



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

**MINUTES**  
**of the**  
**ORDINARY COUNCIL MEETING**  
**held at the**  
**COUNCIL CHAMBERS JURIEBAY**  
**on**  
**THURSDAY 26 FEBRUARY 2015**  
**COMMENCING AT 5.02PM**

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

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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

### 1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 5.02pm and welcomed those present.

### 1.2 DISCLAIMER READING

The disclaimer was read aloud as there were 16 members of the public present.

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

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

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

### Members

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

### Staff

Mr T Nottle	(Chief Executive Officer)
Mr I Rennie	(Deputy Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr G Yandle	(Executive Manager Infrastructure)
Mr D Chidlow	(Manager Planning)
Mrs B Macaulay	(Planning Officer)

### Apologies

### Approved Leave of Absence

Nil

### Observers

There were 16 members of the public present

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

Nil

### 4 PUBLIC QUESTION TIME

The CEO read aloud correspondence received from Paul Robb and Tony Lambert and responded as follows.

#### **Paul Robb, Cervantes**

Question 1:

Does the Shire Council intend to formulate a policy or position on Fracking? If not, why not?

*Council has previously discussed this matter and provided a response to similar questions to two other queries that were received.*

*The Shire of Dandaragan does not have an established policy or position in relation to fracking within the Shire boundary. The Shire of Dandaragan does not have legal jurisdiction in relation to exploration permit approvals or applications, as these functions are the responsibility of State and Federal Government agencies / organisations.*

*The Shire will continue to monitor the situation and additionally, will await the outcomes of the State Legislative Council's Environment and Public Affairs Committee's Inquiry into the Implications for Western Australia of Hydraulic Fracturing for Unconventional Gas which is due to be handed down this year.*

Question 2:

Does the Shire Council consider Fracking is a process which may affect the quality of groundwater within the Shire of Dandaragan? If not, why not?

*See answer to Q1.*

Question 3:

By which means is the Shire Council monitoring the growing concerns of its ratepayers and residents? And how accurate does the Shire Council consider its monitoring methods to be?

*See answer to Q1.*

Question 4:

Has the Shire Council considered any potential economic impacts from contaminated groundwater, if Fracking does cause such in the future? If not, why not?

*Not at this point in time. It is hoped that this may be addressed in the State Government's Environment and Public Affairs Committee's report on the*

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*“Inquiry into the Implications for Western Australia of Hydraulic Fracturing for Unconventional Gas”.*

**Tony Lambert, Cervantes**

Question 1:

Given the abundant and irrefutable proof of harm evidence already provided do the shire executive and Councillors accept that fracking poses an unacceptably serious public health risk and a presents a clear and present danger?

*Council has previously discussed this matter and provided a response to similar questions to two other queries that were received.*

*The Shire of Dandaragan does not have an established policy or position in relation to fracking within the Shire boundary. The Shire of Dandaragan does not have legal jurisdiction in relation to exploration permit approvals or applications, as these functions are the responsibility of State and Federal Government agencies / organisations.*

*The Shire will continue to monitor the situation and additionally, will await the outcomes of the State Legislative Council’s Environment and Public Affairs Committee’s Inquiry into the Implications for Western Australia of Hydraulic Fracturing for Unconventional Gas which is due to be handed down this year.*

Question 2:

Does the Shire executive and Councillors accept the central tenet that the people of the nation constitute the foundation of government and law and not the courts, elected representatives and political appointees?

*This question is in relation to the fracking issue. Please refer to the response provided for Q1.*

Question 3:

Will the shire executive and Councillors faithfully represent the prevailing will of the overwhelming majority in their forthcoming demand to declare the shire of Dandaragan opposed to fracking?

*I refer Mr Lambert to a response provided to a similar question raised previously which was provided on 16 December 2014.*

*“Council will continue to monitor the situation. While Council is aware that the issue of fracking is topical and a concern to some residents in the Shire, there is no evidence that supports that this is the view of the community majority of residents and ratepayers within the Shire.”*

Question 4:

Will the shire executive and Councillors faithfully respect and enact the prevailing will of the people to refuse acceptance of toxic waste at the Jurien landfill site from any and all mining enterprise if requests are forthcoming?

*The Jurien Bay Landfill site is licensed as a Category 64, Class II*

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*putrescible landfill site. Provided the waste being delivered to the site falls within the type of waste set out under the "Landfill Waste Classification and Waste Definitions 1996" this can be accepted. Any waste falling outside this category cannot be accepted.*

Question 5:

Do the shire executive and Councillors understand the basic premise - No means No?

*If this question is in relation to the fracking issue then I refer you to the response in relation to Q1.*

Mike Kenny asked if the Shire would be happy to have a rural based Councillor representing the coastal area?

*The Chief Executive Officer advised that the item in relation to the ward boundary review was being discussed tonight and that some of the concerns would possibly be addressed during the debate.*

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

Nil

## **6 CONFIRMATION OF MINUTES**

### **6.1 MINUTES OF ORDINARY MEETING HELD 22 JANUARY 2015**

#### **COUNCIL DECISION**

**Moved Cr McGlew, seconded Cr Short**

**That the minutes of the Ordinary Meeting of Council held 22 January 2015 be confirmed.**

**CARRIED 9 / 0**

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

### Cr Slyn

- 4 February 2015                      Jurien Bay Boat Harbour Marine Advisory Committee
- 11 February 2015                     Local Emergency Management Committee

### Cr Bailey

- 18 February 2015                     Fire Control Officers Meeting – Badgingarra
- 24 February 2015                     Canover Volunteer Bushfire Brigade Meeting
- 24 February 2015                     Badgingarra Community Association Meeting



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Cr Short

- |                    |  |
|--------------------|--|
| - 28 January 2015  | MOU Wheatbelt Health Forum                                     |
| - 30 January 2015  | Moore Catchment Council Committee Meeting                      |
| - 3 February 2015  | MOU Wheatbelt Health Forum                                     |
| - 3 February 2015  | West Koojan – Gillingarra Land Conservation District Committee |
| - 10 February 2015 | Young Citizen and Citizen of the Year Awards - Dandaragan      |
| - 16 February 2015 | WALGA Country Reform Forum                                     |
| - 17 February 2015 | Jurien Bay Town Projects Community Workshops                   |
| - 18 February 2015 | Municipal Waste Advisory Council                               |
| - 24 February 2015 | Moore Catchment Council Finance                                |

Cr Sheppard

- |                   |                                 |
|-------------------|---------------------------------|
| - 4 February 2015 | Jurien Bay Progress Association |
|-------------------|---------------------------------|

Cr Holmes

- |                       |  |
|-----------------------|--|
| - 17 February 2015    | Jurien Bay Town Projects Community Workshops |
| - 26-28 February 2015 | Wheatbelt Development Commission             |

Cr Kulisa

- |                    |   |
|--------------------|---|
| - 5 February 2015  | Freeman of Shire Event – Gary Snook                       |
| - 10 February 2015 | Young Citizen and Citizen of the Year Awards - Dandaragan |
| - 11 February 2015 | Jurien Bay Community Resource Centre Committee            |
| - 17 February 2015 | Jurien Bay Town Projects Community Workshops              |
| - 23 February 2015 | Education Working Party                                   |

Cr McGlew

- |                    |  |
|--------------------|--|
| - 26 January 2015  | Australia Day Breakfast, Wolba Wolba Cottage                   |
| - 28 January 2015  | WA Mental Health Draft Strategy Workshop                       |
| - 30 January 2015  | Cervantes Community Recreation Centre Working Party Meeting    |
| - 5 February 2015  | Freeman of Shire Event – Gary Snook                            |
| - 9 February 2015  | SuperTown Presentation – Northam                               |
| - 9 February 2015  | Dandaragan Community Centre Meeting                            |
| - 10 February 2015 | Young Citizen and Citizen of the Year Awards – Dandaragan      |
| - 11 February 2015 | Shire Roadwise Meeting   |
| - 12 February 2015 | Citizenship Ceremony, Jurien Bay                               |
| - 16 February 2015 | West Koojan – Gillingarra Land Conservation District Committee |
| - 17 February 2015 | Jurien Bay Town Projects Community Workshops                   |
| - 18 February 2015 | Fire Control Officer's Meeting – Badgingarra                   |
| - 23 February 2015 | Education Working Party Meeting – Jurien Bay                   |
| - 24 February 2015 | Badgingarra Community Association Meeting                      |
| - 25 February 2015 | Cervantes Community Recreation Centre Working Party Meeting    |

**The delegates' reports to 26 February 2015 as presented were accepted by Council.**

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

Nil

**9 REPORTS OF COMMITTEES AND OFFICERS****COUNCIL DECISION**

**Moved Cr Sheppard, seconded Cr Bailey**

**That the order of business in the agenda be changed to allow Item 10.1.1 to be brought forward and dealt with at this time.**

**CARRIED 9 / 0**

**10.1 ADMINISTRATION**

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

The following item requires urgent consideration by Council:

That Council considers whether to implement a change to the current no ward system of representation.

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr McGlew, seconded Cr Holmes**

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

**That Council considers whether to implement a change to the current no ward system of representation.**

**LOST 4 / 5**

**COUNCIL DECISION**

**Moved Cr Kent, seconded Cr Kulisa**

**At this point business was resumed in the sequence of the agenda.**

**CARRIED 7 / 2**

**9.1 FINANCE****9.1.1 ACCOUNTS FOR PAYMENT – JANUARY 2015**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Business Classification Scheme / Financial Management / Creditors / Expenditure
Disclosure of Interest:	None
Date:	13 February 2015
Author:	Scott Clayton, Executive Manager Corporate &

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Signature of Author: Community Services  
  
 Senior Officer: Tony Mottle, Chief Executive Officer  
 Signature of Senior Officer: 

**PROPOSAL**

To accept the cheque and direct debit listing for the month of January 2015.

**BACKGROUND**

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

**COMMENT**

The cheque, electronic funds transfer (EFT) and direct debit payments for January 2015 totalled \$1,049,377.18 for the Municipal Fund.

**CONSULTATION**

- Chief Executive Officer

**STATUTORY ENVIRONMENT**

- Regulation 13 of the Local Government Financial Management Regulations 1997.

**POLICY IMPLICATIONS**

There are no policy implications relevant to this item.

**FINANCIAL IMPLICATIONS**

There are no adverse trends to report at this time.

**STRATEGIC IMPLICATIONS**

There are no strategic implications relevant to this item.

**ATTACHMENTS**

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

- Cheque, EFT and direct debit listings for January 2015 (Doc Id: 46431)

**(Marked 9.1.1)**

**VOTING REQUIREMENT**

Simple majority

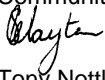

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Short, seconded Cr Slyns**

**That the Municipal Fund cheque and EFT listing for the period ending 31 January 2015 totalling \$1,049,377.18 for the Municipal Fund be accepted.**

**CARRIED 9 / 0**

### 9.1.2 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 31 JANUARY 2015

Location:	Shire of Dandaragan
Applicant:	N/A
Folder:	Business Classification Scheme / Financial Management / Financial Reporting / Periodic Reports
Disclosure of Interest:	None
Date:	17 February 2015
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 January 2015.

#### 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 January 2015.

#### 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 January 2015 was \$3,462,525. 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. During budget adoption a 10 percent or \$10,000 threshold for these variances to be reported was set. An explanation of these variances is as follows:

#### *Governance*

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Income is at 539% of Y-T-D budget and is primarily due to a dividend payment from the Shire's insurance service, LGIS.

*Law, Order and Public Safety*

Income is at 279% of Y-T-D budget and is due to non-operating grants (non-cash) from DFES for the changeover of two fast attack units and the addition of a fire truck.

*Recreation and Culture*

Expenditure is at 85% of Y-T-D budget and is due to less than budgeted salaries, materials and on costs. The cause of this is twofold. Firstly, parks and gardens have been operating at less than full staff capacity. Secondly, timing could mean staff have been spending more time in other areas. It is possible that this could correct itself as the year progresses.

*Economic Services*

Expenditure is at 82% of Y-T-D budget and is due to less than budgeted expenditure to tourism and promotions.

*Other Economic Services*

Income is at 179% of Y-T-D budget and is due to a large private works job undertaken for Water Corporation to reinstate a carpark.

Expenditure is at 285% of Y-T-D budget and is due to four separate factors.

Firstly, an allocation of staff costs for the Shire's yardman needs to be made to this schedule from recreation and culture.

Secondly, Workers compensation premium actual allocation does not match the budget allocation.

These first two points will be reviewed and amended if necessary during budget review.

The final reason for the variance in the contract expenses for undertaking the Water Corporation private works job.

Should Councillors wish to raise any issues relating to the 31 January 2015 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 34 of the Local Government Financial Management

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Regulations (1996)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 31 January 2015 (Doc Id: 46423)

**(Marked 9.1.2)**

VOTING REQUIREMENT

Simple majority

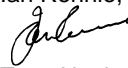

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Kent, seconded Cr Short**

**That the monthly financial statements for the period ending 31 January 2015 be adopted.**

**CARRIED 9 / 0**

**9.1.3 COASTAL HAZARD RISK MANAGEMENT – COASTAL VULNERABILITY PROJECT – BUDGET AMENDMENT**

Location:	Shire of Dandaragan / Shire of Gingin
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Land Use and Planning / Planning / Management Plans
Disclosure of Interest:	Nil
Date:	16 February 2015
Author:	Ian Rennie, Deputy Chief Executive Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

For Council to consider a budget variation in order to allow the undertaking of coastal erosion hazard mapping for the portion of the Jurien Bay town centre from Island Point to the Jurien Bay Marina.

BACKGROUND

In July 2013, a community workshop was held at Ledge Point in regard to the Coastal Hazard Risk Management Project. Members of Council, Staff and members of the public from the Shires of Gingin and Dandaragan were in attendance. In 2013, the Northern

Agricultural Catchment Council received funding from the Department of Transport towards the development of Coastal Hazard Mapping for priority areas in both the Shire's of Gingin and Dandaragan.

#### COMMENT

Coastal Hazard Mapping indicates the potential extent of erosion and inundation in coastal areas. This mapping is used for strategic planning purposes and is a recommendation made to management authorities within the WA Coastal Planning Policy (State Planning Policy 2.6).

In 2014 the NACC appointed consulting engineers GHD to undertake this mapping using funding from the Department of Transport. The consulting engineer's prioritised areas for mapping within both Shires based on a range of coastal engineering criteria. Unfortunately, the consulting engineers did not consult with Shire staff for input into the prioritisation of these areas before the mapping was developed.

A specific objective of the agreement between GHD and NACC is to "undertake a comprehensive hazard mapping and risk assessment for coastal erosion and coastal inundation for sites identified as being **medium to highly vulnerable** in the study undertaken in 2011. The area from Island Point to the Jurien Bay Marina was not classed as medium to highly vulnerable. If Council had been consulted, then GHD would have been advised that the Jurien Bay town centre should have been prioritised for mapping in preference to other areas along the coast due to the private and public assets that exists in these areas.

In November 2014, the Chief Executive Officers of the Shires of Dandaragan and Gingin approached the NACC's CEO to raise the matter and rectify this situation. It was acknowledged that this was an oversight and needed to be rectified, however no funding was available from NACC.

The total cost of the additional mapping has been quoted at \$9,796 (ex GST).

Funding from another source from the Coastal Management Plan Assistance Program of \$2,000 from the Shire of Gingin and \$2,000 from the Shire of Dandaragan's existing funding will reduce the cost to approx. \$5,800.

Some of the inundation mapping that has been undertaken by GHD included various areas of unallocated crown land, pastoral leases and Department of Parks and Wildlife managed reserves.

The NACC acknowledged the concern in regard to the erosion hazard mapping for the Jurien Bay town centre and advise that this work was not included in the original contract agreement with

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GHD because the site had been assessed as being accreting. NACC also suggested that the Gingin and Dandaragan Shires engage GHD directly to undertake erosion modelling for that area and to prepare a standalone technical note.

Subject to Council agreeing to allocate the necessary funds then GHD have advised that the draft mapping can be completed within two to three weeks of approval. The Shire's of Gingin and Dandaragan would then seek Department of Transport's technical review of the draft mapping.

**CONSULTATION**

- Northern Agricultural Catchment Council
- Shire of Gingin
- Coastal Connections (Ashley Robb)

**STATUTORY ENVIRONMENT**

State Planning Policy 2.6 State Coastal Planning

**POLICY IMPLICATIONS**

There are no policy implications relevant to this report.

**FINANCIAL IMPLICATIONS**

The recognition of an additional expense towards the project will have a \$5,800 adverse effect on the 2014 / 2015 budget.

**STRATEGIC IMPLICATIONS**

- Shire of Dandaragan Integrated Strategic Community Plan

GOAL NUMBER FOUR: Sustain a healthy natural environment					
OBJECTIVE 1: Maintain integrity of coastal and marine environments (this goal limited to Council reserves and managed resources)					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G4-01-A1	Manage pressure on coastal/beach environment from visitation/locals on Shire of Dandaragan reserves.	Workshops	Short	Coastal	DEC DoW DIA DoF

**ATTACHMENTS**

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

- Quote from GHD (Doc Id: 46417)  
**(Marked 9.1.3)**

**VOTING REQUIREMENT**

Absolute majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Sheppard, seconded Cr Kent**





**That Council authorise a budget amendment to recognise an expense of \$5,800 towards the completion of the Coastal Vulnerability Project.**

**CARRIED BY ABSOLUTE MAJORITY 8 / 1**

## 9.2 INFRASTRUCTURE

### 9.2.1 BUDGET AMENDMENT REPLACEMENT OF WOODCHIPPER

Location:	Jurien Bay
Applicant:	Operations Supervisor Jurien Bay, Troy Wright
Folder Path:	Business Classification scheme / Plant and Equipment Stores / Acquisition / Purchasing
Disclosure of Interest:	None
Date:	11 February 2015
Author:	Garrick Yandle, Executive Manager Infrastructure
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

For Council to consider a budget amendment with regard to the replacement of the Shire's Vermeer BC600 XL Woodchipper (2014), which was damaged and written off as a result of an incident prior to Christmas 2014.

#### BACKGROUND

Prior to Christmas 2014 the Shire's Vermeer Woodchipper was involved in an incident and incurred damage that was deemed by the Shire's Insurer to be too greater value to fix and was subsequently written off. The value of the payout insurance value was \$26,800.00.

#### COMMENT

During the process of obtaining quotes to replace the Woodchipper it was brought to the attention of Operations Supervisor Jurien Bay Troy Wright that the original model of the Vermeer BC600 Woodchipper was no longer in stock. A quote for similar newer model, Vermeer BC700XL Woodchipper, was obtained for the value of \$29,487.00 excluding GST. This resulted in a difference of \$2,687 plus GST between the insurance payout and the purchase of a new machine.

A budget amendment is required to:

1. accept the addition of the insurance payout of \$26,800 to the Shire Budget revenue; and
2. authorise the purchase of replacement Woodchipper to the value of \$29,487 plus GST, including drawing \$2,687 plus GST from the Plant Reserve to cover the full value of the Woodchipper.

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CONSULTATION

- Operations Supervisor Jurien Bay
- Executive Manager Corporate and Community Services

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this report.

POLICY IMPLICATIONS

Shire of Dandaragan Purchasing Policy and Tender Guide 1.15.

FINANCIAL IMPLICATIONS

A budget amendment is required to:

1. accept the addition of the insurance payout of \$26,800 to the Shire Budget revenue; and
2. authorise the purchase of replacement Woodchipper to the value of \$29,487 plus GST, including the transfer of \$2,687 plus GST from the Plant Reserve to the Municipal Fund to cover the full value of the Woodchipper.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this report.

ATTACHMENTS

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

- Zurich Insurance Payment Claim (Doc Id: 44614)
- Vermeer BC700XL Woodchipper Quote (Doc Id: 46085)

**(Marked 9.2.1)**

VOTING REQUIREMENT

Absolute majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Kulisa, seconded Cr Holmes**

**That Council authorise a budget amendment to:**

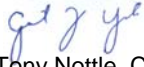

- 1. accept the addition of the insurance payout of \$26,800 to the Shire Budget revenue; and**
- 2. purchase the replacement Vermeer BC700XL Woodchipper to the value of \$29,487 plus GST, including the transfer of \$2,687 plus GST from the Plant Reserve to the Municipal Fund to cover the full value of the Woodchipper.**

**CARRIED BY ABSOLUTE MAJORITY 9 / 0**

## **9.2.2 TENDER RECOMMENDATION RFT 01/15 URBAN ROADS CASUARINA CRESCENT AND LESUEUR DRIVE**

Location:	Jurien Bay, Casuarina Crescent and Lesueur Drive
Applicant:	Executive Manager Infrastructure
Folder Path:	Business Classification Scheme / Road / Tendering / Tender Evaluations
Disclosure of Interest:	None
Date:	13 February 2015

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Author: Garrick Yandle, Executive Manager Infrastructure  
 Signature of Author:   
 Senior Officer: Tony Nottle, Chief Executive Officer  
 Signature of Senior Officer: 

**PROPOSAL**

That Council consider awarding the Tenders for RFT 01/15 Urban Road Reconstruction for Casuarina Crescent and Lesueur Drive. These projects have been identified in the 2014/15 Capital Works Budget and are being funded through Roads to Recovery.

**BACKGROUND**

The Shire's 2014/15 Roads to Recovery funding allocation is \$402,122. The roads outlined in RFT 01/15 are being delivered as part of the Shire's ongoing Roads to Recovery program and reporting requirements. Initial budget allocations for these two projects were as follows:

PROPOSED ROAD	BUDGET AMOUNT
Casuarina Cr	\$214,700
Lesueur Dr (Osprey to Ward)	\$187,422
<b>TOTAL</b>	<b>\$402,122</b>

**Tender Process**

The Shire's Infrastructure team are managing the Tender and Construction components of these projects in-house.

The Tender was advertised in The West Australian on Saturday 17 January 2015 and was also on the Shire website [www.dandaragan.wa.gov.au/tenders](http://www.dandaragan.wa.gov.au/tenders). The Tender submissions closed on Friday 6 February 2015 at 2.00pm.

**Tender Submissions**

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

At 2.00pm on 6 February 2015 the tender period closed with tenders received from the following 5 contractors:

- Advantearing
- ATM Civil
- Direct Contracting
- Road Contractors Pty Ltd
- WCP Civil

All Tenders received were conforming except for *Road Contractors Pty Ltd*, who failed to submit the required number of copies of their Tender documentation and failed to submit an electronic copy of their Tender submission. Their Tender submission was not considered for assessment due to it being nonconforming.

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

<b>CONTRACTOR</b>	<b>CASUARINA CRESCENT</b>	<b>LESUEUR DRIVE</b>	<b>TOTAL</b>
Advantearing	\$218,098.00	\$208,571.00	\$426,669.10
ATM Civil	\$168,708.03	\$127,869.68	\$296,577.71
Direct Contracting	\$160,270.00	\$194,734.10	\$355,004.10
WCP Civil *	\$160,712.45	\$157,634.09	\$318,346.54

\* WCP offered a 2% discount on project lump sum total upon award making their total offer \$311,979.61.

### **Tender Assessment**

The Shire received quality Tenders of varying levels of methodology, scope inclusions and subsequent price. The receipt and assessment of these Tenders allowed the Shire to further identify the key requirements and preferred scope of works to be undertaken. To be fair to all Tenderers the Shire have relayed the same technical queries back to the Tenderers in order to clarify their Tender pricing and confirm that all Tenderers had allowed for relevant scope items. This enabled the Shire to compare the price against the scope of all Tenderers in a consistent manner.

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

<b>QUALITATIVE CRITERIA</b>	<b>WEIGHTING</b>
Relevant experience <ul style="list-style-type: none"> <li>▪ In delivering services of the nature of this Tender</li> <li>▪ Demonstrate successful completion works of a similar nature within the Shire of Dandaragan</li> </ul>	15%
Capacity to deliver the services including their ability to supply and sustain the necessary <ul style="list-style-type: none"> <li>▪ Professional skills</li> <li>▪ Key personnel</li> <li>▪ Support facilities</li> <li>▪ Plant, equipment and materials; and</li> <li>▪ Any contingency measures or back up of resources including personnel (where applicable)</li> </ul>	15%
Service delivery plans <ul style="list-style-type: none"> <li>▪ A proposed method for providing the services and</li> <li>▪ A timetable for delivering the services</li> </ul>	15%
Reports from referees <ul style="list-style-type: none"> <li>▪ Provide written references.</li> </ul>	5%

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<b>QUALITATIVE CRITERIA</b>	<b>WEIGHTING</b>
Price <ul style="list-style-type: none"> <li>▪ Submit Tender prices on the price schedule form</li> </ul>	50%
<b>TOTAL</b>	<b>100%</b>

A Tender Assessment Matrix was developed as part of the qualitative assessment process. Notes were documented for each Tendering Contractor against each relevant criterion. These notes were then used to develop a numerical quantitative assessment. The detailed Tender Assessment Matrix is included at the end of this report. The results of the Tender Assessment Matrix are summarised in the table below.

<b>CRITERIA</b>	<b>%</b>	<b>ADVANTEERING</b>	<b>ATM CIVIL</b>	<b>DIRECT CONTRACTING</b>	<b>WCP CIVIL</b>
Relevant Experience	15	7.5%	10%	15%	11.5%
Capacity to Deliver	15	15%	15%	15%	15%
Service Delivery Plans	15	12%	10%	13%	12%
Reports from Referees	5	2%	3%	5%	5%
Price	50	30%	40%	45%	48%
<b>TOTAL</b>	<b>100</b>	<b>66.5%</b>	<b>78%</b>	<b>93%</b>	<b>91.5%</b>

<b>RANKING</b>	<b>CONTRACTOR</b>	<b>TOTAL</b>
1	Direct Contracting	93%
2	WCP Civil	91.5%
3	ATM Civil	78%
4	Advanteering	66.5%

**COMMENT**

Based upon the result of the Tender Assessment Matrix the preferred Tenderer is Direct Contracting. The recommendation is they be awarded the contract for both Casuarina Crescent \$160,270.00 and Lesueur Drive \$194,734.10 for a total of \$355,004.10.

The key reasons that Direct Contracting was ranked first are:

- Regularly completed similar work to an acceptable standard for the Shire.
- Methodology submitted was clear and concise and required no further clarifications.
- Price is realistic and unlikely to incur variations due to comprehensive scope.

**CONSULTATION**

- Chief Executive Officer

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- Engineering Technical Officer

**STATUTORY ENVIRONMENT**

- Section 6.8 Local Government Act 1995.

**POLICY IMPLICATIONS**

- Shire of Dandaragan Purchasing Policy and Tender Guide 1.15
  - Limit of proposed Contract exceeds the limit under Delegated Authority 103 provided to the CEO (\$100,000)
- 7.4 Streetscapes - Townsites
- Shire of Dandaragan - Guidelines for Road Works, Drainage and Subdivision Development

**FINANCIAL IMPLICATIONS**

The following is a summary of the recommended Contractor and their awarded Tender prices for each project:

<b>ROAD</b>	<b>CONTRACTOR</b>	<b>PRICE (incl GST)</b>
Casuarina	Direct Contracting	\$160,270.00
Lesueur	Direct Contracting	\$194,734.10
<b>TOTAL</b>		<b>\$355,004.10</b>

Given that the total cost of projects recommended to be awarded is \$355,004.10 this would approximately leave \$47,117.90 of Roads to Recovery funding remaining and available for further works. This is recommended to be retained in case of potential variations for the above mentioned projects.

**STRATEGIC IMPLICATIONS**

- Shire of Dandaragan Integrated Strategic Community Plan

GOAL NUMBER ONE: Strong Economic Base and Enabling Infrastructure					
OBJECTIVE 1: Develop strong and supportive community social services					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G1-02-A3	Ongoing priority investment in roads program: <ul style="list-style-type: none"> <li>- Implement road reconstruction programme;</li> <li>- Implement road resealing programme.</li> </ul>	Corporate Business Plan AMP	Ongoing	Shire wide	DoT

**ATTACHMENTS**

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

- Urban Road Tender 01/15 Assessments (Doc Id: 46424)  
**(Marked 9.2.2)**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Short, seconded Cr Sheppard**


**That Council award the Contracts for the RFT 01/15 as follows:**

- 1. Casuarina Crescent to Direct Contracting for the value of \$160,270.00 inclusive of GST; and**
- 2. Lesueur Drive to Direct Contracting for the value of \$194,734.10 inclusive of GST.**

**CARRIED 9 / 0**

### 9.3 ADMINISTRATION

#### 9.3.1 APPLICATION OF COMMON SEAL

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Governance / Authorisations / Council Seal
Disclosure of Interest:	None
Date:	16 February 2015
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

To seek Council's endorsement for the application of the Shire of Dandaragan's common seal to the following documents:

- Supply Agreement with Equipment Hire between Fuel Distributors of Western Australia Pty Ltd and the Shire of Dandaragan; and
- Licence to Occupy Crown Land (being Portion of Lot 501) for two years for the use of conveyance of groundwater from existing bores to Lot 850 Part Reserve 40711 between the State of Western Australia acting through the Minister for Lands and the Shire of Dandaragan.

#### BACKGROUND

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

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

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

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

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urgently and Council's endorsement is sought retrospectively.

COMMENT

Nil

CONSULTATION

Not applicable

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Kulisa, seconded Cr Slyns**

**That Council endorse the affixing of the Shire of Dandaragan's common seal to the following documents:**

- **Supply Agreement with Equipment Hire between Fuel Distributors of Western Australia Pty Ltd and the Shire of Dandaragan; and**
- **Licence to Occupy Crown Land (being Portion of Lot 501) for two years for the use of conveyance of groundwater from existing bores to Lot 850 Part Reserve 40711 between the State of Western Australia acting through the Minister for Lands and the Shire of Dandaragan.**

**CARRIED 9 / 0**



## **9.4 TOWN PLANNING**

### **9.4.1 MARINE FIELDS LOCAL STRUCTURE PLAN – PORTIONS OF LOTS 509, 2520 & 9005 MARINE DRIVE**

Location:	Jurien Bay
Applicant:	Mitchell Goff & Associates on behalf of Ardross Estates Pty Ltd
Folder Path:	Business Classification Scheme / Land Use and Town Planning / Planning / Development Control Plans
Disclosure of Interest:	None



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Date: 20 January 2015  
 Author: David Chidlow, Manager Planning  
 Signature of Author:   
 Senior Officer: Ian Rennie, Deputy Chief Executive Officer  
 Signature of Senior Officer: 

**PROPOSAL**

To seek Council adoption of the Local Structure Plan for portions of Lots 509, 2520 and 9005 Marine Drive, and forward the Local Structure Plan and schedule of submissions to the Western Australian Planning Commission for endorsement.

**BACKGROUND**

MGA Planners on behalf of Ardross have submitted a Local Structure Plan for portions of Lots 509, 2520 and 9005 Marine Drive.

Council resolved to advertise the Local Structure Plan (LSP) at the 25 September 2014 Council meeting. The LSP was advertised on 3 October 2014 for a period of 42 days. Submissions have been received and are listed in the attached schedule of submissions.

The Marine Fields Local Structure Plan relates to portions of Lots 509, 2520 and 9005 Marine Fields Local Structure Plan map (statutory plan).

The land subject of the LSP is located west of Indian Ocean Drive and lies south of the Hill River within the locality of Cervantes, with existing Rural/Residential development located adjacent the eastern edge of the LSP area. To the south there exists rural/residential zoned land; and to the west Parks and Recreation Reserve as well as privately owned "Rural" Lot 3111.

The LSP area is well positioned to accommodate rural/residential development, given the proximity of existing services, infrastructure, commercial development at Jurien Bay to the north and the Town of Cervantes to the south as well as existing and planned local recreation opportunities along the coast and at Hill River.

The LSP will create 58 Lots with a variety of lot sizes proposed ranging between 1ha and 8.6ha. The LSP has been prepared following significant input from the Shire of Dandaragan, particularly during rezoning, and the Department of Planning.

Currently, the LSP area is zoned 'Rural Residential' as a consequence of Amendment No. 20 to the Shire of Dandaragan Local Planning Scheme No. 7 (TPS 7), Gazetted on 11 October 2013.

The LSP area is therefore identified under the Scheme as having the potential to accommodate lifestyle opportunities; however the

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form and scale of this development is to be determined by this LSP having regard to a range of factors including foreshore management issues, road links, minimising vegetation clearance, ensuring proper drainage and bush fire management.

On this basis, the intended strategic outcome of the LSP will be to facilitate the establishment of a range of lots laid out appropriately to address these issues backed by management provisions to facilitate desirable development.

The LSP delivers a development design having a desirable identity and sense of place, protecting and taking advantage of existing natural features, infrastructure and services in the locality.

The LSP will provide for the appropriate management of natural features, including the protection of significant tracts of native flora and deliver an appropriate setting for rural living in harmony with the natural features of the area. In particular, the LSP utilises the most favourable living environments while maximising vegetation retention.

The LSP includes a Statutory Section (Part 1), providing a framework with parameters guiding land use and development while the Explanatory Section (Part 2) provides the background technical and supporting information that has informed the outcomes and proposals depicted on the LSP map.

#### COMMENT

The most significant issue for this LSP is bushfire risk and planning. The applicant has provided an amended Fire Management Plan in response to initial comments from DFES.

A copy of the draft Fire Management Plan and DFES and Ardross responses is provided in the attachments.

#### CONSULTATION

- Department of Planning
- Department of Parks and Wildlife
- Department of Water
- Department of Fire and Emergency Services
- Telstra – Forecasting Area Planning
- Western Power
- Surrounding land owners
- Shire officers

A total of four submissions were received. These are detailed in the schedule of submissions.

#### STATUTORY ENVIRONMENT

- Planning and Development Act 2005
- Local Planning Scheme No 7

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Proposed Marine Fields Structure Plan (Doc Id: 40497)
- Amended Fire Plan (Doc Id: 46482)
- Schedule of Submissions (Doc Id: 46499)

**(Marked 9.4.1)**

VOTING REQUIREMENT

Simply majority


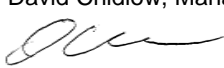
**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Short, seconded Cr Sheppard**

**That Council under and by virtue of the powers conferred upon it by the Planning and Development Act 2005 (as amended) adopt the Local Structure Plan for portions of Lots 509, 2520 and 9005 Marine Drive, and forward the Local Structure Plan and schedule of submissions to the Western Australian Planning Commission for endorsement subject to finalisation of the Fire Management Plan to the satisfaction of the Shire's Chief Executive Officer.**

**CARRIED 7 / 2**

**9.4.2 REQUEST THE DEPARTMENT OF LANDS TO AMEND THE DESIGNATED PURPOSE OF RESERVE 51200 AND AMEND THE MANAGEMENT ORDER TO INCLUDE THE POWER TO LICENCE**

Location:	Reserve 51200
Applicant:	The Shire of Dandaragan
Folder Path:	Business Classification Scheme / Parks and Reserves / Planning / Gardens and Reserves
Disclosure of Interest:	None
Date:	12 February 2015
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager Planning
Signature of Senior Officer:	

PROPOSAL

To request the Department of Lands to amend the Management Order for Reserve 51200 by:

- amending the designated purpose from "Foreshore

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Management” to “Foreshore Management and Recreation” only; and

- including the power to licence for the designated purpose for any term not exceeding 10 years from the date of the licence subject to the approval of the Minister for Lands being first received to each and every licence. Pursuant also to the provisions of section 19 of the Land Administration Act 1997.

### BACKGROUND

At its ordinary meeting 25 September 2014 Council resolved to request the Minister of Transport to declare Reserve 39419, 28541 and 51200 suitable to be used as an Electronic Personal Transport (EPT) Use Area. On the 23 December 2014 the Shire received approval from the Minister of Transport for the gazettal of this area as an EPT Use Area. At its meeting on 23 October 2014, Council resolved to enter into a Licence Agreement with Bullfrog Adventures (now known as Jurien Bay Two Wheel Adventures) to conduct EPT tours on Reserve 39419, 28541 and 51200. As part of the Licence Agreement process final approval needs to be received from the Minister of Lands through a Section 18 approval. To receive a Section 18 approval, the proposed use (EPT Tour) needs to be consistent with the designated purpose of the Reserve and the Shire requires the Power to Licence on the Management Order. The Shire has both these provisions on Reserve 28541 but not on Reserve 51200.

In order to progress the application for Jurien Bay Two Wheel Adventures the Department of Lands has advised the Shire to requests an amendment to Reserve 51200 to be consistent with the adjoining Reserve 28541 (Jurien Bay Foreshore).

Concurrently, the Shire is seeking approval from the Department of Transport on behalf of Jurien Bay Two Wheel Adventures to use a portion of Reserve 39419 (Turquoise Coast Walkway) to be used as part of an EPT Tour.

The Owners of Jurien Bay Two Wheel Adventures are seeking the necessary approvals from the Roads and Traffic Authority for their proposed EPT to be used as an approved EPT Vehicle by the Department of Transport.

### COMMENT

The approved EPT Tour route along Turquoise Coast Walkway crosses three Reserves within the Shire. Reserve 39419 is managed by the Department of Transport and Reserve 28541 and 51200 is managed by the Shire of Dandaragan. To receive Section 18 approval the proposed use needs to be consistent with the designated purpose of the Reserve and the Shire requires the Power to Licence. Currently, the EPT Tour being a form of sustainable tourism is considered a form of recreation and thus not consistent with the current purpose of the Reserve as foreshore management. To rectify this situation and to progress the Licence

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Agreement with Jurien Bay Two Wheel Adventures, the following amendments below need to be made to Reserve 51200. This would also ensure the purpose and provisions of Reserve 51200 are consistent with the adjoining Reserve 28541.

1. Amend the designated purpose from “Foreshore Management” to “Foreshore Management and Recreation” only; and
2. Include the Power to licence for the designated purpose for any term not exceeding 10 years from the date of the licence subject to the approval of the Minister for Lands being first received to each and every licence. Pursuant also to the provisions of section 19 of the Land Administration Act 1997.

With Reserve 51200 already being used for recreational activity the proposed amendment to the Reserve purpose is considered to be more consistent with its current use. By requesting the Department of Lands to add the “power to licence” on the Management Order, all licence agreements on the Reserve will be between the Shire and the applicant otherwise the applicant would need to enter a Licence Agreement with the necessary State department. Specifically, the proposed amendments to Reserve 51200 will permit the use of an EPT tour and also assist in the approval for Turquoise Safari’s to conduct land based fishing tours on the subject Reserve.

The growth of the Tourism industry is of strategic importance to the Shire. By requesting the Department of Lands to amend the designated Reserve Purpose and the Management Order the Shire will be able to retain licence agreements with tourism operators in the future.

#### CONSULTATION

- Department of Lands

#### STATUTORY ENVIRONMENT

The proposed amendment would result in licence agreements on Reserve 51200 to be between the applicant and the Shire of Dandaragan.

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

The proposed amendments would allow the Shire to charge a Reserve User fee in accordance with Councils Mobile and Itinerant Vendors and Commercial Activities on Reserves (including Foreshore) Policy.

#### STRATEGIC IMPLICATIONS

The proposed amendment to the Reserve purpose would allow sustainable tourism to occur on Reserve 51200. The Shire of Dandaragan Local Tourism Planning Strategy vision is:

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*“The Shire of Dandaragan develops a sustainable tourism industry that celebrates its natural assets, supports the local community and meets the needs of the visitors”*

#### ATTACHMENTS

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

- Location of Reserve 51200 (Doc Id: 46403)  
**(Marked 9.4.2)**

#### VOTING REQUIREMENT

Simple majority

#### **OFFICER RECOMMENDATION / COUNCIL DECISION**



**Moved Cr Sheppard, seconded Cr Short**

**That the Council request the Department of Lands to:**

- 1. amend the designated purpose from “Foreshore Management” to “Foreshore Management and Recreation” only; and**
- 2. amend the Management Order to include the power to licence for the designated purpose for any term not exceeding 10 years from the date of the licence subject to the approval of the Minister for Lands being first received to each and every licence. Pursuant also to the provisions of section 19 of the Land Administration Act 1997.**

**CARRIED 9 / 0**

#### **9.4.3 DEPARTMENT OF ENVIRONMENTAL REGULATION – APPLICATION TO CLEAR NATIVE VEGETATION – SEATON ENGINEERING**

Location:	Lot 10320 Boothendarra Road, Badgingarra
Applicant:	Seaton Engineering Pty Ltd
Folder Path:	Business Classification Scheme / Environmental Management / Permits / Clearing
Disclosure of Interest:	None
Date:	9 February 2015
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager Planning
Signature of Senior Officer:	

#### PROPOSAL

To consider an application by Seaton’s Engineering to clear 469 ha of native vegetation

#### BACKGROUND

The Department of Environmental Regulation has received an application from Seaton Engineering Pty Ltd to clear 469 hectares of native vegetation within Lot 10320 Boothendarra Road, for the purpose of agricultural activities.

COMMENT

The proposal before Council is for the consideration of the application to clear approximately 469 hectares of native vegetation for the purpose of farming. The proposed agricultural use of the land is consistent with the rural zoning of the subject lot.

Council has supported previous applications for the clearing of native vegetation in order to allow farming to take place and this application is of a similar nature. Staff are not aware of any reason that this application should not be supported.

CONSULTATION

In accordance with sub-section 51E(4) of the Environmental Protection Act 1986, the Chief Executive Officer of DER considers that Council may have a direct interest in the subject matter of the application, and invites comments on the proposal.

STATUTORY ENVIRONMENT

Environmental Protection Act 1986

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Correspondence and plans from the Department of Environment Regulation (Doc Id: 45854)

**(Marked 9.4.3)**

VOTING REQUIREMENT

Simple majority

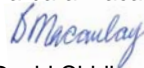

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Short, seconded Cr Kent**

**That the Department of Environmental Regulation be advised that Council has no objection to the land clearing application submitted by Seaton's Engineering for the clearing of 469 hectares of native vegetation within Lot 10320 Boothendarra Road, Badgingarra.**

**CARRIED 9 / 0**

#### 9.4.4 PLANNING APPROVAL – PROPOSED OUTBUILDING (SHED) – LOT 142 VALLEY VIEW, JURIE BAY HEIGHTS

Location:	Lot 142 Valley View, Jurien Bay Heights
Applicant:	Robin Melvin
Folder Path:	Development Services App / Development Application / 2015 / 1
Disclosure of Interest:	None
Date:	12 February 2015
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager Planning
Signature of Senior Officer:	

#### PROPOSAL

The applicant seeks planning approval for a 291.13m<sup>2</sup> (24.08m x 12.09m) outbuilding with wall height of 4m and ridge height of 4.82m.

#### BACKGROUND

The subject lot is zoned Rural – Residential. Currently the land is vacant. The application requires Council approval as it is in excess of the permitted area (subject to any neighbour objections) for an outbuilding in accordance with the Shire of Dandaragan's Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones Policy.

Under the Policy an outbuilding is permitted to a maximum floor area of 162m<sup>2</sup> (if objections received) or 216m<sup>2</sup> (if no neighbor objections are received). Under the Policy Council may approve outbuildings with a floor area up to 300m<sup>2</sup> in aggregate if justified. The applicant has provided the following justification:

*For my new shed, shed size 288m<sup>2</sup>, colour: paper bark and deep ocean trims, ridge height 4.8m. I have sold my farm and need extra space for the gear I want to bring up with me to help me develop the block e.g. articulated loader, fork lift etc. and all my shed tools, cabinets and more important items, fishing boat, camper canopy, 4 wheel drive vehicles and trailers. As well as all our house hold furniture until the construction of our new home is completed. The shed will be set well back from the road as well, screened by trees and is in hollow section of the block. The shed will not be used for commercial purposes. The shed will also allow me to capture more rain water for future house hold and garden uses. We will be living in our house at greenhead until work is completed on our new home.*

The applicant has submitted an application for a floor area of 291.13m<sup>2</sup>.

#### COMMENT

A site visit revealed the proposed outbuilding is not likely to be seen from the road as it is setback 137m from the front boundary, screened by trees and located in a hollow section of the block. The



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lot is currently vacant. A condition of approval that the shed not be occupied for human habitation or commercial use is recommended to be placed on the planning approval.

The proposal is consistent with previous approvals granted by Council up to 300m<sup>2</sup> in area and meets the height requirements of the Policy. There have been three submissions from neighbouring properties in response to the proposal. All the submissions did not object to the proposal and one on the basis it was not used for commercial purposes and the shed colours blended with the landscape. The colours of the proposed outbuilding are considered to blend with the landscape and will not be used for commercial purposes.

The proposal is recommended for approval.

**CONSULTATION**

Notice of the proposed development was advertised to adjoining and potentially impacted neighbouring landowners. The advertising period was from 22 January 2015 and closed on the 5 February 2015.

**STATUTORY ENVIRONMENT**

- Local Planning Scheme No 7

**POLICY IMPLICATIONS**

- Outbuildings and Temporary Accommodation in Rural Residential and Special Use-Rural Development Zones Policy

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

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

13. The Council shall not approve outbuildings with a floor area greater than 300 m<sup>2</sup> in aggregate.

14. Any application for an outbuilding proposing to exceed 216m<sup>2</sup> in size and a wall/ridge height exceeding the above will need

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to be supported by information justifying a larger outbuilding and evidence demonstrating to Council's satisfaction that:

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

#### FINANCIAL IMPLICATIONS

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

#### STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

#### ATTACHMENTS

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

- Site, Elevation and Floor Plans (Doc Id: 46136)
- Submissions from Neighbours (Doc Id: 46132, 46134, 46135)

**(Marked 9.4.4)**

#### VOTING REQUIREMENT

Simple majority

#### **OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr McGlew, seconded Cr Kulisa**

**That Council grant approval to Robin Melvin for a proposed outbuilding in accordance with the attached approved plans date stamped 22 January 2015 on Lot 142 Valley View, Jurien Bay Heights subject to the following conditions:**

- 1. All development shall be in accordance with the attached plans date stamped 22 January 2015 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government.**
- 2. The roof and wall material being of non reflective nature and colour consistent with surrounding vegetation and / or predominant colours of the individual site.**
- 3. The outbuilding not to be used for habitable purposes unless separate time limited approval has been granted for temporary accommodation in accordance with any Council Policy.**
- 4. Any proposed apparatus for wastewater disposal be installed so that the leach drains are a minimum of 100m from a natural permanent watercourse, water body or existing drain and that the base of the leach drains be a minimum 2m above the highest known water table or an approved aerobic treatment unit be installed.**
- 5. The outbuilding is not to be used for any commercial activity.**

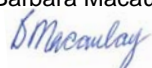

**ADVICE NOTES:**

- Note 1:** The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development;
- Note 2:** The Council encourage any future residence on this property to be located a minimum of 1.8m forward of the proposed shed;
- Note 3:** If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- Note 4:** Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- Note 5:** The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

The State Administrative Tribunal  
GPO Box U1991  
PERTH WA 6845”

**CARRIED 9 / 0**

**9.4.5 PROPOSAL TO OPERATE BUSINESS FROM RESERVE 31303  
– ADVENTURE KITING WA**

Location:	Reserve 31303, Cervantes
Applicant:	Brian and Martina Manning
File Ref:	Development Services Apps/ Development Application/ 2015 / 5
Disclosure of Interest:	Nil
Date:	22 January 2015
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager Planning
Signature of Senior Officer:	

**PROPOSAL**

The Council is in receipt of a planning application to conduct kite surfing instruction and independent kite surfing tours from Reserve 31303 (Cervantes foreshore). The following documents are provided in the attachments to assist in Council determination of the proposal:

- Kitesurfing Instruction Permit Application
- Adventure Kiting WA proposed location
- Draft Kite Boarding Land Managers Guidelines, WA Kite Surfing

Association, Surf Life Saving WA and Department of Sport and Recreation

- Kite Boarding – Be Safe, WA Kite Surfing Association, Surf Life Saving WA and Department of Sport and Recreation
- Department of Transport Kite Board and Wind Surfing Regulations

#### BACKGROUND

Adventure Kiting WA is predominantly a kitesurfing tour company for independent kite surfers wishing to kite surf in a group environment at new locations catering for a maximum of 8 customers per tour. The company also provides kite surf instruction to beginners with a maximum ratio of 2 students per instructors. The owners, Brian and Martina Manning act as the tour operators and kite instructors and both are International Kiteboarding Organisation (IKO) accredited Instructors. Martina has experience teaching in Nicaragua, Peru and Australia and Brian has experience instructing in Australia. If additional kite surfing instructors are required they will be sourced from SOS Kite Surfing, Fremantle. These kite instructors have significant experience teaching and are all IKO trained.

In summary the application outlines:

- All kite instructors are accredited with IKO and trained in Senior First Aid
- Students are taught in accordance with IKO Guidelines and the New South Wales Kite Boarding Association (NSWKBA) Guidelines and Code of Conduct
- Kite surfing instruction will occur within the allocated boundary. This boundary will be demarcated with small signs to highlight lessons are occurring in the area and ensure safe co-existence on the beach area
- Vehicles will be parked in car park and will not impact on beach usage
- Kite surfing lessons will not block vehicle or pedestrian access
- IKO Location Risk Assessment of Cervantes
- Risk Assessment and Management Strategy
- Management Procedure for Incident/Injury
- Public Indemnity Insurance of \$10m held in Australia
- Qualifications of the instructors
- Liability waiver for tour participants and all kites to have IKO insurance or health/travel insurance

As with all adventure tourism projects it is important to maintain safety at all times and ensure the proposed activity is consistent with the purpose of the Reserve and the Reserve is fit for the purpose of the proposed use. The applicant has addressed this issue by providing a Locational Risk Assessment and Emergency Management Plan based on IKO guidelines for Reserve 31303 and is summarised below:

- Identification of safe and unsafe wind conditions for the proposed location

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- The impact of tides and currents in teaching students basic kite skills
- Maintaining 30m radius downwind from other kites and users of the beach
- Maximum 8 lessons can occur simultaneously at the proposed location
- Identification of significant hazards - south westerly winds and wind turbulence on the peninsula, obstructions (boats, cray pots, kite surfers and other beach users).
- Steps to minimise risk
- Emergency management plan ( first aid kits, satellite phone, emergency numbers, rescue equipment, all tour operators to have first aid training)
- Management procedure for incident /injury

### **Zoning**

Reserve 31303 Ronsard Reserve more commonly known as Thirsty Point, Cervantes has a designated purpose of 'Recreation' under a Management Order vested with the Shire, and a zoning of 'Parks and Recreation' under the Shire of Dandaragan Local Planning Scheme No.7 (the Scheme). It is considered the proposal for Adventure Kiting WA is a form of recreation consistent with the vested purpose and zoning of Reserve 31303.

Under the Jurien Bay Marine Park Zoning Scheme the area is zoned General Use. The proposed activity is considered "Surface Water Sports" and consistent with the approved use of this area. As the proponent intends to conduct business within the Jurien Bay Marine Park they will need to apply for a T class Commercial Tour Operators Licence issued by the Department of Parks and Wildlife.

### **COMMENT**

With the increasing popularity of Kite Surfing there have been a number of statutory and regulatory requirements introduced in the last year. As of 1<sup>st</sup> August 2014 the Department of Transport (DoT) introduced Navigable Water Regulations 1958, Regulation 52 to increase safety for kite and wind surf users. Although operators of kite surfing equipment are not required to hold a Recreational Skippers Ticket, they are still considered to be the responsible skipper. In accordance with the new regulations a Kite Board is considered to be a vessel and as with all vessels, the skipper is deemed responsible for the safety of their vessel. This requires all Kite Surfers to obey the safety requirements and collision regulations that apply to all vessels. Compliance with the DoT regulations would form part of the conditional approval however the regulations are aimed at experienced Kite Surfers and the proposal includes teaching people with limited to no experience. In regards to the beginners, the tour operator will provide helmets, buoyancy jackets, instruction on the quick release safety equipment on the kite and maintain minimum distance between other kites and users of the beach. In addition

to these safety provisions the Officer recommends the tour operator uses some form of identification to notify the public training is in place. This would include signage on the beach and the use of fluorescent vest/ school branded shirts or helmets to identify beginner kites.

In 2014, the WA Kite Surfing Association, Surf Life Saving WA and the Department of Sport and Recreation released the Draft Kite Boarding Land Managers Guidelines. The guidelines are to be used in conjunction with the existing application process to provide a more consistent framework for licencing kite boarding operations on public land. The Guidelines provide direction on mandatory criteria to be included in applications to ensure operators are experienced and competent to provide safe instructions anywhere they choose to ride. The set of mandatory criteria is not limited to, but should include:

- Risk Identification and Management
- Emergency Action Plan
- Water Safety Plan (compliance with Navigable Water Regulations 1958, Regulation 52)
- Public Liability Insurance
- Accreditation

The application by Adventure Kiting WA has sufficiently addressed the above criteria in the planning application.

In accordance with Council Policy, Council will be guided by the following criteria in the assessment and determination of applications:

- (a) Demonstrated successful experience in the activity to a high professional standard;
- (b) Demonstrated history and experience or environmentally acceptable operations;
- (c) Demonstrated appropriate level of knowledge and understanding of local conditions, natural and cultural history, ecological process and possible constraints;
- (d) Demonstrated experience in meeting Agreement conditions, including the prompt payment of fees;
- (e) Demonstrated ability to provide appropriate safety requirements and duty of care responsibilities;
- (f) Demonstrated capability to promote interpretive and educational information that ensures clients are receiving instructions in minimal impact techniques, environmental protection and ethics of appropriate behaviour; and
- (g) Demonstrated up to \$20 million public liability insurance Cover.
- (h) Public liability insurance cover must be held in Australia.

The growth of the tourism industry is an important strategic objective for the Shire identified in the Local Tourism Planning Strategy, Jurien Bay Growth Strategy and Jurien Bay City Centre Strategy. Adventure Kiting WA are a tour company with

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established management practices in place to provide a professional and safe kiting experience. The applicants are internationally accredited with IKO and have the capacity to adapt their operations to local conditions to ensure safety is of prime importance at all times.

It is recommended that an agreement is prepared which permits the applicant to use Reserve 31303 subject to a number of conditions.

#### CONSULTATION

- Department of Transport
- Department of Parks and Wildlife
- Shire Ranger's

The application was advertised in the Central Midlands and Coastal Advocate Newspaper, on the Shire website, and a copy was available for viewing at the Jurien Bay Administration Centre and Cervantes Library from the 21<sup>st</sup> January to the 16<sup>th</sup> February.

Two submissions have been received and are included in the attachments.

#### STATUTORY ENVIRONMENT

##### *Local Planning Scheme*

With Reserve 31303 a 'Local Reserve' under the Shire of Dandaragan Local Planning Scheme No.7, any activity of a commercial nature is subject to planning approval being issued by the Council.

##### *Reserve Management Order*

The Shire has a management order for Reserve 31303. Should the Shire enter into an Agreement with the applicant copies of the agreement will be prepared and stamped with 1 copy to be forwarded to the applicant, 1 copy to be forward to the Department of Lands to be endorsed and 1 copy to be retained by the local government.

#### POLICY IMPLICATIONS

Local Planning Policy – Mobile and Itinerant Vendors and Commercial Activities on Reserves

#### FINANCIAL IMPLICATIONS

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

In accordance with the Council's Reserve User Fee the applicant will be required to pay an annual fee of \$250

#### STRATEGIC IMPLICATIONS

The Shire of Dandaragan Local Tourism Planning Strategy vision is:

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*“The Shire of Dandaragan develops a sustainable tourism industry that celebrates its natural assets, supports the local community and meets the needs of the visitors”*

#### ATTACHMENTS

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

- Kitesurfing Instruction Permit Application (Doc Id: 46395)
- Adventure Kiting WA proposed location (Doc Id 46397)
- Draft Kite Boarding Land Managers Guidelines, WA Kite Surfing Association, Surf Life Saving WA and Department of Sport and Recreation (Doc Id: 46404)
- Kite Boarding – Be Safe, WA Kite Surfing Association, Surf Life Saving WA and Department of Sport and Recreation (Doc Id: 46407)
- Department of Transport Kite Board and Wind Surfing Regulations (Doc Id: 46408)
- Comment from the Department of Parks and Wildlife (Doc Id: 45850)
- Public submission (Doc Id: 46447)

**(Marked 9.4.5)**

#### VOTING REQUIREMENT

Simple majority

#### OFFICER RECOMMENDATION / COUNCIL DECISION

**Moved Cr McGlew, seconded Cr Holmes**

**That the Shire of Dandaragan enter into a licence agreement with Brian and Martina Manning trading as Adventure Kiting WA for the utilisation of Reserve 31303 for the purpose of kitesurfing instruction and tours, subject to the following conditions:**

- 1. The tour operation shall be in accordance with the attached plans date stamped 22 January 2015 subject to any modifications required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government.**
- 2. This approval, granted for a period of 1 year from the Council decision date, is non-exclusive and allows for equal access and right of use of Reserve 31303 and associated infrastructure by the general public and others.**
- 3. That the agreement is with the individual parties not the business or company.**
- 4. That the agreement is non transferable.**
- 5. That other users of the beach are not requested or encouraged to move once they have established themselves.**
- 6. That the operational hours are between sunrise and sunset.**
- 7. That the proponent be in possession of an Australian approved public liability insurance policy to a minimum**



- value of \$10m for the period of the approval.
8. In the event of damage to infrastructure or the environment the Shire may seek costs for repair and restoration works.
  9. All activities are to comply with the Department of Fisheries and Department of Parks and Wildlife Commercial Operator Licencing requirements, the Jurien Bay Marine Park Management Plan, the Zoning Scheme and relevant legislation.
  10. The proponent obtains a Commercial Tour Operators License from the Department of Parks and Wildlife and forwards a copy to the Shire.
  11. That a person in charge of the operation is present while the business is operating.
  12. The operation complies with Department of Transport introduced Navigable Water Regulations 1958, Regulation 52.
  13. The operation complies with the WAKSA, Surf Life Saving Western Australia and the Department of Sport and Recreation Kite Boarding – Be Safe Guidelines.
  14. Signage is provided notifying the public kite surfing instruction is taking place and beginner kites are clearly identified.
  15. Prior to the commencement the applicant shall:
    - (a) Submit a copy of a current public liability insurance policy held in Australia to a minimum value of \$10 million for the period of this approval.
    - (b) Submit approval from the Department of Parks and Wildlife.
  16. In response to an issue of public safety (as determined by the Chief Executive Officer) all tours operations shall cease until the matter has been resolved to the satisfaction of the local government.
  17. That additional conditions may be included in the agreement at the discretion of the Chief Executive Officer.

#### ADVICE NOTES



**Note 1:** The applicant is advised that a right of appeal against Council's decision exists in accordance with the provisions of the *Planning and Development Act, 2005*. In this regard contact should be made with the State Administrative Tribunal on 9219 3111 or via website [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au)

CARRIED 9 / 0

#### 9.4.6 PROPOSED FREE RANGE POULTRY FARM – LOT 25 MUNBINEA ROAD HILL RIVER

Location:	Lot 25 Munbinea Road
Applicant:	AAA Egg Co Pty Ltd
File Ref:	Development Services Apps / Development Applications /

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	2014 / 79
Disclosure of Interest:	None
Date:	19 January 2015
Author:	David Chidlow, Manager Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL**

The proponent is seeking planning approval for a free range poultry farm located on Lot 25 Munbinea Road, Hill River.

**BACKGROUND**

The applicant originally applied for a Free Range Poultry Farm at Lot 4 Mimegarra Road. It was found that this site was potentially subject to inundation and for this reason the application was not proceeded with through the JDAP. This new proposal at Munbinea Road is for a lesser sized development, as such it is not a mandatory JDAP application and can be determined by the Council.

A presentation on the proposal was presented to Councillors at the Council Forum held on 27 November 2014 by Mr Peter Bell from AAA Eggs.

Councillors and Staff visited an operational AAA Free Range Poultry Farm at Muchea on 5 December 2014.

Staff met onsite with the Department of Water to discuss issues on the 14 January 2015.

Council met with Dr David Cook, Forensic Entomologist, University of Western Australia at the Council Forum held on 22 January 2015 to discuss the risk of stable fly from the proposed new poultry farm. Dr Cook advised that the risk of stable fly breeding at the property is low if good management and monitoring is in place.

The property comprises of approximately 657 acres or 265.8 hectares and is situated on the corner of Munbinea Road (1,614 metre frontage) and Eragilga Road (1,461 metre frontage). The property runs north from Eragilga Road along Munbinea Road, to west with north facing slope gently falling towards the northern boundary.

The site has been largely cleared of the original vegetation and there is an area of pine plantation in the northwest corner, which also houses the only buildings, a shearing shed, toilet block and utility shed. The slopes on the property range from two to sixteen percent. The land slopes downwards from Munbinea road to the east and then uphill to the East, with the lowest point being approximately 250 metres East of Munbinea Rd. The land also slopes gently to the North, and is part of the Hill River catchment.

The proposal consists of:

- 8 egg laying sheds approximately 132m x 19.7m and height of 5m
- 2 pullet rearing sheds approximately 75m x 12m
- 8 silos approximately 8m high
- Managers residence
- Office, Four Donga Workers accommodation and recreational facilities
- Coolroom/workshop

The objective for 'Rural' zoned land in Local Planning Scheme No.7 is:

*Rural Zone*

*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.*

A free range poultry farm fits under the land use "animal husbandry – intensive" Under the Scheme this is defined as;

*"animal husbandry - intensive" means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots.*

Agriculture Intensive, Agroforestry, and Animal Husbandry-Intensive are "D" uses (discretionary approval) in a Public Drinking Water Supply Area where Council will have due regard to the potential impact on groundwater quality. The proposed development is not within a public drinking water source reserve.

## 5.22 PROTECTION OF WATER SOURCES

### 5.22.2 Groundwater Areas

*Groundwater protection areas have been established by the Water and Rivers Commission (now DEC) known as the Jurien Groundwater Area and Gingin Groundwater Area.*

*Landowners and developers are required to obtain a licence prior to the construction of a bore or well on any property for groundwater extraction except for stock or domestic purposes.*

The Department of Regulation, Department of Parks and Wildlife (both the previous DEC) and Department of Water have been consulted on this application. The Department of Water have provided detailed information as well as discussions with Shire staff onsite as detailed in the attached schedule of submissions. This resulted in an amendment to the siting of the proposal within the subject property.

COMMENT

The Shire and WAPC have adopted the Local Planning Strategy – Rural Land Use and Settlement 2012 (the Rural Strategy) which provides guidance to Council in assessing this type of application.

The following considerations are taken directly from the Rural Strategy and comments provided on each consideration.

Local Planning Strategy – Rural Land Use and Settlement

**Appendix 2 intensive agriculture planning considerations when assessing a planning application for intensive agriculture**

When Council is considering an application for either Agriculture – Intensive, Agroforestry, Animal Husbandry Intensive and Aquaculture it will take into account the following matters.

**Strategic Considerations**

Council will assess the potential impact of the Application and subsequent development to ensure:

Services and infrastructure are adequate, including the road to be used to transport produce and to access the property, power, water and other requirements or can be adequately upgraded which would be the responsibility of the applicant.

Comment:

*Munbinea Road is a sealed road and provides good access to the site.*

*Western Power have been consulted and advised that there is sufficient power available to the site.*

There is no wider potential for land use conflict from things such as spray drift or smoke between existing and proposed use.

Comment:

*There will be no impact.*

It will have no adverse impact on catchment management and ground and surface water.

Comment:

*The Department of Water have assessed the proposal and met onsite with the proponent. Details of their requirements are in the attached submissions.*

It will not sterilise land with potential for urban expansion or other long term land needs.

Comment:

*There is unlikely to be any urban expansion in the vicinity.*

### **Local Considerations**

Council will assess proposals for intensive agriculture on the ability of the subject land to accommodate the proposed use, and with due consideration of the risk of off-site environmental impacts and conflict with neighbouring land uses. Factors to be addressed by the proponent and subsequently considered by Council include:

the nature and capability of the land;

Comment:

Advice from the Department of Water is:

*As shown in Figure 7 of the proponents Land Capability Assessment (Bioscience 2014) there is a drainage channel area from the western boundary in a north-westerly direction to the northern Boundary of Lot 25. This drainage channel area is likely to carry surface flow during storm events, mostly as sheet flow. It cannot be assumed that surface flow in this location will be of no consequence. The topography poses the risks of inundation, damage to the sheds and other infrastructure, and degradation of water quality. The current proposed location of the sheds is therefore not supported by the DoW.*

*It is suggested that the central portion of the lot is a more suitable location for the sheds, with the layout in a north-to-south orientation. It is recommended that a site visit occur with the proponent, and officers from the Department of Water and the Shire of Dandaragan, to determine an appropriate setback from the drainage channel area and the low-lying land in the western portion of Lot 25.*

*Following a site meeting with Council staff and the Dept of Water, the applicant has submitted an amended plan showing the proposed sheds in the central portion of the property. The amended plan was supported by the Dept of Water.*

Availability and adequacy of water supply:

Comment:

The applicant has advised that:

*Initial advice from the Department of Water is that there will be sufficient quality and quantity of bore water to service the industry.*

Sensitivity of adjacent land uses:

Comment:

*There are no sensitive adjoining land uses. However in late December 2014 the neighbour submitted a building licence application for a dwelling in proximity to the poultry farm. At this stage a building licence fee has not been paid and as such it is not formally recognised as a bona fide application. The applicant is aware of the proposed poultry farm and may be awaiting the outcome of the planning application.*

Remnant vegetation and wetland protection requirements:

Comment:

*The proposed site has been cleared.*

Crop rotation and/or specific land management requirements:

Comment:

*The applicant has advised that they will crop rotate the remainder of the site and that they will plant screening vegetation that will assist in reducing any nutrient flows to the Hill River area.*

Any particular infrastructure layout or transport access requirements:

Comment:

*There is a current Western Power easement and power lines that traverse the property. The applicant has been made aware of Western Power requirements.*

The requirement for permission to use ground and surface water:

Comment:

*The applicant is liaising with the Department of Water to satisfy this requirement.*

Demonstrate the existing pre-development hydrological regime will be maintained or enhanced where possible:

Comment:

*According to the Department of Environmental Protection the property is not on the 100 year flood plain.*

The separation distances and/or buffers with the adjacent uses which are potentially incompatible can be contained on the subject land rather than being a constraint on adjacent land:

Comment:

*There are no existing dwellings within 1000m of the site.*

*Table 7 – From the Shire’s Local Rural Planning Strategy:  
DEC recommended buffer distances between Rural Industries  
and Residential areas and State Planning Policy 4.3.  
- Poultry industry 500 metres*

*The Department of Food and Agriculture (DAFWA) have advised  
that there is a required minimum distance of 1000m required  
between any other poultry farm sheds. Nil*

*The proposed development will also be able to comply with the  
1000m setback requirement from any sensitive land use  
stipulated under the EPA Guidance Statement No. 3 – Guidance  
for the Assessment of Environmental Factors – Separation  
Distances between Industrial and Sensitive Land Uses for  
poultry farms.*

*The application complies with both the local Rural Strategy as  
well as State Policy for buffer distances from residences and  
other poultry farms.*

The development impacts can be managed on site:

Comment:

The applicant has advised that:

*We will be retaining as much of the existing vegetation as  
possible and each shed will have a shelter belt of native trees  
and grass planted on the sides of the sheds*

The development should not significantly detract from any scenic  
landscape and/or conservation attributes identified in the locality:

Comment:

*The land use will have no adverse impact on the safety, health  
and amenity of residents in existing dwellings and it will not  
sterilize land with potential for urban expansion or other long  
term land needs such as mining; and  
Given the separation distances from existing dwellings and the  
very unlikely development of urban land within 500m of the  
proposal, there is no adverse impacts on nearby residents. The  
only potential issue may be stable fly, however the applicant has  
provided a management plan that deals adequately with this  
issue.*

Other matters which may be required to be addressed if requested  
by Council.

Comment:

The Department of Water has advised:

*In addition, the proposed use of manure to fertilise pasture on Lot 25 will need to be carefully regulated to ensure a low risk of nutrients contaminating groundwater and surface flow. Manure application rates should be based on site-specific conditions, such as the soil PRI (Phosphorus Retention Index), and the crop requirements. In addition, the irrigation of pasture with nutrient-rich wastewater in this location is not supported by the DoW, given the location within the Hill River Catchment.*

*The Department have also provided suggested conditions of approval which have been included in the officer recommendation.*

It is the Officer's view that if the site is well managed, there will be minimal impact to neighbouring properties and the environment and is therefore supported with conditions.

#### CONSULTATION

- Department of Planning
- Environmental Protection Authority
- Department of Agriculture and Food (Geraldton)
- Department of Environment Regulation
- Department of Parks and Wildlife (Jurien Bay and Geraldton)
- Department of Regional Development
- Department of Lands
- Department of Health
- Department of Water (Perth and Geraldton)
- Department of Fire and Emergency Services
- Water Corporation
- Western Power
- Surrounding land owners
- Shire officers

#### STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.
- Local Planning Strategy – Rural Land Use and Rural Settlement.

#### POLICY IMPLICATIONS

- SPP 2.5 Land Use Planning in Rural Areas.
- SPP 4.3 – Poultry Farms.
- Environmental Code of Practice for Poultry Farms in Western Australia.
- There are no local policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

The applicant has paid a sum of \$13,617



STRATEGIC IMPLICATIONS

- Shire of Dandaragan Local Planning Strategy – Rural Land Use and Rural Settlement.

ATTACHMENTS.

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

- Amended Site Plan (Doc Id: 46480)
- Elevations (Doc Id: 46479)
- Land Capability Assessment (Doc Id: 46477)
- Management Plan (Doc Id: 46478)
- Schedule of Submissions (Doc Id: 46489)

**(Marked 9.4.6)**

VOTING REQUIREMENT

Simple majority

*A late submission was received from Turner Master Planners acting on behalf of the owner of Lot 24 Munbinea Road, an adjoining landowner, and was presented to Council.*

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Short, seconded Cr Sheppard**

**That Council grant planning approval for a proposed Free Range Poultry (egg production) Farm on Lot 25 Munbinea Road, Hill River to AAA Egg Co. subject to the following conditions of approval:**

- 1. The land use and development shall be undertaken in accordance with the approved and stamped plans, including the approved Environmental Management Plan.**
- 2. This Approval is for an Animal Husbandry - Intensive (Free Range Poultry – Egg Production Farm) only;**
- 3. The use and development must be substantially commenced within 3 years of the date of this approval;**
- 4. Poultry shed design and management, management of stock feed, water, waste products and all other aspects of poultry farm operation are to comply with the management guidelines set out in the *Environmental Code of Practice for Poultry Farms in Western Australia* (May 2004) (The Code).**
- 5. The maximum number of laying hens shall be 300.000.**
- 6. Crossovers, access and egress to the subject site from Munbinea Road and any road works shall be located and constructed to the satisfaction of the Executive Manager Infrastructure and include all necessary drainage and signage. Costs applicable to the construction of the access point/s onto the site and any related issues shall be borne by the proponent;**
- 7. All internal roadway surfaces within the site are to be constructed of a suitable material such as paving, road base, limestone or coarse gravel and compacted to limit dust generation, to the satisfaction of the Shire's Chief**

**Executive Officer;**

8. Notices indicating the type of operation, hours of operation and potential impacts of the poultry farm operation are to be displayed adjacent to the Munbinea Road frontage of the site in accordance with the specifications contained in Statement of Planning Policy No 4.3 Poultry Farms Policy to the satisfaction of the Shire's Chief Executive Officer. The notices must state that development approval for the construction of the Development on the site has been granted;
9. The use and development must be conducted so that it has minimum impact on the amenity of the area by reason of :
  - Transportation of materials, goods and commodities to and from the premises;
  - Appearance of any buildings, works and materials; and
  - The emission of odour, noise, vibration, dust, wastewater, waste products or reflected light;
10. Applicant is to carrying out of each of the elements of the Environmental Management Plan including the audit protocol set out within the Environmental Management Plan;
11. Applicant is to undertake regular (Monthly) monitoring for Stable Fly by an independent expert approved by the Shire and at the expense of the proponent both pre development and post development. Monthly results of monitoring to be provided to the Shire's Manager Environmental Health;
12. Irrigation of pasture with nutrient rich wastewater is not permitted;
13. Applicant is to undertake regular (Monthly) nutrient monitoring onsite at monitoring bores to the specification of the Shire by an independent expert approved by the Shire and at the expense of the proponent both pre development and post development. Monthly results of monitoring to be provided to the Shire's Manager Environmental Health; and
14. In the event of any adverse environmental conditions caused by the proponent, the Chief Executive Officer may impose conditions to rectify and remediate the environment by and at the cost to the proponent.

**ADVICE:**

- Note 1:** Further to this approval, the Applicant may be required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and the *Health Act 1911* which are to be approved by the Shire's Manager Building Services and/or Manager Environmental Health prior to issuing a Building Licence.
- Note 2:** The Department of Health advises that any form of pest control using pesticides must comply with the

**Health (Pesticides) Regulations 2011.**

- Note 3:** It is advised that the proposal should at all times comply with the Biosecurity & Agriculture (Stable Fly) Management Plan 2013 in order to minimize the effects of stable flies on the community.
- Note 4:** It is advised that the proposal should at all times comply with the provisions of the Food Act 2008 and related regulations, codes and guidelines and in particular the Primary Production Standard in relation to Egg production.

**Department of Water Advice Notes:**

To be in accord with the Code, with regard to minimising risks to water resources, the proponent should be required to demonstrate the following (Notes 5 – 11):

- Note 5:** Separation depth to groundwater for new free range sheds should be a minimum 3 metres above the maximum recorded groundwater level.
- Note 6:** An appropriate buffer width from wetlands, waterways and floodways. 200m is the recommended buffer (Table 1, p15 of Code).
- Note 7:** Stormwater management methods which include adequate retention area for contaminated stormwater and wash-down water, in line with the DoW's Water quality protection note 39 Ponds for stabilising organic matter, and the Stormwater Management Manual for Western Australia (2004+).
- Note 8:** A buffer distance of 50m between new sheds and water supply bores (measured 20m from perimeter of sheds).
- Note 9:** Drinking water supply bores located minimum 100m from wastewater disposal sites and preferably 'upstream'.
- Note 10:** Appropriate storage of fuel and chemicals in bunded compounds, and an emergency response plan to address any accidental spillage of fuel or other potential contaminants.
- Note 11:** In addition, the proposed use of manure to fertilise pasture on Lot 25 will need to be carefully regulated to ensure a low risk of nutrients contaminating groundwater and surface flow. Manure application rates should be based on site-specific conditions, such as the soil PRI (Phosphorus Retention Index), and the crop requirements. In addition, the irrigation of pasture with nutrient-rich wastewater in this location is not supported by the DoW, given the location within the Hill River Catchment.



**Mining Advice Notes:**

- Note 12:** Tronox request that the proximity of valuable mineral resources and future mining activities be accounted for in the assessment of this

development and communicated to the proponent. If approved, the development must be undertaken with the knowledge of being located adjacent to future mining and mineral haulage activities, and the associated interactions that will arise.

CARRIED 9 / 0

#### 9.4.7 PLANNING APPROVAL – PROPOSED FIREWORKS MAGAZINE LOT 3909 NILGEN ROAD, DANDARAGAN

Location:	Lot 3909 Nilgen Road, Dandaragan
Applicant:	David Campbell on behalf of North East Equity Pty Ltd
Folder Path:	Development Services App / Development Application / 2015 / 4
Disclosure of Interest:	None
Date:	12 February 2015
Author:	Barbara Macaulay, Planning Officer
Signature of Author:	
Senior Officer:	David Chidlow, Manager Planning
Signature of Senior Officer:	

#### PROPOSAL

The proponent is seeking planning approval for an Explosives Magazine at Lot 3909 Nilgen Road, Dandaragan for the purpose of storing Class 1.3 Fireworks with a gross N.E.Q of 1,000kgs. The subject land is zoned rural and under private ownership.

#### BACKGROUND

With permission from North East Equity Pty Ltd, David Campbell of Showtime Fireworks is seeking permission to store Class 1.3 Fireworks within an Explosives Magazine on the subject lot. The proposed Magazine site is setback 2,114m from Indian Ocean Road, 915m from the northern boundary and 1,000 m from Nilgen Road.

The proposed development consists of a fenced explosives compound. The compound must meet the Australian Standard 2187.1 in regards to all matters of safety, security and management of an explosive magazine to be able to be licenced. The Department of Mines and Petroleum (DMP) are the regulatory government agency who approves all licences for an explosive storage facility.

AS 2187.1 states that an acceptable explosive management plan must be put forward to the D.M.P. It also states no rubbish or refuge is to be on or around the Magazine site and 8m firebreak is to surround the entire compound reducing the risk of fire.

The subject lot is primarily used as a carrot farm and contains several wind turbines. The closest windturbine is 150m to the Magazine.

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The Explosive Magazine measures 17.5m x 15m and a height of 3m. A 2.85m cyclone security fence is setback 3m from the Magazine.

#### COMMENT

In order to store explosives the applicant will be required to obtain a licence from the DMP. As part of the licencing process, DMP will ensure that all the safety and security requirements of the Dangerous Goods Safety Act 2004, Dangerous Goods Storage and Handling (Explosives) Regulations 2007 and Australian Standard 2187.1 are complied with. Compliance with these regulations will form part of the conditional approval.

The proposed Explosives Magazine is a use not listed under the LPS7 Zoning Table. As a use not listed, in accordance with Clause 9.4.3 of the Scheme, notice of the proposed development was advertised to a number of government agencies and neighbouring properties as listed in the Consultation section of this report.

As a use not listed, and in accordance with Clause 4.4.2 of the Scheme, Council is to either:

- 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.

The subject land is zoned 'Rural' under the Shire's Local Planning Scheme No. 7 (LPS7). The objective of the Rural zone in the Scheme is:

*"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".*

It is considered the proposal is consistent with the objectives of the Rural zone and ancillary to the predominant use of the site, which is intensive horticulture, therefore recommended for approval.

#### CONSULTATION

Notice of the proposed development was advertised to the following government agencies.

- Department of Mines and Petroleum
- Department of Defence
- Department of Parks and Wildlife
- Department of Lands
- Neighbouring Properties

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One submission was received from the Department of Mines and Petroleum and is included in the attachments.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Planning Application from Showtime Fireworks for Explosives Magazine (Doc Id: 46409)
- Comment from the Department of Mines and Petroleum (Doc Id: 46411)

**(Marked 9.4.7)**

VOTING REQUIREMENT

Simple majority

*A late submission was received from the Department of Parks and Wildlife and was presented to Council.*

**OFFICER RECOMMENDATION**

Moved Cr Slys, seconded Cr Kulisa

That Council determines that the use “Explosives magazine” is consistent with the objectives of the “Rural” zone and is therefore permitted under section 4.4.2 of the Shire of Dandaragan Local Planning Scheme and grants planning approval for an Explosives Magazine at Lot 3909 Nilgen Road, Dandaragan subject to the following conditions:

1. All development shall be in accordance with the attached plans date stamped 19 January 2015 subject to any modification required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government.
2. No explosives are to be stored at the site until a licence has been issued by the Department of Mines and Petroleum.
3. Shire of Dandaragan is to be advised of completion of the Explosives Magazine.

**ADVICE NOTES:**

Note 1: The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.

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- Note 2: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- Note 3: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- Note 4: The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:

The State Administrative Tribunal  
GPO Box U1991  
PERTH WA 6845”

#### **AMENDMENT**

**Moved Cr McGlew, seconded Cr Bailey**

**That Council determines that the use “Explosives magazine” is consistent with the objectives of the “Rural” zone and is therefore permitted under section 4.4.2 of the Shire of Dandaragan Local Planning Scheme and grants planning approval for an Explosives Magazine at Lot 3909 Nilgen Road, Dandaragan subject to the following conditions:**

- 1. All development shall be in accordance with the attached plans date stamped 19 January 2015 subject to any modification required as a consequence of any conditions of this approval and shall not be altered without the prior written approval of the local government.**
- 2. No explosives are to be stored at the site until a licence has been issued by the Department of Mines and Petroleum.**
- 3. Shire of Dandaragan is to be advised of completion of the Explosives Magazine.**
- 4. Applicant to submit a Fire Management Plan to the satisfaction of the Shire of Dandaragan.**

#### **ADVICE NOTES:**

- Note 1: The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.**
- Note 2: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.**
- Note 3: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and**

obtained.

**Note 4:** The applicant be advised that “should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the Planning and Development Act 2005. An application for Review must be submitted in accordance with Part XIV of the Planning and Development Act within 28 days of the date of this decision to:



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

**CARRIED 9 / 0**

**The amendment then became the motion and was CARRIED 9 / 0**

*The Officer Recommendation was not adopted due to Council wishing to add condition 4 requiring a Fire Management Plan be provided to the satisfaction of Council.*

#### **9.4.8 COASTAL NODE DEVELOPMENT – SANDY CAPE – APPLICATION FOR FUNDING – MIDWEST DEVELOPMENT COMMISSION**

Location:	Reserve 19206 Sandy Cape
Applicant:	Shire of Dandaragan
File Path:	Business Classification Scheme / Parks and Reserves / Service Provision / Sandy Cape Camping Reserve
Disclosure of Interest:	None
Date:	21 January 2015
Author:	David Chidlow, Manager Planning
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

#### **PROPOSAL**

To authorise a budget amendment to expend the sum of \$1,920.63 as contribution to the Coastal Nodes Development of Sandy Cape and to consider on the 2015 / 2016 Municipal Budget provision of \$8,761.87 as second contribution to the Coastal Nodes Development of Sandy Cape.

#### **BACKGROUND**

This item was listed for discussion and a summary memo provided at the Council Forum held 11 December 2014.

The Mid West Development Commission (MWDC) have approached Council to ascertain if the Shire is interested in a joint funding project between with the Shire of Dandaragan, Shire of Coorow, Shire of Irwin and the Shire of Northampton to progress Coastal Node Development.



The project will include Little Anchorage in the Shire of Coorow, Sandy Cape in the Shire of Dandaragan and Cliff Head in the Shire of Irwin on the Indian Ocean Drive and Lucky Bay - Half Way Bay in the Shire of Northampton.

MWDC advise that:

*Coastal Node Development (focus on camping/RV) was identified as a strategic priority in our Mid West Tourism Development Strategy. The aim is to facilitate short stay eco camping and day use sites along our coastline to help increase visitation to our region as a whole. The consultant highlighted that our visitors are seeking the coastal camping experiences but there are limited choices of camping / RV options and day use sites along the coastlines, especially along the IOD – the region could capitalise on this and provide the facilities to capture these visitors and grow the tourism product. TWA has suggested the MWDC put up a variation to the State Caravan and Camping Action Plan to see if we can secure any funding for infrastructure required (no operational funding) at coastal nodes to suit camping / RVs – absolutely no guarantee we are just putting our hat in the ring. An informal working group of all interested LGAs has been pulled together. It was mentioned that Dandaragan may have a suitable coastal node (sandy cape?/other) and that your Shire could be interested in being part of a collaborative coastal node project, my apologies if this doesn't align with the Shire's aims, I just would hate to miss out any keen stakeholders.*

*As most of you are aware the commission is keen to facilitate any development, albeit cannot be the leader. I have been in conversation with TWA regarding the coastal node project today – they are eager to see some sort of scope that can be presented to their executives based on the recommendations in the Tourism strategy (i.e. ~ \$600K per site). TWA basic advice from today's discussion:*

- *Focus should be on sites that are shire vested – tenure has been a major stumbling block for other projects in the Kimberley.*
- *Need to consider location relevant to caravan parks, commercial developments to ensure conflict is managed.*
- *Need to consider ongoing maintenance of sites and whether council budgets can sustain - cost of rangers was a big ticket item in last meeting however the caravan and camping plan would not pay for ongoing operational.*
- *Important to consider flora/fauna and heritage assessments – these have impacted on project delivery with their Kimberley experience (time delays and cost) - each assessment costing in the order of \$20K.*
- *Consider Landscape Architect plans across all sites to convince State of a high quality visitor experience from any capital investment. Landscape architects are of course*

*costly but there may be opportunities for economies of scale. May also be opportunity to apply for funding that applies to all sites (i.e. Community Chest Fund \$20K) with matching from LGAs...*

*The funding and contributions from the Local Governments involved will be for landscape architectural designs of the three sites in preparation for their construction and development when funding opportunities may arise. Several planning documents and strategies have identified the need for soft development of these nodes and this is the next step working together.*

*These eco-tourism developments will include walking trails, designated camping areas, parking for day trips, ablution blocks, conservation-rehabilitation zones, and access tracks off the main road, shaded communal benches, signage, rubbish collection and gas BBQs.*

*The locations will aim to attract holiday makers wanting both day trip opportunities to extended camping stays including the 4WD, RV's, fishing and aquatic-marine holiday market. The objective being an overall increase in both the amount of visitors to the region and an increase in the length of stay and raising awareness of the beautiful serenity the Mid West is as a holiday destination.*

*Concept planning and heritage assessments will occur in 2014/15 FY – there is a need to complete within this timeframe to unlock infrastructure funding from the State's caravan and camping action plan before end of FY.*

*LGAs will also require flora and fauna assessments for 3 of the 4 sites. This has to be timed with Spring, hence this component will not be complete until October 2015. LGA funds will be directed to these items of expenditure (+ Heritage assessment) and CCF funding would be directed to the concept plan.*

*This funding will allow us to jointly appoint a consultant to develop architectural landscape designs consistently along each site with respect for the environment, sustainability and ease of use for the campers. These designs can be presented to Tourism WA and/or used when funding opportunities arise to develop the sites. LGAs will also work together in hiring a consultant to conduct flora / fauna and heritage assessments and achieve cost efficiencies by doing so.*

*As project manager the Shire of Irwin will be responsible for the implementation of the project and include the management of risk, quality, time, human resources and cost. Also most importantly communication between stakeholders will be paramount to ensuring the correct information is exchanged at*

*the correct time.*

*If this funding is successful, together with all the stake holders, we will appoint a designer to develop the plans and assign the project team roles. The implementation phase will follow once all parties are happy with their designs and all objectives are met it will go to individual Councils for analysis and any changes will go back to the designer where necessary. Once changes to concept plans have been made, if any, the designs can be adopted and construction can occur subject to the C&CAP funding.*

*The Heritage assessments will be completed in parallel.*

*The flora / fauna assessments will be completed in 2015/16 spring with the Shire of Northampton planner taking a lead role in coordinating across all LGAs.*

#### COMMENT

This joint application is for landscape architectural designs of the three sites in preparation for their construction and development when funding opportunities may arise. The Heritage assessments will be completed in parallel. (cost \$1,920.63)

The second component will be the flora / fauna assessments which are expected to be completed in 2015/16 spring with the Shire of Northampton planner taking a lead role in coordinating across all LGAs. (cost \$8,761.87)

These reports will feed into a current application for funding for \$2.52m for development of all these sites. Funding is expected to be sourced by the Midwest Development Commission from Tourism WA from the States Caravan and Camping Action Plan as well as Royalties for Regions Funding.

If these applications are successful, this is an excellent opportunity to develop Sandy Cape.

#### CONSULTATION

Nil

#### STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

**MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 26 FEBRUARY 2015**

PLANNING STAGE INCOME & EXPENSES STATEMENT ex GST				
EXPENSES				
Item	Location	Cost	Units	Total
Concept Plans	Cliff Head, Lucky Bay, Sandy Cape, Little Anchorage	\$6,245	4	\$ 24,980.00
Flora and Fauna Assessment	Lucky Bay, Sandy Cape, Little Anchorage	\$8,000	3	\$ 24,000.00
Heritage Assessment - desktop	Cliff Head, Lucky Bay, Sandy Cape, Little Anchorage	\$1,437.50	4	\$ 5,750.00
<b>TOTAL EXPENSES</b>				<b>\$ 54,730.00</b>
INCOME				
Community Chest Fund				\$ 20,000.00
Shire of Irwin	Excludes Flora/Fauna Assessment			\$ 2,682.50
Shire of Northampton	All			\$ 10,682.50
Shire of Coorow	All			\$ 10,682.50
Shire of Dandaragan	All			\$ 10,682.50
<b>TOTAL INCOME</b>				<b>\$54,730.00</b>

\*\*\*Note – split \$ 1920.63 (2014/15 Budget)  
\$ 8761.87 (2015/16 Budget)

### STRATEGIC IMPLICATIONS

- Shire of Dandaragan Integrated Strategic Community Plan

GOAL NUMBER FOUR: Sustain a healthy natural environment					
OBJECTIVE 1: Maintain integrity of coastal and marine environments (this goal limited to Council reserves and managed resources)					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G4-01-A1	Manage pressure on coastal / beach environment from visitation/locals on Shire of Dandaragan reserves.	Workshops	Short	Coastal	DEC DoW DIA DoF

### The Local Tourism Planning Strategy 2012

Table 6.1 Local Tourism Planning Strategy Implementation Schedule

A number of amendments to the Shire's existing local planning framework will be required as per the recommendations of the Strategy. The following implementation schedule determines the level of priority, actions and outcomes of the Strategy recommendations.

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Recommendation	Action	Timeframe	Responsibility
<b>Additional Recommendations</b>			
Investigate the provision of nature based camp sites with focus on Sandy Cape and Hill River (mouth)	Undertake a planning study to evaluate potential areas through identification of opportunities and constraints	Short Term	Shire of Dandaragan in consultation with DEC

Under the Shire of Dandaragan Strategic Community Plan 2011 – 2021 the issue is not specifically addressed however, under the Local Tourism Strategy the recommendation is to investigate the provision of nature based camp sites on Sandy Cape. These studies will support that recommendation and potentially lead onto further funding opportunities for the complete development of the site.

#### ATTACHMENTS

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

- Funding Applications (Doc Id: 46484 and 43623)  
**(Marked 9.4.8)**

#### VOTING REQUIREMENT

Absolute majority

#### **OFFICER RECOMMENDATION 1 / COUNCIL DECISION**

**Moved Cr Sheppard, seconded Cr McGlew**

**That Council authorise a budget amendment to expend the sum of \$1,920.63 as contribution to the Coastal Nodes Development of Sandy Cape.**

**CARRIED BY ABSOLUTE MAJORITY 9 / 0**

#### **OFFICER RECOMMENDATION 2 / COUNCIL DECISION**

**Moved Cr Kulisa, seconded Cr Sheppard**

**That Council agree to consider on the 2015 / 2016 Municipal Budget provision of \$8,761.87 as second contribution to the Coastal Nodes Development of Sandy Cape.**

**CARRIED BY ABSOLUTE MAJORITY 9 / 0**

## **9.5 HEALTH**

## **9.6 BUILDING**

## 9.7 COUNCILLOR INFORMATION BULLETIN

### 9.7.1 SHIRE OF DANDARAGAN – JANUARY 2015 COUNCIL STATUS REPORT

Document ID: 46488

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 22 January 2015. **(Marked 9.7.1)**

### 9.7.2 SHIRE OF DANDARAGAN – EXECUTIVE MANAGER INFRASTRUCTURE REPORT – FEBRUARY 2015

Document ID: 46170

Attached to the agenda is a copy of the Shire of Dandaragan's Executive Manager Infrastructure Report for February 2015. **(Marked 9.7.2)**

### 9.7.3 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JANUARY 2015

Document ID: 45776

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for January 2015. **(Marked 9.7.3)**

### 9.7.4 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JANUARY 2015

Document ID: 45777

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for January 2015. **(Marked 9.7.4)**

### 9.7.5 AUTHORISATION MEETING-SOUTH WEST SETTLEMENT

Document ID:

*“On the 5<sup>th</sup> of July 2013 the Western Australian Government presented the South West Aboriginal Land and Sea Council (SWALSC) with a final offer to resolve native title claims across the South West of Western Australia. All details of the final offer were finalised in October 2014 and accepted by SWALSC.”*

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

### 9.7.6 COMMONWEALTH MARINE RESERVE – REVIEW UPDATE – CO-HAIRS' UPDATE FEBRUARY 2015

Document ID:

Inside this issue:

- Bioregional Advisory Panels
- What's New – extension of submissions
- How you can join the conversation?
- Regional consultations

### 9.7.7 MEDIA STATEMENT – HON TONY SIMPSON MLA – PARK CHANGES BRING TOURISTS CLOSER TO NATURE

Document ID:

*“More holiday-makers will have the chance to camp in nature-based parks in Western Australia this year with regulations easing restrictions on their location now in effect.”*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.7)**

**9.7.8 DEPARTMENT OF INFRASTRUCTURE AND REGIONAL DEVELOPMENT – RELEASE OF PROGRESS IN AUSTRALIAN REGIONS YEARBOOK 2014**

Document ID: 46133

The Department of Infrastructure and Regional Development have recently released a major new publication, *Progress in Australian Regions – Yearbook 2014*. For the first time, this publication brings together information about Australia's regions from a range of different sources and presents that data in a consistent format over time.

A copy of this publication is on hand.

**9.7.9 NORTHERN AGRICULTURAL CATCHMENT COUNCIL – NATURAL RESOURCE MANAGEMENT STRATEGY**

Document ID: 46093

The Northern Agricultural Catchment Council (NACC) is in the process of updating the Natural Resource Management (NRM) Strategy for the Northern Agricultural Region (NAR). This Strategy is being presented as an interactive online resource, called NARvis, which has recently been released to the public.

Attached to the agenda is a copy of the summarised document. **(Marked 9.7.9)**

**9.7.10 WALGA MEDIA RELEASE – PREMIER'S CCC COMMENTS – SECTOR OUTRAGED AT PREMIER'S CORRUPTION COMMENTS**

Document ID:

*“Local Governments deserve an explanation and apology from Western Australia Premier Colin Barnett following his comments about alleged corruption in the sector during a radio interview.*

*The WA Local Government Association said the claims were unfounded and damaging to a sector already under immense pressure.”*

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

**9.7.11 CERTIFICATE OF APPRECIATION FROM THE LIONS CLUB OF JURIE BAY**

Document ID:

The Shire of Dandaragan has received a certificate of appreciation from the Lions Club of Jurie Bay for the invaluable service and cooperation extended.

Attached to the agenda is a copy of the certificate. **(Marked 9.7.11)**

**9.7.12 WALGA PROCUREMENT NEWS – JANUARY 2015 – ISSUE 10**

Document ID:

Inside this issue:

- Business Development Update
- Transition of Contracts
- Tender Debriefs
- Civic Legal Update
- Local Government Amalgamation Projects – Assistance Offer from Microsoft
- Procurement Network Meeting
- Preferred Supply Update
- Changes ahead for the Online Products and Services Directory

#### **9.7.13 ILUKA PROJECT NEWSLETTER – CATABY MINERAL SANDS PROJECT UPDATE**

Document ID:

Iluka's proposed mineral sands mine in the Cataby area is approximately 150km north of Perth. The deposit forms a significant mineral sands resource approximately 18km long. The Cataby resource has an expected life of seven years, with pits progressively mined using dry mining techniques. Rehabilitation activities will commence during mining and continue for several years after mining ceases.

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

#### **9.7.14 MUNICIPAL WASTE ADVISORY COUNCIL – INFORMATION BULLETIN – 23 JANUARY 2015 – ISSUE 204**

Document ID:

Inside this issue:

- WARR(R) Declared
- System Update
- Don't Mess with the Law
- Need some Guidance?

#### **9.7.15 DEPARTMENT OF INFRASTRUCTURE AND REGIONAL DEVELOPMENT – 2011-12 LOCAL GOVERNMENT NATIONAL REPORT**

Document ID: 45500

The 2011-12 Local Government National Report (the Report) was presented for tabling in the Parliament of Australia on 17 December 2014 in accordance with the *Local Government (Financial Assistance) Act 1995*.

On hand is a copy of the Report on CD for your information. This report is also available on the Department of Infrastructure and Regional Development's website at [www.infrastructure.gov.au](http://www.infrastructure.gov.au).

#### **9.7.16 WALGA ROADWISE ROAD SAFETY NEWSLETTER – JANUARY 2015 – ISSUE 1**

Document ID:

Inside this issue:

- Welcome to your new road safety newsletter



- Follow us on Facebook and Twitter
- Road Ribbons for Road Safety campaign 2014
- New Year, new plan
- Slow down and enjoy the ride in Denmark
- Child car restraints on display
- City of Joondalup Road Safety Art Competition
- City of Swan unveils new crash trailer
- Raising awareness about drink driving in Floreat
- Cities of Armadale and Gosnells combat impaired driving
- Hedland and Onslow groups target road safety
- Road Safety Award for Ngarliyarndu Bindirri Aboriginal Corporation's Red Dirt Driving Academy
- Farewell Katelyn Hegarty
- Driving tired is a silent killer

#### **9.7.17 WALGA LOCAL GOVERNMENT NEWS – 16 JANUARY 2015 – ISSUE 1**

Document ID: 45252

Inside this issue:

- State Funding for Local Government Roads
- 2015 Local Government Remuneration Survey
- Governor's Orders
- Civic Legal
- Public Works at Designated Children's Crossings
- Children and Young People Forum
- Climate Change Discussion Papers
- Road Ribbon for Road Safety
- Vacancies on Boards and Committees
- WA Wetland management Conference - Registrations

#### **9.7.18 STATE EMERGENCY MANAGEMENT COMMITTEE – REVIEW OF WESTPLAN MARINE OIL POLLUTION**

Document ID: 45283

Attached to the agenda is a copy of the draft version of the Westplan – Marine Oil Pollution. **(Marked 9.7.18)**

#### **9.7.19 THE HON TONY SIMPSON MLA – CIRCULAR – GLOBAL AMENDMENT OF LOCAL LAWS – ASSISTANCE ANIMALS**

Document ID: 45358

*“On Tuesday, 23 December 2014, the Governor made local laws amending all cemeteries local laws and local government property local laws which are currently in force in Western Australia.”*

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

#### **9.7.20 WALGA LOCAL GOVERNMENT NEWS – 23 JANUARY 2015 – ISSUE 2**

Document ID: 45539

Inside this issue:

- Waste Local Law – New Template
- Subscribe to WALGA Specialist Newsletters in 2015
- 2015 Local Government Remuneration Survey

- Community NRM Education and Events Workshop
- Breakfast with Sir Bob Parker
- Children and Young People Forum
- Community Crime Prevention Fund
- Accreditation and Training for Bushfire Risk Management
- Consultation Session – Review of the National TV and Computer Recycling Scheme
- Advancing Excellence in the Public Sector

**9.7.21 NATIONAL AWARDS FOR LOCAL GOVERNMENT – 2015 NATIONAL AWARDS FOR LOCAL GOVERNMENT OPEN 19 JANUARY 2015**

Document ID: 45213

Entries for the 2015 National Awards for Local Government (the awards) are now open and end close of business on Friday 27 February 2015. The Awards have attracted thousands of entries during its 28 year history.

More information is on hand, alternatively visit the website [www.infrastructure.gov.au/nalg](http://www.infrastructure.gov.au/nalg).

**9.7.22 WALGA ECO-NEWS – JANUARY 2015 – ISSUE 1**

Document ID: 45620

Inside this issue:

- Interpretive signs in Bedforddale Bushland Reserve
- Restoring the Eric Singleton Bird Sanctuary to full health
- Exciting new youth and landcare program – Bush Skills for Youth
- Carnaby's Cockatoo in Candy's Bush Reserve
- State NRM Grants
- Get active in the garden to control unwanted pests
- Adopt-a-Trap Program
- Don't mess with the Law
- Perth Convention and Exhibition Centre lighting project

**9.7.23 CERVANTES RATEPAYERS AND PROGRESS ASSOCIATION INC – GRASSED AREA ADJUSTMENT TO MR W POULTER'S RESIDENCE**

Document ID: 45333

*"For years now Mr Poulter has spent many hours planting trees and keeping this area neat and tidy. He has now been told to no longer maintain the area and get rid of the gardens. Mr Poulter is a Senior Citizen, who spends much time quietly helping others and doing things to the benefit of his beloved Cervantes. He goes about this in a most unassuming manner and seeks no accolades or payment.*

*The area he has been maintaining is the only green area in that end of town and is a place where folk can spend quiet time when they feel the need. Surely the Shire Policy on park land could be more flexible to allow a resident ratepayer willing to beautify the town, a little leniency.*

*The Cervantes Ratepayer & Progress Association strongly urge the Shire of Dandaragan to reverse their decision to disallow Mr Poulter to continue in his efforts to improve this site.”*

**9.7.24 CERVANTES RATEPAYERS AND PROGRESS ASSOCIATION INC – PROMISED WORKS FOR CERVANTES TOWNSITE**

Document ID: 45334

*“At the December meeting members were greatly concerned that work promised to be completed in Cervantes had not been done.*

*Major issue was the repainting of white lines on the road near the Caravan Park – Aragon Street and Catalonia Street. This matter has been taken up on many occasions with Shire officials and our members were informed that this would be done prior to the busy Christmas Holidays.*

*This section is a hazardous part of a very busy road, white lines are barely visible, in fact many drivers think this is a one way area and some very near misses have occurred. It is also very distressing for folk trying to cross from the new car park to the beach – especially for mothers with young children trying to juggle towels, beach toys etc.*

*With Easter being the next major holiday period, we urge the Shire to make this item on the agenda of high importance.”*

**9.7.25 WEST KOOJAN-GILLINGARRA LAND CONSERVATION DISTRICT – MINUTES OF THE MEETING HELD 2 DECEMBER 2014**

Document ID: 45336

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

**9.7.26 DEPARTMENT OF HEALTH – REQUEST FOR ADVICE ON COMMERCIAL RELEASE OF GM CARNATIONS – APPLICATION NO: DIR 134**

Document ID: 45532

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

**9.7.27 WALGA LOCAL GOVERNMENT NEWS – 30 JANUARY 2015 – ISSUE 3**

Document ID:

Inside this issue:

- Metropolitan Local Government Reform – Updated Ward Review Process
- Breakfast with Sir Bob Parker
- Payments in Addition to Entitlements
- Comment on Waste Reform
- 2015 Local Government Remuneration Survey
- Solutions Beyond Boundaries
- Local Government Street Lighting LED Retrofit Project Milestone

- WAMSI's Blueprint for Marine Science 2050 – Consultation Draft Released
- Green Army Community Information Sessions
- Training

**9.7.28 WALGA MEDIA RELEASE – SECTOR CALLS FOR GOVERNOR'S ORDERS TO BE RESCINDED**

Document ID: 46374

*Local Governments have overwhelmingly supported a proposal for the WA Local Government Association to write to the Premier respectfully requesting that the rescission of Governor's Orders be considered as a matter of urgent business at the next meeting of Cabinet on Monday 16 February.*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.28)**

**9.7.29 WALGA LOCAL GOVERNMENT NEWS – 6 FEBRUARY 2015 – ISSUE 4**

Document ID: 45986

Inside this issue:

- Sector Outraged at Premier's Corruption Comments
- Discussions Commence Regarding a New State Road Funding Agreement
- 2015 Local Government Remuneration Survey – Extension
- Children and Young People Forum
- Public Health Bill 2014
- RAC Cycling Survey 2015
- Call for Technical Papers
- Draft Building Amendment Regulations 2015 – Feedback Sought
- Wheatbelt Early Years Conference
- Tourism and Local Government

**9.7.30 WALGA LOCAL GOVERNMENT NEWS – 13 FEBRUARY 2015 – ISSUE 5**

Document ID: 46368

Inside this issue:

- Metropolitan Local Government Reform
- 2015 Banners in the Terrace Competition
- Children and Young People Forum
- 2015 Local Government Remuneration Survey – Extension until 25 February 2015
- Breakfast with Sir Bob Parker
- Mental Health and the Workplace
- Practitioner's Certificate in Mediation
- Hydropolis Conference

**9.7.31 KEEP AUSTRALIA BEAUTIFUL – 2015 REGISTRATIONS FOR TIDY TOWNS CLOSE ON 1 MARCH**

Document ID: 46095

*"Keep Australia Beautiful Councillors and staff are very keen to nurture your involvement in the free Tidy Towns – Sustainable*

*Communities competition this year. It is open to all regional communities and often the most successful entries are led by local government.”*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.31)**

**9.7.32 PUBLIC SECTOR COMMISSION – 2015 PREMIER’S AWARD FOR EXCELLENCE IN PUBLIC SECTOR MANAGEMENT**

Document ID: 46138

The Awards are an opportunity to recognise the wealth of innovative and creative projects being undertaken by the public sector in the delivery of better services to the Western Australian community.

A briefing session on the 2015 Awards process is scheduled for Thursday 19 February from 10-11am at Dumas House, 2 Havelock Street, West Perth. Agencies considering a nomination are encouraged to register to attend <http://www.publicsector.wa.gov.au/news-events/events>

**9.7.33 JURIEBAY CHAMBER OF COMMERCE – SPRAY THE GREY – 12 OCTOBER 2014**

Document ID: 46398

*“The Juriebay Chamber of Commerce Inc would like to congratulate the Shire of Dandaragan for organising the above youth event.*

*The involvement of our youth in such events is encouraging and the results are a credit to Juriebay.”*

*Councillor Tim Bailey left the Council Chambers at 6.07pm.*

**9.7.34 SMALL BUSINESS DEVELOPMENT CORPORATION – CHANGES TO THE SMALL BUSINESS CENTRES PROGRAM**

Document ID: 46399

*“The Small Business Development Corporation (SBDC) is the State Government agency responsible for the provision of outsourced small business advisory services across Western Australia. Over the last 21 years, this service has been provided by the Small Business Centres Program (formally the Business Enterprise Centres Program) where the SBDC provides funding to 25 not-for-profit organisations to deliver business advisory services on our behalf.”*

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

*Councillor Tim Bailey returned to the Council Chambers at 6.08pm.*

**9.7.35 THE ROADS FOUNDATION – RANGE OF SERVICES**

Document ID: 46400

*“The ROADS Foundation was established to work with local*

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*communities to help address skills shortages in the civil construction industry by coordinating and facilitating traineeship programs. The Foundation can provide an extensive range of services, direct to local government, free of charge. This includes the preparation, engagement and employment, monitoring, mentoring and support of trainees to make the process as simple as possible.”*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.35)**

**9.7.36 MEDIA STATEMENT – HON COLIN BARNETT MEC MLA & HON TONY SIMPSON MLA – FUTURE OF LG REFORM NOW RESTS WITH COUNCILS**

Document ID:

*“Premier Colin Barnett said the boundary adjustments for 15 metropolitan Councils would only proceed if affected Councils provide a Council resolution in support of it.”*

Attached to the agenda is a copy of the above mentioned correspondence. **(Marked 9.7.36)**

**COUNCIL DECISION**

**Moved Cr Bailey, seconded Cr Short**

**That the meeting be adjourned at 6.09pm in order to allow observers present to comment on late Item 10.1.1 previously dealt with by Council as a number were required to attend a function in Dandaragan.**

**CARRIED 9 / 0**

**COUNCIL DECISION**

**Moved Cr Short, seconded Cr Bailey**

**That the meeting be reopened at 6.15pm.**

**CARRIED 9 / 0**

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

**10.1 ADMINISTRATION**

*This item was previously dealt with before Item 9.1.1 in this agenda.*

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

The following item requires urgent consideration by Council:

That Council considers whether to implement a change to the current no

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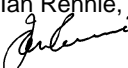
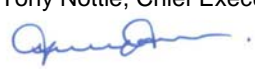
ward system of representation.

#### OFFICER RECOMMENDATION

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

That Council considers whether to implement a change to the current no ward system of representation.

#### 10.1.1 REVIEW OF COUNCIL WARDS

Location:	Shire of Dandaragan
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Governance / Boundaries / Electoral
Disclosure of Interest:	None
Date:	23 February 2015
Author:	Ian Rennie, Deputy Chief Executive Officer
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

That Council considers whether to implement a change to the current no ward system of representation.

#### BACKGROUND

At the Council Forum held 13 February 2014, the issue of Council wards was briefly discussed and a request was made for a preliminary report to be prepared for Council's information. Council has discussed the issue on a number of occasions, until at the meeting of 23 October 2014, the following decision was made:

*"That pursuant to Schedule 2.2 Section 5 (a) of the Local Government Act 1995 Council resolve to initiate a review of wards, based on implementing a four ward system.*

*CARRIED 8 / 0"*

A local government without wards is not required to carry out regular reviews under the provisions of Schedule 2.2 of the *Local Government Act*. However, a local government without wards can undertake an assessment of the number of elected members and the no wards system to explore whether change is desirable. The Shire of Dandaragan last reviewed wards in 2009 when it was resolved that all wards be abolished. This was subsequently approved by the Local Government Advisory Board and then by the Minister for Local Government.

The following is a summary of the ward structure over the last ten years.

#### 2004 Electoral Roll

North Ward	5 Councillors	1281 Electors	1 : 256
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South Ward	4 Councillors	953 Electors	1 : 238
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**Notes:**

- *Jurien Ward and Badgingarra Ward amalgamated to create North Ward.*
- *Cervantes Ward and Dandaragan Ward amalgamated to create South Ward.*

**2007 Electoral Roll**

North Ward	5 Councillors	1338 Electors	1 : 267
South Ward	4 Councillors	914 Electors	1 : 228

**2009 Electoral Roll**

No Wards	9 Councillors	2288 Electors	1 : 254
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**2011 Electoral Roll**

No Wards	9 Councillors	2365 Electors	1 : 262
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**2013 Electoral Roll**

No Wards	9 Councillors	2491 Electors	1 : 276
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The following outlines the review process for Council to undertake a review of wards:

1. the council resolves to undertake the review;
2. public submission period opens;
3. information provided to the community for discussion;
4. public submission period closes;
5. the Council considers all submissions and relevant factors and makes a decision;
6. the Council submits a report to the Local Government Advisory Board (the Board) for its consideration; and
7. (if a change is proposed) the Board submits a recommendation to the Minister for Local Government (the Minister).

Any changes approved by the Minister where possible will be in place for the next ordinary election.

**COMMENT**

When considering changes to wards, Schedule 2.2 of the Act specifies factors that must be taken into account by a local government as part of the review process:

1. community of interest;
2. physical and topographic features;
3. demographic trends;
4. economic factors; and
5. ratio of councillors to electors in the various wards.

The Board offers the following interpretation of these factors and staff comments follow in italics.

1. COMMUNITY OF INTEREST



The term 'community of interest' has a number of elements. These include a sense of community identity and belonging, similarities in the characteristics of the residents of a community and similarities in the economic activities. It can also include dependence on the shared facilities in an area as reflected in catchment areas of local schools and sporting teams, or the circulation areas of local newspapers.

Neighbourhoods, suburbs and towns are important units in the physical, historical and social infrastructure and often generate a feeling of community and belonging.

*The four towns of Jurien Bay, Cervantes, Dandaragan and Badgingarra are similar in a lot of respects and completely different in many others. Each of the coastal towns has developed from the original fishing industry however, Jurien Bay has much of the government and commercial infrastructure as against Cervantes which is more a low key development. Equally each of the rural towns are of a similar size but again are completely different in character. Dandaragan was developed well before Badgingarra.*

*Each of the four towns have common facilities i.e. 4 ovals, 4 community centres, 4 public facilities, 4 schools, 4 golf clubs, 4 bowling clubs, 4 tennis clubs, 4 local newsletters, 3 football teams and various other similar organisations.*

*Each of the four towns has a very strong community which constantly work towards the improvement and development of their own town. Each of the four towns is growing in infrastructure even if the population maybe static or slightly decreasing.*

## 2. PHYSICAL AND TOPOGRAPHIC FEATURES

These may be natural or manmade features that will vary from area to area. Water features such as rivers and catchment boundaries may be relevant considerations.

Coastal plain and foothills regions, parks and reserves may be relevant as may other man made features such as railway lines and freeways.

*The coastal area of the Shire and the towns, are very different. The coastal towns have their population relatively concentrated close to the towns and the immediate surrounds. They are similar in nature in providing commercial and community facilities and Jurien Bay is approximately three times the population and number of electors of Cervantes.*

*The two rural towns are relatively small in population but are supported by a larger rural population surrounding them. They are similar in nature in providing commercial and community facilities.*

### 3. DEMOGRAPHIC TRENDS

Several measurements of the characteristics of human populations, such as population size, and its distribution by age, sex, occupation and location provide important demographic information. Current and projected population characteristics will be relevant as well as similarities and differences between areas within the local government.

*The overall population of the Shire of Dandaragan at the 2011 census was 3,186 persons. It is not possible to obtain accurate statistics on population for all the townsites. Dandaragan and Badgingarra towns are included with large rural areas. Staff estimate that the Badgingarra townsite has approximately 40 to 50 people and the Dandaragan townsite 120 to 150 people. Jurien Bay has a population of 1507 including the areas of Alta Mare and Jurien Bay Heights. Cervantes has a population of 461.*

### 4. ECONOMIC FACTORS

Economic factors can be broadly interpreted to include any factor that reflects the character of economic activities and resources in the area. This may include the industries that occur in a local government area (or the release of land for these) and the distribution of community assets and infrastructure such as road networks.

*Community assets are spread evenly over the whole of the Shire of Dandaragan. These include recreation and community facilities. Road assets are generally more in the rural areas of the Shire in that they are of greater length whereas the coastal towns have roads concentrated mostly within the townsite boundary.*

*There are more parks and reserves developed in the coastal towns in order to provide for the greater concentration of population.*

*Development is occurring over the whole of the Shire of Dandaragan with the rural areas becoming more involved with intensive horticulture of citrus, fruit, olives, vegetables, potatoes and power generation with wind farms and solar farms. There are new proposals for abattoirs and for production of eggs. Conventional agriculture is the largest rural pursuit with cropping and stock.*

*In the coastal towns, they mostly cater for the commercial, tourism, housing, medical, fishing industry and government administration i.e. Shire office, new community centre, Department of Parks and Wildlife, Western Power, Police, Water Corporation etc mainly being located in Jurien Bay and to a lesser extent in Cervantes.*

## 5. RATIO OF COUNCILLORS TO ELECTORS IN THE VARIOUS WARDS

It is expected that each local government will have similar ratios of electors to Councillors across the wards of its district.

*As an electoral roll has not been prepared as yet for the 2015 election, numbers are based on the 2013 electoral roll. At that time, there were 2,491 electors on the roll and with 9 Councillors that is a ratio of 277 electors per Councillor.*

### COMMENT

The following is a summary of the increase in the number of electors overall for the Shire of Dandaragan in the last decade:

▪ 2004 Electoral Roll	2234 electors
▪ 2007 Electoral Roll	2252 electors
▪ 2009 Electoral Roll	2288 electors
▪ 2011 Electoral Roll	2365 electors
▪ 2013 Electoral Roll	2491 electors

It would appear to Staff that the issue is not in regard to decisions being made by the Council as almost all decisions are based on sound logic rather than being based on where people come from or where the subject being voted on is located. It would appear that the main issue is that there is no Councillor located residentially in the vicinity of Badgingarra that is available to members of the public from that area directly. It is difficult for Councillors from other areas to represent the Badgingarra area. The other question that needs to be addressed is whether two Councillors is appropriate for the Dandaragan area and whether two Councillors is appropriate for the Cervantes area.

The current situation with Councillors living in the vicinity of each of the four towns is that six Councillors live in or nearby to Jurien Bay, one in Cervantes, two near Dandaragan and none near Badgingarra.

The position Council wished to consider was to revert back to a previous situation where Council had four wards and attached is a copy of a map of the Shire indicating the boundaries that had been utilised by Council when four wards were in existence (Plan 2). Council did not indicate any alternative four ward option. The suggested variation, while it is minor will allow more accurate numbers to be obtained as the suggested boundary is in line with the localities the state government use (Plan 3).

The two ward option doesn't guarantee representation in Badgingarra nor that representation in Cervantes would increase to two Councillors (Plan 1).

If Council was to consider the reintroduction of four wards based on the previous ward boundaries and based around the four

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towns, the estimated number of electors in the Jurien Bay Ward is 1203 with six Councillors giving a Councillor to Elector ratio of 1:200. It is estimated that the Badgingarra Ward has 273 electors and currently has no Councillors. The Cervantes Ward has 450 electors represented by one Councillor giving a ratio of 1:450. The Dandaragan Ward has 565 electors including 148 electors from Wedge and Grey and is currently represented by two Councillors with a ratio of 1:282.

Ward	Number of Electors	Number of Councillors	Councillor Elector Ratio	% Ratio Deviation
Jurien Bay	1203	6	1:200	- 27.79 %
Cervantes	450	1	1:450	+ 62.45 %
Dandaragan	565	2	1:282	+ 1.80 %
Badgingarra	273	Nil	-	-

The ratio of electors to Councillors overall for the Shire is 2491 electors to nine Councillors which is 1:277. Generally a + or - variation of 10% is acceptable.

Based on the ratio of 277 electors to one Councillor the following would apply with four wards. This would vary slightly depending on which four ward option was to be considered.

Ward	No. of Electors	No. of Councillors
Jurien Bay	1203	4.35
Cervantes	450	1.62
Dandaragan	565	2.03
Badgingarra	273	0.98

A number of options have been suggested and the following is a summary of these. It is stressed that the numbers of electors are as at the 2013 Council Election and in some cases have had to be estimated.

**Option 1 - Previous four ward system**

Ward	Estimated Number of Electors	Number of Councillors	Councillor to Elector Ratio	+ / - %
Jurien Bay	1203	4	300.75	+8.57
Cervantes	450	2	225	-18.75

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Dandaragan	565	2	282.5	+1.98
Badgingarra	273	1	273	-1.45

**Option 2 - Possible four ward system**

Ward	Estimated Number of Electors	Number of Councillors	Councillor to Elector Ratio	+ / - %
Jurien Bay	1203	4	300.75	+8.57
Cervantes	496	2	248	-10.47
Dandaragan	545	2	272.5	-1.63
Badgingarra	247	1	247	-10.84

**Option 3 - Previous two ward system**

Ward	Estimated Number of Electors	Number of Councillors	Councillor to Elector Ratio	+ / - %
North	1476	5	295.20	+6.57
South	1015	4	253.75	-8.40

**Option 4 - Cr Sheppard's suggested four ward system**

Ward	Estimated Number of Electors	Number of Councillors	Councillor to Elector Ratio	+ / - %
Jurien Bay	1203	4	300.75	+8.57
Cervantes	598	2	299	+7.94
Dandaragan	417	2	208.50	-24.73
Badgingarra	273	1	273	-1.45

**Option 5 - Cr Short's suggested two ward system**

Ward	Estimated Number of Electors	Number of Councillors	Councillor to Elector Ratio	+ / - %
North	1456	5	291.20	+5.12
South	1035	4	258.75	-6.59

At the Council election to be held in October 2015, the following Councillors terms expire:

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- Councillor Gibson
- Councillor McGlew
- Councillor Holmes
- Councillor Kent
- Councillor Short

The Councillors that are due for elections in 2017 are:

- Councillor Bailey
- Councillor Kulisa
- Councillor Sheppard
- Councillor Slyns

There are two Jurien Bay area Councillors up for election in 2015 along with two from Dandaragan and one from Cervantes. As there are four Jurien Bay locality Councillors to stand in 2017, it is likely that there would be a spill of Councillors at the 2015 elections.

Staff have contacted the Department of Local Government and Communities in regard to this matter and they state that it would be unlikely that there would be a spill of Councillors unless all of Council ie majority were agreeable to this occurring. This would also have to be agreed to by the Local Government Advisory Board.

This complicates matters because it would be the intention that the number of Councillors that may represent each ward would be evenly balanced between two consecutive elections ie two Jurien Bay Councillors in 2015 and two Jurien Bay Councillors in 2017, one Dandaragan Councillor in 2015 and one in 2017, and one in Cervantes in 2015 and one from Cervantes from 2017.

Staff can only stress that this is on the assumption that the concept of reintroduction of wards was agreed to and if Council was agreeable to a spill of all Councillors.

#### CONSULTATION

- Shire Matters
- Shire website
- Shire's Facebook page
- Various community organisations

#### STATUTORY ENVIRONMENT

- *Local Government Act 1995*

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

#### STRATEGIC IMPLICATIONS

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This matter is not addressed in Council's Community Strategic Plan.

#### ATTACHMENTS

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

- Map of wards previous and suggested (Doc Id: 46820, 46822, 46824, 46826 and 46828)
- Copy of submissions from the following (Doc Id: 46382):
  - Kaye Wilkins
  - Richard Negus
  - Sarah Roberts
  - John Astill, Cervantes Chamber of Commerce
  - George Johnston
  - Michael and Maree Humphries
  - Eric Morgan
  - George and Sue Large
  - Advance Dandaragan
  - Graeme and Sue Betteridge
  - Mary Brandis
  - John Cook
  - Joy Morgan
  - Gavin Haywood and Katie Bowring
  - Lily Hornum
  - Kerrie Roberts
  - Kerry Cockburn
  - Dympna Rose
  - Shirley Harris
  - Delys Fox, Dandaragan Community Recreation Club Inc
  - Frank Creagh
  - Ray Glasfurd
  - Tony & Fran Abbey
  - John Brown
  - Andrew Kenny
  - Dahlia Richardson
  - Fiona Carroll & Matthew Taylor
  - Jonathan Nelson, Badgingarra Community Association
  - Jonathan Nelson
  - Rose Glasfurd
  - Peter Negus
  - JAV Brown and Sons
  - Harry & Faye Wilkinson
  - Sue Monks
  - Gwen White
  - Mike and Sarah Kenny
  - Gaden and Dympna Rose
  - David and Joan Cook
  - Cr Lawrie Short
  - Cr Mike Sheppard

- Pam Johnson  
(*Marked 10.1.1*)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION

That following the completion of a review of Council ward's, that Council take no further action and retain the current position of having no wards.

OR

OFFICER RECOMMENDATION

The Shire of Dandaragan recommends to the Local Government Advisory Board that:

1. An order be made under Section 2.2 (1) to divide the district into four wards with boundaries as detailed in the attached map (Option \_\_\_\_).
2. An order be made under Section 2.3 (2) to name the four wards Jurien Bay, Cervantes, Badgingarra and Dandaragan (as detailed on the map).
3. An order be made under Section 2.18 (3) to designate the following number of offices of councillor for each ward: Jurien Bay 4, Cervantes 2, Badgingarra 1 and Dandaragan 2.

OR

OFFICER RECOMMENDATION

The Shire of Dandaragan recommends to the Local Government Advisory Board that:

1. An order be made under Section 2.2 (1) to divide the district into two wards with boundaries as detailed in the attached map (Option \_\_\_\_).
2. An order be made under Section 2.3 (2) to name the two wards North and South (as detailed on the map).
3. An order be made under Section 2.18 (3) to designate the following number of offices of councillor for each ward: North Ward 5 and South Ward 4.

## 10.2 ADMINISTRATION


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

The following item requires urgent consideration by Council:

To review the Shire of Dandaragan's Delegation 103 *Purchase Order Authorisation and Authority for Payment*.



**OFFICER RECOMMENDATION / COUNCIL DECISION****Moved Cr Kent, seconded Cr Short****That the following new business of an urgent nature be considered by Council:****To review the Shire of Dandaragan's Delegation 103 *Purchase Order Authorisation and Authority for Payment*.****CARRIED 9 / 0****10.2.1 REVIEW OF DELEGATION 103 PURCHASE ORDER AUTHORISATION AND AUTHORITY FOR PAYMENT**

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Business Classification Scheme / Governance / Authorisations / Delegations Register /
Disclosure of Interest:	None
Date:	23 February 2015
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

**PROPOSAL****To review the Shire of Dandaragan's Delegation 103 *Purchase Order Authorisation and Authority for Payment*.****BACKGROUND**

At the Executive Management Team (EMT) meeting held 7 October 2014, the Chief Executive Officer, Deputy Chief Executive Officer and Executive Managers reviewed Delegation 103 *Purchase Order Authorisation and Authority for Payment* and propose the following changes (refer to attached).

The proposed changes were then presented to Council at a Forum held on the 19 February 2015 for discussion.

**COMMENT**

Attached is a copy of the Shire of Dandaragan's Delegation 103 *Purchase Order Authorisation and Authority for Payment* with marked up proposed changes as discussed at the Forum held 19 February.

The following are the proposed changes:

1. Minor title changes as marked.
2. Include the following positions and levels:
  - a. Engineering Technical Officer - Level 3 - new position
  - b. Tourism Marketing Coordinator - Level 4 - new position
  - c. Executive Assistant / Human Resources - Level 7 - there is the need for this position to have purchasing authority
  - d. Council Secretary / Personal Assistant - Level 7 - there is the need for this position to have purchasing authority
3. Remove the following positions:
  - a. Manager Environmental Health - no requirement for this position to have purchasing authority

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- b. Coordinator Infrastructure Operations - position no longer exists
- c. Infrastructure & Major Projects Support Officer - position no longer exists
- 4. Decrease Manager Planning Level from 2 - 3.
- 5. Remove "excluding capital items" from Levels 3, 4 and 5. The purpose of the restriction was to ensure no capital items that were unbudgeted were purchased. Such a clause, however, is now presenting issues in relation to timely completion of budgeted capital projects. Many construction projects require rapid response to needs, such as hire of plant or minor purchases that may contribute to a larger project. This current restriction severely affect's efficiency. Further, the original purpose of the clause is a matter of officer training and awareness and doesn't require restriction within delegation.
- 6. Change Level 1's limit of "\$100,000" to "unlimited". This clause is currently presenting issues in relation to the purchase of assets that have a commodity type nature. With larger and larger capital works projects being undertaken, this is and will continue to adversely affect efficiency. Case in point is Mimegarra Road, items such as culverts, gravel, seal are all totalling more than \$100,000. Items of this nature are either priced annually by Council, or can be purchased from the WALGA / CUA preferred supplier panels. Therefore, sufficient value for money protection is present without the need for restriction within delegation. Any other items that don't fall within these categories require Council decision as stipulated by legislation once again eliminating the need for restriction within delegation. The purchase of plant will continue to be taken for Council approval regardless of if the preferred supplier / CUA panel is used or not. With this change, the last sentence under Level 1 would not be applicable due to the amount being removed therefore, the sentence is to be removed.
- 7. Add to Level 1 "Purchase of freehold land and real estate is permitted with prior approval of Council".

#### CONSULTATION

- Executive Management Team
- Council Forum 19 February 2015

#### STATUTORY ENVIRONMENT

The *Local Government Act 1995* Section 5.46 establishes the requirement to maintain a delegations register.

#### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

#### FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

#### STRATEGIC IMPLICATIONS

- Shire of Dandaragan's Strategic Community Plan 2011 - 2021

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5.15.5 GOAL NUMBER FIVE: Build a proactive and leading local government
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OBJECTIVE 4: Establish corporate governance and risk management processes that build the capacity of the Shire to be highly effective in meeting community outcomes and managing associated risks
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**ATTACHMENTS**

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

- *Copy of Delegation 103 Purchase Order Authorisation and Authority for Payment* with marked up changes (Doc Id: 20222) **(Marked 10.2.1)**

**VOTING REQUIREMENT**

Absolute majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Slyns, seconded Cr Kulisa**

**That Council amend its Delegation 103 *Purchase Order Authorisation and Authority for Payment* as follows in accordance with the proposed changes shown in the attached version of Delegation 103 (Doc Id: 20222) of the Register.**

## PURCHASE ORDER AUTHORISATION AND AUTHORITY FOR PAYMENT

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<b>Delegation No:</b>	<b>103</b>
<b>Delegate:</b>	Chief Executive Officer
<b>References:</b>	<i>Local Government Act 1995</i> (Sections 5.42 and 6.10) <i>Financial Management Regulations</i> (Regulations 12 and 13)
<b>CEO delegates to:</b>	Deputy Chief Executive Officer - Level 2 Executive Manager Corporate & Community Services - Level 2 Executive Manager Infrastructure - Level 2 Manager Building Services - Level 2 Manager Planning - Level 3 Operations Supervisor Dandaragan - Level 3 Operations Supervisor Jurien Bay - Level 3 Mechanic - Level 4 Engineering Technical Officer - Level 3 Senior Ranger - Level 6 Building Maintenance Coordinator - Level 7 Tourism & Marketing Coordinator - Level 4 Executive Assistant / Human Resources - Level 7 Council Secretary / Personal Assistant - Level 7

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### DELEGATION:

The Chief Executive Officer is delegated authority to issue and sign purchase orders and approve payments for expenditure included in the Municipal Fund budget or the Trust Fund. Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:

- a) the payee's name;
- b) the amount of payment;
- c) the date of the payment; and
- d) sufficient information to identify the transaction.

The list referred to above is to be presented to the Council at the next ordinary meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

### Conditions - Purchase Order limits on amounts

Limits on amounts:

- a) Level 1 (applies to Chief Executive Officer) - unlimited excluding the purchase of freehold land and real estate.
- b) Level 2 - up to \$100,000 excluding the purchase of freehold land real estate
- c) Level 3 - up to \$10,000
- d) Level 4 - up to \$5,000

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- e) Level 5 - up to \$2,000
- f) Level 6 - up to \$1,000
- g) Level 7 - up to \$500



DELEGATION TO CEO			FROM CEO TO EMPLOYEES	
Files:			Files:	
Bibliography			Bibliography	
*	Minute	Date	*	Date
* Legend – indicate whether 'adopted', 'reaffirmed', 'amended', revoked' or 'reviewed'				

**CARRIED BY ABSOLUTE MAJORITY 9 / 0**

### 10.3 FINANCE

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

The following item requires urgent consideration by Council:

For Council to adopt new fees and charges earned by hiring of facilities within the Jurien Bay Visitor Centre Building; and

For Council to delegate authority to the Chief Executive Officer, at his discretion, to apply concessions to non-commercial, education-based service providers hiring the Jurien Bay Visitor Centre building to assist with developing and promoting Jurien Bay as a centre for excellence in regional education facilities.

#### **OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr Sheppard, seconded Cr Kulisa**



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

**For Council to adopt new fees and charges earned by hiring of facilities within the Jurien Bay Visitor Centre Building; and**

**For Council to delegate authority to the Chief Executive Officer, at his discretion, to apply concessions to non-commercial, education-based service providers hiring the Jurien Bay Visitor Centre building to assist with developing and promoting Jurien Bay as a centre for excellence in regional education facilities.**

**CARRIED 9 / 0**

#### 10.3.1 JURIEN BAY VISITOR CENTRE HIRE FEES

Location:	N/A
Applicant:	Alison Slyns, Tourism & Marketing Coordinator
Folder Path:	Business Classification Scheme / Council Properties / Usage / Hire
Disclosure of Interest:	Nil
Date:	20 February 2015
Author:	Alison Slyns, Tourism & Marketing Coordinator
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

#### PROPOSAL

For Council to adopt new fees and charges earned by hiring of facilities within the Jurien Bay Visitor Centre Building; and

For Council to delegate authority to the Chief Executive Officer, at his discretion, to apply concessions to non-commercial, education-based service providers hiring the Jurien Bay Visitor Centre building to assist with developing and promoting Jurien Bay as a centre for excellence in regional education facilities.

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**BACKGROUND**

At the Ordinary Meeting of Council held 22 January 2015, Council deferred the item regarding the hire fees for the Conference and Education Centre in the Jurien Bay Visitor Centre building due to further details being required. Further discussion on the matter was brought to the Council Forum 19 February 2015.

**COMMENT**

The hire fees outlined below are inclusive of GST and apply to specific areas of the building, being classrooms and conference room, amphitheatre and hot offices.

A minimum hire fee of \$40.00 including GST will be applicable to all hires to cover minimum cleaning expenses incurred.

It is proposed that hire fees for the premises are:

<b>JURIEN BAY VISITOR CENTRE BUILDING</b>		
<b>Facility</b>	<b>Community Group Per Hour</b>	<b>Commercial Hire Per Hour</b>
Classroom 1 (IT Classroom)	\$25.00	\$30.00
Classroom 2	\$25.00	\$30.00
Classroom 3	\$25.00	\$30.00
Classroom 2 & 3 (conjoined)	\$40.00	\$48.00
Conference Room	\$25.00	\$30.00
Full Facility	\$80.00	\$96.00
Hot Office	\$15.00	\$15.00
<b>Facility</b>	<b>Community Group Per Day</b>	<b>Commercial Hire Per Day</b>
Classroom 1 (IT Classroom)	\$180.00	\$216.00
Classroom 2	\$180.00	\$216.00
Classroom 3	\$180.00	\$216.00
Classroom 2 & 3 (conjoined)	\$288.00	\$345.00
Conference Room	\$180.00	\$216.00
Full Facility	\$576.00	\$691.00
Hot Office	\$108.00	\$108.00
Amphitheatre *	\$40.00*	

\*Hire fee for amphitheatre is per hire, not per hour / day

**CONSULTATION**

- Chief Executive Officer
- Executive Manager Corporate & Community Services

**STATUTORY ENVIRONMENT**

- *Local Government Act 1995*

**6.19. Local government to give notice of fees and charges**

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of

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- 
- (a) its intention to do so; and
  - (b) the date from which it is proposed the fees or charges will be imposed.

### **6.12 Power to defer, grant discounts, waive or write off debts**

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

\*Absolute majority required

### POLICY IMPLICATIONS

There are no known policy implications relevant to this item.

### FINANCIAL IMPLICATIONS

Providing concessions to non-commercial education service providers using the Jurien Bay Visitor Centre building will incur a deficit to Council's budget. As this is a new venture there are limited projections for the expected budget per annum at this stage.

### STRATEGIC IMPLICATIONS

There are no specific strategic implications to this item. However, the decision to provide a concession to non-commercial education service providers could be seen as a strategy to encourage high quality and diverse education facilities in Jurien Bay and the surrounding region.

- Shire of Dandaragan Strategic Community Plan 2011 - 2021

5.15.2 GOAL NUMBER TWO: Build high level of amenity and lifestyle					
OBJECTIVE 3: Develop, deliver and maintain a high quality of community infrastructure that continues to build the amenity and liveability of the communities					
CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G2-O3-A6	Plan and support development high quality regionally relevant educational facilities.	IOD Summit workshops SuperTowns Growth Plan	Short - Medium	Jurien Bay Impact on district	DoE CY O'Connor TAFE Schools

### ATTACHMENTS

Nil



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**VOTING REQUIREMENT**

Officer Recommendation 1 – Simple majority

Officer Recommendation 2 – Absolute majority

**OFFICER RECOMMENDATION 1 / COUNCIL DECISION**

**Moved Cr Kulisa, seconded Cr Sheppard**

**That Council in accordance with Section 6.19 of the *Local Government Act 1995*, authorise the introduction of a new fee and charge effective 27 February 2015 for the hire of facilities in the Jurien Bay Visitor Centre building, including a minimum hire fee of \$40.00, as follows:**

<b>JURIEN BAY VISITOR CENTRE BUILDING</b>		
<b>Facility</b>	<b>Community Group Per Hour</b>	<b>Commercial Hire Per Hour</b>
<b>Classroom 1 (IT Classroom)</b>	<b>\$25.00</b>	<b>\$30.00</b>
<b>Classroom 2</b>	<b>\$25.00</b>	<b>\$30.00</b>
<b>Classroom 3</b>	<b>\$25.00</b>	<b>\$30.00</b>
<b>Classroom 2 &amp; 3 (conjoined)</b>	<b>\$40.00</b>	<b>\$48.00</b>
<b>Conference Room</b>	<b>\$25.00</b>	<b>\$30.00</b>
<b>Full Facility</b>	<b>\$80.00</b>	<b>\$96.00</b>
<b>Hot Office</b>	<b>\$15.00</b>	<b>\$15.00</b>
<b>Facility</b>	<b>Community Group Per Day</b>	<b>Commercial Hire Per Day</b>
<b>Classroom 1 (IT Classroom)</b>	<b>\$180.00</b>	<b>\$216.00</b>
<b>Classroom 2</b>	<b>\$180.00</b>	<b>\$216.00</b>
<b>Classroom 3</b>	<b>\$180.00</b>	<b>\$216.00</b>
<b>Classroom 2 &amp; 3 (conjoined)</b>	<b>\$288.00</b>	<b>\$345.00</b>
<b>Conference Room</b>	<b>\$180.00</b>	<b>\$216.00</b>
<b>Full Facility</b>	<b>\$576.00</b>	<b>\$691.00</b>
<b>Hot Office</b>	<b>\$108.00</b>	<b>\$108.00</b>
<b>Amphitheatre *</b>	<b>\$40.00*</b>	

\*Hire fee for amphitheatre is per hire, not per hour / day

**CARRIED 9 / 0**

**OFFICER RECOMMENDATION 2**

That Council agree to delegate authority to the Chief Executive Officer, at his discretion, to provide concession to non-commercial education-based service providers for the hire charges at the Jurien Bay Visitor Centre building, as an educational incentive to assist with developing and promoting Jurien Bay as a centre for excellence in regional education facilities.

**COUNCIL DECISION**

**Moved Cr McGlew, seconded Cr Kent**

**That Council agree to delegate authority to the Chief Executive Officer, at his discretion, to provide concession for the hire charges at the Jurien Bay Visitor Centre building, as an educational incentive to assist with developing and**

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**promoting Jurien Bay as a centre for excellence in regional education facilities.**

**CARRIED BY ABSOLUTE MAJORITY 9 / 0**

*The Officer Recommendation was not adopted to allow the Chief Executive Officer more flexibility in allowing concessions to hire charges.*

**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 6.48pm.

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

Signed .....

Presiding person at the meeting at which the minutes were confirmed

Date .....