



SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

BADGINGARRA COMMUNITY CENTRE

on

THURSDAY 27 SEPTEMBER 2012

COMMENCING AT 10.10AM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 27 SEPTEMBER 2012

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 10.10am and welcomed those present.

1.2 DISCLAIMER READING

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

"No responsibility whatsoever is implied or accepted by the Shire of Dandaragan for any act, omission or statement or intimation occurring during this meeting.

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

Council took part in one minute silence for the passing of Mrs Cherry Kent.

New Staff members were introduced to Council with an explanation of what they will be doing at the Shire.

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members	Councillor S Love	(President)
	Councillor L Short	(Deputy President)
	Councillor M Russell	
	Councillor L Holmes	
	Councillor W Gibson	
	Councillor T Bailey	
	Councillor K McGlew	
	Councillor M Sheppard	

Staff	Mr I Rennie	(Acting Chief Executive Officer)
	Mr D Chidlow	(Manager Planning)
	Mr W George	(Manager Building Services)
	Mr S Clayton	(Manager Corporate Services)
	Mr B Bower	(Coordinator Integrated Planning)
	Mr R Casella	(Planning Officer)
	Mrs K Renton	(Works Support Officer)
	Miss D Jose	(Community Economic Project Officer)

Apologies	Mr Tony Nottle	(Chief Executive Officer)
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Approved Leave of Absence	Councillor D Kent
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Observers	Jonathan Nelson, Marlene Neethling, Mike Kenny and Fiona Carroll
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3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Mike Kenny made a statement about the re-opening of Vern Westbrook walk on 28 September to celebrate the recent extension.

Jonathan Nelson asked if the drainage issue at Badgingarra Community Centre could be included on the next budget.

The Works Support Officer advised that the Manager Technical Services and Works is aware of the problem and it will be dealt with as part of maintenance in 2012 / 2013.

Jonathan Nelson said the Iain Wilson Trail needs to be brought to the attention of Main Roads about parking at the entrance presenting a danger.

The President advised that the Shire will approach Main Roads on the matter.

Marlene Neethling asked if the kitchen sink could be replaced in the Badgingarra Community Centre.

The President advised that it is in the budget.

5 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

Moved Cr Short, seconded Cr Holmes

That the following leave of absence be approved:

- Cr Bailey – Thursday 11 October 2012

CARRIED 8 / 0

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved Cr Short, seconded Cr Russell

That items 6.1, 6.2 and 6.3 be carried en-bloc.

CARRIED 8 / 0

6.1 MINUTES OF THE ORDINARY MEETING HELD 23 AUGUST 2012

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6.2 MINUTES OF THE SPECIAL MEETING HELD 31 AUGUST 2012**6.3 MINUTES OF THE SPECIAL MEETING HELD 13 SEPTEMBER 2012****7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION AND COUNCIL APPOINTED DELEGATES REPORTS**Cr Short

- 24 August 2012 Avon Midland Zone Meeting
- 31 August 2012 CEO Appraisal
- 5 September 2012 Planning Reform Policy Forum, State Council, WALGA
- 7 September 2012 Wolba Wolba Management Committee
- 19 September 2012 WC Customer Advisory Cr
- 21 September 2012 Road Safety LG and Community Grants
- 25 September 2012 Moore Catchment Council HR

Cr Sheppard

- 28 August 2012 Artificial Reef / Snorkel Trail meeting with the Shire of Dandaragan regarding funding
- 31 August 2012 CEO Appraisal
- 6 September 2012 NACC Illegal Camping & ORV Workshop
- 12 September 2012 SuperTowns Reference Group Meeting
- 19 September 2012 Jurien Bay Chamber of Commerce Meeting
- 26 September 2012 Marketing and Promotions Committee - Cervantes

Cr McGlew

- 31 August 2012 CEO Appraisal
- 3 September 2012 CY O'Connor Planning day – Northam
- 12 September 2012 SuperTowns Reference Group Meeting
- 12 September 2012 Jurien Bay Youth Group Meeting

Cr Holmes

- 19 September 2012 Marketing Creations and Promotions Meeting
- 21 September 2012 Department of Environment and Conservation Meeting
- 23 September 2012 TCC Annual General Meeting and Dinner
- 26 September 2012 Marketing and Promotions Committee - Cervantes

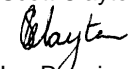

COUNCIL DECISION**Moved Cr, seconded Cr****That the delegates' reports to 27 September 2012 as presented be accepted.****CARRIED 8 / 0****8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 FINANCE

9.1.1 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 31 AUGUST 2012

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	September 2012
Author:	Scott Clayton, Manager Corporate Services
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 August 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 August 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 August 2012 was \$7,708,111. 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

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explanation of these variances is as follows:

Governance

Expenditure is at 61.8% of Y-T-D budget. This variance is as a result of the budgeting of administration allocations.

General Governance costs are distributed to other schedules as part of the allocation process. When forming the Y-T-D budget the allocations are distributed evenly on a monthly basis, however, actual budgeted costs do not distribute evenly resulting in a possible variance. This variance with the exception of one item is as a result of these allocations. Should actual expenses follow budgeted expenses this variance will correct itself.

The exception is interest on loans. At 30 June each year a balance day adjustment is made to recognise accrued interest and reversed on 1 July. This adjustment is corrected at 30 June at the end of the financial year. The Y-T-D budget does not make allowance for this and therefore, can result in a variance in the early months of the financial year.

General Purpose Funding

Income is at 247.3% of Y-T-D budget and is due to interest earned on SuperTowns funds. The SuperTowns funds are held in a separate reserve and were excluded from the budget as at the time of adoption there was insufficient information available on how the funds would be expended and over what time frame. This has now been rectified as a result of a budget amendment made by Council at the Special Meeting of Council held 8 August. This item recognised additional interest income of \$330,000. This variance will continue to appear until the budget review is adopted.

It is important to note that as part of the SuperTowns funding agreement any interest earned must be retained for the purpose of SuperTown and therefore, the interest does not represent additional untied cash.

Community Amenities

Expenditure is at 87.0% of Y-T-D budget and is due to employee costs being less than budgeted as a result of vacancies for the Manager of Planning and the Community Economic Project Officer.

Recreation and Culture

Expenditure is at 82.3% of Y-T-D budget. This is due to salaries and materials and contracts being less than budgeted. In the July monthly statements, advice from the Manager of Technical Services and Works was that this variance is as a result of parks and gardens staff being redirected to road works including patching, verge maintenance, carpark construction

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and footpath maintenance. This redirection is expected and is being monitored by the Manager of Technical Services and Works.

While the variance still exists, it has remained at the level it was at 31 July 2012.

The following commentary has been provided by the Manager of Technical Services and Works;

“At present the Parks & Gardens is running one staff member down but will be rectified in the near future to give a full complement to the Parks and Gardens team. There has been some redirection with staff carrying out road verge maintenance as well as foot path construction”

Transport

Expenditure is at 112.7% of Y-T-D budget. This is due to redirection of Parks and Gardens staff as identified above.

This redirection is expected and is being monitored by the Manager of Technical Services and Works.

The following commentary has been provided by the Manager of Technical Services and Works;

“With Parks and Gardens staff redirection to road verge maintenance it is expected that expenditure will be up slightly but should level out in the short term.”

Economic Services

Expenditure is at 83.8% of Y-T-D budget. This is primarily due to employee costs being less than budgeted as a result of a vacancy for the Special Projects Officer.

Should Councillors wish to raise any issues relating to the 31 August 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.

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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 August 2012 (8590)

(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority


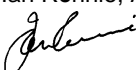
OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Sheppard, Cr Russell

That the monthly financial statements for the period ending 31 August 2012 be adopted.

CARRIED 8 / 0

9.1.2 ACCOUNTS FOR PAYMENT – AUGUST 2012

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	19 September 2012
Author:	Scott Clayton, Manager Corporate Services
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

To accept the cheque and direct debit listing for the month of August 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 August 2012 totalled \$1,013,368.03 for the Municipal Fund.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 13 of the Local Government Financial Management Regulations 1997

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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 August 2012 (Doc Id: 8621)
(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

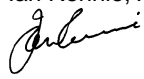
OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Holmes, seconded Cr Gibson

That the Municipal Fund cheque and EFT listing for the period ending 31 August totalling \$1,013,368.03 be accepted.

CARRIED 8 / 0

9.2 WORKS AND PLANT**9.3 ADMINISTRATION****9.3.1 LEASE OF JURIEBAY LOT 124 TO THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

Location:	Lot 124 Bashford Street, Jurien Bay
Applicant:	VSA and Associates on behalf of the Department of Environment and Conservation
Folder Path:	Business Classification Scheme / Council Properties / Leasing Out / Public Lands
Disclosure of Interest:	None
Date:	14 September 2012
Author:	Ian Rennie, Acting Chief Executive Officer
Signature of Author:	

PROPOSAL

To consider an extension of the lease of Lot 124 Bashford Street, Jurien Bay to the Department of Environment and Conservation.

BACKGROUND

At the Ordinary Meeting of Council held 14 November 2002, Council agreed to lease the Council owned premises on Lot 124 Bashford Street to the Department of Environment and Conservation. These premises being the old Shire Office. The

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lease was agreed to by Council for a period of five years with an option of a five year extension. This option was exercised in 2007. The lease expired on 31 August 2012.

COMMENT

Staff have been negotiating with Vic Smith & Associates Pty Ltd on behalf of the Department of Environment and Conservation and have reached agreement in regard to the content of a new lease which will be for a period of three years only in view of the SuperTowns project to demolish and redevelop the area with new premises to be leased to government organisations. The lease also contains a clause that Council can give notice if the Department is required to vacate the premises earlier. The existing lease rental will continue in accordance with the previous leasing arrangements.

CONSULTATION

- Vic Smith & Associates Pty Ltd
- Department of Environment and Conservation
- Department of Housing and Works
- Chief Executive Officer

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The preparation of the new documents has been at the cost of the Department of Environment and Conservation.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Draft Lease for Council's consideration (Doc Id: 8624)
(Marked 9.3.1)

VOTING REQUIREMENT

Simple majority


OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Russell, seconded Cr Short

That Council agree to lease the premises on Lot 124 Bashford Street, Jurien Bay to the Department of Environment and Conservation in accordance with the draft lease document presented to Council and that the President and Chief Executive Officer be authorised to sign and utilise the common seal on the lease document.

CARRIED 8 / 0

9.3.2 SUPERTOWNS PROJECT – VISITOR AND CIVIC PRECINCT – STAGE 1 DEVELOPMENT – LAND ISSUES

Location:	Jurien Bay Visitor and Civic Precinct
Applicant:	Shire of Dandaragan
Folder Path:	Projects / SuperTowns / Civic Precinct
Disclosure of Interest:	None
Date:	14 September 2012
Author:	Ian Rennie, Acting Chief Executive Officer
Signature of Author:	

PROPOSAL

For Council to consider an approach to the Department of Regional Development and Lands in regard to alterations to the status of land involved in the Visitor and Civic Precinct – Stage 1 Development.

BACKGROUND

There are four lots under the control of Council that will be involved in the Visitor and Civic Precinct – Stage 1 Development. These lots are shown on the attached plan with the heading “Prior to 2001”. At that time, Lots 67 & 69 were reserves and Council had a management order over these reserves. Lots 1251 & 38 were freehold lots owned by Council. In 2001, when the development of the existing Shire Administration Building was being planned, with the intention that the old administration building located on Lot 67 would be leased to the Department of Environment and Conservation it became apparent that because the reserve did not have power to lease, that Council could not lease the building and land to the Department.

In order to resolve this impasse, Council resolved in March 2001 to freehold Lot 67 and to allow Lot 1251 to become a reserve, with a Management Order in favour of Council. This was finalised in late 2001 and the intention of this was to allow Council to lease the land and for the lease payments to offset loan repayments towards the construction of the Administration Building. Please refer to the plan marked “as at 2012”. Also attached is a copy of an aerial photograph showing the existing layout of lots and buildings on these four lots.

COMMENT

Given that the proposed new building will crossover boundaries of reserves and freehold land, it is logical that Council approach the Department of Regional Development and Lands in order to rationalise the tenure of the various lots. Ultimately it would be best for Council if the four lots involved were to be freehold and to have no buildings located across boundaries. If this is not achievable then it may be necessary to adjust several boundaries of the freehold lots and / or reserves in order to not have buildings located across boundaries. Attached to the agenda is a copy of an

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aerial photograph incorporating the existing Shire Administration Building and Family Resource Centre and indicating the new proposed Civic Precinct Building.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

Land Administration Act

POLICY IMPLICATIONS

There are no policy implications relevant to this report.

FINANCIAL IMPLICATIONS

At this time, Staff are not aware of the financial implications that may occur as a result of changes to the tenure. Staff would be negotiating that there would be no financial implications however, this will be better understood once contact has been made with the Department of Regional Development and Lands.

STRATEGIC IMPLICATIONS

The Civic Precinct Project – Stage 1 is part of Council's Business Case proposal as a SuperTowns Project.

ATTACHMENTS

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

- Visitor and Precinct – Map Viewer Prior to 2001 (Doc Id: 8625)
- Visitor and Precinct – Map Viewer As At 2012 (Doc Id: 8626)
- Visitor and Precinct – Map Viewer – Existing Aerial Photograph (Doc Id: 8627)

(Marked 9.3.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Sheppard

That Council authorise Staff to negotiate with the Department of Regional Development and Lands in order to have Lots 69 & 1251 amended from being a reserve with Council having a management order to have the lots freeholded. If this is not possible, or if there are financial implications, then the matter is to be reconsidered by Council.


CARRIED 8 / 0

9.3.3 APPROVAL TO ATTEND SUSTAINABLE ECONOMIC GROWTH FOR REGIONAL AUSTRALIA 2012

Location:
Applicant:

Terrigal Central Coast NSW
Cr� McGlew, Holmes

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Folder Path:	Business Classification Scheme / Governance / Councillors / Professional Development
Disclosure of Interest:	None
Date:	18 September 2012
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

Cr Holmes and Cr McGlew disclosed an interest in the matter as they are the Councillors concerned and left the room at 10.28am.

PROPOSAL

To approve the attendance of Councillors McGlew and Holmes to attend the Sustainable Economic Growth for Regional Australia 2012 (SEGRA).

BACKGROUND

The SEGRA conference for 2012 is to be held at Terrigal, Central Coast, New South Wales. The conference will run from Monday 19 November through to Thursday 22 November 2012.

Councillors McGlew and Holmes have expressed interest in attending the conference.

Council's policy for conference expenses for elected members states:

"Conference expenses will only be paid or reimbursed when the attendance is authorised by Council, through a resolution passed at a Council meeting."

COMMENT

This year SEGRA is focusing on ensuring regions leverage maximum benefits from regional growth, town centre renewal and large scale developments. To maximise development outcomes, practitioners must establish and use the right mix of community resources, human capital and strategic partnerships and linkages.

SEGRA 2012 program is again setting the agenda on regional issues and has been designed to maximise the opportunities for participation , sharing of ideas and information and networking along with the opportunity to hear from some of the nation's leading thinkers on regional issues.

The total cost per Councillor for this conference comes to approximately \$4,000 which includes registration, flights, accommodation and meals. This is a maximum cost which includes attending all four days at the conference and five night's accommodation. This amount may likely decrease once Councillors McGlew and Holmes have advised of their preference as to what days they wish to attend and so forth.

CONSULTATION

- President
- Acting Chief Executive Officer

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STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

Council Policy 1.14 - Conferences, Training and Development Expenses, Members applies to this item.

FINANCIAL IMPLICATIONS

A maximum total of approximately \$8,000 is likely to be required for Councillors McGlew and Holmes to attend this conference. The Members Conference budget has an allocation of only \$4,000 therefore, an authorised budget amendment will be required to cover any additional expenses.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Sustainable Economic Growth for Regional Australia Conference Program and Registration (Doc ID: 8610)
(Marked 9.3.3)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Gibson

That Council:

- 1. approve the attendance of Councillors McGlew and Holmes to the Sustainable Economic Growth for Regional Australia conference for 2012; and**
- 2. authorise a budget amendment (under Members Conference) to recognise any additional expenses in relation to attending this conference.**

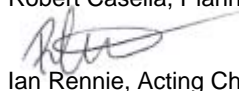

CARRIED BY ABSOLUTE MAJORITY 6 / 0

Cr Holmes and Cr McGlew returned to the room at 10.30am.

9.4 TOWN PLANNING**9.4.1 THE ROMAN CATHOLIC CHURCH – LETTER OF SUPPORT FOR LOT 674 BASHFORD STREET TO BE VESTED IN THE NAME OF THE CHURCH**

Location:	Lot 674 Bashford Street, Jurien Bay
Applicant:	Jim Watson on behalf of the Roman Catholic Archdiocese of Perth
File Ref:	Business Classification Scheme / Community Services / Service Providers / Religious

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Disclosure of Interest:	Organisations
Date:	None
Author:	10 September 2012
Signature of Author:	Robert Casella, Planning Officer
Senior Officer:	
Signature of Senior Officer:	Ian Rennie, Acting Chief Executive Officer
	

PROPOSAL

The proponent is seeking a letter of support from the Shire of Dandaragan (the Shire) to the Minister for Lands for a management order on Lot 674 Bashford Street, Jurien Bay enabling the site to be vested in the name of the Church.

BACKGROUND

Lot 674 Bashford Street is reserved for the purpose of a church. Supporting the land to be vested for the development of a church will be in accordance with the Jurien Bay Town Centre Plan.

It is evident that the intent to vest the land in the churches' name was there but for whatever reason, has not been completed. Below is a sequence of events according to the applicant's records:

1. *Jurien Townsite Lot 123 was reserved on 26 February 1965 for the purpose of a School & Church site. This was granted to Abbot Nullius of New Norcia.*
2. *On 8 December 1971 all property held in the name of Abbot Nullius was transferred to The Roman Catholic Archbishop of Perth.*
3. *On 2 June 1972 the Under Secretary of Lands wrote to the Church and asked if development of the land would still be proceeding. On 1 September 1972 he granted a two year extension to the Church.*
4. *On 23 December 1974 the Department of Lands & Surveys advised that lot 123 had been included in a redesign for Civic purposes.*
5. *In January 1975 the Catholic Church agreed to relinquish Jurien Lot 123 and asked if a suitable lot nearby could be made available as a substitute.*
6. *On 12 March 1976 the Catholic Church again wrote to the Under Secretary of Lands asking if an allocation of land could be made to the Church.*
7. *In September 1977 Department of Lands & Surveys wrote to the Catholic Church and advised that Jurien Townsite 123 had been cancelled on the basis that provision would be made for a new church site in the re-design of the Jurien Townsite.*
8. *On 12 June 1980 Department of Lands & Surveys wrote to the Catholic Church to advise that "in terms of your agreement to this proposal in 1975 a Church Site has been provided in the new plan and will be known as Jurien Lot 674.*
9. *In January 1981 Department of Lands & Surveys wrote to the Catholic Church advising that the Executive Council has approved Jurien Lot 674 being set aside for the purpose of*

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"Church Site". The notice was published in the Government Gazette on 16 January 1981, however the land was vested in the Department of Planning & Infrastructure not the Roman Catholic Church as originally agreed.

10. *On 1 December 2011 The Minister For Lands wrote to the Catholic Church and acknowledged that it was generally understood that the Catholic Church would use the site for its purposes. The Minister further advised that he had no objection to a grant of a Management Order in favour of the Church subject to concurrence of the Shire of Dandaragan, given recent review of the Town Centre Strategic Plan.*

Full details of the correspondences can be seen in the attachments.

COMMENT

The subject site, located on the vacant lot south of the Fire Station, is reserved for and intended for the purpose of the Roman Catholic Church. Lot 82, located immediately south of the reserve on Bashford Street, has a residence located on the lot and used and owned by the Catholic Church.

In 1975, the Catholic Church agreed to relinquish Lot 123 Jurien Bay in exchange for a suitable lot nearby to be made available as a substitute. In return a 1 acre block of land was reserved for the purpose of a Church as agreed to in the correspondence letters in the attachments, at Lot 674 Jurien Bay following the strategic planning of the Jurien Bay Town Centre.

The Minister for Lands has agreed to provide a management order in the name of the Roman Catholic Church, providing the Shire submits a letter in support, endorsing the vesting of lot 674 Jurien Bay in the churches name.

CONSULTATION

All correspondence has been logged and can be sited in the attachments.

The Shire's Planning Officer met with the proponent and discussed the issue and recommended path forward.

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

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

- Corresponding Letters (Doc Id: 8007)
(Marked 9.4.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council issue a letter of support to the Minister for Lands for Lot 674 Bashford Street, Jurien Bay to be vested in the name of the Roman Catholic Church.

ALTERNATIVE RECOMMENDATION / COUNCIL DECISION

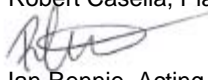

Moved Cr McGlew, seconded Cr Russell

That Council initiate a review of both blocks (Lots 71 + 75) in line with the town centre strategy and initiate discussions with proposed users to develop appropriate worship points in the town and advise the Minister accordingly.

CARRIED 8 / 0

Council did not adopt the Officer Recommendation as it wished to have further discussions with the group concerned.

9.4.2 APPLICATION FOR PLANNING APPROVAL – TELECOMMUNICATIONS INFRASTRUCTURE – LOT 3801 BRAND HIGHWAY, BADGINGARRA

Location:	Lot 3801 (13946) Brand Highway, Badgingarra
Applicant:	Planning Solutions on behalf of Service Stream Mobile Communications (Client – Telstra) and Dandaragan Nominees Pty Ltd (Graham Lethlean)
File Ref:	Development Services Apps / Development Applications / 2012 / 45
Disclosure of Interest:	None
Date:	10 September 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The proponent is seeking planning approval for a 60.45m guyed mast to accommodate two (2) new omni-directional antennas mounted to the mast and one (1) new equipment cabinet at ground level plus associated underground cabling on lot 3801 Brand Highway, Badgingarra.

BACKGROUND

Planning Solutions is acting on behalf of Service Stream Mobile Communications (SSMC) for its Client, Telstra Corporation Ltd (Telstra). As part of the Regional Mobile Communications Project (RMCP), funded by the Western Australian State Government's

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Royalties for Regions, Telstra has been contracted to deliver terrestrial mobile, voice and high speed wireless data broadband to improve highway and town-to-town coverage in regional, rural and remote communities of the State.

The subject site, owned by Dandaragan Nominees Pty Ltd (Graham Lethlean), is located on rural land abutting Brand Highway, within the locality of Badgingarra, 1.6km north of Biddy Road and approximately 11km south of Badgingarra. The land is utilised for cropping and grazing and its surrounds utilised for extensive agriculture, with the surrounding topography identified as undulating.

The proposed location of the mast within the subject Lot is approximately 60 metres east of the property boundary with an additional uncleared road reserve of approximately 85 metres wide, creating a combined buffer of approximately 145 metres from Brand Highway to the proposed telecommunications infrastructure. An aerial photograph can be seen within the Attachments

In determining the required network solutions to achieve the necessary coverage, the following were taking into consideration:

- radio coverage objectives;
- low-impact and co-location opportunities;
- surrounding land uses;
- planning, environmental and heritage considerations; and
- facility construction and treatments.

The facility proposed by Telstra involves the installation of a new telecommunications guyed mast, an equipment shelter at ground level, and ancillary cabling, access and safety equipment. Specifically the 60.45m mast is to accommodate two (2) new Telstra omni-directional antennas mounted on the proposed guyed mast, with provisions for Police and Emergency Services communications infrastructure to be co-located on the facility.

COMMENT

The proposed site is privately owned rural land utilized for cropping and grazing with Badgingarra National Park located approximately 2 kilometres south west of the subject site.

In determining a suitable site, the applicant, during preliminary investigations, found that the subject site is the best possible location for the proposed development, as under the initiative, the WA Government requires a new structure, capable of accommodating Police and Emergency services infrastructure in addition to the proposed mobile phone antennas.

The proposed location is the most appropriate to facilitate RMCP network providing minimal impact on the amenity of the area with the selection of the site being influenced by the objective of

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avoiding community sensitive locations.

The proposal intends to install the following, to be of a galvanised finish:

- 1 guyed mast to accommodate 2 omni directional antennas;
- 1 new equipment cabinet;
- underground cabling between equipment and antenna devices and ancillary safety and access equipment; and
- policy and Emergency Services Communication infrastructure co-located on the facility.

Full details of the proposal can be seen in the Proposed Development within the Attachments, with detailed plans and elevations depicting the subject proposal attached.

The proposed infrastructure adequately addresses the relevant matters outlined in the Shire of Dandaragan's (the Shire) Strategic Community Plan with the objectives of the strategy as follows:

- upgrade existing telecommunications systems to allow for higher speed internet access through high speed broadband via wireless;
- support planning for demand driven bids for NBN;
- support mobile tower program for regional; and
- develop digital strategy sub-region (Wheatbelt Development Commission)

As Telecommunications Infrastructure is a use not listed in the Shire's Local Planning Scheme No.7 (LPS7), Council has the right to exercise discretion and grant planning approval for the proposed Development Application. Under its current zoning in the LPS7 as 'Rural', the proposal is deemed to be consistent with and does not compromise the ultimate purpose intended for the zone. The objectives are as follows:

"To provide for a range of rural activities such as broadacre and diversified farming so as to retain the rural character and amenity of the locality, in such a way as to prevent land degradation and further loss of biodiversity."

Under Clause 5.21.1 Setbacks – Scenic Routes of LPS7 States:

"No person shall without approval of the Council construct or permit to be constructed any building, within 200 metres of the Brand Highway or Indian Ocean Drive, such measurement being from the side of the reservation of the roads adjacent to the allotment on which the building is proposed."

This Clause is intended to restrict dwellings or buildings being located near the highway in order to minimise the impact of noise from road-trains and high speed traffic. The infrastructure will ultimately be unaffected by its proximity to the carriageway and pose no risk to passing traffic.

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The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) are an Australian Government Agency in the Health and Aging portfolio, established a Radiation Protection standard specifying limits for continuous exposure of the general public to radiofrequency transmissions at frequencies used by mobile phone base stations. In conclusion of the assessment of the subject site, it is confirmed that the proposed installation operating at full power complies with the radio communications (electromagnetic radiation - human exposure) standard 2003, with an estimated maximum electromagnetic emissions level of 0.0011%. The full EME report can be seen in the attachments.

The proposal complies with the WAPC's State Planning Policy No.5.2 – Telecommunications Infrastructure, and the guidelines for the Location, Siting and Design of Telecommunications Infrastructure with telecommunications carriers' licence conditions require them to comply with the Telecommunications Act 1997 and the Telecommunications Code of Practice 1997, imposing site specific obligations and a precautionary approach to site selection and infrastructure design through the compliance with the Communications Alliance Industry Code C564:2011 – Mobile Phone Base Station Deployment.

CONSULTATION

In accordance with Section 7 of the WAPC Guidelines for the Location, Siting and Design of Telecommunications infrastructure, application that comply with the Guiding Principles set out in SPP5.2 need not be advertised for public comment.

STATUTORY ENVIRONMENT

'Telecommunications Infrastructure' is a use not listed under Table 1 - Zoning Table of Part 4 of LPS7. Under the provisions of Clause 4.4.2 of LPS7:

"If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may:

(b) determine that the proposed use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedure of clause 9.4 in considering an application for planning approval."

POLICY IMPLICATIONS

State Planning Policy No. 5.2 – Telecommunications Infrastructure statement of Planning Policy No 5.2 was developed by the WAPC to provide a guiding framework for the preparation, assessment and determination of applications for planning approval of telecommunications facilities within the context of the planning system of Western Australia.

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FINANCIAL IMPLICATIONS

The applicant has paid a fee for planning approval to the value of \$384.00

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 Development (Doc Id: 7748)
(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Bailey, seconded Cr Gibson**

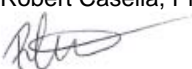

That Council grant planning approval for a 60.45m Telecommunications Mast with associated infrastructure on Lot 3801 Brand Highway, Badgingarra in accordance with drawings numbered W107119 dated 1 August 2012 on the condition that all development shall be in accordance with the attached approved plans dated 1 August 2012 and the plans shall not be modified or altered without the prior written approval of the Local Government.

Advice:

- **That the applicant be advised this is planning approval only and not a building licence.**

CARRIED 8 / 0

9.4.3 APPLICATION FOR PLANNING APPROVAL – AUSTRALIAN COASTAL OCEAN RADAR NETWORK – JURIE COASTLINE – EUCALYPT WAY

Location:	End of Eucalypt Way, Jurien Bay
Applicant:	Daniel Atwater
File Ref:	Development Service Apps / Development Application / 2012 / 50
Disclosure of Interest:	None
Date:	10 September 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

James Cook University is seeking planning approval to establish a small HF Ocean Radar System at the end of Eucalypt Way, Jurien Bay, Reserve 51200 and 28541 (subject site) for the purpose of

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measuring sea surface currents as well as wind and wave measurements, for a period of 15 months, ending January 2014. The proposed location can be seen in Figure 1 of the Attachment.

BACKGROUND

The Australian Coastal Ocean Radar Network (ACORN) is one of twelve national facilities established by the Federal Department of Innovation, Industry, Science and Research (DIISR) under the National Collaborative Research Infrastructure Strategy (NCRIS) and funded by the Education Investment Fund (EIF). Under that scheme, the Integrated Marine Observing System (IMOS) has the goal of meeting research infrastructure needs for understanding the interaction between the open oceans and the water on the continental shelf which surround Australia and play a significant role in determining the climate of continental Australia, daily weather observations, fisheries management, pollution mitigation, commercial shipping, recreational ocean and beach activities, beach erosion and other practical economic interests.

ACORN is tasked with providing sea surface current measurements as well as wind and wave measurements. It does this by using instruments installed on the foreshore. These instruments broadcast a low- power radiowave over the sea surface and use the reflected (backscatter) signal to make these measurements of the sea surface over fairly large patches of coastal waters (100 kilometres along the coast and 150 kilometres out to sea) made every hour.

Currently, ACORN have four stations located in Western Australia. They are Fremantle, Guilderton, Seabird and Cervantes, providing wave, wind and sea surface current measurements between Rottnest Island and Jurien Bay.

A need to optimise the coverage area has been identified, essentially requiring the need to move the Cervantes Stations north. As such ACORN has determined that Jurien Bay would be a very suitable location to install an ocean monitoring station.

The proposal requires the installation of a 'compact' HF Radar (SeaSonde) device. The facility is composed of two aerials and a small enclosure to house the electronics, the exact details are as follows:

- four metre high receive antenna (Figure 4);
- eight metre high transmit antenna (Figure 3);
- one metre high communication antenna;
- two desktop-computer sized electronic racks (SeaSonde);
- compact Computer (Mac-mini);
- modem (3G); and
- four thin coaxial cables from electronics rack to antenna.

The Ocean Monitoring Radar operates in a marine mobile band of spectrum that operates on a frequency band lower than that of a

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two way radio system.

For the particular location in Jurien Bay the proponent is seeking to use a 10 foot sea container initially, however, will be converting to a small compact (dishwasher) sized enclosure to house the electronics, switching as soon as possible.

COMMENT

The proposal is part of a national research program aimed at trying to understand the interactions between the open ocean and the waters on the continental shelf which surround Australia. The proposed SeaSonde instrument employs a sophisticated algorithm to accurately measure the sea surface currents with a compact receive antenna. Along with a low-power (< 80 Watts) transmit antenna the SeaSonde system provides highly reliable and cost effective way to sample significantly large areas of coastal ocean waters.

In July 2012, tests were carried out to determine the feasibility and quality of measurements obtained from the subject site, indicating that the site makes very good technical sense with measurement results of good quality and in proximity to a power source located at the south east corner of Eucalypt Way. The total area of the station being proposed is less than 10m².

The subject location for the proposal is located within a conservation area in the coastal vegetated reserve. The proposed development to introduce two relatively small antennas, in terms of land area it will take up. Due to its small surface land use area the infrastructure is relatively flexible in avoiding highly vegetated locations, minimising the impact on the conservation efforts of the Shire. Images of the proposed structures can be seen in the Attachments.

As part of the Scheme, it aims to protect and enhance the environmental values and natural resources and to promote ecologically sustainable land use and development.

It is understood the proposal is to aid in providing research and development in the field of ocean measurements. The data retrieved from the research is used to provide information and patterns in ocean and coastal activities for everyday use, benefiting the local and state community in providing the ability to predict oceanic conditions for commercial and recreational purposes, as well as resource management, particularly fisheries and pollution management.

Correspondence with the proponent revealed that the use of the 10 foot sea container is to be utilised in the event that the "dishwasher" sized enclosure has not arrived from overseas, in which case it will take an additional 90 to 120 days for delivery.

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The SeaSonde device is to be located within 25 metres of a power source. The transmit and receive antenna need to be separated by at least 50 metres, with the transmit antenna required to be within 100 metres of the ocean and 100 metres of the equipment hut and the receive antenna within 25 metres of the ocean and 150 metres of the equipment hut.

The justification for the proposed layout is due to the necessary requirements for the facility to achieve the best performance level.

CONSULTATION

- Correspondence with the proponent.

The proposed development has been advertised for a total of 21 days, ending on the 18th September 2012, to owners of properties within proximity to the subject site. There have been no submissions on the development.

STATUTORY ENVIRONMENT

Local Planning Scheme No.7

Clause 4.4.2

If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –

- b) Determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval.*

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:

- Development Proposal (Doc Id: 8417)
(Marked 9.4.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr McGlew

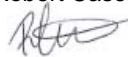

That Council grant planning approval to James Cook University, Townsville for the establishment of the SeaSonde

HF radar device in Jurien Bay within Reserve 51200 and 28541 subject to the following conditions:

1. approval is for a period of 17 months, ending March 2014;
2. any extension beyond the 17 month approval period will be subject to a further application to Council;
3. the Ocean Monitoring Radar is to comply with the relevant Australian Standard enforced at the time;
4. rehabilitation of any disturbed areas at completion of the installation and at the removal of equipment by the end of March 2014;
5. the use of a 10 foot sea container will not be permitted for use in the reserve; and
6. the smaller compact “dishwasher” sized enclosure is to be screened and or landscaped to the satisfaction of the Chief Executive Officer and maintained for the duration of the approval.

CARRIED 5 / 3

9.4.4 PROPOSED SCHEME AMENDMENT NO. 21 (REZONING) – SPECIAL USE – LOT 62 ROBERTS STREET, JURIEN BAY

Location:	Lot 62 Corner Roberts and Heaton Streets
Applicant:	Burgess Design Group on behalf of Carl Aloï
Folder Path:	Business Classification Scheme / Land Use and Planning / Planning / Planning Scheme / Amendment 7.21 – Lot 62 Roberts Street
Disclosure of Interest:	None
Date:	10 September 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The Council is in receipt of a request to rezone lot 62 Roberts Street, Jurien Bay consisting of 2.199 hectares in area, and the adjoining South West portion of Heaton Street Road Reserve with an area of 910m² from Tourist to Special Use.

BACKGROUND

The proposed Amendment 21 is a request by the Shire of Dandaragan, as a condition of approval for a ‘Hotel & Residential Resort Development’ dated 20 January 2012, approved at the Ordinary Council Meeting (OCM) on the 15 December 2011. The proponent seeks to rezone the subject land from ‘Tourism’ to ‘Special Use’ under the Shire of Dandaragan’s (The Shire) Local Planning Scheme No.7 (LPS7).

The Site, Lot 62 Roberts Street Jurien Bay, is located within Central Jurien Bay Town site, bounded by Roberts Street (south west), Heaton Street (north west), Sandpiper Street (south east) and Lot 63 Heaton Street (north east), having a total area of 2.199 Hectares.

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The subject land is predominantly vacant with some existing vegetation with two (2) abandoned outbuildings situated on it. According to the Landgate Interest Enquiry online mapping system showed the land to be a "Contaminated Site". This is currently being 'remediated' to the satisfaction of the Department of Environment and Conservation (DEC) in accordance with requirements set out in the "Contaminated Sites Act 2003". Surrounding land uses are predominantly Tourist Activities, north and south of the site. Jurien Bay Commercial Town Centre to the east of subject site with area immediately to the west reserved for 'Parks and Recreation' and Jurien Bay foreshore.

The Site has direct frontage to three (3) roads, Roberts Street (Primary Road), Heaton Street and Sandpiper Street with Bashford Street 200m east along Roberts Street.

The proposal requires the closure of a portion of Heaton Street road reserve and reposition the location in accordance with the proposal of "Building H – Hotel. Realignment of the road will provide better access to new development and allow for the creation of a pedestrian friendly route to the beach. This has been approved by Council at the 15 December 2011 OCM.

Water Corp has confirmed reticulated sewerage runs along Sandpiper Street which service the subject land. Required level of sewer supply has been assessed and determined during Development Application (DA) approval process, as with the power supply and telecommunications levels for services and infrastructure.

The Shire LPS7 states the purpose of the "Special Use" Zones are:

"Special use zones are set out in Schedule 4 and are in addition to the zones in the Zoning Table.

A Person must not use any land, or structure of buildings on land, in a Special Use Zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme."

In accordance with the WAPC State Coastal Planning Policy No.2.6, which has specific measures that relate to tourism development, requires development to:

"Maintain and enhance public enjoyment of the coast where this is consistent with the objectives of this Policy.

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Ensure that any structure plan, zoning, subdivision, strata subdivision or development proposal for public purposes, residential, industrial, commercial, tourist, special rural and similar uses on the coast is only approved based upon or in conjunction with a current detailed coastal planning strategy or foreshore management plan (whichever is appropriate for the stage and scale of development).

Ensure that the use of the coast including the marine environment, for recreation, conservation, tourism, commerce, industry, housing, ocean access and other appropriate activities, is sustainable and located in suitable areas.

Ensure that when identifying areas suitable for development, consideration is given to strategic sites for coastal access and commercial development that is demonstrably dependent on a foreshore location including ports, boat harbours and regional boat ramps.

Ensure that land use and development, including roads, adjacent to the coast is sited and designed to complement and enhance the coastal environment in terms of its visual, amenity, social and ecological values.

A restriction in building heights to 5 storeys within 300 metres of the coast, or in special circumstances, 8 storeys, with broad community support.”

Given the intention of this amendment is to rezone the land to ‘Special Use’ with the land-use being focused around tourism, and the design being specifically tailored to allow for maximum use of the foreshore by the public, the proposed amendment accords with the goals of the State Coastal Planning Policy.

The WAPC Planning Bulletin 83 / 2011 – Planning for Tourism addresses matters relating to the objectives of the amendment. The Planning Bulletin highlights the importance of strategic planning, recognising local and regional variations in tourism demand, providing guidance for local government and to help provide flexibility in the design and assessment of tourism and mixed use developments. The policy seeks to improve tourism precincts by incorporating the ‘5 A’s’ into tourism development, these being access, amenities, attractions, accommodation and activities.

The proposal addresses these objectives, with the subject site strategically positioned less than 2km from Jurien Bay airport, and within 250m of the Indian Ocean Drive, being the main road to Perth. The site has good aspect and outlook being situated within the Jurien Bay Commercial Centre and 150m off the beach. The large lot area gives opportunity for the site to support a varied range of accommodation, increasing the diversity of accommodation available within the town centre, and to allow for

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multiple attractions associated with tourism.

As part of the Shire being selected as a SuperTown under the Royalties for Regional Centres Development Plan, aiming to enhance and stimulate growth. Tourism and recreation has been identified within the Jurien Bay Growth Plan as providing 'significant economic, social and environmental opportunities for the Jurien Bay Region'.

The Shires Draft Local Tourism Planning Strategy seeks to further develop and diversify tourism within the Shire, focusing on key tourism hot spots, including Jurien Bay. It suggests that '*Jurien Bay and Cervantes currently have a good provision of affordable accommodation; however lack diversity*'. This rezoning will help diversify the local amenities and accommodation, therefore meeting the objectives of the strategy.

A Site Assessment has been conducted on the subject site within the strategy, with the recommendation being that Lot 62 be classified as a 'Non-Strategic Tourism Site' of Local Significance; and to rezone the site from 'Tourist' to 'Special Use' within Schedule 4.

The Jurien Bay Town Centre Strategy Plan provides a clear direction for future development, its main aims that affect the subject site are:

"A vision (and possible theme) for the town centre of Jurien Bay looking forward 10 - 15 years.

Where future commercial, tourist, medium density residential and mixed use developments occur based on physical, social and environmental conditions.

Appropriate scale and density of development (residential, commercial, tourist) to achieve a sustainable economic benefit, whilst enhancing the quality of well-being lifestyle and services for the broader community.

Consolidation of land use and establish a framework to deliver a more integrated, sustainable, and functional town centre environment."

The Town Centre Strategy states that the development of Lot 62 would 'bookend and frame the view looking to the coast along Roberts Street, and about the pedestrian link from Roberts Street to the foreshore and jetty'.

Given the intention to rezone the land to 'Special Use' with the development focusing on tourism as a land use, the vision of the Town Centre Strategy Plan will be achieved, by providing:

- a long term economic benefit to the town centre;

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- providing jobs for the local community;
- establishing a central tourist core for Jurien Bay for the future;
- providing a bookend development to Roberts Street; and
- provide a pedestrian link along Roberts Street to the Jurien Bay Foreshore.

The proposal in light of the guiding planning framework, seeks to rezone lot 62 Roberts Street an area of 910m² of the adjoining south west portion of Heaton Street Road Reserve from 'Tourist' to 'Special Use' zone with a SU3 designation under schedule 4 of the existing Scheme. The proposed rezoning is in association with a current Development Application approval dated 20 January 2012 for a Hotel & Residential Resort Development.

The rezoning will allow for the development of the subject land for the currently adopted DA and required, in accordance with a condition associated with the DA, with the conditions associated with the 'Special Use' for the subject site. The proposed Amendment No.21 therefore requests the Shire of Dandaragan's Scheme be amended by:

1. rezoning Lot 62 from 'Tourist' to 'Special Use' zone with a 'Special Use Area No. 3' designation as shown on the Scheme Amendment Map;
2. amending the Scheme Map accordingly; and
3. amend Schedule 4 – Special Use Areas, contained with the Scheme Text by Inserting SU 3 – Lot 62 (No. 20) Roberts Street, Jurien Bay as follows:

Schedule 4 - Special Use Areas

No.	Description of Land	Special Use	Conditions
SU 3	Lot 62 Roberts Street, Jurien Bay	<p>Permitted Uses: Tourist Resort Serviced Apartment Restaurant Tavern Shop Office Café Hotel Grouped Dwelling Multiple Dwelling Cinema/theatre</p> <p>Discretionary Uses: Eco-Tourist Facility Civic Use Reception Centre Caretaker's Dwelling Fast Food Outlet Club Premises Convenience Store Art Gallery and Sales</p>	<ol style="list-style-type: none"> 1. Development of the site shall be generally in accordance with the Development Approval granted by Council, unless otherwise determined by the local government in accordance with this Schedule. 2. No development, other than necessary communications equipment as determined by the local government, is permitted to exceed 40.0 metres in height measured from natural ground level. 3. All development shall commence at a minimum finished floor level of 3.4 metres above the Australian Height Datum. 4. Ease of public access to areas of high amenity within or adjoining the site shall be maintained at all times. 5. The maximum proportion of permanent residential occupancy units shall be such that the site area and uses retain a dominant tourism function and character. 6. The proportion of permanent residential units relative to the total number of accommodation units on the site shall be equal to or less than 45%, unless otherwise approved by the local government. 7. A register of guests is to be maintained for each short stay (restricted) unit to be made available for perusal by the local government on request.

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			<ol style="list-style-type: none"> 8. As a whole any residential component of development, shall be of a design and scale that is subsidiary to the tourism component of the development such that the tourism component remains dominant in all aspects. 9. All units in the development shall be designed to form part of an integrated residential and tourist complex and shall not be subject to compliance with the Residential Design Codes of Western Australia to the extent necessary to meet these requirements, unless specified under the local government planning scheme. 10. Permanent residential occupancy units shall be concentrated in an area of the complex and provided with specific recreation and amenity facilities to ensure the management and use is an integrated part of the overall complex. In assessing the location of units, the permanent residential component shall be located to provide a transition between tourism development and surrounding residential uses. 11. The development shall incorporate and maintain access to those facilities normally associated with tourist accommodation developments including recreation, entertainment facilities and integrated management facilities at all times. 12. The development shall not interfere with, restrict access to, or in any way inhibit public access and use of the Jurien Bay Foreshore area. 13. Subdivision of the land is prohibited within the development site, other than via built strata subdivision or for the creation of separate lots for the completion of individual buildings as approved on the development application. 14. Permanent residential accommodation upon the land area, which the hotel is proposed (shown as Building H on the Development Application) is prohibited. Council shall make it permissible for that land to be used only for a hotel and associated ancillary uses (such as a bar and/or restaurant). 15. Any building strata subdivision of tourist accommodation in the development site shall be subject to a condition which requires a management statement and associated agreements pursuant to section 5C of the Strata Titles Act (1985) to apply for a minimum of 25 years, and which includes; <ul style="list-style-type: none"> ▪ The establishment of a Schedule 1 by-law that requires, as a minimum, a unit management agreement, lease or alternative arrangement between owner/s and the common facility manager/operator for a minimum period of 25 years; ▪ The ability for a Strata Company to terminate a contract with the facility manager/operator at the need of a 5 year contract or lesser period based on performance criteria as determined by the Strata Company; ▪ The management agreement shall cover all components (i.e. resort reception, security, maintenance, care taking, refurbishment, marketing, rights of access and other services) required to operate as a tourist facility; and ▪ Conditions outlined in Schedule 1, 2, and 2a of the <i>Strata Titles Act</i> together with the specific conditions detailed in the Shire's draft Local Tourism Planning Strategy that address facility management, development, refurbishment, right of entry, internal fit out, register of
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			<p>bookings, lengths of stay, availability of services, and approval process.</p> <p>16. Require that any built strata subdivision of short stay accommodation will include a notification in accordance with section 6 of the <i>Strata Titles Act (1985)</i> to the following effect: "No person shall occupy any tourist accommodation unit for more than 3 months in any 12 month period. A register of guests showing periods of occupancy is to be kept and made available to the local government on request in order to ensure compliance with this requirement."</p>
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COMMENT

Under the Draft Local Tourism Planning Strategy Lot 62 is described to be located in immediate proximity to the beach, town centre, Dobbyn Park and Jurien Bay Tourist Park with no alternative vacant sites available with such proximity to beach and town centre.

The site is flat with the potential for a landmark tourist accommodation development, connecting surrounding tourism uses and forming the focal point for a tourism precinct. Potential development of lot 62 is conducive to a high yielding property with a high degree of activity occurring along the street frontage. It is important that any development of the site retains public access throughout the surrounding area.

The Jurien Bay Foreshore Plan provides two options for the development of Lot 62. Council is in support of option 2 that proposes to realign Heaton Street through Lot 62 to Roberts Street, to create an iconic freehold site on the ocean side of the road fronting the foreshore reserve, exactly what has been proposed. The approved Hotel and Residential Resort Development on the two parcels of land would 'Bookend' and frame the view looking to the coast along Roberts Street and abut the pedestrian link from Roberts Street to the Foreshore and Jetty, a desirable objective from the State Planning Bulletin 83 / 2011 – Planning for Tourism.

The proposal to rezone the subject lot from 'Tourism' to 'Special Use' will not compromise the pursuit of the tourism objectives for the site. The rezoning is to allow for the tourist vision for the site to be achieved while still allowing for the permitted uses on site, approved by council at the Ordinary Council Meeting on 15 December 2011, which would not be permitted under the current zoning under the LPS7.

The approved multi-storey mixed-use development is to comprise of retail shops, offices, restaurants, bars, function centre, health club, reception area, short-stay and permanent residencies, a hotel, swimming pools and outdoor cinema, as well as additional development attributes such as car parking, landscaping and pedestrian access ways.

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Given the identification of tourism being of economic and social importance to Jurien Bay, and the sites inclusion within the SuperTown document as a site with opportunity for a major tourism development, the rezoning of the site to 'Special Use' will allow the vision to be realised by providing jobs for the local community and increasing the availability in amenities to visitors and residents alike.

The subject site is currently being 'remediated' to the satisfaction of the Department of Environment and Conservation in accordance with the requirements of the *Contaminated Sites Act 2003*. The proposal requires the closure of Heaton Street and land swap to allow a significant portion of the development to be carried out in a beachside location on what is presently public land (Heaton Street Road Reserve).

Provisions of public access to be provided on the Western, Northern and Eastern Boundaries constructed / landscaped as part of the Development.

Basement and ground level car, boat, bus and bicycle parking with onsite policy of 498 bays for commercial and residential use with 6 boat bays, 85 on street parking with 1 bus bay provided.

The development requires no setbacks for any of the property boundaries with all boundaries adjoining a thoroughfare. The design of the building incorporates 5 star design principles using solar and wind power generation systems with cross ventilation with the design and positions of all the buildings aiding to achieve this.

It is highly likely the proposal is to generate an extremely diverse tourist base in high volumes, creating an attractive tourism precinct that captures the natural quality associated with the turquoise coast and Jurien Bay's coastal development. The development has the potential of being an iconic landmark along the coast capturing the tourism industry in Perth's Mid-West.

In addressing the issues of Clause 10.2 of the LPS7, stated under the statutory environment. The development, in rezoning the Road Reserve, is to create an interactive development with the Foreshore, Jetty and Beach precinct as well as opening up the hotel and resort development to the public. The development will enhance the aesthetics and amenity of the coastal property contributing to the tourist pursuit of the Shires Local Planning Strategy, Plans and State Planning Bulletin 83 / 100 – Planning for Tourism.

The rezoning of Lot 62 will provide a long term economic benefit to the town centre by providing jobs for the local community, establishing a central tourist core for Jurien Bay for the future.

CONSULTATION

There is no requirement to undertake community consultation at

this stage. A mandatory consultation process will apply should a proposal to rezone the land be supported.

STATUTORY ENVIRONMENT

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

Shire of Dandaragan Local Planning Scheme No.7

Part 3 – Reserves

3.4.2 In determining an application for planning approval the local government is to have due regard to –

- a) The matters set out in clause 10.2; and*
- b) The ultimate purpose intended for the reserve.*

Part 10 – Procedure for Dealing with Applications

10.2 The local government in considering an application for planning approval is to have due regard to such of the following matters as are in the opinion of the local government relevant to the use or development the subject of the application –

- (g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;*
- (i) the compatibility of a use or development with its setting;*
- (l) the likely effect of the proposal on the natural environment and any means that area proposed to protect or to mitigate impacts on the natural environment;*
- (n) the preservation of the amenity of the locality;*
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- (x) the potential loss of any community service or benefit resulting from the planning approval; and*
- (za) any other planning consideration the local government considers relevant.*

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 is a need for Lot 62 Roberts to be a highly intensive development for a tourism use, given its strategic location. The approved development for Lot 62 is focused on tourism as a land

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use, conforming to the objectives of the Tourism Planning Strategy and Jurien Bay Town Centre Plan. The rezoning is to allow for the additional approved uses that do not conform with the tourism zoning, but complement the development of the Hotel and Residential Resort.

ATTACHMENTS

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

- Amendment Proposal (Doc Id: 8347)
(Marked 9.4.4)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

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

COUNCIL DECISION

Moved Cr Love, seconded Cr Short

To defer the item to the next council meeting so that further advice can be sought to be assured that the deed of agreement previously agreed to is still valid if this change is made.

CARRIED 8 / 0



Council did not adopt the Staff Recommendation due to concerns about the process involved.

9.4.5 PROPOSED SCHEME AMENDMENT NO 20 (REZONING) – RURAL RESIDENTIAL – PORTION LOTS 509, 2520 AND 9005 MARINE FIELDS

Location:

Portion Lots 509, 2520 and 9005 Marine Fields

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Applicant:	MGA Town Planning
File Ref:	Business Classification Scheme/Land use and Planning/Planning/Planning Schemes/ Amendment 7.20
Disclosure of Interest:	None
Date:	11 September 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant seeks to rezone a portion of lots 509, 2520 and 9005, Marine Fields from Rural to Rural Residential and amend Clause 2. (a) of Schedule 11 of the Scheme Text by replacing reference to Hill River Estate (Fatfields) with reference to Marine Fields.

BACKGROUND

The application had been adopted for advertising at the 2011 September Council Meeting requiring the proponent to make changes to the amendment. At this meeting, Council resolved:

That Council:

1. *In pursuance of Section 75 of the Planning and Development Act 2005 (as amended), amend Local Planning Scheme No.7 by rezoning portions of Lots 509, 25020 and 9005 Marine Fields from Rural to Rural Residential and amending Clause 2.(a) of Schedule 11 of the Scheme text by replacing reference to Hill river Estate (Fatfields) with reference to Marine Fields.*
2. *request the proponent to consider the following matters before the amendment is initiated:*
 - a) *The proposed plan of subdivision reflecting the intention to cede the balance portion of Lot 509 as Foreshore/Conservation Reserve for the Hill River Estuary;*
 - b) *The implications of, and interrelationships between fire management risks, conservation objectives and site building constraints and whether planning measures such as building envelopes can assist in guiding development of the area; and*
 - c) *While Council does not have any concerns with further extension of the Marine Fields Rural Residential Estate to the south, it would be preferred for any statement on the proposed subdivision plan to refer to the area to the south being "subject to further planning" and to allow the planning process to determine the development outcome.*
3. *Subject to the matters raised in Recommendation 2 above being addressed to the satisfaction of the Chief Executive Officer, including any modifications to the amendment documents in response:*
 - a) *Authorize the Chief Executive Officer and Shire President to sign the amendment documents;*
 - b) *In accordance with Schedule 11 of Shire of Dandaragan Local Planning Scheme No.7, adopt the proposed plan of subdivision included in the Scheme Amendment document*

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- for the purposes of publicly advertising the plan;*
- c) Refer a copy of the amendment document to the Environmental Protection Authority pursuant to Section 81 of the Planning and Development Act 2005; and*
 - d) Subject to the Environmental Protection Authority deciding to not assess the amendment, refer a copy of the amendment document to the Western Australian Planning Commission and 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).*
- 4. Note the proponent's intention to refer the amendment for assessment under, and in accordance with the Environmental Protection and Biodiversity Conservation Act 1999; and*
 - 5. Advise the applicant of its resolution.*

Following the proponent making the above changes, the Amendment was initiated and pursued for advertising in June 2012. Subsequent to the advertising period and forwarding the amendment document to the Western Australian Planning Commission (WAPC), the Department of Planning (DoP) notified the Shire of Dandaragan (the Shire) that the Amendment was not referred to all relevant Government Agencies.

COMMENT

On advice from the DoP, the Shire has readvertised and forwarded Amendment No.20 to the relevant Government Authorities to satisfy the requirements of the DoP.

CONSULTATION

The Department of Planning informed the Shire to readvertise and forward the Amendment document to necessary Government Authorities.

There has been no submission to date. The advertising period closes on the 24 September 2012. A Schedule of Submissions will be prepared and forwarded to Council in the event an agency providing written comment prior to the Council Meeting on 27 September 2012. If no further comment is received then council will be advised and the amendment can be adopted for final approval of the Hon Minister for Planning.

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

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

- Environmental Protection Authority Advice and Recommendations (Doc Id: 5651)

(Marked 9.4.5)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Sheppard

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 the final approval, Amendment No. 20 to Local Planning Scheme No. 7 to rezone portion 509, 2520 and 9005 Marine Fields from Rural to Rural Residential and amend Clause 2.(a) of Schedule 11 of the Scheme Text by replacing reference to Hill River Estate (Fatfields) with reference to Marine Fields;
3. authorize the Shire President and the Chief Executive Officer to execute the relevant documentation and affix the common seal pursuant to Regulations 22(1) of the Town Planning Regulations 1967 (as amended);
4. forwards the Schedule of Submissions and a copy of each submission to the Western Australian Planning Commission together with three copies of the Amendment documents (duly modified, signed and sealed) for endorsement pursuant to Regulations 22(2) of the Town Planning Regulations 1967 (as amended);
5. request the Hon Minister for Planning grant final approval to Amendment No. 20 to the Shire of Dandaragan Local Planning Scheme No.7; and
6. inform those agencies and persons who made a submission on Amendment No. 20 to Local Planning Scheme No.7 of its decision.

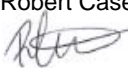

CARRIED 8 / 0

9.4.6 APPLICATION FOR PLANNING APPROVAL – EXTENSION TO EXISTING HOTEL & ROADHOUSE – LOT 3 BRAND HIGHWAY, DANDARAGAN

Location:
Applicant:

Lot 3 Brand Highway, Dandaragan
Kim Glasfurd

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File Ref:	Development Services Apps / Development Application / 2012 / 44
Disclosure of Interest:	None
Date:	10 September 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The proponent seeks planning approval for the introduction of three transportable dongas, which are to form an extension of the current hotel roadhouse accommodation needs located on the Liberty Fuels Cataby Roadhouse and Hotel on Lot 3 Brand Highway, Dandaragan. As illustrated in the development application, contained within the attachments.

BACKGROUND

The proposed site is currently utilised as the Liberty Cataby Fuel station and Glassy's Hat Hotel. The proponent seeks the introduction of three by four bed transportable dongas (12 bedrooms), that are to form the permanent extension of the hotel accommodation.

The proposed accommodation is to be connected to the established sewage system and remain as part of the Glassy's Hat Hotel.

Currently the Roadhouse facility experiences 100% capacity levels and is in need of further accommodation facilities to accommodate current and future demand. Each donga proposed is to be self-contained to the extent to provide a single bed with fixtures plus a shower and lavatory.

COMMENT

The current land use is being utilised and approved for the use of a Roadhouse. The facility currently has 19 rooms and proposes to install a further 12 new accommodation rooms that are to form part of the hotel accommodation to cope with the pressures on demand.

The proposed location of the three by four bedroom dongas will be situated towards the south west corner of the lot. As illustrated in the attached plans.

The subject land is extensively cleared with a number of large trees scattered throughout the property. The proposed situation of the three transportable units is of a hard limestone surface.

CONSULTATION

The proposal was advertised in the Redgum Reports with letters notifying neighbouring residents within a 10 Kilometre radius. The

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advertising period closed on 14 September 2012 with nil submissions on the proposal.

STATUTORY ENVIRONMENT

Local Planning Scheme 7

In accordance with section 4.4.2 Council is required to:

- a) Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- b) Determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or
- c) Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid a fee for planning approval to the value of \$1,280.00.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Development Application (Doc Id: 7616)
(Marked 9.4.6)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Sheppard, seconded Cr Short

That Council grant planning approval to the proponent for the establishment of additional accommodation units on Lot 3 Brand Highway, Dandaragan subject to the following conditions:

- 1. all development shall accord with the attached approved plans and specification dated 8 August 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Council;**
- 2. the Proponent shall provide and implement a fire management plan to the satisfaction of Council;**
- 3. the provision of car parking should be developed in accordance with Local Planning Policy 8.8 – Planning – Car Parking; and**


4. the proposal is to be connected to the Hotels main sewerage infrastructure.

Advice

- This grant of planning approval is not a building licence. A building licence must be obtained for this development.
- The installation of the sewage facility to the accommodation units shall be installed in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.

CARRIED 8 / 0

9.4.7 APPLICATION FOR PLANNING APPROVAL – TEMPORARY CAMP AND ACCOMMODATION – LOT 3 BRAND HIGHWAY, DANDARAGAN

Location:	Lot 3 Brand Highway, Dandaragan
Applicant:	Kim Glasfurd
File Ref:	Development Services Apps / Development Application / 2012 / 44
Disclosure of Interest:	None
Date:	10 September 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The proponent seeks planning approval for the introduction of nine (9) transportable dongas, which are to form the accommodation needs for the construction phase of the Iluka mining camp located on Cataby Road, on the Liberty Fuels Cataby Roadhouse and Hotel on Lot 3 Brand Highway, Dandaragan. As illustrated in the development application, contained within the attachments.

BACKGROUND

Iluka Resources has recently been granted approval for their 260 accommodation units and associated camp infrastructure on 16 August 2012. In constructing the camp, offsite accommodation is needed for workers to develop the mining camp site.

The subject site is currently utilised as the Liberty Cataby Fuel station and Glassy's Hat Hotel. The proposal seeks the introduction of nine by four bed temporary dongas (36 bedrooms), as illustrated in the site layout in the attachments.

Further development proposed includes the construction of a mess hall and kitchen, administration and first aid building, portable sewage treatment system as well as 51 additional car parking bays for the use of the Downer workforce.

COMMENT

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The land use of temporary workforce camps is not addressed in the Local Planning Scheme No 7. As a consequence, Council has the discretion to approve or refuse of such a use and to apply consideration as considered appropriate.

The proposed satellite camp will house a maximum of 36 people in transportable accommodation with provisions for other amenities such as mess and kitchen, administration and first aid and portable sewage treatment plant. There are existing facilities available with laundry services and a further 19 accommodation rooms that will be utilised for the housing of the temporary workforce.

The proposed development will inevitably increase the local traffic volume around the Brand Highway and Cataby intersection. Access to the Brand is already easily accessible and should incur no safety issues or risks to drivers travelling along Brand Highway.

It is estimated that the projects construction phase for the satellite accommodation site will take two to four months.

The use is not specifically mentioned under the Local Planning Scheme No. 7 Zoning Table, it is determined that the use is in accordance with a motel use for a temporary purpose. In considering the use it is acknowledged the existing land use is utilised as a roadhouse. The proposal is technically a temporary addition to the proposed use.

CONSULTATION

The proposal was advertised in the Redgum Reports with letters notifying neighbouring residents within a 10 Kilometre radius. The advertising period closed on 14 September 2012 with one submission on the proposal.

STATUTORY ENVIRONMENT

Local Planning Scheme 7

In accordance with section 4.4.2 Council is required to:

- a) Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- b) Determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or
- c) Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid a fee for planning approval to the value of \$1,280.00

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Development Application (Doc Id: 7616)
- Schedule of Submissions (Doc Id: 8407)

(Marked 9.4.7)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Russell

That Council grant temporary planning approval to the proponent for the establishment of an extension of the Glassy's Hat Hotel of 36 rooms on Lot 3 Brand Highway, Dandaragan for the period ending 30 June 2013 subject to the following conditions:

- 1. all development shall accord with the attached approved plans and specification dated 8 August 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Council;**
- 2. the Proponent shall provide and implement a fire management plan to the satisfaction of Council;**
- 3. upon the closure or cessation of use of the Temporary Accommodation Camp, the Proponent shall remove all infrastructure and return the site to its former use, or a use otherwise agreed by Council; and**
- 4. the provision of car parking should be developed in accordance with Local Planning Policy 8.8 – Planning – Car Parking.**

Advice:

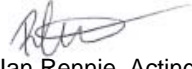

- **A subsequent planning application shall be made to the CEO for the use of the temporary accommodation to be used by a secondary proponent to extend the life of the temporary accommodation.**
- **This grant of planning approval is not a building licence. A building licence must be obtained for this development.**
- **The installation and use of the portable sewerage treatment system shall be in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.**
- **The installation and use of the kitchen shall comply with the Food Act 2008.**

CARRIED 8 / 0

9.4.8 APPLICATION FOR PLANNING APPROVAL – 140 MAN

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TEMPORARY ACCOMMODATION CAMP – LOT 3 KOONAH ROAD, BADGINGARRA

Location:	Lot 3 Koonah Road, Badgingarra
Applicant:	Joe Hussey (Dykstra Planning) on behalf of Downer EDI Engineering Power Pty Ltd
File Ref:	Development Services Apps / Development Application / 2012 / 51
Disclosure of Interest:	None
Date:	13 September 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The applicant is seeking planning approval for a 140 person temporary workers camp at Lot 3 Koonah Road, Badgingarra (Waddi Farms).

BACKGROUND

Downer Australia are responsible for the installation of the new 190km, 330 KV transmission line located between Pinjar, in Perth's northern suburbs, and Eneabba, forming Stage 1 of Western Powers Mid-West Energy Project. Downer Australia requires a temporary satellite camp for the housing of employees during the dismantling of the current transmission infrastructure and the construction of the new 190km transmission line and infrastructure.

In order to support the project and the basis for this application, there is a need to provide local accommodation needs for workers employed on the project, the storage of equipment and machinery and a project office.

Waddi Farms is zoned 'Rural' in the Shire of Dandaragan (the Shire) Local Planning Scheme No.7 (LPS7), approximately 486 hectares in area and has previously accommodated a 300 person camp. The subject area, Development Site Plan in the attachments, shows where on the site the proposed camp will be situated and its orientation. The Aerial Photograph in the attachments illustrates the subject area is an extensively cleared area.

The camp consists of:

- 35 x 4 person staff quarters;
- Kitchen and dining room;
- Laundry and linen store;
- Ablutions;
- First aid room;
- Wet mess;
- Gym;
- Camp admin building;
- Office buildings;
- Car parking area; and

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- Laydown area for storage/vehicles/equipment.

All buildings will be modular (steel framed construction) with external Colorbond cladding and roofing.

COMMENT

The land use of temporary workforce camps is not addressed in the LPS7. As a consequence, Council has the discretion to approve or refuse of such a use and to apply discretion as considered appropriate.

The proposed satellite camp will house a maximum of 140 people in transportable accommodation with provisions for other amenities such as mess and kitchen, administration, first aid, office, car parking, gym, laundry, ablutions and laydown area.

The camp will be occupied in stages. Stage 1 is the demolishing/dismantling of existing infrastructure which is expected to take 45 days. This stage will require roughly 22 to 25 workers to facilitate this project. Stage 2 will require the next draft of workers, approximately 100 to 120 people for the implementation and construction of the new infrastructure with the potential of increasing to a maximum of 140 people. The roster will require employees to work a four week roster with one week off, with no work on Sunday's.

Access to the Brand Highway is already easily accessible and should incur no safety issues or risks to drivers travelling along the Brand Highway. There is expected to be approximately 100 – 150 vehicle movements per day onto and off the Brand Highway for the period of operation, approximately 14 months.

It is proposed that the project will commence immediately, with the construction and removal of the camp estimated to take two to four months. Therefore a total of 18 months is required for a temporary planning approval.

A gravel road accessing the site from Koonah Road is already provided. This is to be maintained to a high standard to ensure it is suitable for various sized vehicles to safely use it. Car parking is provided within the subject site and is adequate to accommodate the needs of the facility.

A power supply will be provided by the use of a generator, supplied and operated by the camp subcontractor (APB). The landowner has agreed to provide a potable water supply to the camp as part of the lease agreement.

The applicant proposes to install a transportable commercial onsite waste water treatment plant for the life of the project. The waste water will then be treated and used as irrigation over the land adjacent to the proposed camp area. All solid waste is to be removed from the site on a regular basis to a suitable facility

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outside of the Shire.

As the proposed portion of the lot is satisfactory in providing the necessary services, utilised as a temporary workers accommodation camp, therefore it is considered a use consistent with the Shire's land use zoning.

CONSULTATION

The application has been advertised to residents within a 10km radius of the subject site. Advertisement period closed on the 3rd of September. There were no submissions made.

STATUTORY ENVIRONMENT

In accordance with section 4.4.2 of the Local Planning Scheme No.7 Council is required to:

- a) Determine that the use is consistent with the objectives of the particular zone and therefore permitted.
- b) Determine that the use may be consistent with the objectives of the particular zone and therefore follow the advertising procedures of clause 9.4 in considering an application for planning approval; or
- c) Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

POLICY IMPLICATIONS

There are no policy implications relevant to this item. The Site has been used previously for the same purpose.

FINANCIAL IMPLICATIONS

The applicant has paid an application fee for planning approval to the sum of \$9,830.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Development Site Plan (Doc Id: 8701)
- Aerial Photograph (Doc Id: 8702)
- Camp Layout (Doc Id: 8507)

(Marked 9.4.8)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council grant temporary planning approval for the development of a satellite workers accommodation on Lot 3 Koonah Road, Badgingarra in accordance with drawings numbered PQ2863 – 11 dated 14 August 2012 for the period 1 October 2012 until 1 August 2014 subject to the following conditions:

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1. the development approval must be carried out generally in accordance with the plans and specifications submitted with the application and shall not be altered and or modified unless specifically mentioned within the conditions of approval or without prior knowledge and written consent of Council;
2. an onsite waste disposal system approved by the Executive Director of Public Health being utilized for the treatment and disposal of waste water;
3. disposal of all camp waste to be carried out, external to the Shire of Dandaragan and the satisfaction of the Manager of Environmental Health;
4. provision of suitable laundry and ablution facilities;
5. provision of an approved potable drinking water supply;
6. provision of a suitable power supply for lighting and electricity supply;
7. provision of fire prevention and extinguishing equipment to the standards required by FESA;
8. Shire of Dandaragan to be advised of completion of installation prior to occupation of the facility; and
9. access and egress to the campsite is to be via Koonah Road only.

Advice:

- This grant of planning approval is not a building licence. A special building licence must be obtained for the development.

COUNCIL DECISION

Moved Cr Bailey, seconded Cr McGlew

That Council grant temporary planning approval for the development of a satellite workers accommodation on Lot 3 Koonah Road, Badgingarra in accordance with drawings numbered PQ2863 – 11 dated 14 August 2012 for the period 1 October 2012 until 1 August 2014 subject to the following conditions:

1. the development approval must be carried out generally in accordance with the plans and specifications submitted with the application and shall not be altered and or modified unless specifically mentioned within the conditions of approval or without prior knowledge and written consent of Council;
2. an onsite waste disposal system approved by the Executive Director of Public Health being utilized for the treatment and disposal of waste water;
3. disposal of all camp waste to be carried out, external to the Shire of Dandaragan and the satisfaction of the Manager of Environmental Health;
4. provision of suitable laundry and ablution facilities;
5. provision of an approved potable drinking water supply;
6. provision of a suitable power supply for lighting and electricity supply;
7. provision of fire prevention and extinguishing equipment to the standards required by FESA;

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8. Shire of Dandaragan to be advised of completion of installation prior to occupation of the facility; and
9. access and egress to the campsite is to be via Koonah Road only and is to include restrictions during school bus hours.

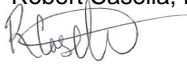

Advice:

- This grant of planning approval is not a building licence. A special building licence must be obtained for the development.

CARRIED 8 / 0

The Officer Recommendation was not carried due to the addition to point 9 "to include restrictions during school bus hours".

9.4.9 APPLICATION FOR PLANNING APPROVAL – PROPOSED EXTENSION TO EXISTING OUTBUILDING – LOT 18 GERONIMO CRESCENT, JURIE BAY

Location:	Lot 18 Geronimo Crescent, Jurie Bay
Applicant:	Greg Rowe and Associates on behalf of Mr and Mrs Hiltunen
File Ref:	Development Services Apps / Development Application / 2012 / 52
Disclosure of Interest:	None
Date:	17 September 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Acting Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The proponent seeks planning approval to construct an extension to an existing outbuilding in the form of an enclosed 'lean-to' on Lot 18 Geronimo Crescent, Jurie Bay.

BACKGROUND

A previous application was submitted seeking planning approval to construct two (2) lean-tos on the northern and southern sides of the existing outbuilding, along with a lean-to adjoining the existing residential dwelling, both of which were deemed for refusal due to the current setback requirements for Alta Mare under the Shire of Dandaragan (SoD) Local Planning Scheme No.7 (LPS7) and design requirement set out in the Local Planning Policy (LPP) Scale of Outbuildings – Rural Residential and Special Use – Rural Development Zones.

At its meeting on the 26 August 2012, Council endorsed an amended policy relating to Outbuildings and Temporary Accommodation, which allows council to have discretion to approve outbuildings and lean-tos that exceed aggregate floor area provisions if certain criteria are met.

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The applicant is now seeking approval to construct an addition to an existing outbuilding, measuring 18 metres in width by 9 metres in depth (162m² total floorspace). The proposed lean-to is to be an enclosed structure, designed to provide additional space for items to be stored away from the elements and out of view.

The proposed development measures five (5) metres in depth and 18 meters wide, providing a total floorspace of 90 square metres. The height of the proposed structure ranges from 2.8m to 3m where it adjoins the existing outbuilding, which can be seen in the elevations diagram of the attachments. The total floorspace of the outbuilding will be 252m².

The development will be constructed of steel and cream 'colorbond', keeping with the materials and colours used for the existing outbuilding and residential dwelling on site.

COMMENT

The subject site, zoned 'Rural Residential' under the SoD LPS7, currently contains an existing residential dwelling, a small shed and an outbuilding, all of which are positioned together on the southern part of the site. The buildings are surrounded by existing vegetation, comprising mainly trees, which assist in screening the buildings from the adjoining lots and two (2) abutting roads. A layout of the subject site can be seen in the site plan of the attachments.

Under Schedule 11 of LPS7 the specific provisions for the proposed site, 'Rural Residential 3' zone, all development must maintain a front setback of at least 20m, 10m side setback and a 30m rear setback. The proposed development complies with these setback requirements.

In response to the conditions required for a lean-to construction, contained in LPP 8.5 Outbuildings – 'Rural Residential' and 'Special Use – Rural Development' Zones, the lean-to is to be designed and located in such a way to ensure it is not clearly visible from Geronimo Crescent, Canover Road or the residential dwellings located on adjoining properties. The proposal will be located approximately 145m from the primary Street, Geronimo Crescent, and appropriately screened by existing vegetation, making it difficult to see from the street, as well as from the adjoining lot to the east with the existing house screening the extension from the lot to the west.

In processing the previous application in July 2011, the proposal was submitted for advertising in which no objections were received from adjoining landowners at that time. It is not recommended the application be subject to advertising again, as the proposal generally complies with the existing LPP 8.5 Outbuildings – 'Rural Residential' and 'Special Use – Rural Development' Zones.

CONSULTATION

- Manager of Building Services

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

8.5 Outbuildings – ‘Rural Residential’ and ‘Special Use – Rural Development’ Zones

1. All Lean-to's shall not exceed a floor area of 54m² (in accordance with Part 2), a wall height of 4.0m or a ridge height of 5.0m.
2. The maximum lean – to floor area of 54m² shall not result in a total detached building area of greater than 216m².
3. The Council may consider applications for lean-to's that exceed the size limitations defined in Part 1 or 2, where the following criteria may be achieved:
 - a) The lean-to is located to the rear of an existing outbuilding and can not be viewed from the street;
 - b) The lean-to will not have an impact on the streetscape or amenity of the area; and
 - c) The lean to is adequately screened with landscaping to lessen the visual impact on adjoining properties and streetscape.
4. All lean-to's shall be constructed of materials that match or complement the outbuilding on the site.

FINANCIAL IMPLICATIONS

The applicant has paid a fee for planning approval to the value of \$139.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Site Plan (Doc Id: 8587)
- Elevation Diagram (Doc Id: 8587)

(Marked 9.4.9)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr Gibson

That Council grant planning approval for the development of an extension to the existing Outbuilding (Lean-to) on Lot 18 Geronimo Crescent, Jurien Bay (Alta Mare Estate) in

accordance with Plan MGA50 GDA 94 on the following conditions:

1. The development shall be carried out in accordance with the approved plans MGA 50 GDA 94 dated 5 September 2012 as well as the specifications submitted with the application and shall not be altered and or modified;
2. The surrounding areas of vegetation remain vegetated for the purpose of screening of the 'lean-to' extension; and
3. This grant of planning approval is not a building licence. A building licence must be obtained for this development.

CARRIED 8 / 0

9.5 HEALTH

9.6 BUILDING

9.7 COUNCILLOR INFORMATION BULLETIN

9.7.1 CENTRAL MIDLANDS SENIOR HIGH SCHOOL NEWSLETTER

Document ID: 7831

Inside this issue:

- Country Week 2012
- Physical education Uniform Policy
- From the Principal
- Student Council Update
- Let's Talk about BREAKFAST
- Moora Youth Group
- The Great Bike Hike...Is Coming To Town
- Rio Tinto Big Science Competition

9.7.2 PUBLIC HEALTH – HEALTHY ROADS LOCAL GOVERNMENT

Document ID: 7826

“Road Safety continues to be one of Western Australia’s most serious public health issues. Each year, around 200 people die on Western Australian roads and almost 3,000 people are hospitalised. In WA alone the cost of road crashes is nearly \$2 billion a year.”

More information is on hand if required.

9.7.3 WALGA – PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER – 3 AUGUST 2012 – EDITION 73

Document ID: 7440

Inside this issue:

- Urgent Update on Building Act
- South West Native Title Settlement

- Regional Emergency Management Workshops
- Disability Access Standards – Updated Guidelines
- National Food Plan Green Paper
- Retail Trading Hours
- Last Chance – WALGA Survey: Review of DAP's & Performance
- Anti Poverty Week
- Upcoming Events and Conferences
- Reminders

9.7.4 MINISTER FOR LOCAL GOVERNMENT; HERITAGE; CITIZENSHIP AND MULTICULTURAL INTERESTS – CAT ACT IMPLEMENTATION GRANT PROGRAM

Document ID: 7535

"In May the Minister announced that over \$3 million has been made available to support the community and local governments to put in place the Cat Act 2011 legislation.

He is pleased to now announce that the grants for Cat Act implementation funding are open for application."

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.4)**

9.7.5 WESTERN AUSTRALIAN PLANNING COMMISSION – LOCAL PLANNING SCHEME NO.7 – AMENDMENT NO.18

Document ID: 7567

"In response to your letter of 25 January 2012, it is advised that the Minister for Planning determined the submissions in accordance with the schedule of submissions, and has refused to grant final approval to the above amendment."

Reasons for not approving the amendment are listed on the attached correspondence. **(Marked 9.7.5)**

9.7.6 WALGA – PLANNING AND COMMUNITY DEVELOPMENT NEWSLETTER – 10 AUGUST 2012 – EDITION 74

Document ID: 7661

Inside this issue:

- Grants Management Presentation
- Neighbourhood Watch Australasia Awards
- Walkover October 2012
- Regional Emergency Management Workshops
- Great Bike Hike Launch Community Expo
- New Industry Code for Mobile Phone Base Stations
- Upcoming Events and Conferences
- Reminders

9.7.7 WALGA MINUTES ANNUAL GENERAL MEETING

Document ID: 7612

Attached to the agenda is a copy of the WALGA Annual General Meeting Minutes which was held at the Perth Convention Exhibition Centre on Wednesday 1 August 2012. **(Marked 9.7.7)**

9.7.8 HALOGEN FOUNDATION – THE 2012 NATIONAL YOUNG LEADERS DAY

Document ID: 7713

“The National Young Leaders Day is endorsed by the Prime Minister, Governor General and all State Premiers and is the biggest event of its kind in Australia being held in 5 of the nation’s capital cities. Many councils and local regions choose to send young people as part of their leadership and youth development programs.”

The above mentioned event will be held in Perth at the Perth Convention Centre on Friday 15 March 2013. More information can be obtained from their webpage: www.halogenfoundation.org

9.7.9 WALGA INFOPAGE – CASH FOR CONTAINERS SCHEME – LOCAL GOVERNMENT TOOLKIT

Document ID: 7717

Key Issues:

- WALGA is undertaking an advocacy campaign for the introduction of a Cash for Containers Scheme in WA.
- Local Government engagement in the upcoming advocacy campaign to implement a WA Cash for Containers Scheme is requested.
- Environment Ministers decide on future action for a National Cash for Containers Scheme in August.

9.7.10 WALGA INFOPAGE – SAT DETERMINATION – REFUSAL OF A BUILDING PERMIT

Document ID: 7723

Key Issues:

- A recent case at the State Administrative Tribunal (2012) WASAT 156 clarifies a Local Government’s (as a Permit Authority) ability to refuse a Building Permit.
- The Permit Authority was able to refuse the application based on an error in the Certificate of Design Compliance.
- A full copy of the SAT determination is attached.

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.10)**

9.7.11 LOCAL GOVERNMENT NEWS – ISSUE NO 32.12 – 13 AUGUST 2012

Document ID: 7724

Inside this issue:

- Banner Winners
- Register Now – Waste & Recycle Conference 2012
- Officer Training
- Elected Member Training
- Cat Act Implementation Grant Program
- Long Term Network Development Plans
- International Greens Awards – Asia Pacific Sustainability Summit
- Great Bike Hire Launch Community Expo Update on WA State

Aviation Strategy

9.7.12 ST JOHNS SUB CENTRE, JURIEN BAY – UPGRADE OF ROYAL FLYING DOCTOR SERVICE (RFDS) FACILITIES AT JURIEN BAY AIRSTRIP

Document ID: 7783

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

9.7.13 DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS – NOTICE OF INTENTION TO TAKE TO GRANT ESTATES, INTEREST AND RIGHTS UNDER WRITTEN LAW – LAND ADMINISTRATION ACT 1997 AND SECTION 24MD(6A) AND (6B) OF THE NATIVE TITLE ACT 1993

Document ID: 7727

“Proposal: Amalgamation of Reserve 38459 (Lot 679) with Lots 163, 351 and change of purpose of reserve to ‘Aged Care, Accommodation and Health’.”

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

9.7.14 DEPARTMENT OF TRANSPORT – CHANGES TO THE RECREATIONAL BOATING FACILITIES SCHEME

Document ID: 7764

“From the next RBFS round onwards, the Department of Transport will set a minimum grant limit of \$15,000 for works projects (that is, minimum estimated project cost of \$20,000, excl GST). This will affect small projects of low monetary value but which are still compliant with RBFS guidelines, such as jetty fenders, single courtesy moorings and some fish cleaning tables.”

More information is on hand.

9.7.15 CHATTERTON FAMILY – THANK YOU LETTER

Document ID: 7828

“I just wanted to say thank you for a lovely end to our official journey to Australian Citizenship. Although I am not usually comfortable in the spotlight you all made us feel very welcome and we are privileged to call Dandaragan, Australia home.”

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

9.7.16 SHIRE OF GINGIN – APPOINTMENT OF NEW CHIEF EXECUTIVE OFFICER

Document ID: 7829

“The Shire of Gingin is pleased to announce the appointment of the new Chief Executive Officer, Mr Jeremy Edwards.”

Mr Edwards will provide the overall leadership and strategic direction to the Shire as directed by Council. Mr Edwards comes to the Shire with over 21 years experience in Local Government. He

was previously the Director Administration and Community Services for a large metropolitan Local Government.

Mr Edwards will be commencing with the Shire in October / November. Jeremy, his wife Amanda and children will be relocating to Gingin."

9.7.17 DEPARTMENT OF IMMIGRATION AND CITIZENSHIP – ACCESS AND EQUITY FOR A MULTICULTURAL AUSTRALIA

Document ID: 7899

A copy of the final Access and Equity Inquiry report, *Access and Equity for a Multicultural Australia* is on hand.

"The Inquiry undertook intensive consultations with a broad range of sources, including Australian government agencies, state and territory and local governments, community organisations and individuals. The consultations suggested that the Access and Equity policy remains important, given the diversity of our existing population and likely immigration trends over the coming decades."

9.7.18 MINISTERIAL MEDIA STATEMENT – MAJOR BOOST FOR COASTAL PROTECTION FUNDING

Document ID:

Funding for the protection of the Western Australia coastline will triple with an additional \$4 million available in State Government Grants.

Announcing the latest round of Coastal Protection Program grants on 5 September, Transport Minister Troy Buswell said total funding for the scheme had increased from \$2 million (in 2012-13) to \$6 million for the 2013-14 rounds.

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

9.7.19 MINISTER FOR PLANNING; CULTURE AND THE ARTS; SCIENCE AND INNOVATION – AMENDMENT NO.18 – SHIRE OF DANDARAGAN LOCAL PLANNING SCHEME NO.7

Document ID: 8180

"After careful consideration of all matters relating to the proposal, I have determined to endorse the recommendation of the Western Australian Planning Commission to refuse the amendment. The proposal is inconsistent with State and local government strategic planning which aims to focus future development in established settlements. It is my view that development of a roadhouse, restaurant / café, shop, exhibition centre, caravan and camping grounds could very likely detract from the existing settlements and local economies of Cervantes, Lancelin and Jurien Bay. The proposal is also located within an area of high value natural landscape, where this form of development could adversely impact upon the landscape in a way that cannot be mitigated or managed."

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

9.7.20 DISABILITY SERVICES COMMISSION – DISABILITY AWARENESS WEEK (2 DECEMBER – 8 DECEMBER 2012)

Document ID: 8144

On 3 December every year, International Day of People with Disability is celebrated worldwide, recognising achievements and contributions of people with disability.

More information is on hand.

9.7.21 ALGA – 2012 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

Document ID: 8056

The above mentioned Congress will be held at the Wrest Point Conference Centre in Hobart from 14 – 16 November.

The Congress will explore issues in line with the National Local Roads and Transport Policy Agenda 2010 – 2020 including the importance of the road network for connecting communities and the role of transport on local roads to economic and social health and wellbeing. A highlight for the 2012 Congress will be the release of the first State Local Roads Assets report. The report will form the technical base for continued advocacy by the Australian Local Government Association (ALGA) for increased government funding for local roads into the future.

More information is on hand.

9.7.22 MINISTER FOR LOCAL GOVERNMENT; HERITAGE; CITIZENSHIP AND MULTICULTURAL INTERESTS – LOCAL GOVERNMENT AREA (LGA) PROFILE: SELECTED DIVERSITY DATA FROM THE 2011 CENSUS

Document ID: 8053

Western Australia is a truly diverse society. Almost one third (30.7 per cent) of people were born overseas and 51 per cent have one or both parents who are overseas born. People are increasingly arriving from different countries and regions than in the past. The establishment of new and emerging communities, alongside long established ones, contributes to the State's increasing cultural, religious and linguistic diversity.

More information is on hand.

9.7.23 JURIE BAY DISTRICT HIGH SCHOOL – THANK YOU LETTER

Document ID: 8042

"We would like to extend a huge thank you to all of you for taking the time to invite us to your Shire Council meeting yesterday. It was a very interesting experience. We were able to see how our local Shire approaches decision making as well as to participate in a formal meeting procedure. The way that you all explained your roles made it a little clearer for us to see how each job links

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together under the Shire banner. Lunch was also really good and it was a bonus to the day. Thank you very much for the opportunity to join you all."

9.7.24 WALGA INFOPAGE – AUSTRALIAN PLAGUE LOCUST OUTBREAKS EXPECTED

Document ID: 8021

Key Issues:

- DAFWA have advised of Australian Plague Locust outbreaks this season.
- Local Government assets such as recreational reserves are susceptible to damage.
- Public amenity in town sites could be affected.

9.7.25 TURQUOISE COAST TOURISM – MINUTES OF ORDINARY BOARD MEETING

Document ID:

Attached to the agenda is a copy of the above mentioned Minutes that were held at the Cervantes Lodge on 24 July 2012. **(Marked 9.7.25)**

9.7.26 MEDIA RELEASE – LOCALS, VISITORS, BUSINESS BENEFIT FROM \$46M MID WEST ROAD UPGRADES

Document ID: 7882

The Nationals WA candidate for Moore, Shane Love and candidate for the Agricultural Region Martin Aldridge have welcomed more than \$46 million to upgrade Mid West roads.

Mr Love said it was great news for Mid West communities, for the region's many visitors and for transport business operators.

The funding comes as result of the Safer Country Roads Initiative and includes \$20.8 million from Royalties for Regions.

9.7.27 LOCAL GOVERNMENT NEWS – ISSUE NO 33.12 – 20 AUGUST 2012

Document ID: 7902

Inside this issue:

- Regional Subsidiaries – Local Government Amendment Bill (No.2) 2012
- Waste & Recycle Conference 2012 – Last Chance For Early Bird Registration
- Vacancies on Boards and Committees
- WA Local Government Convention Presentations
- WA Local Government Convention Photos
- Officer Training
- Elected Member Training
- PIA State Conference
- Inviting Bids to Host 2015 Commonwealth Local Government Conference
- Working Near Electricity – Process Alignment by Western Power

9.7.28 WATER CORPORATION – AGRICULTURAL APPLICATION OF BIOSOLIDS WITHIN THE SHIRE OF DANDARAGAN

Document ID: 7980

Biosolids are rich in nutrients and organic matter and are a good natural fertiliser and soil improver. Land applications of biosolids in Western Australia are conducted under strict quality criteria and have a history of safe and effective performance. The Water Corporation has long recognised the value of this renewable resource, which is well suited to the State's nutrient deficient soils.

More information is on hand.

9.7.29 LOCAL GOVERNMENT NEWS – ISSUE NO 34.12 – 27 AUGUST 2012

Document ID: 8011

Inside this issue:

- Dog Amendment Bill 2012
- Meeting with the Hon Bill Marmion MLA Minister for Environment; Water
- National Food Plan Green Paper – Local Government Submission
- Grants Management
- WALGA Roadbuilding Supplies
- Officer Training
- Creating Diversity in Employment Seminar – Opportunity for Local Government
- HACC Evaluation of Assessment Framework Survey

9.7.30 EVENTS FORCE – 2012 ON THE ROAD AGAIN TOUR FOR THE ROYAL FLYING DOCTOR SERVICE 7 – 13 OCTOBER

Document ID: 8125

Planning for this year's On the Road Again Tour is well under way. The OTRA Tour will leave Kalbarri Sunday 7 October and after travelling 2,500kms through the Gascoyne / Coral Coast regions will finish in Yanchep on Sunday 13 October.

More information is on hand.

9.7.31 DEPARTMENT OF AGRICULTURE AND FOOD – DRAFT BAM ACT 2007 AGRICULTURAL STANDARDS REGULATIONS 2012

Document ID: 8336

The Department of Agriculture and Food (DAFWA) invites comments on draft regulations under the Biosecurity and Agriculture Management Act 2007 (BAM Act). The new Agricultural Standards Regulations 2012 will replace:

- the Agricultural Produce (Chemical Residues) Act 1983 and Regulations 1985;
- the Animal feeds provisions of the Veterinary Chemical Control and Animal Feeding Stuffs Act 1976 and Regulations 2006; and
- the Fertilisers Act 1977 and Regulations 1978.

Written submissions are due 4.00pm 12 October 2012.

9.7.32 MUNICIPAL WASTE ADVISORY COUNCIL – INFORMATION BULLETIN

Document ID: 8337

Inside this issue:

- Consult on Contamination
- New Chairs
- Local Government Subsidiary
- Working with Schools Wins
- Newsprint Recovery Rate Resilient
- TV's and Computers Recycling Scheme Starts
- Waste Reporting Workshops
- Cockburn Awarded Most Sustainable City
- Caught by CCTV
- National Litter Index Released
- Foodbank WA Funding
- What We Throw Away
- Equality for AWT
- National Waste Management Database Updates
- Worlds Largest MRF

9.7.33 WALGA INFOPAGE – DEPARTMENT OF WATER – DRY SEASONAL RESPONSE UPDATE

Document ID: 8338

Key Issues:

- Department of Water (DoW) is tracking and responding to seasonal conditions.
- Department of Water has developed advice for stakeholders about the impact and extended dry period is likely to have on water resources.
- The August edition of Seasonal Response is on hand for your consideration. WALGA will advise Members when new editions are available via Local Government News.

9.7.34 WALGA INFOPAGE – CHILD HEALTH FACILITY PROVISION

Document ID: 8339

Key Issues:

- WA State Budget 2012 – 2013 announcements included a significant increase in funding allocations for community child health nursing services, across the Departments of Health (\$58.5 million), Education (\$28.8 million), and Communities (\$4 million)
- The Department of Health has commenced a tender process worth \$40 million over four years to deliver community child health nursing services through not-for-profit organisations. Local Governments are also eligible to apply to become service providers.
- WALGA is scoping a consultancy project to research the total costs to Local Government for the provision of child health facilities; analysis of cost pressures and leasing trends; and recommendations or options to help inform ongoing policy.

9.7.35 WALGA INFOPAGE – EMERGENCY SERVICES ACTS AMALGAMATION PROJECT

Document ID: 8340

Key Issues:

- Fire and Emergency Services Authority (FESA) is progressing the development of a new Emergency Services Act.
- The proposed legislation will be created through the amalgamation of the Fire and Emergency Services Authority of Western Australia Act 1998, the Fire Brigades Act 1942 and the Bush Fires Act 1954.
- An Interagency Working Group, with representation from WALGA, has been formed in accordance with recommendation 2 of the Perth Hills Bushfire February 2011 Review to provide strategic oversight into the development of a single Emergency Services Act.
- The timeframes are still to be determined. WALGA will provide updates and advice as the project progresses.

9.7.36 WALGA INFOPAGE – WASTE AUTHORITY BUSINESS PLAN RELEASED

Document ID: 8341

Key Issues:

- The Waste Authority have released their Business Plan for 2012 / 2013 and projections to 2016 / 2017.
- This Plan outlines funding to waste management and priority areas over the coming years.
- This includes funding opportunities for Local Government.

9.7.37 WALGA INFOPAGE – REGIONAL SUBSIDIARIES – LOCAL GOVERNMENT AMENDMENT BILL (NO. 2) 2012

Document ID: 8342

Key Issues:

- Legislation which will empower Local Governments to establish regional subsidiaries has been introduced to Parliament by the Government.
- WALGA has requested meaningful consultation on the development of the regulations, which will contain most of the detail regarding the establishment, powers and administration of regional subsidiaries.

9.7.38 WALGA INFOPAGE – CONTAMINATED SITES ACT 2003 REVIEW

Document ID: 8343

Key Issues:

- Review of the Contaminated Sites Act 2003 since its gazettal.
- WALGA is seeking feedback on its interim submission; and
- Potential financial and management implications for Local Government.

9.7.39 LOCAL GOVERNMENT NEWS – ISSUE NO 35.12 – 3 SEPTEMBER 2012

Document ID: 8345

Inside this issue:

- Heavy Vehicle Safety and Productivity Program
- Review of the Contaminated Sites Act 2003

- MWAC Information Bulletin
- Local Government Grant Applications
- New WALGA Preferred Supplier Panel
- Officer Training
- Elected Member Training
- Local Alcohol Management Issues – Survey Extension
- Councils To Comment On Local Government Energy Efficiency Program (LGEEP)

9.7.40 DEPARTMENT OF AGRICULTURE AND FOOD – WEST MIDLANDS MAPPING AND WATER MANAGEMENT PROJECT

Document ID: 8355

The Department of Agriculture and Food (DAFWA), with the Department of Regional Development and Lands and Department of Water, will begin a groundwater investigation in the Koojan-Gillingarra area of the West Midlands (West Midlands Project).

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

9.7.41 AUSTRALIAN REGIONAL TOURISM NETWORK – 12TH ANNUAL CONVENTION

Document ID: 8366

The Convention brings together regional tourism practitioners and experts annually and this year it will be held in Launceston 22 – 26 October 2012.

More information is on hand.

9.7.42 BADGINGARRA COMMUNITY ASSOCIATION – MUSEUM PROJECT IN BADGINGARRA

Document ID: 8368

Deanna Wilkinson has been researching funding for a museum project in Badgingarra. The proposal is to erect a structure on the reserve around the hall and oval grounds.

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

9.7.43 DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS – COUNTRY LOCAL GOVERNMENT FUND REVIEW – RELEASE OF THE GOVERNMENT RESPONSE

Document ID: 8370

The Government response has now been released and a copy is on hand if required. **(Marked 9.7.43)**

9.7.44 WALGA INFOPAGE – GOVERNMENT'S RESPONSE – REVIEW OF THE COUNTRY LOCAL GOVERNMENT FUND

Document ID: 8423

Key Issues:

- The State Government has released its response to the Review of the Country Local Government Fund.
- A summary of the charges, which will be implemented in July 2014 are on hand.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 27 SEPTEMBER 2012

9.7.45 LOCAL GOVERNMENT NEWS – ISSUE NO 36.12 – 10 SEPTEMBER 2012

Document ID: 8424

Inside this issue:

- Heavy Vehicle on Local Government Roads Workshops
- Amendments to Streamline Management of The Swan and Canning Rivers
- Speed Management Workshop
- Information Sessions About the Forest Management Plan 2014 – 2023
- ARRB Conference
- National Local Roads and Transport Congress
- Officer Training
- Elected Member Training
- Better Urban Water Management Session

9.7.46 JURIE BAY SUPERTOWN PROJECT REFERENCE GROUP - MINUTES

Document ID: 8519

A copy of the Minutes of the Jurie Bay SuperTown Project Reference Group held on Wednesday 12 September 2012 in the Jurie Bay Council Chambers 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

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 11.35am.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 27 SEPTEMBER 2012

Date