This information will be used for formulating the 2012/2013 budget.

Further information regarding this has been received from the Technical Services Department during the budget review process as follows:

“There are several reasons for the parks & gardens to be down slightly for the 6 month period of the budget expenditure, which are as follows.

- 1) *The septic truck had been running for 1 day a week (26 days) emptying Beachridge sewerage pit.*
 - 2) *We have been running one person down for most of the 6 months since [employee] resigned, [employee] filled that position then [employee] has been on sick leave without pay for over two months.*
 - 3) *There has been capital works projects P&G staff have spent time engaged in, jetty, Collinson Park footpath, Turquoise path.*
 - 4) *We have spent more time at Beachridge on swales.*
 - 5) *More time is being spent at the Jurien Waste Landfill site, 2 days a week.*
 - 6) *Waiting for a fertilizer order to arrive worth \$20,000.*
 - 7) *Reticulation pump order still coming worth \$4,000.*
- I hope this explains the short fall, which if you took into account would be close to the 6 month target.”*

Transport

Income is at 80.4% of Y-T-D budget. This is due to the final claims for Regional Road Group projects not yet lodged.

Economic Services

Expenditure is at 71.7% of Y-T-D budget. This is due to less than budgeted expenditure related to tourism and the Local Tourism Planning Strategy.

Other Property and Services

Income is at 115.0% of Y-T-D budget and is due to unexpected private works income received for the clearing of seaweed from the Jurien Bay Marina, as well as an insurance reimbursement for a burnt trailer.

Expenditure is at 290.8% of Y-T-D budget and is due to on-cost allocations of plant operations. The Y-T-D budget attempts to allocate the plant operation costs to individual jobs through timesheets. However, the Y-T-D budget evenly distributes these on-costs and does not give consideration of the timing of the actual expenses.

Should Councillors wish to raise any issues relating to the 30 April 2012 financial statements, please do not hesitate to contact the

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Manager Corporate Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 30 April 2012
(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

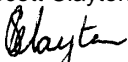

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Short

That the monthly financial statements for the period ending 30 April 2012 be adopted.

CARRIED 9 / 0

9.1.3 ACCOUNTS FOR PAYMENT – APRIL 2012

Location:	Shire of Dandaragan
Applicant:	N/A
File Ref:	Fin8
Disclosure of Interest:	None
Date:	9 May 2012
Author:	Scott Clayton, Manager Corporate Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To accept the cheque and direct debit listing for the month of April 2012

BACKGROUND

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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 April 2012 totalled \$896,893.67 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 April 2012
(Marked 9.1.3)

VOTING REQUIREMENT

Simple majority


OFFICER RECOMMENDATION / COUNCIL DECISION


Moved Cr Russell, seconded Cr Short

That the Municipal Fund cheque and EFT listing for the period ending 30 April 2012 totalling \$896,893.67 be accepted.

CARRIED 9 / 0

9.1.4 AMENDMENT TO FORWARD CAPITAL WORKS PLAN

Location:	Shire of Dandaragan
File Ref:	
Disclosure of Interest:	None
Date:	15 May 2012
Author:	Bob Bower, Integrated Planning & Strategic Projects Coordinator
Signature of Author:	

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

PROPOSAL

To amend the Forward Capital Works Plan to reflect a new

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proposed project.

BACKGROUND

As part of the process with Royalties for Regions Country Local Government Grant Program, the Shire of Dandaragan has been required to develop a Forward Capital Works Plan for a five year period, from 2010 / 2011 to 2014 / 2015.

The document is referred to as "The Plan" and is a five year Forward Capital Works Plan. The Plan contains details of the Shire's planned work activities for its infrastructure assets from 1 July 2010 until 30 June 2015. Infrastructure assets are typically those such as roads, paths, buildings, parks, bridges etc. The Plan only considers infrastructure asset expenditure and does not include plant.

The Plan focuses on capital expenditure for three primary activities, these are:

- asset renewal, replacing infrastructure assets components with components of equivalent capacity or performance capability;
- asset upgrade, replacing infrastructure asset components with components of a higher capacity or performance capability, or, adding to an existing piece of infrastructure to provide an enhanced service level; and
- new assets, building or installing new infrastructure to provide an additional asset or service.

Future access to Royalties for Regions Country Local Government fund grants required the compilation of The Plan with all projects seeking Royalties for Regions funding to be identified.

The Plan was adopted by Council at the Ordinary Meeting held 10 March 2011 and updated at a subsequent meeting on 15 December 2011 with the following recommendation being adopted by Council:

"That Council authorise the following amendments to the Shire of Dandaragan's Forward Capital Works Plan 1 July 2010 to 30 June 2015:

- 1. move the Relocation of the Jurien Bay Waste Gatehouse project, fully funded by Royalties for Regions Country Local Government fund for the total cost of \$160,200 from 2011 / 2012 to 2012 / 2013;*
- 2. the addition of the Cervantes CBD public toilet, fully funded by Royalties for Regions Country Local Government fund for the total cost of \$136,500 in the 2011 / 2012 financial year;*
- 3. the addition of a further Cervantes Foreshore enhancement stage, fully funded by Royalties for Regions Country Local Government fund for the total cost of \$23,700 in the 2011 / 2012 financial year;*
- 4. move the Jurien Bay Visitors Centre / CRC / Library project, partially funded by the Regional allocation of Royalties for Regions Country Local Government fund (\$896,000) at a total*

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*cost of \$1,400,000 from 2011 / 2012 to 2012 / 2013; and
5. move the acquisition of land for Aged Care Service from 2011 / 2012 to 2012 / 2013 financial year.”*

COMMENT

Based on recent development, it is proposed that the installation of a digital rebroadcasting system be included in the Forward Capital Works Program.

The Australian Government has announced that all free-to-air television broadcasters in Australia will complete the switch from analogue transmission to digital-only transmission by the end of 2013. The current analogue re-broadcasting system in place for Jurien Bay and Cervantes will become obsolete.

Staff have investigated a number of options to address the switch to digital technology. A current estimate to install a system to meet this change for Jurien Bay and Cervantes is approximately \$277,500. The provision of digital television services was identified in the recently adopted Jurien Bay Growth Plan through the SuperTowns process and Feasible Implementation Program.

Discussions have taken place with the Wheatbelt Development Commission, neighbouring Shires and specialists in the area on this new technology. Fortunately for the towns the size of Dandaragan and Badgingarra the VAST (Viewer Access Satellite Television) setup will be a viable operating system.

Should the Shire decide not to support a rebroadcasting system for Jurien Bay and Cervantes, individual households will need to purchase additional equipment to attain coverage. Minimal support is being offered by the federal government with the Digital Switchover Household Access Scheme. The government subsidy under the scheme is estimated to cover about 33% of the cost to purchase and install the necessary equipment for the first and only TV. For each additional digital TV in a house hold, the full cost must be met by the resident. The cost associate in supplying digital TV for hotels, motels, Apex park, caravans parks and other holiday accommodation would be astronomical as each individual TV must be wired in.

Should the Shire choose to embrace a digital rebroadcasting system, funding to carry out the project will be applied for under the 2011/2012 Country Local Government Funds.

(The Shire will continue to support radio rebroadcasting. If a digital television rebroadcast system is to be funded, the two will run in parallel and no additional ongoing maintenance or renewal costs will be required beyond what is budgeted for a single system.)

CONSULTATION

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- Chief Executive Officer

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item as these changes will be reflected in the 2012 / 2013 budget.

STRATEGIC IMPLICATIONS

G1-02-A9 Television Services

- Access Vast, lobby WIN and GWN for Turquoise Coast TV.
- Support regional lobbying to produce friendly guidelines for self-help terrestrial retransmission for Jurien Bay and Cervantes.
- Continue to lobby broadcasters to take on terrestrial retransmission at given population points.

Identified in table 9.2 Infrastructure in Council's Feasible Implementation Plan (SuperTown Growth Plan) as a short term goal.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council approve the inclusion for the installation of a Digital Television Retransmission system in the Forward Capital Works Plan.

COUNCIL DECISION

Moved Cr McGlew, seconded Cr Holmes

That Council:


- 1. approve the inclusion for the installation of a Digital Television Retransmission system in the Forward Capital Works Plan; and**
- 2. investigate further the possibility of a service charge to cover maintenance and upgrades of the Digital TV Service as proposed.**

CARRIED 8 / 1

Council resolved to include a second paragraph to outline its intention to investigate future maintenance and upgrade funding.

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9.2 WORKS AND PLANT**9.3 ADMINISTRATION****9.3.1 APPLICATION OF COMMON SEAL**

Location:	N/A
Applicant:	Shire of Dandaragan
Document ID:	
Disclosure of Interest:	None
Date:	15 May 2012
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To seek Council's endorsement for the application of the Shire of Dandaragan's common seal to the Financial Assistance Agreement – Royalties for Regions Project between the Department of Regional Development and Lands and the Shire of Dandaragan.

BACKGROUND

The Shire of Dandaragan's common seal is applied in circumstances where the Shire enters into a legal agreement, lease or undertakes the disposal or acquisition of land.

Application of the Seal is accompanied by the signatures of the President and Chief Executive Officer.

A register is maintained to record all occasions on which the Seal is applied.

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

COMMENT

Not applicable

CONSULTATION

Not applicable

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

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STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

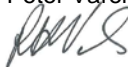
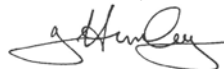
Moved Cr Russell, seconded Cr Kent

That Council endorse the affixing of the Shire of Dandaragan's common seal to the Financial Assistance Agreement – Royalties for Regions Project between the Department of Regional Development and Lands and the Shire of Dandaragan.

CARRIED 9 / 0

9.4 TOWN PLANNING

9.4.1 RETROSPECTIVE APPLICATION FOR DEVELOPMENT APPROVAL – PROPOSED FAST FOOD OUTLET – NO.11 MADRID STREET, CERVANTES

Location:	No.11 Madrid Street, Cervantes
Applicant:	Nikki Tucker (Indian Ocean Rock Lobster)
File Ref:	LPS7c
Disclosure of Interest:	None
Date:	30 April 2012
Author:	Peter Varelis, Senior Planner
Signature of Author:	
Senior Officer:	Jerom Hurley, Manager Planning
Signature of Senior Officer:	

Cr Holmes disclosed an impartiality interest due to being the owner of a food outlet within the Shire of Dandaragan.

PROPOSAL

For Council to consider the retrospective development approval of a proposed fast food outlet at No.11 Madrid Street, Cervantes. It is recommended that Council approve the application subject to conditions.

BACKGROUND

Advertised:	Yes
Submissions:	Three support and three objections
LPS No.7 Zoning:	Industrial
Use Class & Permissibility:	Fast Food Outlet – Discretionary

On 29 March 2012, the Shire of Dandaragan (the Shire) received

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a retrospective development application for a proposed fast food outlet at the existing Indian Ocean Rock Lobster factory on Madrid Street, Cervantes.

Since the application was lodged the following has occurred:

- Additional information was requested and received from the applicant;
- A complaint about the fast food outlet was received from an adjoining landowner;
- Correspondence from the Shire asking that the fast food outlet cease operations until such time as an approval has been issued;
- The application was referred to nearby landowners for comments; and
- A technical assessment of the application has been completed by the Shire's officers with a recommendation provided for Council's consideration.

Given that submissions of concern were received during the advertising period, the retrospective application is presented for Council's consideration.

A copy of the full development application and supporting information from the applicant is located with the attachments marked – Attachment 1.

COMMENT

Technical Assessment

Although submitters raised a number of concerns, officers are of the opinion that these issues can be dealt with by way of specified conditions of development approval.

A copy of the table of submissions and officer responses is located with the attachments marked – Attachment 2.

Officers of the Shire raised a number of concerns with regard to the proposal. A summary of the main concerns is provided below for Council's information.

Technical Concern	Officer Comment	Action / Mitigation
The number and type of vehicle movements on Catalonia Street. Existing Shire infrastructure is failing, as it is not designed to cater for a high number of turning	Recommend infrastructure upgrades to handle increased capacity because of the development.	At the applicants expense the primary cross over, bitumen and footpath on Catalonia Street that immediately abuts the access point of the subject proposal is to be designed & thereafter upgraded

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movements or heavy weight vehicles.		to the satisfaction of the Manager Technical Services & Works.
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Photos taken of Catalonia Street are located with the attachments marked – Attachment 3.

STATUTORY ENVIRONMENT

Local Planning Scheme no. 7 (LPS7):

Land Use Permissibility

Land use permissibility is governed in the Shire by the Zoning Table outlined in Table 1 of LPS7. The Zoning Table in the Shire's LPS7 states that a fast food outlet is a 'D' or discretionary use in the Industrial zone. Based on an initial assessment of the development application, officers saw merit in advertising the proposal and presenting it to Council for a determination.

The proposal is considered to be incidental to a previously approved tourism use which involves tours of the existing rock lobster processing facility. The fast food outlet is proposed to compliment the existing activity and is indented to cater for patrons already visiting the rock lobster processing tours. The number of visitors is not proposed to be increased as a result of the fast food outlet.

Matters to be considered

Clause 10.2 of LPS7 outlines various matters that are to be considered by local government when granting planning consent. Councillors should also reference provision 10.2 of LPS7 when undertaking an individual appraisal of the development.

Matter	Officer Comment
a) - the aims and provisions of the Scheme and any other relevant local planning schemes operating within the Scheme area.	The proposal is classified as a 'fast food outlet' and is a discretionary use under LPS7. The proposal does not aim to increase the capacity of the premises but rather compliment its existing operation. Based on an assessment of the information presented and taking into consideration existing and approved uses on the site (specifically tourism) officers are of the opinion that the proposal is capable of development approval subject to conditions.
e) - any relevant policy or	The proposal is consistent with

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<p>strategy of the Commission and any relevant policy adopted by the Government of the State.</p>	<p>Tourism WA's Strategic Plan 2010/11 which advocates to support tourist uses and promote Western Australia's iconic tourism experiences (i.e. the Pinnacles).</p>
<p>i) – the compatibility of a use or development with its setting.</p>	<p>The proposal has raised some concerns by adjoining land owners. Council should have due regard to the existing uses on the development and cumulative impacts of additional incidental uses. On balance officers are of the opinion that the concerns raised can be mitigated through relevant conditions of development approval. The proposed fast food outlet is complimentary to existing and approved uses on the site (specifically tourism).</p>
<p>l) – any social issues that have an effect on the amenity of the locality.</p>	<p>Increases in tourism and associated developments are aligned with the strategic vision for the Shire's coastal settlements. Officers requested information regarding litter management. Based on Shire records it would appear additional bin services are provided to the subject property and are sufficient for the anticipated number of patrons.</p>
<p>n) – the preservation of the amenity of the area.</p>	<p>Increases in traffic and vehicle movements on Catalonia Street are a relevant consideration of Council. Based on an assessment of existing approvals for the lobster processing tours officers have ensured that there will be no increases in patronage. This has been achieved through specified conditions of development approval.</p>
<p>p) – whether the proposed means of access to and egress from the site are adequate and</p>	<p>Officers will ensure infrastructure (specifically roads and associated</p>

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whether adequate provision has been made for the loading, unloading, maneuvering and parking of vehicles.	infrastructure) is of a standard capable of handling increased vehicle movements by specifying upgrades through specified conditions of development approval.
q) – the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.	Officers will ensure infrastructure is of a standard capable of handling increased vehicle movements by specifying provision or upgrades through specified conditions of development approval.
s) – whether public utility services are available.	Based on the maximum number of patrons it would appear the existing effluent system is sufficient. Should further development be proposed on the premises, Council may see it necessary to require connection to main sewerage.
u) – whether adequate provision has been made for access by disabled persons.	Based on information provided by the applicant suitable access has been made for disabled persons.
y) – any relevant submissions received on the application.	Submissions and responses are provided in attachment 2 for Council's consideration.

Retrospective Approval

Planning approval is required prior to the commencement of any development and/or use within the Shire, unless specifically exempt. The establishment of a fast food outlet is consistent with the definition of 'development', as provided for under the *Planning and Development Act 2005*. The landowner did not obtain the prior planning consent from the Shire and therefore committed an offence under LPS7.

In accordance with the *Planning & Development Regulations 2009* the applicant has paid an increased application fee as the application is retrospective in nature.

Provision 8.4 of LPS7 provides provision for Council to grant planning approval to a use or development that has already commenced.

POLICY IMPLICATIONS

The Shire's Health Department will now have to undertake an annual or as required inspection to ensure relevant compliance with Health standards and regulations.

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FINANCIAL IMPLICATIONS

Administration:

Nil

Infrastructure:

As previously discussed, approval of the proposed fast food outlet will have some impacts on the Shire's assets. Based on an assessment by officers the following Shire assets are considered to be affected:

- Bitumen on Catalonia Street; and
- Shire footpath on Catalonia Street.

Officers are of the opinion that these assets can be protected or upgraded to mitigate ongoing financial burden to the Shire by way of appropriate conditions recommended through development approval.

STRATEGIC IMPLICATIONS

The fast food outlet is proposed as a result of an existing tourism use. It is believed that the proprietors have recently partnered with the Pinnacles Tour Bus operation providing tourists with the opportunity of visiting the rock lobster processing plant after sight seeing at the Pinnacles. The existing tourism use is broadly supported by the Shire's draft Tourism Strategy. The fast food outlet is considered incidental or complimentary to the existing tourist use which is strategically supported in the Shire.

It is however important to note that these documents consider uses at a broader strategic level and each individual application should be considered on its merits having due regard for zoning, use of the land, LPS7 and best information available at that point in time.

ATTACHMENTS

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

- Attachment 1 – Retrospective Development Application
- Attachment 2 – Submissions Table & Officer Responses
- Attachment 3 – Photos of Shire assets

(Marked 9.4.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Kent

That Council:

- 1. note the submissions received during the advertising period as outlined in Attachment 2; and**
- 2. grant approval to commence development subject to the following conditions:**
 - a. the hours of operation of the fast food outlet are**

- restricted to 10:30 to 15:00 Monday to Sunday;
- b. a maximum of fifty (50) patrons are permitted to attend the premise at any one time;
 - c. all vehicles associated with the fast food outlet are to be parked within the subject property and are not permitted to be parked on the adjacent road, verge or crown land at any time;
 - d. the activities approved are restricted to fast food outlet only;
 - e. a new application for planning approval will be required if additional services are added, patron numbers are increased or hours of operation are to be extended;
 - f. all fast food outlet activity must be confined to the facility as indicated in the application;
 - g. prior to the commencement of works/operation a traffic/vehicle impact assessment shall be undertaken by suitably qualified personnel for the area where the development attains access from Catalonia Street at the applicants expense to the satisfaction of the Manager Technical Services & Works;
 - h. in relation to condition g, the findings and recommendations of the traffic/vehicle impact assessment shall be implemented and constructed by suitably qualified personnel at the applicants expense to the satisfaction of the Manager Technical Services & Works; and
 - i. the business proprietor making the fast food outlet available for inspection by an Environmental Health Officer as and when requested.

Advice Notes:

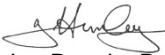

- Approval does not obviate compliance with any other appropriate legislation in particular, the Health Act 1911 & Food Act 2008.
- The applicant is advised that a right of appeal against Council's decision exists in accordance with the provisions of the Planning & Development Act 2005. In this regard contact should be made with the State Administrative Tribunal on 9219 3111 or via website www.sat.justic.wa.gov.au.
- This approval is valid for a period of two (2) years. If the development/use has not substantially commenced within this period the approval will lapse.

CARRIED 9 / 0

9.4.2 SHIRE OF DANDARAGAN SUBMISSION ON DRAFT REVISED STATE COASTAL PLANNING POLICY 2.6

Location:	Shire coastline
Applicant:	N/A
Doc ID:	5044

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Disclosure of interest:	None
Date:	14 May 2012
Author:	Jerom Hurley, Manager Planning
Signature of author:	
Senior officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of senior officer:	

PROPOSAL

The attached submission (**marked 9.4.2**) has been prepared in response to the Western Australian Planning Commission draft revised State Coastal Planning Policy 2.6, currently on advertising. It is recommended that Council adopt the attached submission and resolve to forward a copy of the adopted submission to the Western Australian Local Government Association and Western Australian Planning Commission.

BACKGROUND

State Coastal Planning Policy 2.6 was first gazetted in June 2003. In December 2006, the policy was amended to include building height restrictions within 300m of the coastline.

The draft revised State Coastal Planning Policy is being publicly advertised until 31 May 2012.

COMMENT

The attached draft submission has been prepared based on technical review of the draft revised policy and consideration at the Council Forum held on Thursday 10 May 2012.

The main points to note in relation to the draft revised policy are:

- It reverts to more of a performance based approach to determining coastal building height restrictions;
- It includes a requirement for coastal hazard risk management and adaptation planning;
- It sets out a coastal hazard risk management and adaptation planning hierarchy and prescribed adaptation measures such as notifications on title; and
- It supports removal of existing unlawful dwellings on coastal Crown land.

The main concerns highlighted in the attached draft submission are:

- The responsibilities and resource implications for local government in preparing coastal hazard risk management and adaptation plans.
- The responsibilities and potential legal and financial implications for local government in implementing coastal hazard risk management and adaptation plans.

In relation to the first dot point, the Shire will partner with the Northern Agricultural Catchment Council and possibly the Shire of Gingin to undertake coastal risk planning. The draft submission notes this and seeks support and involvement on behalf of the

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State Government to ensure the outcomes of the project align with requirements of SPP 2.6.

CONSULTATION

Councillors and Shire officers attended a workshop in April in Lancelin organized by the Northern Agricultural Catchments Council, at which the Project Manager for the draft revised policy gave a presentation.

STATUTORY ENVIRONMENT

WAPC policies guide the WAPC in considering planning proposals such as Local Planning Schemes, Local Planning Strategies, Local Planning Scheme Amendments, structure plans and subdivision applications.

POLICY IMPLICATIONS

The revised State Coastal Planning Policy will have implications for State and local government decisions along the Shire's coastline.

FINANCIAL IMPLICATIONS

The requirement for coastal hazard risk management and adaptation planning will have financial implications. The Shire's \$5,000 funding allocation towards a coastal vulnerability planning will go at least somewhat to satisfying that requirement.

STRATEGIC IMPLICATIONS

The State Coastal Planning Policy will influence planning for the coastal strip across the Shire, particularly where development exists and is proposed.

ATTACHMENTS

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

- Draft State Planning Policy 2.6 – State Coastal Planning Policy
- Draft submission

(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short



That Council:

- 1. adopt the attached submission as the Shire's submission on the draft revised State Planning Policy 2.6 – State Coastal Planning Policy; and**
- 2. forward a copy of the adopted submission to the Western Australian Local Government Association and Western Australian Planning Commission.**

CARRIED 9 / 0

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9.4.3 LOCAL PLANNING STRATEGY: RECOMMENDED PATH FORWARD

Location:	Whole Shire
Applicant:	N/A
File Ref:	LPS37
Disclosure of Interest:	None
Date:	13 May 2012
Author:	Peter Varelis, Senior Planner
Signature of Author:	
Senior Officer:	Jerom Hurley, Manager Planning
Signature of Senior Officer:	

Cr Kent disclosed a financial interest as he is included in the Local Planning Strategy and left the room at 4.57pm.

PROPOSAL

For Council to endorse an alternative path forward for finalising the Shire's Local Planning Strategy: Rural Land Use and Rural Settlement (the Strategy).

BACKGROUND

For sometime the Council of the Shire of Dandaragan (the Shire) has been working towards finalising the Strategy. In October 2011 Council resolved to adopt the Inner Rural Strategy after considering submissions and recommended modifications which included the inclusion of additional land for Rural Living purposes. Broadly the modifications proposed to designate additional areas around Jurien Bay, Dandaragan and Badgingarra for Rural Living purposes.

Since Council's resolution the following has occurred:

- Modifications were made to the Strategy document to reflect Council's resolution in October 2011.
- Matters concerning the availability and provision of water for Rural Living subdivision have been resolved with officers at the Department of Water (DoW) and Department of Planning (DoP).
- Officers have received advice at an officer level from the DoP regarding the structure of the Strategy documentation and the amount of Rural Living adopted by Council to be included in the Strategy.

The DoW and DoP have assisted officers in updating sections of the document to ensure that references are up to date with relevant policy.

COMMENT

In the interests of progressing the Strategy in a timely manner, Shire officers have worked with DoP officers to narrow and work towards resolution of issues. The DoP raised the following key concerns regarding the Inner Rural Strategy:

1. The amount of Rural Living proposed through the Strategy exceeds a 10 to 15 year recommended development horizon.

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2. Areas of Rural Living were included in the Inner Rural Strategy post advertising and thus were not formally advertised for comment from the community or State government agencies.

In relation to point 1, Shire officers have undertaken a rural living land supply analysis which sets out the likely future demand for Rural Living Lots based on historical sales and land uptake/trends. The following information provides a summary of the findings of this analysis:

1. Rural living / Rural Smallholdings subdivision commenced in Jurien Bay / Cervantes around 1995.
2. There are approximately 500 rural living lots created in Jurien Bay / Cervantes to date.
3. Based upon a desktop analysis it would appear that around 90/500 lots are currently on the market representing an 80% take up rate.

This information provides a historical basis for assessing the appropriateness of the amount of land designated for Rural Living purposes. Local Planning Strategies generally outline the Council's vision for future land use in the Shire. The DoP suggest that the vision for future land use be considered within a 10 to 15 year development horizon. Based on an assessment of the land identified in the current Strategy it would appear that the Shire has identified approximately 2000 rural living lots representing approximately 40 years worth of development horizon. As a result of these findings the DoP may recommend that some areas are excluded from the current Strategy and should be included in future reviews.

In relation to point 2, the concerns raised by the DoP require modifications adopted by Council post advertising to be re-advertised. A decision to re-advertise would require another resolution of Council. DoP officers have advised that the additional areas adopted by Council post advertising could be included and advertised as part of the Coastal Settlements Strategy which is currently being prepared and is expected to be advertised before the end of the calendar year. This suggested approach would allow the Shire to proceed with the Inner Rural Strategy in a timely manner whilst also ensuring that additional proposals are formally advertised and considered as part of the Coastal Settlement Strategy.

Recommended Path Forward

Although the DoP suggested process defers rural living elements of the Strategy to the Coastal Settlement Strategy, it will ensure that the strategy document presented to the WAPC is compiled in a manner acceptable to officers at the DoP, giving it the best possible chance of WAPC endorsement in a timely manner. It also provides an alternative formal process for consideration of the other rural living proposals. The DoP has also suggested amalgamating all strategies into a single local planning strategy as

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part of finalising the Coastal Settlement Strategy. This would have to be done anyway and the suggested approach is a more streamlined way of doing it. There are funds in the Shire's Planning budget that can be used for this purpose.

CONSULTATION

As the DoP's recommended path forward is a departure from Council's October 2011 resolution and as those departures affect the designation of private property under the strategy the following consultation measures are recommended:

1. A letter to affected landowners advising of Council's decision, the reasons for the change and the recommended path forward.
2. On-going liaison with landowners and their consultants as required.
3. Correspondence to the DoP advising of Council's decision.

STATUTORY ENVIRONMENT

Local Planning Strategies themselves are not statutory by nature. They are however used as a guide by the WAPC in considering scheme amendments and subdivision applications. It is for this reason that Local Planning Strategies are advertised through similar processes to statutory planning documentation.

POLICY IMPLICATIONS

There are no policy implications relevant to this report.

FINANCIAL IMPLICATIONS

The development of Local Planning Strategies is a general planning function of Local Government and as such the financial cost of amending and working on the documentation has been allocated through the general budgeting process. Funding has been allocated in the current financial year towards the Coastal Settlement Strategy and this funding can be used to amalgamate it with other Local Planning Strategies as part of finalising it.

STRATEGIC IMPLICATIONS

Local Planning Strategies outline the Shire's strategic vision for future land use and developed within the Shire for the next 10 to 15 years. The Strategy has been compiled over a number of years and officers have ensured ongoing workshops and liaison with Council. The benefits of following the recommended path are that it will allow the Strategy to be finalised quickly and it provides a similar alternative process for other rural living proposals to be considered.

ATTACHMENTS

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

- Attachment 1 – Correspondence & Recommendations from the Department of Planning

(Marked 9.4.3 - will be distributed under separate cover)

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VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

1. note the information and accept the recommended path forward set out by the Department of Planning as outlined in Attachment 1;
2. note that areas identified and included for Rural Living in the Rural Land Use and Rural Settlement Strategy post public advertising will be formally advertised as part of the Coastal Settlement Strategy as requested by the Department of Planning;
3. request the Chief Executive Officer to appropriately advise affected landowners of Council's decision, the reasons for the change and the path forward; and
4. request the Chief Executive Officer to appropriately advise the Department of Planning of Council's decision.

Officers presented an alternative recommendation due to recent discussions with Western Australian Planning Commission staff and upon receiving legal advice.

ALTERNATIVE RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Russell

That Council:

1. **note the information set out by the Department of Planning as outline in Attachment 1;**
2. **affirm Council resolution 9.4.2 (27 October 2011) for the following reasons:**
 - a. **The Shire does not want to be placed in the role of the Western Australian Planning Commission at the advice of departmental officers.**
 - b. **The Shire would prefer to have a decision from the Western Australian Planning Commission on the merits of the adopted modifications rather than act on departmental advice regarding process alone; and**
3. **Submit a copy of the local planning strategy to the Western Australian Planning Commission.**

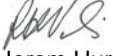
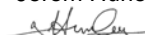
CARRIED 8 / 0

The President advised Cr Kent of the resolution following his return to the meeting at 5.03pm.

9.4.4 REVISED LOCAL PLANNING POLICY: DRAFT ADVERTISING DEVICES (SIGNAGE)

Location:	Whole Shire
Applicant:	N/A
File Ref:	
Disclosure of Interest:	None
Date:	10 May 2012

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Author:	Peter Varelis, Senior Planner
Signature of Author:	
Senior Officer:	Jerom Hurley, Manager Planning
Signature of Senior Officer:	

PROPOSAL

For Council to adopt a revised local planning policy for advertising devices (signage) for the purposes of public advertising.

BACKGROUND

Officers are continuing to progress and review the Shire's local planning policies with a view to deliver a more contemporary, rigorous and relevant local planning framework that provides guidance to the increasing number of development proposals within the Shire.

As a result of the completion of Indian Ocean Drive and recent population increases in Perth's metropolitan area, tourism has emerged as a prominent and growing industry within the Shire. Local businesses have attempted to take advantage of this by increasing their exposure through advertising devices and more specifically signage.

The following matters were highlighted to Council in considering the draft revised policy at the February & April Council Forums:

- Revised objectives to better reflect the revised policy.
- Introduction of provisions for remote advertising including the distinction between what can be considered within the 50km and 60km speed zones within the town site and signage outside the Jurien Bay town site.
- The requirement for applicants to notify the Council of any claims arising from the public where signage is located within the road reserve.
- Distinction between what proposals are required to be determined by Council and what proposals can be determined under delegation.
- Further signage types that have previously not been listed.
- The potential requirement for applicants to require an endorsement from both Main Roads WA and Council.

In addition, the policy aims to clarify when Council can vary standards and provisions stated in the policy. It sets out criteria that must be satisfied prior to Council varying the policy. These include that:

- approval of the variation will not set an undesirable precedent;
- the applicant demonstrates exceptional circumstances warranting support for a variation; and
- approval of the application is in accordance with variations to site and development requirements contained within the Shire of Dandaragan's Local Planning Scheme (Section 5.7).

Furthermore the draft policy also provides for Council to request a signage strategy where an applicant is seeking a variation to a

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standard. A “signage strategy” means an overall plan of the subject site showing the location and size of all advertisement signs proposed for the site, as well as the outline of any buildings, car parking areas, vehicular access points to the site, etc. Any existing signs must also be included on the plan and clearly delineated. All subsequent applications for an advertisement sign on the subject lot must be in accordance with the approved sign strategy. If not, a new sign strategy will be required by Council.

COMMENT

Local Planning Policies provide an outline of the criteria utilised by the Shire when considering certain types of development applications. An up to date and relevant policy framework assists the Shire with undertaking open, transparent and consistent decision making.

The draft policy provides applicants guidance as to what the Council considers to be an appropriate means of advertising or signage. It also provides applicants an outline of what the Shire expects when applying for advertising devices or signage and the parameters for assessing applications.

Stakeholder engagement in policy development is seen as critical in establishing an appropriate planning framework for future development proposals.

Options:

There are three options available to Council in accordance with clause 2.4.2 of LPS7:

1. adopt the revised policy for the purposes of advertising;
2. defer consideration of the revised policy; or
3. resolve not to progress with the revised policy at this time and provide reasons accordingly.

Option 1 is recommended.

CONSULTATION

If Council resolves to amend the Local Planning Policy, the Shire –

- a) Is to publish a notice of the amended Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving details of –
 - i. Where the Policy may be inspected;
 - ii. The subject and nature of the draft Policy; and
 - iii. In what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made;
- b) May publish a notice of the proposed Policy in such other manner and carry out such other consultation as the local government considers appropriate.

After the expiry of the period within which submissions may be made, the local government is to –

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- a) Review the proposed Policy in light of any submissions made; and
- b) Resolve to adopt the Policy with or without modification, or not to proceed with the Policy.

There is no Scheme requirement for the policies to be advertised prior to being revoked. However after advertising, if Council chooses to revoke the existing policy, it is recommended that a notice of revocation is published once a week for 2 consecutive weeks in a newspaper circulating in the Shire area, in accordance with clause 2.5(b) of Local Planning Scheme No.7.

In addition to the statutory requirements outlined above, it is recommended that consultation is extended to include sending a copy of the draft revised policy to each town's Chamber of Commerce and Ratepayer Group.

STATUTORY ENVIRONMENT

The Scheme allows the Shire to prepare policies in respect to any matter related to the planning and development of the Shire. Policies may apply to a particular class or matter and throughout the Scheme relate to one or more parts of the Scheme area. The Scheme allows Council to amend or rescind its planning policies.

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. Although Local Planning Policies are not part of the Scheme they must be consistent with, and cannot vary, the intent of the Scheme provisions. In considering an application for planning approval, the local government must have due regard to relevant Local Planning Policies as required under clause 10.2 of the Scheme.

The amended policy does not exempt compliance with all other requirements of the Shire of Dandaragan Local Planning Scheme and any other policy of Council.

POLICY IMPLICATIONS

After considering submissions, if Council decides to adopt the amended policy it will be included in the Shire's Policy Manual.

FINANCIAL IMPLICATIONS

There will be a cost involved in publishing a notice of advertising. This is covered in the adopted budget.

STRATEGIC IMPLICATIONS

The amended policy will assist in the procedural and governance aspects of the Shire's development control responsibilities. This includes providing direction and guidance on the appropriate provision of advertising devices in the public realm.

The amended policy stipulates the Shire requirements which will be applied so that the amenity of an area is not significantly impacted by advertising devices.

ATTACHMENTS

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

- Attachment 1 – Existing Advertising Devices (Signage) Local Planning Policy
- Attachment 2 – Revised Advertising Devices (Signage) Local Planning Policy

(Marked 9.4.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Russell

That Council:


1. **adopt the Draft Local Planning Policy: Advertising Devices (Signage) as provided in attachment 2 for advertising purposes, in accordance with provision 2.4 of the Shire's Local Planning Scheme No. 7; and**
2. **advertise the Draft Local Planning Policy: Advertising Devices (Signage) for a period of not less than 21 days by way of:**
 - **a notice being placed in a local newspaper circulating within the district;**
 - **a notice being placed in the Shire's Administration Centre and the Badgingarra, Cervantes and Dandaragan Libraries;**
 - **a notice being placed on the Shire's internet website; and**
 - **a letter being sent to each town's respective Chamber of Commerce and Ratepayer Group.**

CARRIED 9 / 0

9.5 HEALTH

9.6 BUILDING

9.6.1 MR G MORRIS & MRS L MORRIS, LOT 784 VALENCIA ROAD, CERVANTES – APPLICATION FOR R-CODES SIDE BOUNDARY VARIATION TO NIL SIDE BOUNDARY SETBACK FOR PROPOSED SHED

Location:	Lot 784 Valencia Road, Cervantes
Applicant:	Mr G Morris and Mrs L Morris
File Ref:	23/12
Disclosure of Interest:	None
Date:	9 May 2012
Author:	Will George, Manager Building Services
Signature of Author:	

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Senior Officer:

Ian Rennie, Deputy Chief Executive Officer

Signature of Senior Officer:



PROPOSAL

To consider an application submitted by Mr G and Mrs L Morris for a variation of the side boundary setback requirement of 1.5m to nil side boundary setback at Lot 784 Valencia Road Cervantes.

BACKGROUND

The site is a vacant lot zoned Residential R15 development density which is soon to have a new dwelling constructed on the lot. A building permit has recently been issued for the construction of the proposed new dwelling.

The proposal to construct the shed was originally in conjunction with the building permit application but the shed component of the proposal has been separated from the overall project because of the requirement to vary the required side boundary setback for the shed.

COMMENT

The proposed shed measures 10.99m x 5.99m providing a footprint area of 65.83m². The proposed shed will be a full brick construction with a gable form colorbond roof over a scissor truss roof frame construction.

The shed is primarily intended to secure a boat so the height of the shed has been designed at a 3.0m wall height with the scissor truss roof frame configuration selected to provide clear access for the boat without the need to build the boundary wall over 3.0m.

In the rear of the shed the applicants propose to install wet area facilities of a toilet and a shower which in itself will not complicate the form of the shed.

As a result of the dwelling size and the restrictions of the lot size the most advantageous use of the site determines that the proposed shed be sited on the lot between the house and the side boundary with a nil side boundary setback.

The shed is within the Shire of Dandaragan's Policy Relating to Outbuildings which tabulates a permitted area of outbuildings to a maximum of 80m² or 10% of the site area, whichever is the lesser. The proposed shed is 65.83m² and in accordance with the Policy, is deemed to meet the performance criteria of Clause 3.10.1 of the Residential Design Codes.

The table in the Policy Relating to Outbuildings in section 8 states: "Where a parapet/boundary wall is proposed (ie a wall within 750mm of a boundary), a maximum wall height of 3.0m and length of 9.0m will apply. Any variation to this requires a comment from the affected adjoining property owner/s for a Council decision".

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The length of the wall parallel to the side boundary is 10.99m which is in excess of the allowable 9.0m under the Policy.

The application drawings for the proposed shed are endorsed in writing by the adjoining property owner who expresses no objection to the proposal (see attachment).

CONSULTATION

No consultation with the neighbour was undertaken by Council staff as the applicants had already provided written response from the adjoining property owner.

STATUTORY ENVIRONMENT

- Shire of Dandaragan Local Planning Scheme No 7
- Council's Policy Relating to Outbuildings
- Residential Design Codes

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid the planning application fee of \$139.00.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Overall site development plan (extract un-numbered)
- Site Plan 11-GM-01
- Elevations 11-GM-02

(Marked 9.6.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

That Council grant planning approval to Mr G and Mrs L Morris for the proposed 65.83m² shed to be constructed with a nil side boundary setback as described above on Lot 784 Valencia Road, Cervantes in accordance with the details outlined on the drawings attached to this item.

Advice



- **That the applicants Mr G and Mrs L Morris be advised that this is a planning approval and not a building permit. A separate building permit must be applied for in accordance with the Building Act 2011 and the Building Regulations 2012 and the subsequent granting of a building permit by the Permit Authority (Shire of Dandaragan).**

- That the applicants be advised should they be aggrieved by this decision 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 Development Act 2005 within 28 days of the date of this decision to:

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845

CARRIED 9 / 0

9.6.2 MR S GILMAN, LOT 27 GERONIMO CRESCENT, ALTA MARE, JURIE BAY – PROPOSED SHED

Location:	Lot 27 Geronimo Crescent, Alta Mare, Jurien Bay.
Applicant:	Mr S Gilman
File Ref:	
Disclosure of Interest:	None
Date:	9 May 2012
Author:	Will George, Manager Building Services
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To consider an application submitted by Mr S Gilman seeking planning approval for a proposed 112m² shed with an eaves height of 4.0m and an unspecified ridge height calculated to be 4.33m to be erected on Lot 27 Geronimo Crescent, Alta Mare.

BACKGROUND

A similar shed application from this applicant was presented to the Ordinary Council Meeting of Thursday 26 April 2012, at which Council's resolution was to refuse the application in accordance with the officer's recommendations, because of the aggregate area of sheds on the lot being far in excess of the Policy Relating To The Scale Of Outbuildings – 'Rural Residential' and 'Special Use – Rural Development Zones' which applied as at the date of the last Ordinary meeting of Council.

The proposal subject of this application is for a shed of reduced size to be more in keeping with the provisions of Council's revised Policy Relating to 'The Scale of Outbuildings in Rural Residential and Special Use – Rural Development Zones' adopted by Council resolution at the Ordinary Meeting of Council on 25 March 2012, at which meeting Council varied the officer's recommendations to include a maximum shed size of 300 square metres where Council could approve the proposed buildings subject of this Policy.

COMMENT

The proposed new shed measures 15.0m long x 7.5m wide giving

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a floor area of 112.5m². The proposed new shed will be steel frame construction clad with colorbond sheet. There is an existing shed on the lot which has a floor area of 192.5m² giving an aggregate floor area of 305m² for both sheds.

Council's new Policy relating to the 'Scale of Outbuildings in Rural Residential and Special Use – Rural Zones' now provides clear guidance for Council to provide consent for sheds in excess of the tabulated sizes of 216m² with written approval for adjoining property owners noted within the Policy, by including the provision for consent by Council to sheds up to 300m² floor area.

The revised shed size subject of this new application from Mr S Gilman is nominally above the maximum shed size permitted by the new Policy. The proposal exceeds the new maximum permitted floor area by just 5m², or 1.67%.

CONSULTATION

No consultation with the neighbours was undertaken by Council staff for this reduced scale application as the previous application for a larger shed had received no responses from the adjoining property owners.

STATUTORY ENVIRONMENT

- Shire of Dandaragan Local Planning Scheme No 7.
- Council's revised Policy relating to The Scale of Outbuildings – Rural Residential and Special Use – Rural Development Zones.

POLICY IMPLICATIONS

Approval of this application would be contrary to the revised policy adopted by Council at the Ordinary Council Meeting held 25 March 2012, wherein a maximum shed size of 300 square metres was prescribed by Council amendment to the Policy.

FINANCIAL IMPLICATIONS

The applicant has paid the planning application fee of \$139.00.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Un-numbered site plan by applicant
- Elevations and shed details
- Copy of relevant shed Policy

(Marked 9.6.2)

VOTING REQUIREMENT

Simple majority

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OFFICER RECOMMENDATION

That Council:

- refuse planning approval to Mr S Gilman for the proposed 112.5m² shed to be constructed at Lot 27 Geronimo Crescent, as the 1.67% (5m²) is in excess of the maximum permitted floor area provided for by Council's Policy relating to the Scale of Outbuildings – Rural Residential and Special Use – Rural Development Zones, and would detract from the intent of the revised Policy adopted by Council; and
- further advise Mr S Gilman that should he lodge amended details that clearly achieve a shed floor area such that the aggregate floor area of both sheds on Lot 27 Geronimo Crescent, Alta Mare does not exceed a total floor area of 300 square metres, then the application may be considered as approved.

Advice

- That the applicant Mr S Gilman of Lot 27 Geronimo Crescent, Alta Mare, be advised that this is a planning approval and not a building permit.
- A separate building permit must be applied for in accordance with the Building Act 2011 and the Building Regulations 2012 and the subsequent granting of a building permit by the Permit Authority (Shire of Dandaragan).
- That the applicants be advised should they be aggrieved by this decision 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 Development Act 2005 within 28 days of the date of this decision to:

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845

MOTION

Moved Cr Kent, seconded Cr Bailey
That the application be approved.

The motion was withdrawn and the original officer recommendation was put to Council.

COUNCIL DECISION

Moved Cr Bailey, seconded Cr Kent

That Council:

- **refuse planning approval to Mr S Gilman for the proposed 112.5m² shed to be constructed at Lot 27 Geronimo Crescent, as the 1.67% (5m²) is in excess of the maximum permitted floor area provided for by Council's Policy relating to the Scale of Outbuildings – Rural Residential and Special Use – Rural Development Zones, and would detract from the intent of the revised Policy adopted by**

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Council; and

- further advise Mr S Gilman that should he lodge amended details that clearly achieve a shed floor area such that the aggregate floor area of both sheds on Lot 27 Geronimo Crescent, Alta Mare does not exceed a total floor area of 300 square metres, then the application may be considered as approved.



Advice

- That the applicant Mr S Gilman of Lot 27 Geronimo Crescent, Alta Mare, be advised that this is a planning approval and not a building permit.
- A separate building permit must be applied for in accordance with the Building Act 2011 and the Building Regulations 2012 and the subsequent granting of a building permit by the Permit Authority (Shire of Dandaragan).
- That the applicants be advised should they be aggrieved by this decision 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 Development Act 2005 within 28 days of the date of this decision to:

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

CARRIED 9 / 0

9.6.3 MR W BATE, LOT 319 (HOUSE # 3) SHEOAK GROVE, JURIE BAY – PROPOSED R-CODE VARIATION FOR NIL SIDE AND REAR BOUNDARY SETBACKS

Location:	Lot 319 Sheoak Grove, Jurien Bay.
Applicant:	Mr W Bate
File Ref:	BE 2615
Disclosure of Interest:	None
Date:	11 May 2012
Author:	Will George, Manager Building Services
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant is seeking Council's approval to construct a shed of 50m² floor area with nil boundary setbacks to the side and rear lot boundaries of Lot 319 Sheoak Grove, Jurien Bay.

BACKGROUND

A similar shed application from this applicant was presented to the Ordinary Council Meeting of 22 March 2012, at which Council's resolution was to approve the application in accordance with the

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officer's recommendations. The proposal of that meeting included a brick boundary wall for the side and rear boundaries for the nil setbacks. Due to the applicant's desire to reduce the cost of the building the same shed size is now proposed, but with colorbond walls located on the nil setback boundaries in lieu of the brick walls previously proposed.

Lot 319 Sheoak Grove is zoned Residential R12.5 development density and has recently been developed with the construction of a new dwelling on the lot. The applicant now wishes to have a shed constructed to the rear of the new dwelling, and located as shown in the attached site plan. To maximise the use of the available site space the applicant proposes to build the shed with nil boundary setbacks to the side and rear of the selected shed site. The proposed shed remains at the same 10m long x 5m wide x 3.6m high eaves line as the originally approved shed application described above.

COMMENT

Table 2b (Boundary setbacks for walls without major openings) of the Residential Design Codes (R-Codes) for a proposed wall of 10m long and 3.6m high would normally require a boundary setback of 2 metres for the side boundary setback, and 1.1 metres for the rear boundary setback. The applicant proposes nil boundaries setbacks for both side and rear boundaries. The only difference between this application and the previously approved application is that the nil setback boundary walls are now steel framed colorbond clad walls in lieu of the previously approved masonry walls on to the side and rear boundaries at the shed site.

Council's policy relating to outbuildings provides the basis for determining applications for outbuildings that do not meet the Acceptable Development Criteria of the Residential design Codes.

The objectives of Council's Policy Relating to Outbuildings are threefold:

- To provide some flexibility in the requirements for outbuildings in residential areas.
- To ensure that the performance criteria of the Residential Design Codes (2002) are appropriately addressed.
- To improve customer service standards through the timely processing of planning and building applications for outbuildings.

This Policy is made pursuant to Clause 2.6.2 of the Residential Design Codes (Clause 3.10.1 – Outbuildings), where an outbuilding exceeds an area of 60m² (or 10% of the site area, whichever is the lesser) or has a wall height greater than 2.4m or a ridge height greater than 4.2m, Council's approval should be sought under the Performance Criteria.

The performance criteria relative to outbuildings (Clause 3.10.1)

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states:

“Outbuildings that do not detract from the streetscape or the visual amenity of the residents or neighbouring properties.”

The Policy statement for Outbuildings in paragraph 5 provides that:

“An outbuilding within a residential area shall be deemed as meeting the Performance Criteria of Clause 3.10.1 of the Residential Design Codes where the following area and height requirements can be achieved:

For non-reflective cladding or masonry, the permitted area of outbuildings is 80m², or 10% of the site area, whichever is the lesser, a permitted wall height of 3.6m (measured from ground level at the closest common boundary) and a permitted ridge height of 4.5m or the highest point of the roof cladding to the residence, whichever is the lesser.”

The proposed shed subject of this application has a floor area of 50m², a wall height of 3.6m, and a ridge height of 3.9m placing it within the maximums of the requirements of the Policy listed above.

The proposed outbuilding (shed) subject of this application is located well behind the existing dwelling on the lot thereby achieving the performance criteria relative to outbuildings stated in Clause 3.10.1 of the Residential Design Codes. (Site Plan attached)

The roof is non-reflective colorbond as are the walls of the building.

The Performance Requirements of Clause 6.3.2 (Buildings on boundaries) states that:

“Buildings built up to boundaries other than the street boundary where it is desirable to do so in order to:

- *make effective use of space; or*
- *enhance privacy; or*
- *otherwise enhance the amenity of the development;*
- *not have any significant adverse effect on the amenity of the adjoining property owner; and*
- *ensure that direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.”*

The location of the proposed shed does not appear to create less than the prescribed Performance Requirements of Clause 6.3.2 of the Residential design Codes (R-Codes).

The objection from the adjoining property owner of Lot 123 Couborough Place has not specified the nature of the objection

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beyond a request for a brick wall facing her rear boundary.

The structural changes to a standard shed design increase the cost of the structure and reduce the ease of which weather-proofing can be achieved. It was originally a concern of the applicant to alter the previously approved application due to costs.

The objection raised from the adjoining property owner at Lot 123 Couborough Place would appear to be based only on a preference for a brick wall facing the boundary rather than some other technical reason for the specification. The applicant can construct a colorbond fence all the way along the rear boundary in question using a colorbond fence to a height of 1.8m without Council approvals, which is considered to be a more intrusive impact than a 5 metre long colorbond shed wall situated on the boundary.

CONSULTATION

The neighbour consultation process was repeated by Council staff as for the previously approved application and one (1) objection has been received (see attachment). The objector requests that the boundary wall facing to her property (Lot 123 Couborough Place, Jurien Bay) be of brick construction.

STATUTORY ENVIRONMENT

- Shire of Dandaragan Local Planning Scheme No 7
- Residential Design Codes of Western Australia
- Shire of Dandaragan's Policy Relating to Outbuildings

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid the planning application fee of \$139.00.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Site plan
- Elevations and shed details
- Letter of objection from Irene Delane (owner of adjoining property)

(Marked 9.6.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council grant planning approval for the construction of the 10m long x 5m wide x 3.6m wall height colorbond clad shed

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located in the rear setback area of Lot 319 Sheoak Grove, Jurien bay with nil boundary setback to the side and rear boundaries of the lot, subject to the following:

Conditions:

1. all development shall be in accordance with the attached approved plans submitted with the application and subject to any modifications required as a consequence of any conditions of this approval; and
2. the endorsed plans shall not be modified or altered without the prior written approval of the local government.

Advice

- The applicant is advised this is planning approval and not a building permit.
- The applicant be advised should they be aggrieved by this decision there is a right of review under the Planning Development Act 2005. An application for review must be submitted in accordance with part XIV of the Planning Development Act 2005 within 28 days of this decision to:

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845

COUNCIL DECISION


Moved Cr Love, seconded Cr Bailey

That Council refuse the application to construct a shed of 50m² floor area with nil boundary setbacks to the side and rear lot boundaries of Lot 319 Sheoak Grove, Jurien Bay.

CARRIED 8 / 1

The Officer Recommendation was not adopted. Council's resolution was to encourage brick parapet walls on boundaries.

9.6.4 MR A JEFFERIES, LOT 244 ZENDORA ROAD, ALTA MARE, JURIE BAY – PROPOSED 4.75M HIGH WALL HEIGHT TO SHED

Location:	Lot 244 Zendora Road, Alta Mare, Jurien Bay.
Applicant:	Mr A Jefferies
File Ref:	BE 2492
Disclosure of Interest:	None
Date:	12 May 2012
Author:	Will George, Manager Building Services
Signature of Author:	

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

PROPOSAL

The applicant is seeking Council's approval to construct a colorbond clad skillion roof shed of 160m² floor area with a wall height of 4.75m to the low side of the skillion, and appurtenant rain

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water collection tanks.

BACKGROUND

A proposal has been received from Mr Alan Jefferies to construct a General Purpose skillion roof form shed on his Rural Residential lot 244, Zendora Road in the Alta Mare subdivision.

The shed is a steel framed engineer designed structure with a skillion roof form, and a mezzanine floor level within the shed at one end of the building.

The shed will contain a shower and a toilet below the mezzanine level. The mezzanine level leads onto a balcony attached to the external wall of the shed which also serves as a lean-to attached to the shed.

COMMENT

The aggregate floor area of the shed and lean-to totals 160m² which is well below the permitted floor area aggregate for sheds and lean-tos according to Council's Policy Relating to the Scale of Outbuildings in 'Rural Residential' and 'Special Use – Rural Development Zones'.

Lot 244 Zendora Road is a 5.05 ha lot. The site for the shed is within the design guidelines for Alta Mare.

The proposal complies in every Policy respect except for the height of the wall at the lower side of the skillion roof slope, or eaves gutter line.

The table for Outbuildings in section 6 of Council's Policy Relating to the Scale of Outbuildings, "Rural Residential' and 'Special Use – Rural' Development Zones requires that for non-reflective materials, an aggregate floor area proposal up to 162m² is permitted a wall height of 4.0m without neighbour consultation or a determination by the Council.

However, the proposal subject of this application exceeds the maximum permitted wall under the conditions above, by 750mm, thereby requiring neighbour consultation and Council's determination.

CONSULTATION

Council staff contacted adjacent property owners in writing but no responses were received.

STATUTORY ENVIRONMENT

- Shire of Dandaragan Local Planning Scheme No 7.
- Shire of Dandaragan's Policy Relating to the Scale of Outbuildings-'Rural Residential' and 'Special Use – Rural Development Zones'.
- Shire of Dandaragan Alta Mare Design Guidelines.

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POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid the planning application fee of \$139.00 and building permit application fees totalling \$665.59.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Site plan
- Elevations and shed details

(Marked 9.6.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

That Council grant planning approval for the construction of the 20m long x 8m wide x 4.75m wall height colorbond clad skillion roof shed proposed for Lot 244 Zendora Road, Alta Mare for Mr A Jefferies, as described above, subject to the following:

Conditions;

- 1. all development shall be in accordance with the attached approved plans submitted with the application and subject to any modifications required as a consequence of any conditions of this approval; and**
- 2. the endorsed plans shall not be modified or altered without the prior written approval of the local government**

Advice



- **The applicant is advised this is planning approval and not a building permit.**
- **The applicant be advised should they be aggrieved by this decision there is a right of review under the Planning Development Act 2005. An application for review must be submitted in accordance with part XIV of the Planning Development Act 2005 within 28 days of this decision to:**

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

CARRIED 8 / 1

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9.6.5 MR G & MRS P NEAL, LOT 4 (#7) TARRAGONA LOOP, CERVANTES – PROPOSED NIL BOUNDARY SETBACK TO SIDE AND REAR BOUNDARIES FOR COLORBOND SHED

Location:	Lot 4 Tarragona Loop, Cervantes.
Applicant:	Mr G & Mrs P Neal
File Ref:	BE 2430
Disclosure of Interest:	None
Date:	12 May 2012
Author:	Will George, Manager Building Services
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant is seeking Council's approval to construct a colorbond clad gable roof steel frame shed of 41.4m² floor area with a wall height of 2.70m, a length of 9.20m, and a width of 4.50m with nil boundary setbacks to the side and rear boundaries of the lot.

BACKGROUND

A proposal has been received from Mr G & Mrs P Neal of 7 Tarragona Loop, Cervantes, to construct a steel frame colorbond clad shed in the rear corner of Lot 4 Tarragona Loop with nil side and rear setbacks.

The lot is zoned Residential R15 Development Density and is subject to the Valencia Road Subdivision Design Guidelines and the Residential Design Codes, within the Shire of Dandaragan's Local Planning Scheme No 7.

COMMENT

The proposed shed satisfies the provisions of the Valencia Road Subdivision Guidelines, but requires Council's consent for the nil boundary setbacks which are not in conformity with Table 2a of the Residential Design Codes.

A wall length of 9.20m with a wall height of 2.70m according to Table 2a of the Residential Design Codes requires a side boundary setback of 1.5m. The rear boundary setback for a wall length of 4.50m and a wall height of 2.70m requires a boundary setback of 1.0m. The small size of the subject lot creates difficulty in constructing a shed of any considerable size without needing to reduce the side and rear boundary setbacks. (see attachment site plan)

The subject lot has an adjoining neighbour to the rear boundary, and the side boundary relative to the siting of the proposed shed abuts unreleased reserve lands.

The shed otherwise satisfies the requirements of Council's Policy Relating to Outbuildings.

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In previous approvals Council has resolved to give consent to sheds in residential areas with nil side and rear setbacks for reasons similar to that presented by the confines of the subject lot.

CONSULTATION

Council staff contacted adjacent property owners in writing but no responses were received.

STATUTORY ENVIRONMENT

- Shire of Dandaragan Local Planning Scheme No 7
- Shire of Dandaragan's Policy Relating to Outbuildings
- Shire of Dandaragan's Valencia Road Design Guidelines

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid the planning application fee of \$139.00 and building permit application fees totalling \$392.00.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Site plan
- Elevations and shed details
- Council Policy Relating to Outbuildings

(Marked 9.6.5)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

That Council grant planning approval for the construction of the 9.20m long x 4.50m wide x 2.70m wall height colorbond clad gable roof shed proposed for Lot 4 Tarragona Loop, Cervantes for Mr G & Mrs P Neal, as described above with nil side and rear boundary setbacks, subject to the following:

Conditions;

- 1. all development shall be in accordance with the attached approved plans submitted with the application and subject to any modifications required as a consequence of any conditions of this approval; and**
- 2. the endorsed plans shall not be modified or altered without the prior written approval of the local government.**

Advice

- The applicant is advised this is planning approval and not a building permit.**



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- **The applicant be advised should they be aggrieved by this decision there is a right of review under the Planning Development Act 2005. An application for review must be submitted in accordance with part XIV of the Planning Development Act 2005 within 28 days of this decision to:**

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

CARRIED 8 / 1

9.6.6 MR & MRS C AND L ANDERSON AND MR & MRS B AND L HAEUSLER, LOT 396 (#17) BORONIA TURN, JURIE BAY – PROPOSED REDUCED BOUNDARY SETBACK TO SIDE BOUNDARY FOR COLORBOND SHED ADDITIONS TO EXISTING SHED

Location:	Lot 396 Boronia Turn, Jurien Bay.
Applicant:	Mr & Mrs C and J Anderson and Mr & Mrs B and L Haeusler
File Ref:	BE 2121
Disclosure of Interest:	None
Date:	12 May 2012
Author:	Will George, Manager Building Services
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant is seeking Council's approval to construct a colorbond clad gable roof steel frame addition to an existing shed at Lot 396 Boronia Turn, Jurien Bay. The total area of the shed becomes 44.55m² with a wall height at the eaves of 3.3m to match the existing shed.

BACKGROUND

A proposal has been received from Mr & Mrs C and J Anderson and Mr & Mrs B and L Haeusler of 17 (Lot 396) Boronia Turn, Jurien Bay, to construct a steel frame colorbond clad addition to the existing shed in the rear left hand corner of lot.

The existing shed measures 6.90m x 4.50m providing an existing floor area of 31.05m². The proposed additions of 3.00m x 4.50m (13.50m²) increases the total floor area of the shed to 44.55m².

COMMENT

The new total floor area of the shed after completion of the additions will provide a total floor area of 44.55m² as stated above, which is under the maximum floor area for Outbuildings provided for in Council's Policy Relating to Outbuildings. The Policy allows a floor area of 80m² or 10% of the lot area, whichever is the lesser. The lot is zoned R 12.5 Development Density and is subject to the

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Residential Design Codes, within the Shire of Dandaragan Local Planning Scheme No 7, for boundary setbacks.

Table 2a of the Residential Design Codes (R-Codes) requires a wall greater than 9.0m in length and with a wall height of 3.6m to have a side boundary setback of 1.5m. The existing compliant location of the existing shed means that any addition to the existing shed requires assessment under Table 2a of the R-Codes, but is unlikely to be able to comply without an unusual “kink” in the wall of the completed shed.

The existing shed has a side boundary setback of 1.0m, and so the applicant seeks approval for the additions to the shed to similarly have a 1.0m setback in lieu of the 1.5m setback required by Table 2a of the R-Codes.

CONSULTATION

The applicant has lodged a copy of a drawing which has been sighted by the adjoining property owner, and a signed copy of the Adjoining Property Owner’s Comment on Proposed Variation to The Residential Design Codes. (see attachment)

STATUTORY ENVIRONMENT

- Shire of Dandaragan Local Planning Scheme No 7
- Shire of Dandaragan’s Policy Relating to Outbuildings
- Residential Design Codes (R-Codes)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid the planning application fee of \$139.00 and building permit application fees totalling \$392.00.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Site plan
- Elevations and shed details
- Adjoining property owner comment

(Marked 9.6.6)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Short

That Council grant planning approval for the construction of the 3.0m long x 4.50m wide x 3.30m wall height colorbond

clad gable roof shed addition to existing shed on Lot 396 Boronia Turn, Jurien Bay for Mr & Mrs C and J Anderson, and Mr & Mrs B and L Haeusler, as described above with reduced side boundary setbacks of 1.0m in lieu of the 1.5m required by Table 2a of the Residential Design Codes, subject to the following:

Conditions:

1. all development shall be in accordance with the attached approved plans submitted with the application and subject to any modifications required as a consequence of any conditions of this approval; and
2. the endorsed plans shall not be modified or altered without the prior written approval of the local government.


Advice


- The applicant is advised this is planning approval and not a building permit.
- The applicant be advised should they be aggrieved by this decision there is a right of review under the Planning Development Act 2005. An application for review must be submitted in accordance with part XIV of the Planning Development Act 2005 within 28 days of this decision to:

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845

CARRIED 9 / 0

9.6.7 MR WAYNE HIGGS & MRS SUE HIGGS AND MR BRETT HIGGS, LOT 761 MIDDLETON BOULEVARD, JURIEN BAY – PROPOSED REDUCED SIDE BOUNDARY SETBACK TO NIL SETBACK FOR GARAGE UNDER MAIN ROOF OF DWELLING

Location:	Lot 761 Middleton Boulevard, Jurien Bay.
Applicant:	Mr Wayne Higgs, Mrs Sue Higgs & Mr Brett Higgs.
File Ref:	BE 2688
Disclosure of Interest:	None
Date:	13 May 2012
Author:	Will George, Manager Building Services
Signature of Author:	

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

PROPOSAL

The applicants, Mr Wayne Higgs, Mrs Sue Higgs, and Mr Brett Higgs seek Council's approval to construct a new dwelling at Lot 761 Middleton Boulevard in the Ardross Estate subdivision known as Beachridge Estate in Jurien Bay, with the under main roof garage situated on the lot with nil side boundary setback.

BACKGROUND

The construction of the dwelling in itself does not require planning approval by submission to Council, except for the fact that the

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garage proposed under the main roof of the dwelling is proposed to have the side wall located on the side boundary of the lot with nil boundary setback.

The subject lot is currently vacant and the proposal has been submitted to Ardross Estates Pty Ltd for their Beachridge Residential Design Guidelines compliance appraisal, with no objection to the proposal being raised by Ardross Estates Pty Ltd.

COMMENT

The subject lot is zoned Residential R15 development density and is subject to compliance with the siting requirements of the Residential Design Codes. (R-Codes)

The overall proposal assessment shows general R-Codes compliance except for the location of the side wall of the proposed under main roof garage wall which is shown to have nil side boundary setback.

Table 1 (General site requirements) for Residential R15 development density requires a side boundary setback in accordance with Table 2a (Boundary setbacks) of 1.0 metre, and a rear boundary setback of 6.0 metres. The rear boundary setback of 6.0 metres is exceeded by a proposed 9.47 metres, but the required side boundary setback of 1.0 metre has been applied for as a nil setback which requires a decision of the Council.

A copy of the site plan is attached to this item for Council's information.

CONSULTATION

Council's Manager Building Services has discussed the proposal with Ardross Estates Pty Ltd and the applicant's representative, Mr Wayne Higgs. The applicant has sought written agreement from the adjoining property owners in support of the reduced side boundary setback proposed for this lot.

STATUTORY ENVIRONMENT

- Shire of Dandaragan Local Planning Scheme No 7
- Beachridge Residential Design Guidelines
- Residential Design Codes (R-Codes)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid the planning application fee of \$640.00 and building permit fees of \$1,076.86

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

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ATTACHMENTS

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

- Site plan
- Plans and elevations

(Marked 9.6.7)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Sheppard

That Council grants planning approval for the construction of the 6.71m long x 2.95m high masonry garage wall with nil side boundary setback in lieu of the 1.0m required by Table 2a of the Residential Design Codes, subject to the following:

Conditions:

1. all development shall be in accordance with the attached approved plans submitted with the application and subject to any modifications required as a consequence of any conditions of this approval; and
2. the endorsed plans shall not be modified or altered without the prior written approval of the local government.

Advice

- The applicant is advised this is planning approval and not a building permit.
- The applicant be advised should they be aggrieved by this decision there is a right of review under the Planning Development Act 2005. An application for review must be submitted in accordance with part XIV of the Planning Development Act 2005 within 28 days of this decision to:

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

CARRIED 9 / 0

9.7 COUNCILLOR INFORMATION BULLETIN**9.7.1 DEPARTMENT OF COMMERCE – 2012 WORK SAFETY AWARDS WESTERN AUSTRALIA – CALL FOR ENTRIES**

Document ID:

The 2012 Work Safety Awards are made up of 4 different categories, those being:

1. Best Workplace Safety and Health Management System
 - a. Private Sector
 - b. Public Sector
2. Best Solution to an Identified Workplace Safety and Health

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Issue

3. Best Workplace Safety and Health Practices in Small Business
4. Best Individual Contribution to Workplace Safety and Health
 - a. No formal OSH responsibility
 - b. OSH manager / OSH responsibilities

Entries close 5.00pm 6 July 2012.

More information is on hand if required.

9.7.2 MINISTER FOR TRANSPORT; HOUSING; EMERGENCY SERVICES – ISSUES FACING SHIRE OF DANDARAGAN

Document ID: 4465

"In regard to the Shire's application for 2012-13 Regional Airports Development Scheme funding to hire a consultant to locate a site for the proposed Turquoise Coast Regional Aerodrome, the recommendations are currently being prepared by the Department of Transport for my consideration and the shire will be advised of the outcome by the end of May. Should the Shire be considering installing a gravel east west strip for emergency situations at Jurien Bay, I encourage you to submit an application for the 2013-14 funding round when applications are called towards the end of the year."

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.2)**

9.7.3 JURIE BAY PROGRESS ASSOCIATION INCORPORATED – QUEENS DIAMOND JUBILEE

Document ID: 4463

"At the April meeting of this association, it was unanimously agreed to request that the Shire of Dandaragan on behalf of the ratepayers, acknowledge the Queens Diamond Jubilee marking 60 years since her accession to the throne in 1952 and becoming only the second United Kingdom monarch to do so.

We believe that a formal letter of congratulations from the Shire, together with a copy of one of the local history books, 'Plateau, Plain and Coast' has been suggested, be sent to Her Majesty's in time for the official UK celebrations which we believe will be on the 2nd June this year."

**Can Council please express their desire to send a letter from the Shire of Dandaragan.*

9.7.4 WALGA – INTRODUCTION TO ADT SECURITY

Document ID:

"ADT Security provides electronic security to more than seven million commercial, government and residential customers across your street and around the world. This large customer base, plus our industry experience and the financial strength of our parent company, Tyco International, significantly reduces design and implementation risks for our customers."

More information is on hand if required.

9.7.5 WALGA INFOPAGE – REVIEW OF ROYALTIES FOR REGIONS COUNTRY LOCAL GOVERNMENT FUND

Document ID:

Key Issues:

- The report – *Review of Royalties for Regions Country Local Government Fund* – has been released for public comment.
- The report recommends a shift in the Country Local Government Fund to become more strategic and outcome focused.

More information is on hand if required.

9.7.6 WALGA - LOCAL GOVERNMENT NEWS – ISSUE NO. 15.12 – 16 APRIL 2012

Document ID:

Inside this issue:

- Delay in Release of Panel's Draft Finding – Metropolitan Local Government Review
- Country Local Government Fund Review
- 2012 Local Government Remuneration Survey
- Local Government Involvement in Speed Limit Setting
- WA Transport and Roads Forum 2012 – Registrations Now Open
- Local Government Emergency Management Forum
- Officer Training
- Western Power / Main Roads Project Delivery Workshops for Local Government
- Preventing Alcohol Related Violence in the Built Environment - Forum

9.7.7 PUBLIC HEALTH ADVOCACY INSTITUTE OF WESTERN AUSTRALIA – LOCAL GOVERNMENT CHILDREN'S ENVIRONMENT AND HEALTH REPORT CARD PROJECT

Document ID:

In 2011 the Public Health Advocacy Institute of WA ran the first ever local government children's environment and health report card project, with a total of 19 inaugural local government entrants.

The report card project will be running again in 2012, with additional support from Healthway and the West Australian Local Government Association. The aim of this project is to promote policies that improve the health and wellbeing for our younger Australians, through the evaluation of existing corporate strategies that relate to children's environment and health.

More information is on hand if required.

9.7.8 JOHN HYDE MLA – BARNETT GOVERNMENT'S LATE PAYMENT CHANGE LEADS TO RATE RISE FOR FAMILIES

Document ID:

"The Barnett Government's move to unilaterally reduce the interest

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charged on overdue council rate payments will result in rate increases for Western Australian families, Shadow Minister for Local Government John Hyde said today.”

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

9.7.9 DEPARTMENT OF LOCAL GOVERNMENT – LOCAL GOVERNMENT AMENDMENT ACT 2012 – STAGE 1

Document ID: 4311

The *Local Government Amendment Act 2012* passed through Parliament on 22 March 2012 and has received Royal Assent. The amendments are to be phased in over three stages.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.9)**

9.7.10 REGIONAL DEVELOPMENT AUSTRALIA – RDA WHEATBELT INC. COMMUNITY NEWSLETTER – APRIL 2012

Document ID:

Inside this issue:

- RDA Deputy Secretary & First Assistant Secretary Visit the Wheatbelt
- Wheatbelt Strategic Framework Launched at Inaugural Wheatbelt Local Government Conference
- Regional Australia Institute Launched
- Fellow of the Institute EOI
- Wheatbelt Towns Included in the NBN 3 year roll-out
- Call for Organisational Membership
- Super Towns – A catalyst for growth in regional WA
- Carbon Farming Initiative Handbook
- Farm Day 2012 – May 26 & 27
- WA Active Ageing Conference 2012
- Wheatbelt Youth Network (WYN) Forum
- Have Courage Communication Counts Youth Support Forum
- Wheatbelt Career & Opportunities Roadshow
- RDA Wheatbelt Competition – You could win an iPad
- Community Events
- Free Driving Lessons for Learner Drivers
- Landcare Expo
- Digital Futures Forum
- Silver Chair Nursing Post in Brookton
- Funding Opportunities

9.7.11 WALGA INFOPAGE – LOCAL GOVERNMENT COMMUNITY SAFETY EMAIL NETWORK

Document ID:

Key Issues:

- The Community Safety Network (CSN) provides in-person network meetings to discuss Community Safety and Crime Prevention issues. Membership is predominantly Local Government, with some local and district Police and other agencies.

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- Members have expressed an interest in establishing an email network to allow networking and information sharing across the State.
- Subsequently, WALGA is establishing a Local Government Community Safety Online Network (CSON) Googlegroup and is seeking contact details of those wishing to participate in the email network.

9.7.12 LOCAL GOVERNMENT NEWS – ISSUE NO 16.12 – 23 APRIL 2012

Document ID:

Inside this issue:

- Metropolitan Local Government Review
- Effective Use of Land Use Planning Mechanisms to Retain and Protect Biodiversity Locally
- Household Hazardous Waste Program Update
- WA Transport and Roads Forum 2012 – Registrations Now Open
- Local Government Emergency Management Forum
- Officer Training
- New Website Provides Better Literacy Beginning
- 2012 WA National Science Week Grants

9.7.13 AUSTRALIAN COMPETITION AND CONSUMER COMMISSION – 2011 ACCC PETROL MONITORING REPORT

Document ID:

The Australian Competition and Consumer Commission (ACCC) monitors the retail prices of unleaded petrol, diesel and automotive LPG in all Australian capital cities and in around 150 regional centres and country towns.

Last December the ACCC finalised its 2011 Petrol Monitoring Report which looked closely at the structure of the fuel industry and the factors driving the retail price of fuel in Australia. The report and summary are available from the ACCC website at <http://www.accc.gov.au/content/index.phtml/itemId/11938>

9.7.14 WALGA INFOPAGE – WA HEALTH PROMOTION STRATEGIC FRAMEWORK 2012-2016

Document ID: 4541

Key Issues:

- Draft WA Health Promotion Strategic Framework 2012-2016 now available for public consultation.
- HPSF focus mainly on lifestyle risk factors

9.7.15 WALGA INFOPAGE – HOUSEHOLD HAZARDOUS WASTE PROGRAM OVERVIEW

Document ID: 4542

Key Issues:

- Overview of the Household Hazardous Waste Program
- Materials accepted, disposal routes, location of facilities
- Contact details

9.7.16 JOHN FLYNN PLACEMENT PROGRAM – COMMUNITY CONTACT

Document ID: 4412

The Australian College of Rural and Remote Medicine (ACRRM) administer the John Flynn Placement Program (JFPP) which is funded by the Australian Government through the Department of Health and Ageing. The JFPP is an important strategy to attract additional doctors to rural and remote areas, and to address workforce shortages.

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

9.7.17 WALGA INFOPAGE – HYPERLINK TO THE WA POLICE WEBPAGE TO REPORT HOON DRIVING

Document ID: 4537

Key Issues:

- Local Governments are invited to include on their website the hyperlink to the WA Police hoon reporting webpage
- This initiative provides an additional avenue for community members to report hoon behaviour
- This initiative will contribute to making Western Australian roads safer

9.7.18 MOORE TO THE POINT – ISSUE 25 SUMMER / AUTUMN 2012

Document ID: 4561

Inside this issue:

- Great Carnaby Count Special
- MCC Bird Project Update
- NACC incentives – Last Chance Offers
- Fab Perennial Grasses on Show
- Upcoming Coastal Bird Day & Bus Tour
- New IT Equip for MCC & New Saltbush Project

9.7.19 WALGA – PIN2FIX UPDATE

Document ID: 4580

Pin2fix is an initiative to promote the good work of Local Government through allowing the community to engage integrated online, iPhone App and Android platforms to report works requests and receive updates on Council activities in their area.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.19)**

9.7.20 MINISTERIAL MEDIA STATEMENTS – JOHN DAY – FUNDING ON OFFER TO HELP PRESERVE WA'S COAST

Document ID:

On 30 April 2012 the State Government launched the 2012-13 round of Coastwest grants making \$500,000 available for the preservation of Western Australia's coastline.

Planning Minister John Day said the Government had overseen almost \$1.8million worth of coastal management programs in the

past two years.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.20)**

9.7.21 WHEATBELT DEVELOPMENT COMMISSION – WHEATBELT STRATEGIC FRAMEWORK 2012

Document ID: 4576

The Wheatbelt Strategic Framework was developed collaboratively by RDA Wheatbelt, the Wheatbelt Development Commission, Wheatbelt Local Governments and Wheatbelt NRM drawing on their collective local knowledge and understanding of the region.

More information is on hand if required.

9.7.22 AVON-MIDLAND COUNTRY ZONE OF THE WA LOCAL GOVERNMENT ASSOCIATION – MINUTES OF THE ZONE MEETING HELD 20 APRIL 2012

Document ID:

Attached to the agenda is a copy of the above mentioned minutes. **(Marked 9.7.22)**

9.7.23 WALGA INFOPAGE – LOCAL GOVERNMENT FINANCIAL MANAGEMENT REGULATIONS – REDUCTION IN INTEREST RATES

Document ID: 4587

Key Issues:

- The amendment relating to the reduction in the maximum interest rate and the instalment interest rate that a Local Government can impose will have a significant effect in the finances of Local Governments.
- The Office of the Minister for Local Government has agreed to meet WALGA to review the impacts of the regulation amendment.

9.7.24 WHEATBELT DEVELOPMENT COMMISSION – BOARD NOMINATIONS 2012

Document ID: 4644

Local Government, Community and Ministerial vacancies currently exist on the Wheatbelt Development Commission Board.

Nominations are open until close of business 6 June 2012. Application Forms and further information can be obtained by contacting Teresa Drew on 9622 7222 or teresa.drew@wheatbelt.wa.gov.au

9.7.25 MEDIA RELEASE – HON GRANT WOODHAMS MLA – GOVERNMENT TO POWER UP MID WEST

Document ID:

Member for Moore, Grant Woodhams MLA has welcomed the state government's announcement that it will fund the Mid West Energy Project – Stage 1 (Southern Section).

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The new \$418 million transmission line project will secure future development in the Mid West and provide security of power supply for the people of Geraldton.

“There are a number of major resource projects that have commenced or are in the planning stages in the Moore electorate and this guarantee of energy supply will ensure investor confidence.” Mr Woodhams said.

More information is on hand if required.

9.7.26 WALGA – 2012 WA LOCAL GOVERNMENT CONVENTION

Document ID: 4672

The 2012 annual Local Government Convention and Trade Exhibition will return to the Perth Convention and Exhibition Centre – commencing on Wednesday 1 – Friday 3 August 2012 with the closing event being the very popular Convention Gala Dinner.

More information is on hand if required.

9.7.27 LOCAL GOVERNMENT NEWS – ISSUE NO 17.12 – 30 APRIL 2012

Document ID:

Inside this issue:

- Emergency Services Levy
- Local Government Financial Management Regulations – Reduction in Interest Rates
- Country Local Government Fund Review – REMINDER: Submissions Requested
- WA Transport and Roads Forum 2012 – Final Program Now Available
- MWAC Information Bulletin
- Officer Training
- WALGA President’s Scholarship – Diploma of Local Government (Elected Member) 2013 Nominations Now Open
- Increase in Tariff Rates for PPCA Music Licenses
- Last Chance to Register – Preventing Alcohol Related Violence in the Built Environment Forum

9.7.28 MUNICIPAL WASTE ADVISORY COUNCIL – INFORMATION BULLETIN – ISSUE 160 – APRIL 2012

Document ID:

Inside this issue:

- Call for Papers W & R Conference 2012
- Container Deposit Systems Policy Forum
- Changing Disposal and Collection
- Costs of Illegal Dumping
- Request for Bin: Kellerberrin
- Do we need a Country Local Government Fund
- Productivity Commission Papers
- Packaging Complaints Hotline
- ALGA Carbon Price & Landfill
- Nominate Now

- Green Money for Recycling
- Stronger Futures Package for NT
- Roadworks Stall After Nasty Find
- Honda Recycles Hybrid Vehicle Batteries
- Clean up in us (Mid West)
- How to: Zero Waste

9.7.29 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – ALGA NEWS 27 APRIL 2012

Document ID: 4657

Inside this issue:

- Carbon Price Forum Records Strong Attendance
- Draft Report into Council Regulation Highlights Potential for Improvement
- Next Phase of Work Begins to Bridge Local Roads Funding Gap
- President's Column
- Briefs
- Advertisements

9.7.30 WALGA INFOPAGE – LOCAL GOVERNMENT FINANCIAL MANAGEMENT REGULATIONS – REDUCTION IN INTEREST RATES

Document ID: 4668

Key Issues:

- The amendment relating to the reduction in the maximum interest rate and the instalment interest rate that a Local Government can impose will have a significant effect on the finances of Local Governments.
- The Office of the Minister for Local Government has agreed to meet WALGA to review the impacts of the regulation amendment.

9.7.31 WALGA INFOPAGE – CLIMATE CHANGE READINESS (COASTAL PLANNING AND PROTECTION) BILL 2012

Document ID: 4670

Key Issues:

- A Private Members Bill is to be tabled in Parliament and designed to protect local governments from climate change liability claims for coastal planning decisions made in good faith under the proposed Act.
- The Bill brings WA into line with other states in regard to coastal planning and liability protection.
- The Bill is separate to the Planning and Development Act.
- Lynn MacLaren MLC is seeking feedback from local governments on the Bill.
- The Association also requests feedback from Council to inform its position.

9.7.32 WALGA NOTICE OF ANNUAL GENERAL MEETING – 1 AUGUST 2012

Document ID: 4671

The WALGA Annual General Meeting will be held at the Perth

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Convention Centre on Wednesday 1 August 2012.

Deadline for Agenda Items is COB Monday 4 June 2012.

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

9.7.33 JURIE BAY PROGRESS ASSOCIATION – TOILET FACILITIES – NILGEN LOOKOUT RESERVE, INDIAN OCEAN DRIVE

Document ID:

“At the April meeting of our Association concern was expressed about the lack of public toilet facilities at the Nilgen Lookout.”

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

9.7.34 METROPOLITAN LOCAL GOVERNMENT REVIEW – RELEASE OF DRAFT FINDINGS

Document ID: 4910

The Panel, which was appointed by the Minister for Local Government, Hon John Castrilli MLA, in July 2011, bases its Draft Findings on:

- a large variety of background papers and research materials, all of which are available to view on the Panel’s website;
- over 250 submissions received on the Issues Paper which was released in October 2011;
- meetings with representatives of almost all of the metropolitan local governments;
- meetings with a large range of stakeholders, including State government representatives, industry and community groups;
- the views presented at two public forums and one local government forum; and
- the advice of its two Advisory Groups.

More information is on hand if required.

9.7.35 WALGA – ROAD SAFETY ROUND UP – VOLUME 7, ISSUE 4, MAY 2012

Document ID:

Inside this issue:

- Safety on the road with ESC
- Greater Geraldton promoting 5 star ANCAP ratings
- Fleet Safety in Swan
- Easter Road Safety and Blessing of the Roads
- Dongara Easter Races
- Peppermint Grove Road Safety
- Welcome
- Regional Road Group in Carnarvon
- Driver Reviver in Gingin
- Notre Dame Students Promote Road Safety
- Black Spot Intersection in Geraldton Gets a Major Upgrade
- Road Safety at the Motorcycle Festival
- Bunbury Grass Roots Festival

- Road Safety Display Trailer Update
- Human Spirits Awards Presented in April
- Community Grants Update
- Free WALGA-Urban Intersection Workshop
- Child Car Restraints Update

9.7.36 HEYWIRE – A CHANCE FOR REGIONAL YOUTH TO BE HEARD ON THE ABC AND IN CANBERRA

Document ID: 4825

The ABC's Heywire competition is calling for entries from people aged 16 – 22 from rural and regional Australia. They are invited to submit a story in text, audio, photos or video about life in their neck of the woods. Approximately 40 winning stories will be produced by the ABC and featured either on the ABC Radio, abc.net.au or ABC TV.

The competition closes on Monday 17 September 2012.

More information is on hand if required.

9.7.37 RURAL HEALTH STANDING COMMITTEE – NATIONAL STRATEGIC FRAMEWORK FOR RURAL AND REMOTE HEALTH

Document ID: 4827

A copy of the National Strategic Framework for Rural and Remote Health released by Health Ministers at the Standing Council on Health meeting on 27 April 2012 is on hand.

The Framework has been prepared by the Australian Health Minister's Advisory Council (AHMAC) Rural Health Standing Committee (RHSC). The RHSC includes representatives from the Commonwealth Department of Health and Ageing and from each state and the Northern Territory health departments. The National rural Health Alliance and a range of other rural health stakeholders also provided input to the document.

9.7.38 ALGA BUDGET SUBMISSIONS 2012-13

Document ID: 4828

A copy of the ALGA's Budget Submissions for 2012-13 has been received.

ALGA's submission acknowledges the challenging environment facing the Australian Government, given the commitment to return the Budget to surplus in 2012-13 and the impacts of the strong Australian dollar and the unstable global economic outlook.

9.7.39 FREE CAMPING FOR RV'S IN THE SHIRE OF DANDARAGAN – JOHN & CHRIS CREESE

Document ID:

"As a ratepayer in the Dandaragan Shire (in Jurien) & an avid 'Grey Nomad' traveller recently having travelled through South Australia, Victoria & Tasmania I would like to state a few facts on 'Freedom Camping'."

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

9.7.40 WALGA MEDIA RELEASE – REVIEW FINDINGS HOPED TO BRING CLARITY

Document ID: 4667

“The release of the draft findings of the Metropolitan Local Government Review Panel provides an opportunity for the State Government to provide clarity on structural reform.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.40)**

9.7.41 ROYALTIES FOR REGIONS REVIEW FROM THE OFFICE OF THE MINISTER FOR REGIONAL DEVELOPMENT AND LANDS, BRENDON GRYLLS

Document ID: 4699

Inside this issue:

- Pilbara Cities Growing
- South Hedland Town Revitalisation
- Collie Land Development
- Ord Land Release
- Telecommunications Towers
- Fuel Card Keeps Pensioners Moving
- What is Royalties for Regions
- Royalties for Regions Expenditure 2008 – 31 December 2011

9.7.42 WALGA – STATE COUNCIL MEETING SUMMARY MINUTES – MAY 2012

Document ID: 4899

A copy of the summary minutes from the State Council Meeting held 3 May 2012 is on hand if required. Alternatively you can access a copy of the full minutes by visiting <http://walga.asn.au/MemberResources/StateCouncilDocuments/AgendasampMinutes/2012.aspx>

9.7.43 MEDIA RELEASE – HON MIA DAVIES MLC – BETTER PHONE COVERAGE IN NAREMBEEN & WOOTTATING AS UPGRADE BEGINS

Document ID: 4892

“Narembeen and Woottating are among the first of 113 sites across the State to benefit from improved mobile telephone coverage and high-speed wireless broadband as the roll-out of the Regional Mobile Communications Project (RMCP) gets underway.”

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

9.7.44 LOCAL GOVERNMENT NEWS – ISSUE NO 18.12 – 7 MAY 2012

Document ID: 4890

Inside this issue:

- Metropolitan Local Government Review Draft Findings –

Indicative WALGA Response

- Local Government Finance Regulations – Reduction in Interest Rates
- Local Government Convention 2012
- Sustainability Panel Launch and Climate Change Declaration Ceremony
- Officer Training
- Elected Member Training
- Coastwest Grants 2012/13
- Criminal Property Confiscation Grants Program Open
- Australian Local Government Women's Association Networking Breakfast

9.7.45 AUSTRALIAN FARMER OF THE YEAR AWARDS – NOMINATE NOW

Document ID: 4885

Do you know an Australian Farmer who deserves to be recognised?

Nominate them now for the Australian Farmer of the Year Award.

The Australian Farmer of the Year Awards celebrate the highly professional, innovative and sustainable approach of our farmers, showcasing their passion and raising the profile of the important role they play in Australia.

Nominations close Friday 3 August 2012.

9.7.46 WALGA – PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER – 4 MAY 2012 EDITION 63

Document ID: 4820

Inside this issue:

- Preventing Alcohol Related Violence Forum
- 2012 Australia Award for Urban Design
- WA States Trails Conference
- DAIP Information Sessions
- Emergency Services Levy
- Community Healthy Eating and Physical Activity Grants
- Beverage Container Recycling Grants 2012
- Access Audit Certificate Course
- Criminal Property Confiscation Grants
- LG Financial Management Regulations
- PPCA Music Licences
- Country LG Fund Review
- 2012 Mobile Muster LG Awards
- International Report on Decentralisation and Local Democracy
- Executive Breakfast
- 2012 Heart Foundation Healthy Community Awards
- WA Health Promotion Strategic Framework
- Youth Friendly Communities Grants
- Sports Networks to Tackle Alcohol Attitudes
- LG Community Safety Network
- Increasing Physical Activity in LG Communities

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- Crime Grants
- Review Findings Hoped to Bring Clarity
- Quick WALGA Snippets
- Reminders
- Grants

9.7.47 MEDIA RELEASE – BARRY HAASE – LIBERAL PARTY’S ONLINE SAFETY WORKING GROUP SURVEY

Document ID: 4819

“Liberal Party Members and Senators will be surveying parents across the country about the internet experiences of their family and their children, as part of the work of the Coalition’s Online Safety Working Group, said Mr Barry Haase, Federal Member for Durack.”

The survey will open for responses until the end of May. To participate in the survey you can visit https://www.surveymonkey.com/Cyber_Safety

More information is on hand if required.

9.7.48 WALGA – PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER – 27 APRIL 2012 – EDITION 62

Document ID: 4688

Inside this issue:

- DAIP Information Sessions
- Preventing Alcohol Related Violence in the Built Environment Forum
- Usability and Accessibility Community Testing Tool Loop 11
- Final Round Community Healthy Eating and PATF Grants
- Executive Breakfast with Prof. Paul Taylor
- Specialist Homelessness Services Conference
- 2012 Heart Foundation Healthy Community Awards
- WA Health Promotion Strategic Framework 2012-2016
- Country LG Fund Review
- WA Transport and Roads Forum 2012
- Land Use Planning Mechanisms to Retain & Protect Biodiversity Locally
- Youth Friendly Communities Grants Program
- Increase in Tariff Rates for PPCA Music Licences
- 2012 National LG Awards
- Vacant Houses in WA
- 2012 WA National Science Week Grants
- LG Community Safety Network
- Quick WALGA Snippets
- Reminders
- Grants

9.7.49 DEPARTMENT OF COMMERCE – REGIONAL MOBILE COMMUNICATION PROJECT TOWERS – SHIRE OF DANDARAGAN

Document ID: 4621

“In September 2012, the Western Australian Cabinet approved a

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 MAY 2012</p>

\$40 million allocation from the Royalties for Regions Scheme to provide essential funding for investment in new mobile telecommunications network infrastructure. The project is known as the Royalties for Regions – Regional Mobile Communications Project (RMCP)."

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.49)**

9.7.50 BE ACTIVE WA PHYSICAL ACTIVITY TASKFORCE – INCREASING PHYSICAL ACTIVITY IN LOCAL GOVERNMENT COMMUNITIES

Document ID:

Inside this issue:

- A whole of Local Government Approach
- Integrated Planning
- A Range of Programs and Services
- Built Environments that Support Physical Activity
- Physical Activity Taskforce

9.7.51 INJURY CONTROL COUNCIL OF WESTERN AUSTRALIA – MEDIA RELEASE – GET INVOLVED WITH COMMUNITY SAFETY MONTH 2012

Document ID:

Event registration and sponsorship opportunities are now open for CSM 2012 and ICCWA are now encouraging WA organisations and other agencies to get involved.

ICCWA holds CSM in October annually and the key message is *"Everyone has a role in making our community a safer place"*.

ICCWA is encouraging everyone to get involved and support this safety awareness-raising campaign. To find out how to get involved please visit <http://www.iccwa.org.au/community-safety-month> and download a copy of the CSM Community Action Kit, which includes information on how to register your CSM event for October 2012.

There are also a number of sponsorship and in-kind support opportunities available, so please contact Elecia Wheat, Community Engagement Coordinator at Injury Control Council of WA for more information on (08) 9420 7212 or email Elecia on ewheat@iccwa.org.au

9.7.52 MINISTERIAL MEDIA STATEMENTS – TROY BUSWELL – OFFICE OF BUSHFIRE RISK MANAGEMENT FORMED

Document ID:

The Office of Bushfire Risk Management (OBRM) is now operating to independently assess the risks of prescribed burns undertaken by the Department of Environment and Conservation, in accordance with the State Government's commitment following the release of the Keelty report into the Margaret River bushfires.

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Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.52)**

9.7.53 YOUTH AFFAIRS COUNCIL OF WESTERN AUSTRALIA – 2012 FAIRGROUND YOUTH SECTOR CONFERENCE

Document ID: 4935

The 2012 Fairground Youth Sector Conference will be held at the Burswood Entertainment Complex on the 19th and 20th July 2012.

It is a fantastic opportunity for young people and people working in the youth sector to come together to share their ideas and experiences and discuss the key issues facing young people in Western Australia today.

To register for this conference please visit www.yacwa.org.au/fairground2012

9.7.54 WESTERN AUSTRALIAN PLANNING COMMISSION – COASTWEST GRANTS 2012 / 2013

Document ID: 4993

The Coastwest grants program provides funding for projects that aim to improve the condition and amenity of Western Australia's coast.

The 2012 / 2013 funding round is now open and partnerships of community groups and coastal managers are invited to apply.

Projects may involve on-ground action; site or local area planning; identification and monitoring; project support; capacity-building; or any combination of these activities.

Guidelines and application forms can be downloaded from www.planning.wa.gov.au/coastwest

9.7.55 WALGA – PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER – 11 MAY 2012 – EDITION 64

Document ID: 5024

Inside this issue:

- WA State Trails Conference
- Community Health Eating and Physical Activity Grants
- DAIP Information Sessions
- Beverage Container Recycling Grants
- State Planning Conference 2012
- Access Audit Certificate
- Criminal Property Confiscation Grants
- Increase in Tariff Rates for PPCA Music Licences
- Executive Breakfast with Professor Paul Taylor
- Youth Friendly Communities Grants Program
- Australian Local Government Women's Association Networking Breakfast
- Coastwest Grants 2012 / 2013
- LG Community Safety Network
- Increasing Physical Activity in LG Communities

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- Quick WALGA Snippets
- Reminders
- Grants

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

10.1 WORKS AND PLANT

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:

To consider the reclassification of Indian Ocean Drive as a Main Road under the control of Main Roads Western Australia and for the reclassification of the Jurien Road, Bibby Road, portion of Munbinea Road and Cervantes Road from a Main Road to roads under the control of the Local Government.

OFFICER RECOMMENDATION / COUNCIL DECISION

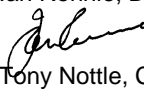

Moved Cr Short, seconded Cr McGlew

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

To consider the reclassification of Indian Ocean Drive as a Main Road under the control of Main Roads Western Australia and for the reclassification of the Jurien Road, Bibby Road, portion of Munbinea Road and Cervantes Road from a Main Road to roads under the control of the Local Government.

CARRIED 9 / 0

10.1.1 RECLASSIFICATION OF ROADS

Location:	Shire of Dandaragan
Applicant:	Main Roads Western Australia
File Ref:	
Disclosure of Interest:	None
Date:	22 May 2012
Author:	Ian Rennie, Deputy Chief Executive Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To consider the reclassification of Indian Ocean Drive as a Main Road under the control of Main Roads Western Australia and for the reclassification of the Jurien Road, Bibby Road, portion of Munbinea Road and Cervantes Road from a Main Road to roads under the control of the Local Government.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 MAY 2012**BACKGROUND**

The section of Indian Ocean Drive from the northern Shire boundary to Jurien Bay was opened in January 1997. The section of Indian Ocean Drive from Jurien Bay to Cervantes was opened in June 2000. The section of Indian Ocean Drive from Cervantes to Lancelin was opened in September 2010.

Prior to the opening of the section of Indian Ocean Drive north of Jurien Bay, Council was advised that this section of road and the section of road between Jurien Bay and Cervantes would be a local road under the control of Local Government for the care and management by Local Government. This was the situation as it would mainly serve local traffic and not through traffic. Once the section from Cervantes south to Lancelin was opened, then it was likely, following negotiations that all of Indian Ocean Drive would be classified as a Main Road under the control of Main Roads Western Australia.

The Jurien Road, Bibby Road, portion of Munbinea Road and the Cervantes Road were under the control of Main Roads Western Australia. Once the section of Indian Ocean Drive from Cervantes to Lancelin was opened, these roads would revert to local roads under the control of the Shire of Dandaragan.

COMMENT

Following the opening of the section of Indian Ocean Drive from Cervantes to Lancelin, negotiations have been proceeding with Main Roads Western Australia in regard to the reclassification of the above mentioned roads and the responsibility for carry out works on them prior to the reclassification occurring.

Main Roads Western Australia has carried out an administrative classification assessment of both Jurien Road and Bibby Road, Munbinea Road (portion) and Cervantes Road. The scoring criteria that Main Roads Western Australia have utilised include the following:

- Network Role
- Commercial Heavy Vehicle Routes
- Connectivity
- Traffic Usage
- Property Access
- Route Capacity

These assessments have been carried out in accordance with the agreement reached between the Western Australian Local Government Association and Main Roads Western Australia in January 2011. The criteria is titled "GUIDELINES FOR USE IN NEGOTIATIONS BETWEEN LOCAL GOVERNMENT AND MAIN ROADS ON THE CONDITION OF ROADS PROPOSED FOR RECLASSIFICATION".

In the instance of both roads in question, Main Roads Western

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 MAY 2012

Australia indicate that the roads should be classified as local roads. This will be the subject of further negotiations with Main Roads Western Australia if Council is agreeable to the recommendations proposed by staff.

Council staff met with a representative from Main Roads Western Australia on 2nd and 3rd May 2012 and inspected all the roads in question. There is substantial work required to be undertaken on all roads inclusive of Indian Ocean Drive. At that time the situation was that given that Indian Ocean Drive is currently under the control and management of the Shire of Dandaragan, the Shire would be responsible for the resealing of approximately 39 kilometres of this road. The cost of carrying out these works would be substantial but no final costing has been prepared. Also under the current arrangement, Main Roads Western Australia would have been responsible for the upgrading of the Jurien Road, Bibby Road, portion of Munbinea Road and the Cervantes Road which would of included resealing and repair work to any damaged sections.

The cost involved in carrying out both these works would be substantial and in staff's opinion beyond the means of Council to carry out the work on Indian Ocean Drive.

Subsequently, correspondence has now been received from Main Roads Western Australia where they advise that it is their preferred position that the transfer of Indian Ocean Drive to Main Roads Western Australia take place before 30 June 2012. In order to facilitate this, Main Roads Western Australia are prepared to waive the road condition provisions which means that Main Roads Western Australia would carry out the necessary resealing work and accept Indian Ocean Drive in its present condition.

If Council is agreeable to this, then negotiations would need to continue with Main Roads Western Australia in regard to the conditions applicable to the transfer of the other roads in question. Again, no costing has been prepared in regard to these works and staff are suggesting that Council would request that Main Roads Western Australia carry out all the necessary repair and resealing works prior to the other roads being transferred to Council. This will take some time to negotiate. Attached to this item is a copy of the correspondence from Main Roads Western Australia as well as plans indicating the roads in question.

Transfer of other sections of the Indian Ocean Drive have already been effected with the Shire of Carnamah and indication at staff level from the Shire of Coorow is that their section of Indian Ocean Drive will be transferred to Main Roads Western Australia shortly.

As indicated in the correspondence from Main Roads Western Australia, once Indian Ocean Drive is transferred to the control of Main Roads Western Australia the area within the Jurien Bay

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townsite will become a delegated area. Main Roads will be responsible for traffic signs, pavement (including shelvers) and associated drainage from the paved area. Main Roads would also maintain management of road closures, driveway access, placement of public utilities, placement of pedestrian crossings and the erection of traffic signs.

In view of this becoming a delegated area there has been concern expressed that this may impact on possible long term upgrading of the section of Bashford Street within the townsite particularly in relation to the Town Centre Strategy. There is a possibility that at some stage in the future, there may be changes made to the section of Bashford Street within the town centre and Council would not want to see options for upgrading of this section impacted on as a result of the road being handed to Main Roads Western Australia. Staff are recommending a motion that would not preclude the upgrading of this section of Bashford Street but would be the subject of further negotiations at that time with Main Roads Western Australia.

The Jurien Bay Growth Plan prepared as part of the SuperTowns project has an action recommended as follows:

Council, in consultation with Main Roads WA should prepare a preliminary design and costing for the Bashford Street project including consideration of landscaping, drainage, underground power, lighting and staging.

An indicative plan shows Bashford Street being redeveloped to become a dual carriageway with associated landscaping.

CONSULTATION

- Main Roads Western Australia
- Chief Executive Officer
- Manager of Technical Services and Works

STATUTORY ENVIRONMENT

Main Roads Act 1930

13. Proclamation of highways and main roads

(1) On the recommendation of the Commissioner the Governor may by proclamation declare that any section or part of a road shall be -

- (a) a highway; or
- (b) a main road,

or shall cease so to be and may by the same or a subsequent proclamation declare that the footpaths of any such road shall, or shall not, be excluded from the road.

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- (2) In considering whether to make any recommendation to the Governor that a road should be declared to be a highway, the Commissioner shall take into account -
 - (a) the moneys available or likely to be available for highways; and
 - (b) whether the road is or will be the direct connection between the capital of this and any other State; and
 - (c) whether the road is or will be the principal route between the capital and the major producing regions of the State; and
 - (d) whether the road is or will be the principal route between 2 or more of the major producing regions or major centres of population of the State; and
 - (e) whether the road is or will be the principal route for high volume traffic movements within large urban areas.

- (3) In considering whether to make any recommendation to the Governor that a road should be declared to be a main road, the Commissioner shall take into account -
 - (a) the moneys available or likely to be available for main roads; and
 - (b) whether the road is or will be the main route connecting any large producing area, or any area capable of becoming in the near future a large producing area, with its market or closest port or railway station; and
 - (c) whether the road is or will be the main route of intercommunication between 2 or more large producing areas, or areas capable of becoming in the near future large producing areas, or between large centres of population; and
 - (d) whether the road is or will be a major route for high volume traffic movements within large urban areas.

- (4) All highways and main roads shall, for the purposes of the [Road Traffic Act 1974](#) , be deemed to be Government roads.

- (5) A declaration under this section may be revoked or varied by the Governor on the recommendation of the Commissioner.

13A. Local government to be consulted on matters to do with highways and main roads

- (1) The Commissioner shall cause the local government of each district in which the road is situated to be notified in writing of the details of any proposed permanent improvements to any highway or main road before commencing the improvements.

- (2) Before making any recommendation to the Governor -
 - (a) that any road be declared to be a highway or main road;
or

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- (b) that the plans of any proposed new highway or main road or deviation from an existing highway or main road be approved, the Commissioner shall cause a notification to be given in writing to the local government of each district in which the road so to be declared is situated or the new road or deviation is proposed to be made of his intention to make the recommendation and shall inform the local government of a date, being not less than 30 days from the date of the notification, before which any objections by that local government may be made, and any such objection shall be considered by the Commissioner and responded to by him before making his recommendation.
- (3) Any local government which feels aggrieved by any recommendation may, within 30 days after notification of the response of the Commissioner following his consideration of that local government's objections, appeal to the Minister, who may vary or disallow the proposed recommendation.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There will be an adjustment to Council's grants because of the reduction in road length by 39 kilometres when Indian Ocean Drive is transferred to Main Roads Western Australia. This will be offset because Council will not be responsible for carrying out works on the road.

It is staff's intention to negotiate the transfer of Jurien Road, Bibby Road, portion of Munbinea Road and Cervantes Road to the Shire of Dandaragan at nil cost.

There will be ongoing costs associated with the maintenance of these roads however, Council's grants should be adjusted upwards in order to offset this expenditure.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- correspondence from Main Roads Western Australia
- 3 x plans indicating the roads in question

(Marked 10.1.1)

VOTING REQUIREMENT

Simple majority

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 MAY 2012**OFFICER RECOMMENDATION 1 / COUNCIL DECISION**

Moved Cr Bailey, seconded Cr Gibson

That Council agree to the transfer of Indian Ocean Drive from being a Local Government road to being a Main Road under the control of Main Roads Western Australia, subject to Main Roads Western Australia accepting Indian Ocean Drive in its present condition.

CARRIED 9 / 0

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

Moved Cr Short, seconded Cr Sheppard

That Council staff continue negotiations with Main Roads Western Australia with regard to the possible transfer of Jurien Road, Bibby Road, portion of Munbinea Road and Cervantes Road from being a Main Road to being a road under the control of Local Government. Is it Council's position that this transfer should occur only after Main Roads Western Australia have upgraded the roads to the satisfaction of Council.

CARRIED 9 / 0

OFFICER RECOMMENDATION 3 / COUNCIL DECISION

Moved Cr Kent, seconded Cr Bailey

That the Chief Executive Officer further discuss and negotiate with Main Roads Western Australia the impact and implementation of the following projects:

1. upgrade to Bashford Street as identified in the Jurien Bay Growth Plan and the Draft Jurien Bay Town Centre Strategy; and
2. Shire control of roadside signage within the Jurien Bay townsite.

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

13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 5.39pm.

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These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date