



SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

COUNCIL CHAMBERS JURIEN BAY

on

THURSDAY 28 JUNE 2012

COMMENCING AT 4.15 PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JUNE 2012
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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 4.15pm and welcomed those present.

1.2 DISCLAIMER READING

The disclaimer was not read aloud as there were no 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 D Kent	
	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 W George	(Manager Building Services)
	Mr S Clayton	(Manager Corporate Services)
	Mrs M Rourke	(Manager Environmental Health)
	Mr R Casella	(Planning Assistant)
	Miss D Kerr	(Secretary)

Apologies Councillor M Russell

Approved Leave of Absence Councillor L Holmes

Observers

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF ORDINARY MEETING HELD 24 MAY 2012

That the minutes of the Ordinary Meeting of Council held 24 May 2012 be confirmed.

6.2 MINUTES OF SPECIAL MEETING HELD 14 JUNE 2012

That the minutes of the Ordinary Meeting of Council held 14 June 2012 be confirmed.

COUNCIL DECISION

Moved Cr Short, seconded Cr Kent

That item 6.1 and 6.2 be adopted en-bloc.

CARRIED 7 / 0

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

Cr Sheppard

- 30 May 2012 Marketing and Promotions Committee
- 31 May 2012 SuperTown Announcement – Jurien Bay
- 5 June 2012 NACC “INFFER” Workshop. Essentially a tool to enable prioritization of environmental assets, useful in grant applications and “in house “ planning
- 6 June 2012 Coastal Wheatbelt Health District Services Planning – Jurien Bay
- 13 June 2012 Clean Beaches Award Presentations
- 20 June 2012 Jurien Bay Chamber of Commerce

Cr Short

- 25 May 2012 West Koojan Gillingarra LCDC – Drainage project opening
- 31 May 2012 SuperTown Announcement – Jurien Bay
- 6 June 2012 WALGA Breakfast with Parliamentarians
- 12 June 2012 Wheatbelt Health MOU Northam (report attached)

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- 12 June 2012 Landgate Customer Service Council (report attached)
- 15 June 2012 Road Safety Local Government and Community Grants
- 21 June 2012 Wolba Wolba Management, Bronwyn Fox consultant

Cr McGlew

- 31 May 2012 SuperTown Announcement – Jurien Bay
- 6 June 2012 Coastal Wheatbelt Health District Services Planning – Jurien Bay
- 15 June 2012 NACC Workshop JB
- 22 June 2012 Gingin Fracking information Meeting

Cr Gibson

- 4 May 2012 Road Forum in Perth

Cr Love

- 28/29 May 2012 WAPC Wheatbelt Regional Planning Advisory Committee – Moora
- 5 June 2012 Department of Mines and Petroleum – Jurien Bay
- 6 June 2012 Coastal Wheatbelt Health District Services Planning – Jurien Bay
- 18-20 June 2012 National General Assembly of Local Government – Canberra
- 21 June 2012 Jurien Bowling Club
- 25/26 June 2012 WAPC Wheatbelt Regional Planning Advisory Committee – Merredin

Cr Kent

- 6 June 2012 Jurien Bay Progress Association Meeting

COUNCIL DECISION**Moved Cr Bailey, seconded Cr Short**

That the delegates' reports to 28 June 2012 as presented be accepted.

CARRIED 7 / 0



8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

9 REPORTS OF COMMITTEES AND OFFICERS**9.1 FINANCE****9.1.1 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 31 MAY 2012**

Location:	Shire of Dandaragan
Applicant:	N/A
File Ref:	Fin8
Disclosure of Interest:	None

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JUNE 2012

Date:	June 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 31 May 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 31 May 2012.

COMMENT

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

1. **Net Current Assets**

Council's Net Current Assets [ie surplus / (deficit)] position as at the 31 May 2012 was \$3,285,276. 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 200.9% of Y-T-D budget and is due to other reimbursements, primarily the LGIS members experience bonus, good driver rebate, 100% reimbursement of cleaning costs at Dandaragan CRC and reimbursement of legal costs from Jurien Bowling Club.

General Purpose Funding

Expenditure is at 81.7% of Y-T-D budget and is due to legal and valuation expenses being less than budgeted.

<p>MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JUNE 2012</p>
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Health

Income is at 434.9% (\$9,445) and is due to a contribution from the Wheatbelt Development Commission to assist the Shire of Dandaragan in preparing business cases for R4R CLGF regional funding. The business case developed was for the Jurien Bay Wellbeing Centre.

Expenditure is at 86.1% 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 77.0% 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 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.*

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I hope this explains the short fall, which if you took into account would be close to the 6 month target.”

Economic Services

Expenditure is at 73.6% 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 115.3% 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 136.6% of Y-T-D budget and is due to higher than budgeted costs towards private works. However, these costs are recovered within the income area as mentioned above.

Should Councillors wish to raise any issues relating to the 31 May 2012 financial statements, please do not hesitate to contact the 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 31 May 2012
(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Gibson

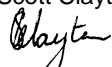

That the monthly financial statements for the period ending

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JUNE 2012
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31 May 2012 be adopted.

CARRIED 7 / 0

9.1.2 ACCOUNTS FOR PAYMENT – MAY 2012

Location:	Shire of Dandaragan
Applicant:	N/A
File Ref:	Fin8
Disclosure of Interest:	None
Date:	13 June 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 May 2012

BACKGROUND

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

COMMENT

The cheque and electronic funds transfer (EFT) listing for May 2012 totalled \$785,812.42 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 May 2012
(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JUNE 2012
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OFFICER RECOMMENDATION / COUNCIL DECISION


Moved Cr Sheppard, seconded Cr Love

That the Municipal Fund cheque and EFT listing for the period ending 31 May 2012 totalling \$785,812.42 be accepted.

CARRIED 7 / 0

9.1.3 MARKETING AND PROMOTIONS ADVISORY COMMITTEE RECOMMENDATIONS

Location: Various
 File Ref:
 Disclosure of Interest: None
 Date: 8 June 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 consider the recommendations put forward by the Marketing and Promotions Advisory.

BACKGROUND

On 30 May 2012, the Marketing and Promotions Advisory Committee held a meeting to discuss a number of requests for financial support in the 2012/13 year.

The Marketing and Promotions Advisory Committee have made the recommendations to Council in respect to how these items should be funded.

1. **COMMITTEE RECOMMENDATION/ COMMITTEE DECISION**

Moved Mike Newton

Seconded Mike Sheppard

The Marketing and Promotions Advisory Committee recommend to Council that Turquoise Coast Tourism (TCT) Association be allocated \$7,500 from the Tourism budget 2012/2013 to represent the region at three Camping and Adventure shows, subject to the provision of audited financial statements for 2011/12.

CARRIED UNANIMOUSLY

2. **COMMITTEE RECOMMENDATION/ COMMITTEE DECISION**

Moved Bronwyn Fox

Seconded Mike Newton

Item 4.2 be deferred until such time as the Badgingarra Community Association supplies a design or sketch of the proposal and a budget of costs to carry out the project. Furthermore consideration should be developed in the proposal to

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market and promote the entire region in a standard format similar to other recently refurbished information bays within the Shire.

CARRIED UNANIMOUSLY

3. **COMMITTEE RECOMMENDATION/ COMMITTEE DECISION**

Moved Bronwyn Fox Seconded Mike Sheppard

The Marketing and Promotions Advisory Committee recommend to Council that Cervantes Chamber of Commerce be allocated \$5,000 from the Tourism budget 2012/2013 to host a minimum of two events to celebrate the 50th Anniversary of Cervantes. Funding be provided subject to the provision of a budget prior to the events and acquittal reports within three months of the events being held.

CARRIED UNANIMOUSLY

4. **COMMITTEE RECOMMENDATION/ COMMITTEE DECISION**

Moved Bronwyn Fox Seconded Trudy Williams

The Marketing and Promotions Advisory Committee recommend to Council the allocation \$40,000 from the Tourism budget 2012/2013 is set out as follows:

<i>Turquoise Coast Tourism Association</i>	<i>\$ 7,500.00</i>
<i>Cervantes 50th Celebrations</i>	<i>\$ 5,000.00</i>
<i>Coral Coast Publications – Free Travel Magazine</i>	<i>\$ 6,000.00</i>
<i>Domain Registration & Australia’s Coral Coast (ACC) Membership</i>	<i>\$ 500.00</i>
<i>Indian Ocean Festival (Blessing)</i>	<i>\$ 5,000.00</i>
<i>Tourism Council WA, Membership & Conference</i>	<i>\$ 4,000.00</i>
<i>Cervantes Windsurfing Event 2012</i>	<i>\$ 2,000.00</i>
<i>Review - Tourism 5 Year Plan</i>	<i>\$ 4,000.00</i>
<i>Tourism Marketing – Special Projects</i>	<i>\$ 6,000.00</i>
TOTAL	\$40,000.00

CARRIED UNANIMOUSLY

COMMENT

The terms of reference for the Marketing and Promotions Group as established by Council are to:

1. to provide advice to Council in relation to the marketing and promotion of tourism and business within the Shire of Dandaragan; and
2. to provide recommendation to Council in regard to requests for

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funding from Council's Marketing & Tourism budget 2012/13.

The Marketing and Promotions Advisory Committee (MPAC) has reviewed a number of requests for funding in 2012/13. Minutes of the MPAC meeting held on 30 May 2012 which are attached may be review for further explanation and detail.

CONSULTATION

- Chief Executive Officer
- Manager Corporate Services
- Chairperson, Marketing and Promotions Advisory Group

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

An allocation of \$40,000 will be required to be made as part of the 2012/13 budget. For comparison the 2011/12 budget was \$37,000.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Minutes of Marketing and Promotions Advisory Committee Meeting

(Marked 9.1.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

1. That Council approve the recommendations for allocation of the 2012/13 budget as set out in the following table:

Turquoise Coast Tourism Association	\$ 7,500.00
Cervantes 50 th Celebrations	\$ 5,000.00
Coral Coast Publications – Free Travel Magazine	\$ 6,000.00
Domain Registration & Australia's Coral Coast (ACC) Membership	\$ 500.00
Indian Ocean Festival (Blessing)	\$ 5,000.00
Tourism Council WA, Membership & Conference	\$ 4,000.00
Cervantes Windsurfing Event 2012	\$ 2,000.00
Review - Tourism 5 Year Plan	\$ 4,000.00

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Tourism Marketing – Special Projects	\$ 6,000.00
TOTAL	\$40,000.00

2. The Badgingarra Community Association be informed that once a design of the proposal and a budget of costs to carry out the project is provided, the project will be evaluated. Furthermore consideration should be developed in the proposal to market and promote the entire region in a standard format similar to other recently refurbished information bays within the Shire.

COUNCIL DECISION

Moved Cr Short, seconded Cr Sheppard

1. That Council approve the recommendations for allocation of the draft 2012/13 budget as set out in the following table:

Turquoise Coast Tourism Association	\$ 7,500.00
Cervantes 50th Celebrations	\$ 5,000.00
Coral Coast Publications – Free Travel Magazine	\$ 6,000.00
Domain Registration & Australia’s Coral Coast (ACC) Membership	\$ 500.00
Indian Ocean Festival (Blessing)	\$ 5,000.00
Tourism Council WA, Membership & Conference	\$ 4,000.00
Cervantes Windsurfing Event 2012	\$ 2,000.00
Review - Tourism 5 Year Plan	\$ 4,000.00
Tourism Marketing – Special Projects	\$ 6,000.00
TOTAL	\$40,000.00

2. The Badgingarra Community Association be informed that once a design of the proposal and a budget of costs to carry out the project is provided, the project will be evaluated. Furthermore consideration should be developed in the proposal to market and promote the entire region in a standard format similar to other recently refurbished information bays within the Shire.


CARRIED 7 / 0


The Officer Recommendation was not adopted as the word ‘draft’ needed to be included in point 1 of the recommendation.

9.1.4 BUDGET AMENDMENT – WASTE MANAGEMENT FACILITY

Location:	NA
Applicant:	NA
File Ref:	HEA12b
Disclosure of Interest:	Nil

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JUNE 2012

Date: 11 June 2012
 Author: Melissa Rourke, Manager Environmental Health
 Signature of Author: 

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

PROPOSAL

To consider a budget amendment for the replacement of a shed and fire unit at the Jurien Bay Waste Management Facility.

BACKGROUND

In November 2011 a fire occurred at the Jurien Bay Waste Management Facility which subsequently destroyed a shed and a fire unit.

An insurance claim was lodged and \$45,813.00 was received from Local Government Insurance Services. The income was recognised in the recent budget amendment however a decision had not been made as to what replacements would be made therefore the expenditure was not recognised.

It has since been acknowledged that a shed, which is primarily used for storage of recyclables, is required to be replaced. The fire unit is a requirement of the licence conditions and must be replaced.

COMMENT

It is proposed that the budget be amended to include the expenditure of \$45,813.00 to fund the following:

Item	Price (ex GST)
Replacement of Shed	\$ 20,630.00
Fire unit with trailer	\$ 12,070.00
Vehicle	\$ 13,113.00
TOTAL	\$ 45,813.00

Quotes have been received for the shed and fire unit with trailer however a vehicle will also be required to be purchased to tow the fire unit trailer. It is intended that the insurance money remaining after the purchase of the shed and fire unit will purchase a suitable vehicle (expected \$13,113.00)

CONSULTATION

- Chief Executive Officer
- Manager Corporate Services

STATUTORY ENVIRONMENT

LOCAL GOVERNMENT ACT 1995 - SECT 6.8

6.8 Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the

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annual budget by the local government;
 (b) is authorised in advance by resolution*; or
 (c) is authorised in advance by the mayor or president in an emergency.

* *Absolute majority required.*

POLICY IMPLICATIONS

There are no known policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Include \$45,813.00 as expenditure in the 2011 / 2012 Annual Budget.

STRATEGIC IMPLICATIONS

There are no known strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority


OFFICER RECOMMENDATION / COUNCIL DECISION


Moved Cr Bailey, seconded Cr Short

That Council authorise a budget amendment to include the expenditure of \$45,813.00 (exclusive of GST) for the purchase of a shed, fire unit, trailer and vehicle for the Jurien Bay Waste Management Facility.

CARRIED BY ABSOLUTE MAJORITY 7 / 0

9.1.5 STRATEGIC COMMUNITY PLAN 2011 – 2021

Location: Shire of Dandaragan
 File Ref:
 Disclosure of Interest: None
 Date: 12 June 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 adopt the Shire of Dandaragan Strategic Community Plan 2011 – 2021.

BACKGROUND

At the Council meeting held on the 22 March 2012 the following recommendation was carried:

1. *“That the draft Shire of Dandaragan Strategic Community Plan 2011 – 2021 be received by Council.*
2. *The draft Shire of Dandaragan Strategic Community Plan*

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2011 – 2021 be advertised to the public for comment, with submissions closing on 1 May 2012.”

In August 2011 the Shire of Dandaragan held four workshops in each town of Badgingarra, Cervantes, Dandaragan and Jurien Bay as part of a planning process to capture the communities' vision for the future, its aspirations and needs.

As part of this exercise the Shire has engaged Sue Middleton of Grass Roots Development to facilitate the process. The Strategic Community Plan will have a 10 year timeframe and it will guide Council's decision making processes across several vital areas.

A number of key state government agencies and stake holders were also invited to participate in development workshops. The planning approach has been to identify significant assets, opportunities, and constraints and has been carried out in compliance with the Integrated Planning and Reporting Framework and Guidelines.

A further workshop was held with representatives from all four towns to carry out a 'Back Casting' exercise. This process helped in obtaining impressions of what strategic goals the community would like to see in the future and what steps could be identified to meet these objectives.

The Plan will now assist Council to prepare the Corporate Business Plan and the Annual Business Plan which will set out in detail how to achieve specific outcomes and what resources will be required. The Annual Business Plan will then guide the annual budget development.

This process will not prevent other projects or ideas which arise in that 10 year timeframe from being considered, but the Strategic Community Plan will be a major source of direction for the Shire over the next 10 years.

COMMENT

An extension of time for the public to make comment on the Draft Strategic Community Plan has been made. A further period of four weeks was given to ensure all residents and interested groups could respond to the document. The draft Plan was available on the Shire web page and submissions closed on the 24th of May 2012.

In addition staff attended meetings of the Progress and Association groups of each four towns of Badgingarra, Cervantes, Dandaragan, and Jurien Bay. An overall presentation was made at each of these meeting and questions and answers were given in a further effort to make certain the public were aware of the document.

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Attached to this document is a summary sheet outlining the feedback from all four towns. The worksheet summaries all comments and provides a response to explain why and item or issue was included and in some cases why the Community feedback is being incorporated into the document.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

As part of the introduction of Integrated Planning and Reporting requirements, compliance with be required by 1 July 2013.

POLICY IMPLICATIONS

There are no policy implications relevant to this item. The Strategic Community Plan will feed into the Corporate Business Plan and assist in shaping future policy.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

This document will be the guide and set the strategic direction for the Shire for the next 10 to 15 years. The Strategic Community Plan will be the under pinning document for the Corporate Business Plan.

ATTACHMENTS

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

- Worksheet with submissions and comments received from Badgingarra, Cervantes, Dandaragan and Jurien Bay
- Draft Shire of Dandaragan Strategic Community Plan
(Marked 9.1.5)

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved Cr Short, seconded Cr Bailey.

That Standing Orders be suspended at 4.30pm

CARRIED 7 / 0

While the Standing Orders were suspended Councillors discussed possible changes to the Shire of Dandaragan Strategic Community Plan 2011 – 2021 as follows:

- *District to be defined in glossary*
- *Amend document to include recently released 2011 statistics*
- *Page 28 amend Dandaragan box to read : "vibrant proactive community, diverse horticulture, agriculture and mining industries, historical community, unique scenic vegetation"*

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- G3 02 A3 - engagement ladder to be defined and put back in
- G1 06 A12 - change to shire wide and add "by having a living base in the Shire"
- G2 04 A3 - first line to read "initiate and review every 5 years"
- G1 01 A3 - remove in Jurien Bay and change Scope
- G1 02 A7 - "work with water corporation"
- G1 02 A8 - add "support distribution line refurbishment"
- G1 06 A4 - second sentence to read "Build strong relationship with all visitors centres within the Shire and the Pinnacles Discovery Centre to generate a visitor centre network.
- G3 05 A5 - add "to support the development of structures and facilities to support youth" to be included into the recreation strategy.
- G4 04 A1 - first line to to read "Maintain Municipal Inventory of Heritage Places.
- G4 03 A1 - remove "Hill River"
- G4 03 A2 - delete
- G4 03 A3 - delete

COUNCIL DECISION

Moved Cr Short, seconded Cr Bailey

That Standing Orders be reinstated at 5.15pm

OFFICER RECOMMENDATION

That the Shire of Dandaragan Strategic Community Plan 2011 – 2021 be adopted by Council.

COUNCIL DECISION

Moved Cr Short, seconded Cr Kent

That the Shire of Dandaragan Strategic Community Plan 2011 – 2021 as presented and amended be adopted by Council.

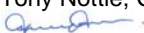
CARRIED 7 / 0

The Officer Recommendation was not adopted due to changes being made to the Strategic Plan and being noted in the Council Decision.

9.2 WORKS AND PLANT

9.3 ADMINISTRATION

9.3.1 APPLICATION OF COMMON SEAL

Location:	N/A
Applicant:	Shire of Dandaragan
Document ID:	5904
Disclosure of Interest:	None
Date:	18 June 2012
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 JUNE 2012PROPOSAL

To seek Council's endorsement for the application of the Shire of Dandaragan's common seal on the North Head District Structure Plan – August 2007 Issue Rev 005 (May 2012) and Notification to be placed on Certificate of Title for Lot 878 Nylagarda Road advising there is a Fire Management Plan applicable to the Lot.

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.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr McGlew, seconded Cr Kent

That Council endorse the affixing of the Shire of Dandaragan's common seal to the North Head District

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Structure Plan – August 2007 Issue Rev 005 (May 2012) and Notification to be placed on Certificate of Title for Lot 878 Nylagarda Road advising there is a Fire Management Plan applicable to the Lot.

CARRIED 7 / 0

9.3.2 PROPOSED FIREBREAK ORDER 2012 / 2013

Location:	N/A
Applicant:	Shire of Dandaragan
File Ref:	
Disclosure of Interest:	None
Date:	20 June 2012
Author:	Matt Dadd, Community Emergency Services Coordinator
Signature of Author:	

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

PROPOSAL

To consider amendments to the Firebreak Order as to ensure an up to date and relevant document is utilised.

BACKGROUND

The Firebreak Order is revised annually and put to Council to adopt any necessary changes. The adopted version is gazetted and put out for advertising.

COMMENT

The 2012 review of the Annual Firebreak order was conducted, after consultation with the Senior Ranger and the CEO Secretary.

The following changes have been made to the current document:

- Dates being changed for the new financial year 2012/2013
- Fire Control Officers 'contacts' changes:
 - Chief Bush Fire Control Officer, Richard Allen
 - Chief Fire Weather Officer, Richard Allen
 - Deputy Chief Bush Fire Control Officers / Aubrey Panizza, Hugh Roberts, John Auld.
 - Deputy Fire Weather Officers / Aubrey Panizza, Hugh Roberts, John Auld and Richard Brown
 - Deletion of Fire Control Officers, Herbert Roberts and Peter John.
 - Contacts numbers all updated.

Listed below are the recommended changes from the 2011 / 2012 Firebreak Order to the 2012 / 2013 Firebreak Order.

Current Wording

No harvesting operations are permitted on Christmas Day and Boxing Day.

New Wording

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No harvesting operations are permitted on Christmas Day, Boxing Day and New Year's Day.

CONSULTATION

- Community Emergency Services Coordinator
- Senior Ranger
- CEO Secretary

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

As per Shire of Dandaragan Policy 12: FIREBREAK ORDER, Council Policy allows for change as required under Policy 12 - Firebreak Order.

FINANCIAL IMPLICATIONS

Council will be responsible for advertising costs incurred and the annual reprint of Firebreak Orders.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Proposed Firebreak Orders.

(Marked 9.3.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION


Moved Cr Bailey, seconded Cr Gibson

That Council adopt the amended version of the Firebreak Order to include the following changes:

- 1. Dates being changed for the new financial year to 2012 / 2013;**
- 2. Fire Control Officers 'contacts' changes:**
 - a. Chief Bush Fire Control Officer / Chief Fire Weather Officer, Richard Allen;**
 - b. Deputy Chief Bush Fire Control Officers, Aubrey Panizza, Hugh Roberts and Peter Ivey.**
 - c. Deputy Fire Weather Officers, Aubrey Panizza, Hugh Roberts, John Auld and Richard Brown.**
 - d. Deletion of Fire Control Officers, Herbert Roberts and Peter John.**
 - e. Contacts numbers all updated.**
- 3. New Year's Day to be included to read "No harvesting operations are permitted on Christmas Day, Boxing Day and New Year's Day."**

CARRIED 7 / 0

9.3.3 REVIEW OF DELEGATIONS REGISTER

Location:	Shire of Dandaragan
Applicant:	N/A
Doc ID:	5908
Disclosure of Interest:	None
Date:	18 June 2012
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

PROPOSAL

To review the Shire of Dandaragan's Delegations Register in accordance with the Local Government Act 1995.

BACKGROUND

The Local Government Act 1995 provides for a local government to delegate some of its powers and duties to the Chief Executive Officer and in some circumstances a committee. The Act also provides for the Chief Executive Officer to delegate any of his / her powers or functions to any employee of the local government. All of the abovementioned delegations are required to be recorded in a register of delegations and that register must be reviewed on an annual basis.

COMMENT

The review of the Delegations Register proposes the deletion of four delegations being Delegation Numbers 104, 109, 111 and 201.

Delegation 104 relates to the Chief Executive Officer being empowered to make investment decisions and sign investment lodgements and withdrawals and delegation of these powers to the Deputy Chief Executive Officer and Manager Corporate Services. It is suggested that this delegation be deleted and that the matter be addressed in an alteration to Council Policy.

Delegations 109, 111 and 201 relate to issues of delegation to the Manager of Building Services and one delegation from the Manager of Building Services to the Manager of Environmental Health.

These delegations were made under the Local Government (Miscellaneous Provisions) Act 1960 which has now been repealed and therefore the delegations are no longer relevant and should be deleted from the Delegations Register.

These delegations had been superseded by the delegations granted by Council at the Ordinary Meeting of 22 March 2012 (refer to item 9.6.2) whereby new delegations were granted to the Manager of Building Services following the enactment of the Building Act 2011.

CONSULTATION

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- Manager Building Services
- Manager Corporate Services

STATUTORY ENVIRONMENT

The Local Government Act 1995 section 5.46 establishes the requirement to maintain a Delegations Register.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Shire of Dandaragan Delegations Register – updated 18 June 2012

(Marked 9.3.3)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION



Moved Cr Short, seconded Cr Sheppard

That Council amend the Delegations Register by the deletion of Delegations 104, 109, 111 and 201 in view of the reasons outlined in this agenda item.

CARRIED 7 / 0

9.4 TOWN PLANNING

9.4.1 JURIEBAY CITY CENTRE STRATEGY PLAN ADOPTION OF STRATEGY PLAN

Location:	Jurien Bay Town Centre
Applicant:	Shire of Dandaragan
File Ref:	TP37b
Disclosure of Interest:	None
Date:	18 July 2011
Author:	Jerom Hurley, Manager Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To consider the Jurien Bay City Centre Strategy Plan (the Strategy), and submissions received during the public advertising

period, with a view to adopting the Strategy for Western Australian Planning Commission endorsement.

BACKGROUND

The Strategy vision is for the Jurien Bay City Centre to be the centre piece of Jurien Bay, reflecting the diverse role as a regional centre for the coastal part of the Wheatbelt Region. The Strategy identifies opportunities for employment growth in tourism and government services and improved community facilities around the Shire Administration Centre. The Strategy promotes redevelopment of the existing town centre with higher density mixed use private development, pedestrian-friendly and climate-sensitive street design, redesign of Bashford Street as a dual carriageway and themed public spaces.

The Strategy considers the town centre based on the following precincts:

- Northern
- Central
- Southern
- Eastern
- Civic Uses
- Community Uses

For each precinct the Strategy sets out recommendations for the precinct role, land use composition, character and development standards such as density, plot ratio and height as well as guidance on building and car parking layout.

On 28 July 2011 Council adopted the Strategy for the purposes of public advertising and submitted a copy to the Western Australian Planning Commission in accordance with regulation 12A(1) *Town Planning Regulations 1967 (as amended)*. On 14 September 2011 the Western Australian Planning Commission advised that the Strategy is consistent with regulation 12A(3).

The Strategy was publicly advertised between 1 October 2011 and 11 November 2011. Further details regarding the public consultation period and submission received are provided in the Consultation section below. By the time the public consultation period for the Strategy concluded, preparation of the Jurien Bay SuperTown Growth Plan had commenced. Given the high demands of the Growth Plan project, its short timeframe for completion and the interrelationship between the Growth Plan and the Strategy, it was decided to defer finalization of the Strategy until the Growth Plan had been completed.

The report on submissions on the Strategy was considered by the Steering Group on 7 May 2012. The Steering Group comprises:

- Shire of Dandaragan – Councillors x 2 (Chairperson), Chief Executive Officer, Deputy Chief Executive Officer and Manager Planning

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- Department of Planning x 2 (1 x Tourism)
- Department of Environment & Conservation x 1
- Jurien Bay Chamber of Commerce x 1
- Jurien Bay Rate Payers Association x 1
- Indigenous/Native Title x 1
- Central West Senior Citizens Association x 1
- Jurien Bay District High School P& C x 1
- Jurien Bay Community Member x 1

The copy of the Strategy presented to Council for adoption highlights in grey, modifications made since public advertising. These modifications have been made as a result of the combination of submissions made during public advertising, additional information made available through preparation of the Growth Plan and consideration of the revised Strategy by the Steering Group.

COMMENT

The development of the Jurien Bay SuperTown Growth Plan during the course of preparing the Strategy has allowed key elements of the Growth Plan to be incorporated into the Strategy without substantial delays. The Growth Plan has given the Strategy a longer-term perspective than the notional 10-15 year timeframe set for a local planning strategy. For example, the Strategy has been renamed the City Centre Strategy Plan to recognise its future regional centre status under the Wheatbelt Land Use Planning Strategy (WAPC, 2011) and the Wheatbelt Regional Profile (WDC, 2011).

The Strategy acknowledges plans to extend the Education Precinct across future separate primary and secondary schools and to further develop the Health and Aged Care Precinct. It also recognises that the library in the Shire offices was always intended as a temporary arrangement. The Strategy includes forecasts for commercial floor space requirements at future population thresholds developed as part of preparing the Growth Plan. At the request of the Steering Group, baseline commercial floor space calculations have now also been added.

The Strategy recommends an R25 maximum density code (350m² per dwelling) and 2 storey building height in residential areas and an R80 maximum density code (180m² per unit) and 3 storey building height for mixed use areas, with a plot ratio of 1.0 for apartments (1000m² of development across 3 storeys on a 1000m² lot). The Strategy acknowledges that the ability to increase residential density and provide mixed use development is dependant on zoning changes under the scheme and limited by a lack of sewer.

The Strategy highlights the important contribution the treatment of public space and streetscape can make to enhancing the coastal character and sense of place, and to softening climatic conditions.

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The Strategy also notes that the Shire has control over what happens in these public spaces. The Strategy identifies the combination of wide road reserves and undeveloped sites as creating an appearance of largely disconnected urban form, with minimal landscaping and street trees, overhead powerlines and the space between buildings exaggerating the effect. The Strategy recommends a landscaping concept and themes be developed to reinforce the character and that the amount of on-street car parking be reviewed. The Strategy promotes connection and orientation of buildings to footpaths together with awnings/verandahs, and street trees to provide shelter and improve the pedestrian and streetscape environment.

The Strategy identifies the foreshore end of Roberts Street and the Community Uses Precinct as major opportunities for activation of the public realm. An interpretive centre and associated café is put forward as a way to further activate the foreshore end of Roberts Street. The Strategy does not recognise Council's approval of a development plan for Lot 62 Roberts Street in terms of building height (8 storey maximum recommended, 11 storeys approved) or the provision of public access between Heaton and Sandpiper Streets (10.5m wide street recommended, 5m wide pedestrian access way approved).

The Strategy recommends preparation of concept plans for the Civic Precinct and Community Uses Precinct either side of the Bashford and Bayliss Street intersection. The concept plan for the Civic Precinct has been prepared and construction and has been funded. The development concept for the Community Uses Precinct is based on buildings in a parkland setting with connected vehicle and pedestrian access, providing efficiency of shared parking areas. The concept involves creation of a public space at the corner of Bashford and Bayliss Streets, with community buildings set around this space. The concept includes a kiosk/café to enhance the function of a community meeting place. The Strategy recommends discussions be held with relevant parties to determine the level of commitment to the concept. These discussions are about to commence. The development concept put forward in the Strategy should be raised in these discussions.

The Strategy states that the Apex Camp does not have a coastal location or particular amenity for camp recreation or tourist accommodation. The Strategy recommends the future use and development of the Apex Camp, adjacent Crown lots and unconstructed roads (Ackland and Whitburn Streets) be reviewed as part of an overall concept plan for this area, in consultation with stakeholders, recognising that this land is situated between the commercial area and the Health Precinct. The Strategy recommends that if the recreation/tourism use of the Apex Camp is relinquished, then a Commercial designation should be seriously considered and a suitable land swap should be offered to Apex.

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Officer Comment

The recommendation that Crown land around the Apex Camp be added to the reserve is supported and this should be prioritized. The identification of this site for future Commercial use is also supported, although this is probably a longer term prospect. There may be potential in the short term for this expanded site to provide additional caravan/camping bays in Jurien Bay. The Apex Camp already has a small number of caravan/camping sites. The possibility of using the expanded site for this purpose is dependent on the views of Apex. The Shire should work with Apex and others to see whether this is a possibility.

The Strategy recommends redevelopment of the caravan park site acknowledge both the tourism value of the site and the potential to connect commercial areas along Bashford Street.

Officer Comment

The idea of redeveloping the caravan park site is closely tied to any lost caravan/camping sites being replaced at a suitable alternative location. The Strategy study area does not cover all possible options for alternative caravan park locations. It is therefore appropriate that this matter be further considered, initially in finalising the Local Tourism Planning Strategy.

The following table outlines and considers recommended short term implementation actions:

Project	5 Year Action Plan	Comment	Resourcing
Land assembly	Secure unallocated Crown land for public purposes	This process has commenced with Notice of Intent to Take land for expansion of the Health and Aged Care Precinct.	Liaison with RDL State Lands and Landcorp
Sewer extension and upgrades	Submission to Water Corporation	Construction/ installation of new pumping station is being progressed	SuperTowns Landcorp Water Corporation
Power upgrades	Liaise with Western Power to secure commitments for upgrading power	Raised by Jurien Bay Chamber of Commerce as key issue	Western Power JBCC WDC RDL State Underground Power Program
Interpretive Centre	Close portion of Roberts Street to create part of the site as part of road realignment plans for the corner of Roberts and Heaton Street	Current focus is on developing visitors centre as part of Civic Precinct. An interpretive centre could be part of the foreshore activation that will take place in the future.	RDL State Lands DEC
Bashford Street upgrade	Preliminary design and costing Include consideration of underground power, landscaping and drainage,	Capacity to undertake project dependant on funding availability	Main Roads

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	involving public consultation		
Murray to Doust Street Link	Construct road connection to serve as long vehicle parking area	This area is already being used for long vehicle parking. The Strategy is recommending formalisation and enhancement of this area	Could be considered as part of Bashford Street upgrade project
Local Planning Scheme	Initiate amendments to local planning scheme and prepare local planning policy to implement Strategy recommendations	Amendments to allow for increased densities and mixed use in areas where reticulated sewer is available or planned should be initiated as a priority. An amendment to introduce a provision for sewer contributions would also allow for cost recovery, as highlighted in the business case for the infill sewer project.	2012/13 budget allocation
Caravan park lease	Undertake negotiations with caravan park lessee	The caravan park site is a highly strategic site in facilitating the future development of the town centre. There should be a long term plan to transition use of the caravan park site. The provision of additional caravan/camping sites should be further considered separately based on its broader scope than the study area for the City Centre Strategy.	Liaison with RDL State Lands
Civic Uses Precinct	Prepare concept plan	Completed. Focus is now on construction. This will be a 2 year project.	SuperTowns DoF BMW
Community Uses Precinct	Prepare concept plan	Meeting being arranged with representatives from Anglican and Catholic churches. The Strategy concept for the Community Uses Precinct should be referred to in these discussions	May require some technical assistance
Public Realm Enhancement	Complete Dobbyn Park project Prepare concept plans and associated design guidelines for Roberts, Doust, Murray, White, and Sandpiper Streets and the Murray to Doust Street Link	This could include interpretive centre/café concept Strategy recommends development of landscaping concept and themes, review of on street parking provision and connection and	Need to establish means through which the cost of installing, operating and maintaining foreshore facilities can be offset

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		orientation of buildings to footpaths with awnings/verandahs and street trees	
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The capacity to complete all of these actions within the next 5 years will depend on the Shire's commitment and capacity to undertake the work and the availability of assistance and support from other important stakeholders, particularly the State government. Many of these actions align with implementation actions of the Jurien Bay Supertown Growth Plan. The influence of the SuperTowns program could be a key factor in determining the number of actions that are completed.

CONSULTATION

The Strategy was publicly advertised between 1 October 2011 and 11 November 2011. A public information session was held on 18 October 2011.

A total of 13 submissions were received during the public advertising period. A Report on Submissions – Stage Two Consultation (16 March 2012).summarizes all submissions and provides recommendations.

Four modifications have been incorporated into the draft revised Strategy as a result of points made in submissions during the public advertising period. These modifications are:

1. replacing the Tourism/Residential designation over Lot 4 White Street (Jurien Bay Hotel site) with a Commercial designation;
2. allow for tourist accommodation within Commercial areas (above ground floor);
3. increase the recommended maximum building height for Commercial and Mixed Use areas from 2 to 3 storeys; and
4. replace the Office/Residential designation of Lots 95 and 96 Bashford Street and Lot 97 Cook Street with a Commercial/Residential designation.

STATUTORY ENVIRONMENT

The Strategy will be a local planning strategy for the purposes of the *Town Planning Regulations 1967 (as amended)*. Accordingly, the adopted Strategy needs to be submitted to the Western Australian Planning Commission for its endorsement. The Strategy is only a guiding statutory instrument. Implementation of many of the Strategy recommendations requires the local planning scheme to be amended. For example, no landowner will be able to develop their property to the density recommended by the City Centre Strategy until the local planning scheme has been amended to allow for that density of development.

POLICY IMPLICATIONS

Whilst there are no direct policy implications arising from initiation of the City Centre Strategy Plan, it is anticipated a number of actions identified through the process may lead to the review of

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existing, or formation of new policies to aid in guiding development. This is not an immediate concern.

FINANCIAL IMPLICATIONS

There are substantial financial implications in the implementation of Strategy recommendations.

STRATEGIC IMPLICATIONS

A new whole-of-shire local planning strategy is currently being prepared. Recommendations of the City Centre Strategy will be incorporated into the new local planning strategy. The new local planning strategy is expected to be completed by mid-2013 / 2014.

ATTACHMENTS

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

- Report on Submissions (16 March 2012)
(Marked 9.4.1)

A copy of the draft Jurien Bay City Centre Strategy Plan has been distributed by memorandum dated 19 June 2012.

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr Sheppard

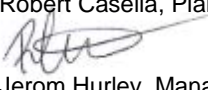

Council resolve pursuant to Regulation 12B(3) of the *Town Planning Regulations 1967 (as amended)* to:

- 1. determine submissions in accordance with the Report on Submissions (16 March 2012); and**
- 2. Require the following modifications to be made to the document:**
 - a. Retain the suggestions for improvement to the existing caravan park and identify the potential for alternative uses in the future, as identified through the process of preparing the Strategy, but remove any reference to the lease for the caravan park from the following sections as this is subject to separate processes:**
 - i. section 3.5.5.2 (p 49);**
 - ii. section 4.2.2 (p 56);**
 - iii. section 5.1.5 (p 78);**
 - iv. section 5.2.5 (p 80); and**
 - v. Table 5.1 (p 82)**
 - b. Council's planning approval for Lot 62 Roberts Street being recognized in:**
 - i. section 2.4.3 (p 15 & 16);**
 - ii. section 3.5.3.5 (p 46 – last two paragraphs) in relation to provision of public access between Heaton and Sandpiper Streets (5m wide pedestrian accessway);**

- iii. section 4.2.2 (p 54 – Tourism Area) in relation to building height (11 storeys) and provision of public access between Heaton and Sandpiper Streets (5m wide pedestrian accessway); and
 - iv. the Structural Elements Map (note 7) in relation to provision of public access between Heaton and Sandpiper Streets (5m wide pedestrian accessway).
 - c. The last dot point of section 3.3 (p.40) referring to Lots 95 & 96 Bashford Street.
 - d. Figure 4.1 (p.63) being amended to show the same colour for the Public Purposes/Civic Uses Precinct on the plan and in the legend.
3. Adopt the Jurien Bay City Centre Strategy Plan dated 11 June 2012 subject to the modifications outlined in Resolution 2 above being incorporated into the document prior to the Strategy Plan being forwarded to the Western Australian Planning Commission for its endorsement.

CARRIED 7 / 0

9.4.2 PROPOSED SCHEME AMENDMENT (REZONING) – RESIDENTIAL R35 – LOT 594 WESTON STREET, CERVANTES

Location:	Lot 594 Corner Weston and Seville Streets Cervantes
Applicant:	Burgess Design Group on behalf of Landcorp
File Ref:	LPS19
Disclosure of Interest:	None
Date:	20 June 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Jerom Hurley, Manager Planning
Signature of Senior Officer:	

PROPOSAL

To consider whether to adopt for final approval Amendment No. 19 to Local Planning Scheme No.7 to rezone Lot 594 Weston and Seville Streets, Cervantes from Public Purpose – Emergency Services Reserve to Residential R35. See Attachment 1 for a locality plan that shows the location of Lot 594 within the Cervantes town site.

BACKGROUND

Lot 594 is 3,764 m² in area and was up until recently, Crown land vested with the Western Australian Police Services for a future police station for Cervantes. For this reason, the site is in a Public Purpose - Emergency Services reserve under Shire of Dandaragan Local Planning Scheme No.7. Upon advice from the Western Australian Police Services that the property is surplus to requirements and is no longer required for that purpose, however, the Department of Regional Development and Lands has commenced a process of converting the property from a Crown

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reserve to freehold title.

Lot 594 is vacant. Seville and Weston Streets are constructed and full urban services are available. The three lots fronting Weston Street to the north are already developed for medical and emergency services. The lots on the opposite side of Seville and Weston Streets are zoned 'Residential R12.5' and contain established houses. Attachment 2 is an aerial image of the site and surrounding development.

At its meeting of 19 August 2010, Council considered the proposal by the Department of Regional Development and Lands (State Land Services) to sell Lot 594 on the open market. At that point, a Landcorp representative had approached Shire officers to discuss the sale and future development potential of Lot 594. Council resolved to raise no objection to the sale of Lot 594, subject to the land being rezoned from 'Public Purpose' to 'Residential R35' and an alternative site being identified and set aside as a reserve for future police services. Council also resolved to express its interest in purchasing Lot 594 at an affordable price once rezoned.

Amendment No. 19 proposes Lot 594 be zoned Residential R35 in accordance with Council's resolution.

The Shire's planning consultant has reviewed the proposed amendment and provides the following comments:

- Lot 594 may be subject to Native Title and Landcorp should be responsible for addressing this matter; and
- The preliminary concept options show that the shape of the lot makes it difficult to achieve a reasonable lot layout, with some lots being very constrained in terms of providing a developable area.

The Shire's planning consultant also advises that concept plans have been prepared for the town centre in the past to guide its future development and that without a town centre plan in place, development proposals like this may compromise the orderly and efficient development of the town centre. The Shire's planning consultant recommends Council consider the option of preparing a simple town centre strategy, and the opportunity to get Landcorp's financial support for such a project.

In relation to Council's request for an alternative site for a police station, the Shire's planning consultant notes:

- the Western Australian Police Services has advised that it has no plans for a police station at Cervantes;
- the existing site is well located for a police station and any alternative site would need to be comparable; and
- Council should undertake a due diligence assessment before considering purchasing the land given the apparent difficulty Landcorp and others are having gaining interest in medium density units elsewhere in Cervantes and Jurien Bay.

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In June 2011, Council resolved:

1. *In pursuance of Section 75 of the Planning and Development Act 2005 (as amended), amend Local Planning Scheme No.7 by rezoning Lot 594 Weston Street, Cervantes from Public Purpose – Emergency Services reserve to Residential R35 zone.*
2. *Advise the applicant that the rezoning of Lot 594 has been supported based on Council's 19 August 2010 resolution.*
3. *Advise the applicant that it is not prepared to support further rezoning of Crown land in the Cervantes town centre until a review of town centre planning, including rationalising the differences between cadastral and zoning boundaries and determining Crown land proposed to be transferred to freehold title, has been undertaken.*
4. *Request a financial contribution from the Minister for Regional Development and Lands on behalf of the State Government towards the town centre plan project in recognition of the financial advantage to be gained through Council's support of the zoning and sale of Lot 594.*
5. *Advise the applicant of its resolution and request Scheme Amendment documents be updated in accordance with requirements of the Town Planning Regulations 1967.*
6. *Upon receipt of Amendment documents updated in accordance with its resolution, refer a copy of the amendment document to the Western Australian Planning Commission, and the Environmental Protection Authority pursuant to Section 81 of the Planning and Development Act 2005.*
7. *Subject to no objections being received from the Environmental Protection Authority, advertise the amendment for a period of 42 days seeking public comment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 (as amended).*

Council resolved to send a letter outlining the outcome of Council's resolution to the applicant in June 2011. This letter was to state that the Shire is aware that Landcorp and the Government have already contributed to the preparation of plans for Cervantes in the past and the Shire is not seeking assistance to prepare yet another plan. Instead the Shire will be seeking assistance from Landcorp to help prepare an amendment for the Town Centre Future Land Use Plan.

While Council has requested that a financial contribution from the Minister for Regional Development and Lands be provided

towards the town centre plan. A monetary contribution has already been provided in the form of the funding for the Coastal Settlement Strategy under the SuperTowns program. Given this, a letter is to be sent to Landcorp requesting assistance to prepare an amendment to give statutory effect to the Cervantes Town Centre Plan.

COMMENT

Native Title

Any Native Title claim over the land will need to be addressed as part of the transfer of Lot 594 from the Crown to freehold title. This transfer will have to occur before Lot 594 can be sold. Any subsequent transfer of Crown land to freehold in the town centre will also require Native Title claims to be addressed. There may be a case for identifying other Crown land in the town centre the Shire believes should be transferred to freehold title so Native Title on all of this land can be addressed at once rather than on a case-by-case basis. This could be built into the work being undertaken to implement the Cervantes Town Centre Plan and the request to Landcorp for assistance.

Planning Considerations

A Coastal Settlement Strategy Plan is being prepared for the coastal strip between Cervantes and North Head. During this process it will be necessary to review planning for each settlement node to ensure planning reflects current broader planning needs. Currently the Shire is considering a Cervantes Town Centre Plan for adoption that has an alternative road pattern and zoning boundaries to the existing scheme map (Attachment 3).

The Scheme Map has legal precedence over an adopted town centre plan. A scheme amendment will therefore be required to give the Cervantes Town Centre Plan statutory effect in the Scheme. As Council has previously resolved, Landcorp assistance should be requested to amend the Scheme.

Landcorp's planning consultant has been asked to demonstrate that Amendment 19 can proceed without compromising the Cervantes Town Centre Plan. A plan has been prepared to show how development of Lot 594 will not compromise development of adjoining Lot 591 in accordance with the Cervantes Town Centre Plan (Attachment 5). It is therefore safe to adopt Amendment 19 for final approval so long as an amendment is initiated to give effect to the Cervantes Town Centre Plan. This is something Landcorp could help the Shire with.

Council's Interest in Purchasing Lot 594

As resolved at its meeting on 19 August 2010, Council should await transfer of Lot 594, including resolution of any Native Title claims, and zoning approval before it pursues any interest in purchasing Lot 594. It is likely that Lot 594 will be sold at market value.

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CONSULTATION

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

The Environmental Protection Authority advised that Amendment No. 19 did not require environmental assessment, and further, did not provide any additional advice or recommendations on the proposed modifications.

The Scheme Amendment was subsequently advertised for a period of 42 days in line with the Town Planning Regulations, which closed 17th October 2011.

A total of four objections and four non objections were received. Of these submissions four had stated they would like to see the lot left as vacant land for individual reasons. The general response states, the block is not currently zoned to be conserved as public open space, a town centre plan has been prepared, with 10% of the residential portion of the town centre set aside for public open space purposes in the plan

A summary of each submission together with staff comment is detailed in Attachment 4 of this report.

STATUTORY ENVIRONMENT

The transfer of Lot 594 from Crown reserve to freehold title and subsequent disposal is enacted under the provisions of the *Land Administration Act, 1997*.

Native Title claims are addressed under the *Native Title Act 1993*.

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

A Future Land Use Plan for the Cervantes Town Centre has been prepared for Council adoption. This plan will act as a guide to decision making but it needs to be given statutory effect by the Scheme.

Council's previous resolution indicates Amendment No.19 can be finalized so long as it does not compromise the Town Centre Plan.

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The plan prepared by Landcorp's planning consultant (Attachment 5) demonstrates that Amendment No.19 can be progressed. Nonetheless, there is pressing need to amend the Scheme to give statutory effect to the Cervantes Town Centre Plan. As previously resolved by Council, Landcorp assistance should be sought with this task.

The Town Centre Plan may need to be revised as part of the Coastal Settlement Strategy. Recognition in the Scheme for the Cervantes Town Centre Plan as the guide for future land use and development will make it easier to make any revisions.

ATTACHMENTS

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

- Attachment 1 – Locality Plan
- Attachment 2 – Aerial Image
- Attachment 3 – Town Centre Zoning Map
- Attachment 4 – Schedule of Submissions
- Attachment 5 – Development Concept Plan

(Marked 9.4.2)

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Bailey

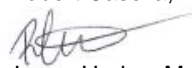

That Council:

1. Pursuant to Regulations 17 (1) and 25 (fb) of the Town Planning Regulations 1967 (as amended), note the submissions received and endorse the response to those submissions contained in the related Schedule of Submissions;
2. Pursuant to Section 75 of the Planning and Development Act 2005 (as amended) and Regulations 17 (2)(a) and 25 of the Town Planning Regulations 1967 (as amended) adopt for final approval, Amendment No. 19 to Local Planning Scheme No. 7 to rezone Lot 594 Weston Street, Cervantes from Public Purposes – Emergency Services to Residential R35 subject to the following modification being made to the amendment document:
 - a. The Scheme Amendment Map being modified to accord with the proposed cadastral boundaries shown on the adopted Cervantes Town Centre Plan, as determined by the Minister for Planning on advice from the Western Australian Planning Commission;
3. Require payment of Scheme Amendment Application Fees in accordance with Shire of Dandaragan 2011/12 Fees and Charges prior to the amendment document being forwarded to the Western Australian Planning Commission;
4. Upon payment of Scheme Amendment Application Fees in accordance with Resolution 3 above, forward its resolution and the Schedule of Submissions to the Western Australian Planning Commission together with three copies of the Amendment documents pursuant to

- Regulation 18(1) of the Town Planning Regulations 1967 (as amended);
5. Request the Hon Minister for Planning grant final approval to Amendment No. 19 to Shire of Dandaragan Local Planning Scheme No.7, as modified in accordance with Resolution 2 above;
 6. Upon the granting of final approval to Amendment No. 19 to Shire of Dandaragan Local Planning Scheme No.7, authorise the Shire President and the Chief Executive Officer to execute the relevant documentation and affix the common seal pursuant to Regulations 22(1) of the Town Planning Regulations 1967 (as amended);
 7. Inform those agencies and persons who made a submission on Amendment No.19 to Local Planning Scheme No.7 of its decision; and
 8. Advise the Western Australian Planning Commission and the applicant that in relation to Resolution 2(a) above, the Council wants to make sure that this rezoning and any future development contributes towards, and does not compromise, implementation of the adopted Cervantes Town Centre Plan and that it is happy for this matter to be given further consideration by the Planning Commission in recommending to the Minister any modification required in that respect.

CARRIED 7 / 0

9.4.3 CERVANTES TOWN CENTRE FUTURE LAND USE PLAN

Location:	Cervantes Town Centre
Applicant:	Shire of Dandaragan
Doc ID:	5819
Disclosure of Interest:	None
Date:	20 June 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Jerom Hurley, Manager Planning
Signature of Senior Officer:	

PROPOSAL

For Council to consider adoption of a future land use plan for the Cervantes Town Centre (Plan) for final approval. Attachment 1 is the schedule of submissions. Attachment 2 is a copy of the advertised Plan. Attachment 3 is a copy of the plan presented for Council adoption.

BACKGROUND

In June, 2007 Landcorp prepared the Cervantes Town Centre Future Land Use Plan as the basis for considering future development of the town centre. While this plan had no formal status for many years, in March 2012, Council resolved to advertise the Plan Attachment 3, which was a modification to the originally prepared Plan. A community information session was

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held at the community hall in Cervantes during the public advertising period on 17 April 2012, viewing a copy of the original plan Attachment 2. Review of submissions, Attachment 1, has resulted in recommended modifications which are included in the Plan now being considered by Council for adoption, Attachment 3.

COMMENT

One submission from a community member objects to the playground on Weston Street being shown as Commercial. The revised Plan now being considered by Council for adoption shows the playground as Public Open Space.

The Shire has engaged Eaton & Passarelli (E&P) to prepare a Coastal Settlement Strategy Plan (Strategy) for the area from Cervantes to North Head. There is merit in further refining the Plan as part of this broader work but the Plan can still provide the basis for land use and development decision making in the Cervantes Town Centre in the interim. The Scheme Map needs to be amended, however to give effect to the Plan rather than what is currently shown on the Scheme Maps.

CONSULTATION

Consultation with E&P in May 2012 established that the Cervantes Town Centre Future Land Use Plan is to be considered as part of the Coastal Planning Strategy.

Some particular issues that arose from E&P's perspective is that beyond the Cadiz Street link, the rationale for the road system is not clear. There seems to be a lot of roads with some areas provided with dual road frontage. It would seem that right of ways may be able to achieve what has been sought in terms of rear access to commercial premises.

Limited land seems to be retained for community purpose sites within the town centre.

The multiple use area is disconnected from the main shopping street and appears tucked away.

E&P are cautious in adopting the Plan without knowing more about the rationale for the design and response from consultation with Council and key stakeholders.

STATUTORY ENVIRONMENT

The Plan is not being adopted under the powers of the local planning scheme but it has been through a public advertising process and if adopted by Council, will carry some weight in defending any decisions made based on consistency with the Plan. The potential problem is that the Scheme Map is not consistent with the Plan. Land use and development decisions need to comply with the Scheme, not the Plan. The Scheme Map will need to be amended to give statutory effect to the Plan.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Any Scheme amendment to align the Scheme Map with the Plan would need to be prepared by the Shire unless there are concerns about this misalignment in considering incidental scheme amendments in the Cervantes Town Centre.

STRATEGIC IMPLICATIONS

This Plan provides a useful guide to land use and development in the Cervantes Town Centre but it needs to be given effect by the Scheme. A direct reference to the Plan in the Scheme would allow for future changes to be made via revisions to the Plan rather than requiring Scheme amendments, which are much more involved and time consuming.

ATTACHMENTS

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

- Attachment 1 – Schedule of submissions
- Attachment 2 – Advertised Town Centre Plan
- Attachment 3 – Modified Town Centre Plan

(Marked 9.4.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Short, seconded Cr McGlew

That Council:

- 1. adopt the modified Cervantes Town Centre Plan as a guide to future land use and development in the Cervantes Town Centre;**
- 2. appropriately advise affected landowners of Council's decision;**
- 3. request arrangements be made for the Scheme to be amended to give statutory effect to the adopted Cervantes Town Centre Plan; and**
- 4. Forward a copy of the adopted Cervantes Town Centre Plan to the Western Australian Planning Commission for its endorsement.**



CARRIED 7 / 0

9.5 HEALTH

9.6 BUILDING

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9.6.1 MR MICHAEL J KENNY, LOCATION NUMBER 3713 WINJARDIE ROAD, BADGINGARRA – PROPOSED SECOND DWELLING ON RURAL ZONED LAND

Location:	Location 3713 Winjardie Road, Badgingarra
Applicant:	Mr Michael J Kenny
File Ref:	BE 2692
Disclosure of Interest:	None
Date:	14 June 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, Mr Michael J Kenny, seeks Council approval to construct a second dwelling on Location number 3713 Winjardie Road, Badgingarra.

BACKGROUND

The proposal to erect a second dwelling on Rural Zoned Location 3713 is to follow the footprint of a future plan by the property owner to subdivide part of Location 3713 into smaller lots according to a proposed overlay plan which is still a work in progress. The approval to construct the proposed second dwelling is not intended to pre-empt any decision of the Council in relation to the proposed subdivision in the future.

Council has adopted the proposal to subdivide the subject land in previous application decisions and the result of the final subdivision outcome currently rests with the Department of Planning through the normal approval and finalisation processes.

The approval to construct the dwelling subject of this application will see the site and location of the proposed dwelling being in compliance with the future boundaries of the lots created by the current subdivision proposal mentioned above, in accordance with the subdivision overlay intended for the land in question. On finalisation of the subdivision boundaries and the availability of land titles, the lot to be created within the subdivision overlay will then be transferred to a confirmed buyer of the future lot and who will take over ownership of the proposed dwelling subject of this planning application.

COMMENT

Location number 3713 is zoned Rural in the Shire of Dandaragan Local Planning Scheme No 7. Table 1 (Zoning Table) of the Scheme shows that a dwelling is a permitted use in a Rural Zone. Under part 8 of the Scheme text – (Development of Land), clause 8.2(b)(iv), permits the erection of a single house including any extension, ancillary outbuildings and swimming pools, except where the development includes a relocated, transportable, or second-hand dwelling.

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The building proposed as the subject of this application is a new, transportable dwelling to be located onto the site from the manufacturer's yard in the metropolitan area.

Further, the Scheme text refers to a **single** dwelling being permitted development. The property Location 3713 is already developed with an established dwelling on the property, so in effect this application is for an additional dwelling which is also a transportable building, and which establishes the requirement for the approval of the local government in accordance with the referenced part of the Scheme as quoted above.

Clause 5.9.1 of the General Development Requirements of the Scheme states that Council may permit a transportable dwelling to be placed on a lot within the Shire and used as a residential dwelling, if, in the opinion of the Council, the transportable dwelling:

- (i) complies with all applicable statutes, by-laws and regulations relating to dwelling houses applicable both to the transportable dwelling and the lot upon which it is to be situate following transportation and will not detrimentally affect the amenity of the location in which the transportable dwelling is to be situate; or
- (ii) has been constructed of new materials and has been designed and built specifically to be capable of being dismantled, transported and reconstructed.

The details of the application and discussions with the applicant have established that the proposed building is a new transportable dwelling purpose built for transportation as a transportable building.

Council has a policy relating to Relocated Dwellings which states that for the purpose of this policy, a relocated dwelling is described as any dwelling which is of prefabricated construction and is defined as a transportable dwelling, ie constructed by a manufacturer and transported to a predetermined site, placed on stumps or other Council approved materials and used for the purpose of human habitation. A copy of Council's Policy relating to Relocated Dwellings is attached to this report.

The selected site for the proposed additional dwelling (transportable dwelling) is on high ground previously used as a gravel pit, and which has direct access to Winjardie Road. The proposal includes the construction of an ancillary shed of 135m² floor area which is permitted under the Scheme without approval from the local government beyond the requirement of achieving a building permit prior to construction.

CONSULTATION

The details of the proposal have been discussed with the applicants, Mt Michael J Kenny, Mr Richard Anthony Abbey, and

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Council's Manager Planning.

Neighbour consultation is not required in these circumstances.

STATUTORY ENVIRONMENT

- Shire of Dandaragan Town Planning Scheme No 7.
- Shire of Dandaragan Policy relating to Relocated Dwellings.

POLICY IMPLICATIONS

- Council's Policy relating to Relocated Dwellings.

FINANCIAL IMPLICATIONS

The applicant has paid a planning application fee of \$704.00.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this item.

ATTACHMENTS

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

- Council Policy in relation to Relocated Dwellings
- Site plan for the proposed building location
- Copies of floor plan and building elevations

(Marked 9.6.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr McGlew

That Council grants planning approval to Mr Michael J Kenny of RRN 332 Winjardie Road, Badgingarra, to locate a transportable dwelling on Location 3713 Winjardie Road, Badgingarra, located as shown on the submitted site plan associated with this application, 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 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 that this is a planning approval and not a building permit.**
- **The applicant be advised should he 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 7 / 0

**9.6.2 JURIEN BAY COMMUNITY RESOURCE CENTRE, LOT 96
BASHFORD STREET, JURIEN BAY – PROPOSED
TRANSPORTABLE BUILDING FOR USE AS ADDITIONAL
STORAGE ADJACENT TO EXISTING OFFICE BUILDING**

Location:	Lot 96 Bashford Street, Jurien Bay
Applicant:	Jurien Bay Community Resource Centre
File Ref:	32/12
Disclosure of Interest:	None
Date:	16 June 2012
Author:	Will George, Manager Building Services
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The Management and Committee of the Jurien Bay Community Resource Centre seek Council's approval to locate a new transportable building adjacent to the northerly side of the existing transportable office building.

BACKGROUND

The Jurien Bay Community Resource Centre has been operating since 2001, and is the 82nd CRC in the network of Community Resource Centres state wide. The Jurien Bay Community Resource Centre is part funded by the State Government through allocations to the CRC network.

The Jurien Bay Community Resource Centre is a not for profit community based service, run by a management committee, volunteers and paid staff who provide access to computer services, internet services, video conferencing services, educational courses and training, along with Government information and referral services.

Currently, these community services are provided from a Council owned building located in Bashford Street, Jurien Bay, across the road from the Shire Administration Building.

The growing range of services, which now includes an affiliation with the CY O'Connor Institute, has seen the capacity of the existing transportable office building loaded to a point where the available floor space from which to provide the range of services to the community has reached an untenable position.

The existing space currently used as ancillary storage for materials and support hardware could be better utilised as additional office space if a suitable additional capacity was

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available to relocate the stored materials and equipment required to effectively provide the expanding range of services expected of the Jurien Bay CRC.

COMMENT

The building currently occupied by the volunteers and staff of the Jurien Bay Community Resource Centre is a Council owned asset situated on Lot 96 Bashford Street at the corner of Bashford and Cook Streets in Jurien Bay.

Lot 96 Bashford Street is situated in a residential R12.5 development density zone as indicated on the Scheme Zone Map. The current non-residential land use on this lot has been ongoing for a number of years. An office use in a residential zone is not permitted in accordance with the Zoning Table 1 of the Scheme.

Clause 4.3.1 of the Scheme provides that “The zoning Table indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme area in the various zones. The permissibility of any uses is determined by cross-reference between the list of use classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table (Table 1).

‘X’ means a use that is not permitted by the scheme. (which is the case for this application)

Clause 4.3.3 of the Scheme provides that “A change in the use of land from one use to another is permitted if –

- a) the local government has exercised its discretion by granting planning approval;
- b) the change is to a use which is designated with the symbol ‘P’ in the cross reference to that zone in the Zoning Table and the proposed use complies with all the relevant development standards and any requirements of the Scheme;
- c) the change is an extension of a use within the boundary of the lot which does not change the predominant use of the lot, or;
- d) the change is to an incidental use that does not change the predominant use of the land.”

It would appear that Council has the discretion to approve a continuation of the use by granting planning approval.

Clause 4.8 (Non-conforming uses) of the Scheme provides that “except as otherwise provided in the Scheme, no provision of the Scheme shall to be taken to prevent –

- a) the continued use of any land for the purpose for which it is lawfully being used immediately prior to the gazettal date;
- b) the carrying out of any development on that land for which, immediately prior to the gazettal date, an approval or approvals, lawfully required to authorise the development to be carried out, were duly obtained and are current, or;

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- c) subject to clause 11.2.1, the continued display of advertisements which were lawfully erected, placed or displayed prior to the gazettal date.”

Clause 4.9.1 (Extensions and changes to a non-conforming use) provides that “a person must not –

- a) alter or extend a non-conforming land use;
- b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use, or;
- c) change the use of land from a non-conforming use to another non-conforming use.

without first having applied for and obtained planning approval under the Scheme.

Clause 4.9.2 of the Scheme provides that “An application for planning approval under this clause is to be advertised in accordance with clause 9.4.”

It appears that the provisions of clause 9.4 do not apply in the case of this application.

It is apparent that Council can approve the alteration and extension of the building described in clause 4.9.1(b) of the Scheme. The Scheme was gazetted on 24th of October 2006, and the use of the buildings on lot 96 Bashford Street pre-dates that gazettal date.

The existing office building is a transportable building that was used in the past as a doctor’s rooms, and then the offices of the Department of Environment and Conservation prior to the relocation of the DEC to their current offices which were formerly the Shire office in Jurien Bay.

To alleviate the shortage of office space as identified by the applicant, a number of options have been considered to increase the available space required to manage and provide the services to the community, and tourist traffic, that has become the responsibility of Community Resource Centres. Various other buildings have been discussed and sought but the availability of suitably located alternative accommodation for the Jurien Bay Community Resource Centre is not available. The present location of the CRC office is perhaps the biggest advantage through being centrally located to the main population and traffic through Jurien Bay.

Permanent extensions or additions to the existing transportable building are beyond the means and funding capacity of the JBCRC, and alternative second-hand buildings for relocation to the site have shown to be too expensive, and not in keeping with the aesthetics and streetscape of the locality.

The realisation of additional office facilities as a result of the future

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Civic Centre building additions to be undertaken on the present site of the Shire of Dandaragan Administration building via the announced Super Towns program are unknown at this stage, and would still be several years away from completion. The needs for additional storage space to alleviate the operational difficulties faced by the Jurien Bay Community Resource Centre are immediate and can be solved by the relocation of the proposed transportable building described herein.

At any later stage as the development of the area surrounding the Shire Administration Building progresses and the demands for available facilities change, a transportable building can easily be relocated once more, or on-sold to a new owner.

The Committee for the Jurien Bay Community Resource Centre (JBCRC) can obtain a new transportable building at a price within available funding. The new transportable building that has been sourced for purchase and installation will adequately provide the required additional storage building space, and the site for the proposed addition is shown on the site plan attached to this item.

The proposed new transportable building is 60.48m² in floor area and is constructed of materials using methods that are very similar to the image of the existing old transportable offices currently located on the subject site. The orientation of the narrow elevation of the building towards the street frontage serves to lessen any dominant impact on the streetscape the proposed new additions may be perceived as having in regard to the existing surroundings. The simplicity of the internal function of the building will require minimal extension of utilities which will be restricted to extended power supply wiring and lighting circuitry. The disposal of storm water and roof run-off requires minimal on site work to direct the storm water to the ground level at the car park as currently exists, or at most to a new on-site soak well located clear of the building footings.

The design of the building permits the transportation of the building as a unit in one "lift" which reduces the construction time on site, and minimises the site disturbance and need for site rehabilitation after the installation. The building work will have minimal impact on the surroundings and no impact on adjacent properties due to the low roof level and the more than adequate building setbacks available at the site as shown on the site plan attached to this item.

The floor levels of the proposed new transportable storage building will match the existing transportable office building floor levels and a minimal detail is required to provide a covered link between the existing building and the proposed new building, by installing an inter-connecting door between the two buildings.

Council has a policy relating to Relocated Dwellings but does not

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have a policy relating to Relocated Commercial Buildings of the nature of this application. The principles of the Council Policy relating to Relocated Dwellings could be applied to this proposal easily, as the building is of a scale less than the normal relocated dwelling size for which the Council Policy is intended. It would be assumed that the \$2000 bond applied to relocated dwellings through the Council Policy clause 1.6 for Relocated Dwellings, if the principles of this Policy were deemed by Council to be necessary, would be waived in this case due to the nature of the community service provided by the Jurien Bay Community Resource Centre.

This applicant has not outlined any request for additional funding from Council to execute the building program outlined in the report.

CONSULTATION

Extensive consultation has been undertaken on site with Council's delegated JBCRC Committee representative, (Cr Tim Bailey), and Council's Manager Building Services, to examine the implications of relocating a new transportable building to Lot 96 Bashford Street, Jurien Bay.

Consultation has also been undertaken between Cr Tim Bailey, Council's Manager Building Services, and Denise King of the JBCRC. (Jurien Bay Community Resource Centre)

STATUTORY ENVIRONMENT

Shire of Dandaragan Town Planning Scheme No.7

POLICY IMPLICATIONS

There is no Council Policy relating directly to transportable commercial buildings. The scale of this transportable building may be deemed by the Council as adequately covered by the application of Council's existing Policy relating to Relocated Dwellings in view of the location of the proposed building within a residential R12.5 zone.

FINANCIAL IMPLICATIONS

The applicant has been receipted for a planning application fee of \$208.00.

Additional asset maintenance costs are not expected to be more than the current budget allocations for building maintenance at this site as this transportable building is a new construction and should not require building maintenance for several years. The internal simplicity of the building is considered to require minimal maintenance beyond replacement of lighting tubes, checking of fire extinguishers, and minimal painting maintenance requirements for several years to come.

STRATEGIC IMPLICATIONS

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The strategic implications for Council involve inclusion of this asset in the currently developing Asset Management Strategy, and this applies to all Council building assets.

ATTACHMENTS

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

- Proposed site plan sheet 0.1
- Elevations sheet 0.2
- Site plan sheet 0.3

(Marked 9.6.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Short

That Council grants planning approval to the Jurien Bay Community Resource Centre Management Committee for the installation of a new 60.48m² transportable building addition to the existing transportable office building, on Council owned lot 96 Bashford Street, Jurien Bay, 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.**
- 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 a planning approval and not a building permit. A building permit must be lodged with the Shire of Dandaragan Permit Authority (Council) prior to commencement of any building work in relation to this planning approval.**
- **The applicant is advised should he/she 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 7 / 0

MOTION

Moved Bailey, seconded Cr Short

That Council advise that all costs associated with the placement and removal of the new transportable building be at the cost of the Jurien Bay Community Resource Centre and that the existing building be made good following the removal of the extension. All costs associated with the maintenance to be the responsibility of the Jurien Bay Community Resource Centre.

MOTION**Moved Cr Bailey, seconded Cr Short**

That the ownership of the new transportable building will remain with the Jurien Bay Community Resource Centre.

COUNCIL DECISION

That the above two motions be adopted en-bloc.

CARRIED 7 / 0

9.7 COUNCILLOR INFORMATION BULLETIN**9.7.1 CENTRAL MIDLANDS SENIOR HIGH SCHOOL 2011 ANNUAL REPORT**

Document ID: 5101

A copy of the above mentioned report is on hand.

“2011 saw continued progress against our priorities of social and academic excellence and Aboriginal education. Highlights from 2011 include provision of rewards for excellent attendance and behaviour to encourage students to achieve their best. NAPLAN results continued to show improvement on previous years and management of our financial and physical resources continued to be of a high standard.”

9.7.2 RURAL HEALTH WEST – ABORIGINAL HEALTH CONFERENCE

Document ID: 5105

The Aboriginal Health Conference will be held on 7 and 8 July 2012 at the Pan Pacific Perth.

*“With the theme **Sharing stories....sharing successes**, delegates will hear from leading national and local speakers who will stimulate, challenge and energise them as they explore and reflect on the importance of developing strong commitments to improve the health and wellbeing of Aboriginal people in rural and remote Australia.”*

You can register online at www.secureregistrations.com/AHC2012

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9.7.3 WALGA BUSINESS BREAKFAST – LOCAL GOVERNMENT – CLEAR THINKING ON CARBON

Document ID: 5136

On the eve of the new Carbon Tax it is now time for Local Government to act. This breakfast will explore practical strategies and initiatives to support energy management and sustainability.

The breakfast will be held Thursday 28 June 2012 from 7.30am – 9.00am at the University Club of WA.

A copy of this correspondence was emailed to Councillors 30 May 2012.

9.7.4 WALGA INFOPAGE – ACTIVE LIVING FOR ALL: A FRAMEWORK FOR PHYSICAL ACTIVITY IN WESTERN AUSTRALIA 2012-2016

Document ID: 5138

The above mentioned framework represents the strategic direction for increasing and improving opportunities for physical activity in WA over the next five years.

A copy of this framework is on hand.

9.7.5 WALGA – PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER

Document ID: 5210

Inside this issue:

- Final Round Community Healthy Eating and Physical Activity Grants
- DAIP Information Session
- Community Safety Month Action Kit
- Beverage Container Recycling Grants
- Physical Activity Task Force
- Graffiti Networking Forum
- Resilient Australia Awards
- Healthy Communities Initiative
- State Planning Conference 2012
- Good Outcomes Awards
- Criminal Property Confiscation Grants
- PPCA Music Licenses
- ALGWA Networking Breakfast
- Community Safety Month 2012
- Coastwest Awards
- Planning Fees and Charges Review
- Quick WALGA Snippets
- Reminders
- Grants

9.7.6 MINISTER FOR TRANSPORT; HOUSING; EMERGENCY SERVICES – REGIONAL AIRPORTS DEVELOPMENT SCHEME (RADS): SUBMISSION FOR 2012-2013 FUNDS

Document ID: 5178

"I am pleased to advise that you have been allocated \$43,000 (ex GST) to hire a consultant to locate a suitable site for the proposed

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at Turquoise Coast Regional Airport through the Regional Airports Development Scheme.”

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.6)**

9.7.7 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 20.12 – 21 MAY 2012

Document ID: 5170

Inside this issue:

- Local Government Finance Regulations – Reduction in Interest Rates
- Association Honours 2012
- WALGA Breakfast Series: Local Government – Clear Thinking on Carbon
- Local Government Convention 2012
- Road Safety Workshop – Making a Right Turn into Safe System: Resources for Local Governments
- Award Interpretation for Payroll Officers
- Resilient Australia Awards Nominations Now Open
- Community Safety Month Action Kit Now Available

9.7.8 JURIE BAY PROGRESS ASSOCIATION – JURIE BAY MEN’S SHED

Document ID: 5169

“The Jurie Bay Progress Association is very supportive of this group in general and will provide administrative support until this group becomes an independent entity”

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

9.7.9 WESTERN AUSTRALIAN ELECTORAL COMMISSION – FEEDBACK FROM CHIEF EXECUTIVE OFFICER SURVEY

Document ID: 5098

Included in the Western Australian Electoral Commission’s letter providing local governments with their breakdown of the costs incurred by the Western Australian Electoral Commission in conducting the 2011 ordinary election, was an invitation to complete either an online or enclosed hard copy post election survey. The Commission received survey responses from 54 of its 76 local government clients.

The survey data has now been collated and analysed and a summary of the results are on hand if required.

9.7.10 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 19.12 – 14 MAY 2012

Document ID: 5137

Inside this issue:

- Physical Activity Task Force
- Post – Amalgamation Number Plates
- WALGA Breakfast Series: Local Government – Clear Thinking

on Carbon

- Local Government Convention 2012
- Accarnsi – National Workshop to Develop Decision Support Guide
- Executive Assistant's Workshop – Booking June Workshop Now
- ALGWA Networking Breakfast
- 2012 Constable Care Child Safety Awards
- Graffiti Networking Forum – Registrations Open

9.7.11 COASTAL KIDS CARE INCORPORATED – AFTER SCHOOL CARE AT THE FAMILY RESOURCE CENTRE

Document ID: 5103

“Coastal Kids Care Incorporated would like to thank the Shire of Dandaragan for allowing us the opportunity to operate our after school care out of your wonderful multipurpose facility at the Family Resource Centre for a trial period of 12 months. We are pleased to advise that we had great success with all licensing requirements and were granted a licence with no difficulty.”

9.7.12 WALGA MEDIA RELEASE – RATEPAYER COSTS AVERTED AS MINISTER RESPONDS TO SECTOR

Document ID: 5089

Households across Western Australia have been saved additional charges after the Local Government Minister agreed to wind back a recent decision on penalty interest rates. Initiated to support families by reducing the penalty on late payments of rates, the decision has been reversed after WA Local Government Association demonstrated that for most ratepayers it would have the opposite effect and cost them more.

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

9.7.13 BARRY HAASE – MEDIA RELEASE – AWARDS TO HONOUR OUR INCREDIBLE LOCAL BUSINESS WOMEN

Document ID: 5072

On 12 May 2012 My Barry Haase called for the Durack community to nominate inspirational local business women in the 2012 Telstra Business Women's Awards. The Awards, which celebrate the achievements of Australian business women, are now open for the 18th year.

Nominations close midnight Tuesday 19 June 2012.

To nominate business women or for further information about the Awards, please visit: www.telstrabusinesswomensawards.com or call 1800 817 536 between 9am and 7pm AEST Monday to Friday.

9.7.14 PARLIAMENT HOUSE – CLEAN ENERGY FUTURE PLAN

Document ID: 5055

“I am writing to update you on what the Australian Government is doing to help local councils take advantage of opportunities in the

Clean Energy Future Plan and prepare for the implementation of the carbon pricing mechanism.”

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

9.7.15 WALGA – FUTURE OF LINKING COUNCILS AND COMMUNITIES AND COUNCIL WEBSITES

Document ID: 5016

WALGA recently completed a review of their ICT business requirements, which has resulted in the creation of a new strategic ICT Team and the addition of increased resourcing to this business area.

Mr Peter Johnson has been appointed as ICT Manager to head up the team and will be focusing significant attention on both the future of the Linking Councils and Councils (LCC) program and the launch of the new CouncilsOnline portal.

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

9.7.16 FESA – RADIO COMMUNICATIONS SYSTEM

Document ID: 4995

“The purpose of this letter is to inform you of the coming changes to the organisational arrangements affecting LGA’s management of the current radio communications systems used for emergency services.

As part of the Western Australian Emergency Radio Network (WAERN Project), new High Band VHF (Very High Frequency) repeater infrastructure is being deployed that will replace the existing Mid Band VHF repeater network used during emergencies throughout the State. In addition, new in-vehicle (mobile) and hand held radios are being deployed to emergency services personnel. To date the implementation has been completed in the Great Southern, South West, Goldfields / Midlands and Midwest / Gascoyne and is well progressed in the other regions of the State.”

A copy of this correspondence is on hand.

9.7.17 COUNTRY ARTS WA – REGIONAL ARTS MANIFESTO 2029

Document ID: 4994

On Wednesday 2 May 2012, Country Arts WA presented an innovative and unprecedented document to the Hon. John Day, Minister for the Arts, and his political colleagues on the steps of Parliament House in Perth. The Regional Arts Manifesto 2029 is a national first that provides concrete steps to support the identity and revitalisation of communities in regional WA through the inclusion of culture and the arts.

A copy of this correspondence is on hand.

9.7.18 NORTHERN AGRICULTURAL CATCHMENT COUNCIL – REGIONAL NATURAL RESOURCE MANAGEMENT STRATEGY UPDATE – INFFER WORKSHOPS INVITE

Document ID: 5370

The Northern Agricultural Region's *Regional Natural Resource Management Strategy 2005* is being reviewed and updated to take stock of emerging issues and to re-prioritise investment direction. Six years after the first Regional NRM Strategy was published its time for a re-fresh, but a further driver for updating the plan is the requirement to incorporate predictions and / or assumptions on asset condition, opportunities and threats in a changing climate.

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

9.7.19 DEPARTMENT OF FINANCE – RATES AND CHARGES (REBATES AND DEFERMENTS) ACT

Document ID: 5368

“As you may be aware, local governments have traditionally been imposing underground electricity (UE) charges under the Local Government Act 1995 (LGA) either as a Specified Area Rate under section 6.37 or as a Service Charge under section 6.38, respectively. However, legal advice obtained by the Office of Energy (now part of the Public Utilities Office) concluded that local governments using a Specified Area Rate under section 6.37 to charge for UE charges were ultra vires to the LGA.”

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

9.7.20 ALGA NEWS – 25 MAY 2012

Document ID: 5337

Inside this issue:

- Renowned Broadcaster Named Keynote Speaker for National General Assembly
- New Planning Principles for Airports
- Senate Committee Recommends Against Passing Mobile Phone Towers Bill
- President's Column
- Briefs
- Advertisement

9.7.21 WALGA – LOCAL GOVERNMENT NEWS – ISSUE NO 21.12 – 28 MAY 2012

Document ID: 5361

Inside this issue:

- Metropolitan Local Government Review – Meeting of Metropolitan Mayors / Presidents
- Road Safety Workshop – Making a Right Turn Into Safe System: Resources for Local Governments
- WALGA Breakfast Series: Local Government – Clear Thinking on Carbon
- Local Government Convention 2012

- MWAC Information Bulletin
- Workshop for Draft Bicycle Network Plan 2012 – 2021
- Officer Training
- Registrations Open for Youth Fairground Conference 2012
- Local Government Grants Programs – Perth and Regional Bicycle Network

9.7.22 REGIONAL DEVELOPMENT AUSTRALIA – RDA WHEATBELT INC. COMMUNITY NEWSLETTER – MAY 2012

Document ID:

Inside this issue:

- RDA Wheatbelt attends National Forum
- My Regions Website
- Community Transport Surveys
- New Look Regional Development Australia (RDA) Website
- One Country Card
- MySwitch – Digital TV Switchover Site
- Opening Doors to Affordable Housing
- Keystart Country Housing Survey
- Wheatbelt Youth News & Opportunities
- Community Events
- Community Information & Opportunities
- Funding Opportunities

9.7.23 DEPARTMENT OF EDUCATION – PREMIER'S ANZAC STUDENT TOUR 2013

Document ID: 5253

The Premier's ANZAC Student Tour is a state-wide competition open to students currently enrolled in Years 8 to 11. The tour will return to Malaysia in April 2013, with the focus on the Australian prisoner of war experience during World War Two, the Malayan Emergency (1950-1960) and the Indonesian Confrontation (1963-1966).

Interested students wishing to be involved in this once-in-a-life-time opportunity are invited to prepare a written essay in the first instance. Each school may nominate the entries of up to three students in each of the categories of Years 8, 9, 10 and 11 to forward through to the preliminary final stage of the competition.

Student entries close on Friday 17 August 2012 with the winners announced in the lead up to Remembrance Day.

9.7.24 WALGA – STANDARDS PANEL REVIEW – RESOLUTION OF MISCONDUCT AT THE LOCAL LEVEL

Document ID: 5340

"The Minister for Local Government has announced that no further action will be taken to amend the current provisions of the Local Government Act 1995, which relate to the operations of the Local Government Standards Panel. This decision is in recognition of comments received from the Association and the Local Government sector, requesting extensive consultation on the proposed changes. The Minister has agreed to extend the

consultation period to December 2012. The Association will continue to represent the sector's interest in reaching workable outcomes to the issue of misconduct at the local level, and maximising efficiency in the operations of the Local Government Standards Panel."

9.7.25 BUCKINGHAM PALACE – THANK YOU FROM THE QUEEN

Document ID: 5357

"The Queen wishes me to write and thank you for your recent letter, sent on behalf of the Councillors, staff and people of the Shire of Dandaragan, and for your warm words of congratulations on the occasion of Her Majesty's diamond Jubilee."

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.25)**

9.7.26 BUDGET 2012-13 – REGIONAL AUSTRALIA, LOCAL GOVERNMENT, ARTS AND SPORT

Document ID: 5247

A copy of the above mentioned budget is on hand.

9.7.27 THE HON TONY ABBOTT MHR – LEADER OF THE OPPOSITION – CARBON TAX

Document ID: 5441

"The carbon tax, which begins on 1 July, will add to the operating costs of council across Australia."

The Australian Local Government Association estimates the cost of the carbon tax (excluding landfill operations) on local government will be \$200 million nationwide. After taking into account increases in Local Government Financial Assistance Grants, the first order impact will be a minimum \$185 million."

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.27)**

9.7.28 WALGA – REVIEW OF THE ROYALTIES FOR REGIONS COUNTRY LOCAL GOVERNMENT FUND

Document ID: 5464

"Thank you for providing input into WALGA's Submission to the Review of the Royalties for Regions Country Local Government Fund. We sought to develop a submission to the Review from a strategic, sector-wide prospective."

The submission was provided to the Department of Regional Development and Lands on an 'interim' basis subject to State Council endorsement at their 4 July 2012 meeting. Accordingly the Submission will be an item in the upcoming round of Zone meetings."

A copy of the Submission is on hand.

9.7.29 WEST KOOJAN-GILLINGARRA LAND CONSERVATION DISTRICT – MINUTES OF OGM

Document ID: 5571

A copy of the above mentioned minutes from the OGM held on 3 April 2012 are on hand.

9.7.30 MINISTERIAL MEDIA STATEMENT – REGIONAL SUPERTOWNS RECEIVE ALMOST \$80M FUNDING

Document ID: 5519

“New small business opportunities, waterfront development and revitalised town centres are among the projects receiving almost \$80million in State Government Royalties for Regions funding.

Premier Colin Barnett said the State’s nine SuperTowns would receive funding to upgrade community facilities, undertake environmental works and develop new investment opportunities, which would position them for future growth.”

Attached to the agenda is a copy of the above mentioned Media Statement. **(Marked 9.7.30)**

9.7.31 DEPARTMENT OF COMMERCE – GUIDELINE – LP GAS CYLINDERS IN BUSHFIRE PRONE AREAS

Document ID: 5703

EnergySafety has produced a guideline for the storage of LP Gas cylinders on properties in bushfire prone areas.

“The report into the February 2011 Perth Hills Bushfire – A shared Responsibility, prepared by M J Keely AO AMP, considered the impact of gas cylinders installed, or located within close proximity to houses. EnergySafety testing found gas cylinders could rupture if they fell over during a fire creating a risk for Emergency Services personnel and bystanders.”

More information is on hand if required.

9.7.32 WA FARMERS – THE WESTERN AUSTRALIAN FARMERS FEDERATION – FRACKING NOT A MINOR CONCERN FOR FARMERS

Document ID: 5643

“The Western Australian Farmers Federation (Inc.) (WAFarmers) calls for the State Government to implement a moratorium on hydraulic fracturing (fracking) projects until farmer concerns are addressed.”

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

9.7.33 WALGA INFOPAGE – CAT ACT 2011 - IMPLEMENTATION

Document ID: 5617

Key Issues:

- Regulations to support the *Cat Act 2011* are being developed
- The Association will be members of a soon-to-be-established

Cat Act Implementation Committee

- Local Governments are invited to put forward implementation issues to assist the Association's advocacy.

The *Cat Act 2011* is now in force however the commencement date for the main provisions of the Act is 1 November 2013. From 1 November 2013 cat owners will be required to ensure cats are registered, microchipped and sterilised. From 1 November 2013 Local Governments will be responsible for keeping a register of cats and administering and enforcing the *Cat Act 2011*.

9.7.34 CORRESPONDENCE FROM ROSS H

Document ID: 5561

"Thank you for your email with the press release of the Royalties for Regions. Congratulations to all the Councillors Committees etc on a great effort and devotion of their time on a wonderful project."

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.34)**

9.7.35 MOORE CATCHMENT COUNCIL – MEDIA RELEASE – TURQUOISE BUS TOUR FOCUSES ON COASTAL REHABILITATION PROJECTS

Document ID: 5551

"What started as a far flung idea discussed at a Ledge Point Coastcare event, soon became reality on Friday 18th May when the Explore the Turquoise Coast bus took to the Indian Ocean Road to look at coastal rehabilitation projects at Cervantes and Green Head, and to network likeminded coastal volunteers. Organised by the Moore Catchment Council (MCC) with help from the West Midlands Group (WMG) and funding from Northern Agricultural Catchments Council (NACC) through their federally funded Caring For Our Country (CFOC) program, the 45 seater bus didn't take long to fill up with interested coastal community members from Perth, Guilderton, Seabird, Ledge Point, Lancelin, Wedge, Cervantes and Jurien Bay."

Attached to the agenda is a copy of the above media release. **(Marked 9.7.35)**

9.7.36 JOHN CASTRILLI'S PORTFOLIO NEWS – JUNE 2012 – ISSUE 13

Document ID: 5542

Inside this issue:

- From the Minister's Desk
- Heritage Awards 2012
- Heritage In Review
 - Policy Achievements
 - Adaptive Reuse
 - Local Heritage
 - Financial Assistance
 - State heritage Office
- Canning Bridge Enters State Register of Heritage Places

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- State Government Helps Fund New Dedicated Dementia Care Garden
- State Honours Achievers In Multiculturalism
- Key Findings Reveal There Is A Need For Significant Change
- State Budget – Funding for Cat Act Implementation

9.7.37 LOCAL GOVERNMENT NEWS – ISSUE NO 22.12 – 4 JUNE 2012

Document ID: 5618

Inside this issue:

- Metropolitan Local Government Review – WALGA Submission
- Review of Royalties for Regions Country Local Government Fund – WALGA Submission
- ROMAN II Customer Satisfaction Survey
- Proposed Roman Budget, Fees and Charges 2012 / 2013
- WALGA Breakfast Series: Local Government – Clear Thinking on Carbon
- Local Government Convention 2012
- Officer Training
- Elected Member Training
- The Creative Networks Fund Is Now Open
- Southwest Australia Ecoregion Initiative Roadshow
- State NRM Program Community Grants 2012

9.7.38 WALGA – REGIONAL ROAD GROUP – MARCH / APRIL 2012

Document ID:

Highlights:

- ROMAN II
- WA Natural Disaster Relief
- Vegetation Management
- WA Bicycle Network Plan
- Planning for Freight
- Freight and Intermodal Plan
- Speed Enforcement
- Fencing Road Reserves
- Road Safety Council Update
- Car Restraints Fitting Courses

9.7.39 LOCAL GOVERNMENT NEWS – ISSUE NO 23.12 – 11 JUNE 2012

Document ID: 5745

Inside this issue:

- Resolution of Misconduct at the Local Level
- Practical Application of Carbon Price Legislation
- ROMAN II Customer Satisfaction Survey
- WALGA Breakfast Series: Local Government – Clear Thinking on Carbon
- Local Government Convention 2012
- Fleet Expo Registration
- Officer Training
- Elected Training
- Elected Member Training
- Local Government Communications Survey

- Local Government Health Promotion Network
- Rural General Practitioners In Western Australia

9.7.40 MINISTERIAL MEDIA STATEMENT – BILL MARMION, MINISTER FOR ENVIRONMENT; WATER – CLEAN SWEEP FOR JURIE BAY BEACH

Document ID:

Environment Minister Bill Marmion has congratulated the community of Jurie Bay after the town's beach was named the State winner of the 2012 Clean Beaches Awards.

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

9.7.41 MAIN ROADS WESTERN AUSTRALIA – PROCLAMATION OF INDIAN OCEAN DRIVE AS A MAIN ROAD

Document ID: 5754

"Thank you for the letter of 25 May forwarding the endorsed drawings for proclamation of the section of Indian Ocean Drive within your Shire.

The proclamation will be batched with others to be sent to the Governor in Executive Council for approval prior to publication in the Government Gazette. At this stage, it is expected that gazettal will occur within a few months. A copy of the final drawings showing gazettal details will then be sent to Council for its records."

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

9.7.42 HON MAX TRENORDEN MLC, MEMBER FOR THE AGRICULTURAL REGION – LOCAL GOVERNMENT AMENDMENTS (REGIONAL SUBSIDIARY) BILL 2010

Document ID: 5783

"Recently there was a parting of the way between myself and the National Party in Western Australia.

I have been seeking a Member of Parliament to give carriage of my Bill titled 'Local Government Amendments (Regional Subsidiary) Bill 2010' through the Legislative Assembly; the Bill has passed through the Legislative Council late in 2011 and a successful passage through to the Legislative Assembly will make 'The Bill' law."

More information is on hand.

9.7.43 DEPARTMENT OF EDUCATION – WESTERN AUSTRALIAN EDUCATION AWARDS 2012

Document ID: 5931

Nominations for the WA Education Awards 2012 are now open.

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The awards acknowledge excellence in public education in Western Australia. The awards are a prestigious way to recognise the outstanding work of teachers, principals, support staff and schools.

If you have any questions about the awards please telephone Marcia Czerniak on 9264 4876 or email waeducationawards@education.wa.edu.au

9.7.44 THE ANGLICAN PARISH OF TURQUOISE COAST, ENEABBA AND DANDARAGAN – CRC BUILDING

Document ID: 5816

“Having heard the Ministers SuperTowns announcement on the 31st May for Jurien Bays ‘Town Centre Enhancement Project’, and further to the Anglican Church expressing an interest to you and Councillors, in the present CRC building in May 2011, I now wish to renew our request.”

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

9.7.45 LOCAL GOVERNMENT NEWS – ISSUE NO 24.12 – 18 JUNE 2012

Document ID: 5898

Inside this issue:

- Building Commission Regulations Changes
- Early Bird Registration Winner
- Practical Application of Carbon Price Legislation
- WALGA Breakfast Series: Local Government – Clear Thinking on Carbon
- Local Government Convention 2012
- Fleet Expo Registration
- Officer Training
- Elected Member Training
- Extension of Eligibility Criteria for the NBN Interim Satellite Solution
- WA Safety Conference Registrations Open

9.7.46 DEPARTMENT OF PLANNING – REPORT ON THE GEOLOGY, GEOMORPHOLOGY AND VULNERABILITY OF THE SHIRE’S COAST

Document ID: 5701 / 5702

“In 2010 the Departments of Planning and Transport commissioned consultants Damara WA Pty Ltd to provide a report in relation to the geology, geomorphology and vulnerability of the coast within the Shires of Gingin and Dandaragan, as a background technical guidance document. The project was conducted in conjunction with the Geological Survey of Western Australia. The study, which is now complete, is one of a series being undertaken at a similar scale around the State’s coastline.”

More information is on hand.

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

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

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

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

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

Local Government Act 1995

5.23. *Meetings generally open to public*

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

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

11.1 ADMINISTRATION

OFFICER RECOMMENDATION / COUNCIL DECISION


Council resolved that the meeting be closed to members of the public at 5.45pm in accordance with Section 5.23 (2) (a) of the Local Government Act 1995 to allow Council to discuss Item 11.1.1 'Request to Use Council Vehicle on Long Service Leave'.

CARRIED 7 / 0

Mr Tony Nottle disclosed a financial interest in the item and left the Council Chambers at 5.45pm.

All officers left the Council Chambers at 5.45pm.

11.1.1 PRIVATE & CONFIDENTIAL – REQUEST TO USE COUNCIL VEHICLE ON LONG SERVICE LEAVE

Location:	
Applicant:	Mr Tony Nottle
File Ref:	5850
Disclosure of Interest:	The CEO Mr. Anthony Nottle has disclosed a financial interest in this item as it effects the arrangements in his Employment Contract of Council.
Date:	17th June 2012
Author:	Tony Nottle - Chief Executive Officer
Signature of Author:	

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Gibson

That Council:

1. approve the request from Chief Executive Officer Anthony G Nottle to take Long Service Leave on a half time / double pay basis in accordance with Regulation 6B of the Local Government (Long Service Leave) Regulations; and
2. approve the request from the Chief Executive Officer for use of the Shire vehicle outside the State of Western Australia during his period of Long Service Leave; from September 2012 to November 2012 provided all maintenance costs and fuel are the responsibility of the Chief Executive Officer whilst outside of the State of Western Australia.

CARRIED 7 / 0

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COUNCIL DECISION

Moved Cr Short, seconded Cr Bailey

That Council reopen the meeting to the public.

CARRIED 7 / 0

The Presiding member did not read aloud the Council Decision that had been taken during the time the meeting was closed as there were no members of the public present.

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 5.50pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date