

SHIRE OF JERRAMUNGUP



MINUTES

COUNCIL ORDINARY MEETING

17th APRIL 2013

ORDINARY MINUTES – 17TH APRIL 2013**INDEX**

ITEM NO.	<u>DETAILS</u>	<u>PAGE</u>
9.1	Confirmation of Minutes	4
WORKS		
10.1.1	Works Report	6
FINANCE		
10.2.1	Accounts Payable – March 2013	12
10.2.2	Monthly Financial Report – Period Ending 31 st March 2013	14
HEALTH, BUILDING & TOWN PLANNING		
10.3.1	Proposed review of Local Planning Policy 16 - Outbuildings	17
ADMIN		
10.4.1	Administration Status Report	23
10.4.2	Audit Committee Meeting Minutes	25
10.4.3	Lease Hangar Site 2 Bremer Bay Airfield	26
10.4.4	Bremer Bay Community Development Committee Meeting Minutes	30
COUNCILLOR REPORT		
11	Councillor Reports	33
NEW BUSINESS OF AN URGENT NATURE		

SHIRE OF JERRAMUNGUP

ORDINARY MEETING OF COUNCIL HELD IN THE TOWN HALL, BREMER BAY ON WEDNESDAY 17th APRIL 2013, COMMENCING AT 2.07PM.

1. **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The President declared the meeting open at 2.07pm.

2. **RECORD OF ATTENDANCE**

Cr R Lester	President
Cr J Iffla	Deputy President
Cr B Trevaskis	Member
Cr W Bailey	Member
Cr R Parsons	Member
Cr C Daniel	Member
Cr B Atkin	Member

Mr B Bailey	Acting Chief Executive Officer
Mr C Pursey	Planning Officer
Mrs C Solomon	Coordinator of Governance & Land Administration

3. **APOLOGIES**

Nil

4. **LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil

5. **PUBLIC QUESTION TIME**

Nil

6. **APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

7. **PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

8. **DECLARATIONS OF FINANCIAL INTEREST**

Nil

9. CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held 20th March 2013

OC130401 Moved Cr Bailey / Seconded Cr Iffla

- That the Minutes of the Ordinary Meeting of Council held 20th March 2013 be confirmed.
- That Council amend motion OC130221 from the Ordinary Meeting of Council Minutes held 20th February 2013, Item 10.4.6 Lease of Portion of Reserve 40437 Kokoda Op-Shop to;

Amended Motion:

That Council;

1. Endorse the terms of the proposed lease being a peppercorn rent for a period of 5 years and include a further term of 5 years at the Shire's discretion with the commencement date being the 1st March 2013.
2. Authorise the Chief Executive Officer and Shire President to execute a lease between the Shire of Jerramungup and Mrs Janine Barrett for a portion of Reserve 40436, 2 Tobruk Road, Jerramungup.

Reason for variation: Typographic error - the Kokoda Op-Shop is located on Reserve 40436 not 40437.

Carried 7-0

W O R K S

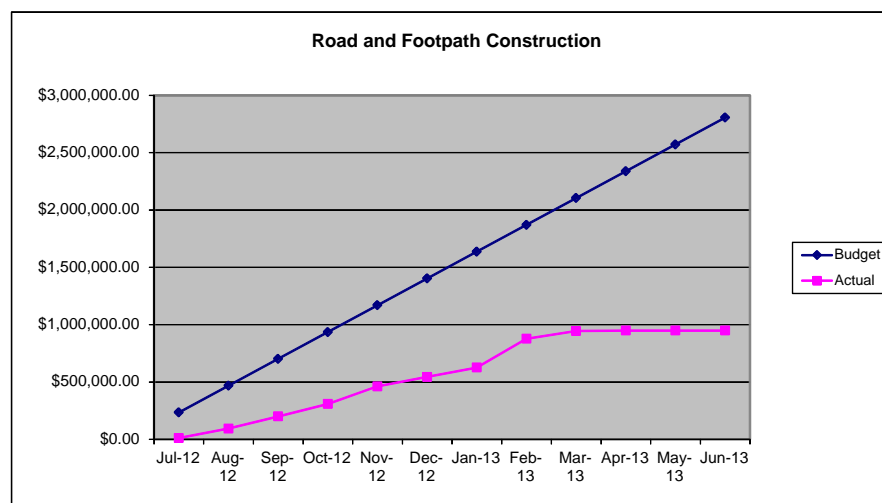
SUBMISSION TO:	Works
AGENDA REFERENCE:	10.1.1
SUBJECT:	Works Report
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	
AUTHOR:	Graham Edwards
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	9 th April 2013

ATTACHMENT

Attachment 10.1.1(a) – Jerramungup maintenance report
Attachment 10.1.1(b) – Bremer Bay maintenance report
Attachment 10.1.1(c) – Rural road maintenance report
Attachment 10.1.1(d) – 2012/13 Road Construction Programme Project Status at 10th April 2013

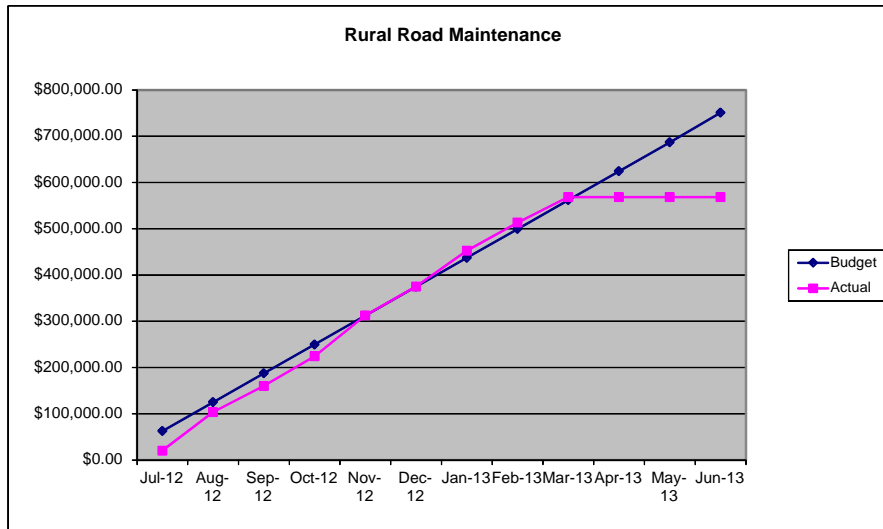
ROAD CONSTRUCTION

A summary of the Road Construction Programme is attached with expenditure progressing against schedule as indicated below. Progress is distorted by the inclusion of \$1,001,826 for the Bremer Bay Town Centre which, although part of the Construction Programme, will be entirely delivered externally.



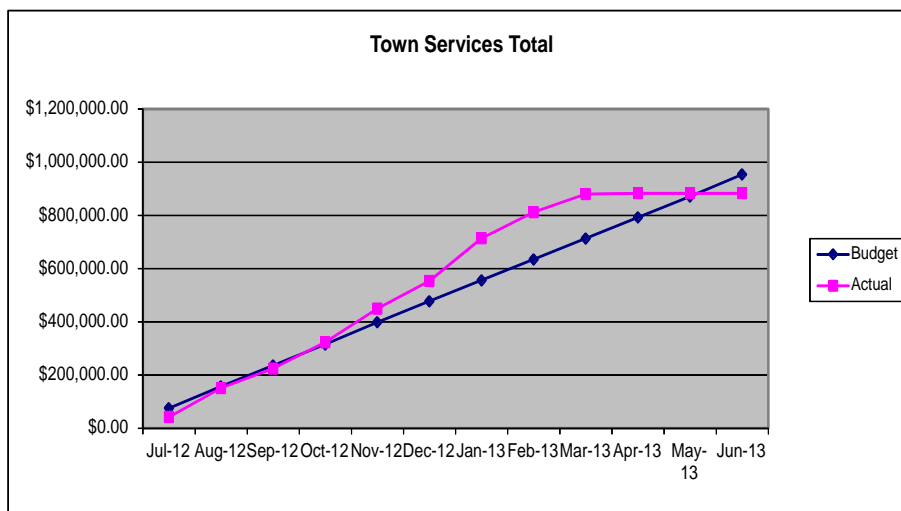
ROAD MAINTENANCE

The attached report indicates rural road maintenance activity for March 2013. Expenditure against schedule is indicated below.



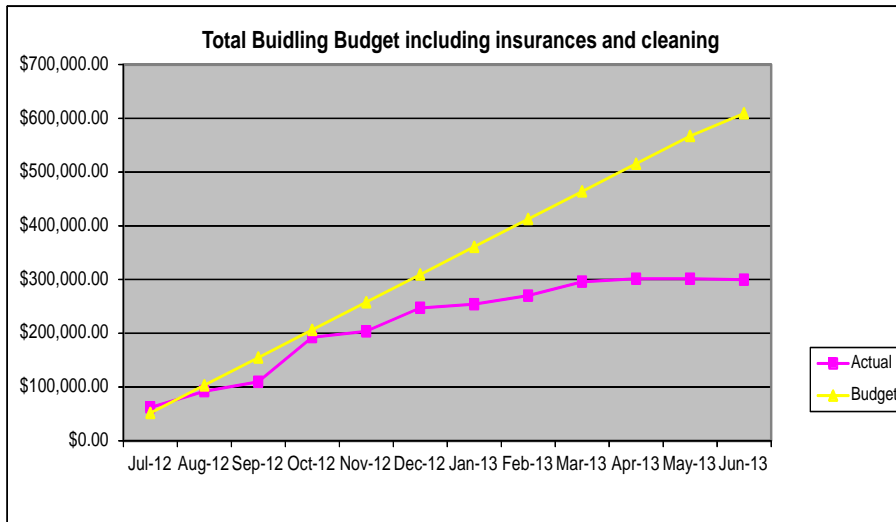
TOWN SERVICES

Attached are reports indicating road maintenance undertaken at Bremer Bay and Jerramungup during February. As indicated below, overall Town Services expenditure is ahead of schedule.



BUILDINGS

The Building Programme is to be reviewed with the 2013 / 2014 Budget in mind. Current expenditure is as indicated below.



RESTRICTED ACCESS VEHICLES

In March 2012 a report was considered by Council concerning a request by local business owners that Tobruk, Vasey, Memorial and adjoining streets be classified as Restricted Access Vehicle, (RAV) Network 6 roads for the purpose of deliveries and sales.

The classification would allow access to a prime mover, semi trailer and six (6) axle dog trailer to a maximum:

- a) Length of 36.5 metres.
- b) Mass of 87.5 tonnes.
- c) Height of 4.6 metres.

The Commissioner of Main Roads is authorised for the management of heavy vehicles through the:

- a) Road Traffic (Vehicle Standards) Rules 2002
- b) Road Traffic (Vehicle Standards) Regulations 2002

As the controlling authority for the RAV Network, Main Roads Western Australia:

- a) Consults with local government as part of the approval process and referred the business owners to the Shire of Jerramungup.
- b) Is unlikely to approve a RAV route on a local road unless supported by the local government.

A preliminary assessment by the author identified that Tobruk Road, Memorial Road and Vasey Street did not satisfy Main Roads guideline requirements for a RAV Network 6 classification.

Main Roads might nonetheless approve the RAV Network 6 classification, subject to certain conditions. The Council then resolved to approach Main Roads for reclassification accordingly.

Following consultation with WA Police, Main Roads subsequently endorsed the RAV Network reclassification of:

- a) Memorial Road between South Coast Highway and Bennett Street.
- b) Bennett Street between Memorial Road and Newton Street.
- c) Vasey Street.
- d) Tobruk Road subject to roadside parking being officially restricted.

Subsequently Council resolved in February 2013 that roadside parking be prohibited along Tobruk Rd pursuant to the Parking and Parking Facilities Local Law.

A public notice was issued to further engage and inform the community prior to implementing the Parking and Parking Facilities Local Law by the installation of signage, to prohibit roadside parking, with comments received from Tobruk Traders and Jerramungup IGA, expressing concern.

Whilst allowing restricted access vehicles, prohibited parking will limit the opportunity of Tobruk Road business to attract both local and tourist trade.

Several options might be considered by Council. These include:

- a) The widening of Tobruk Road on one or both sides to accommodate Main Roads minimum requirement of 5.8 metres, between the road centre and road edge, to maintain parking.
- b) The acquiring of land and development for off road parking facilities in the commercial precinct.
- c) A reconsideration of the benefit arising from Tobruk Road being included in the Restricted Access Vehicle Network; bearing in mind that:
 - i) Currently and with roadside parking, general access vehicles to a maximum of 19 metres in combination length have unrestricted access to Tobruk Road.
 - ii) Informal advice received from Main Roads is that a current review currently being undertaken is likely to increase the size of permitted general access vehicles.

Main Roads has additionally advised that:

- a) Memorial Road between Bennett Street and Tobruk Road will not be reclassified for RAV access.

- b) The reclassification of Memorial Road between Tobruk Rd and the Broomehill-Jerramungup Road is subject to a connecting link provided by the reclassification of Tobruk Road.

It is suggested however that the portion of Memorial Road from Eastern Great Southern Fuel Supplies to the Broomehill-Jerramungup Road might be reclassified through a request by that company, supported by the Shire of Jerramungup.

Prior to proceeding further, Council comment is sought regarding the options to be pursued.

RECOMMENDATION

That the Works Report be received.

OC130402 Moved Cr Atkin / Seconded Cr Parsons

That the Works Report be received.

Carried 7-0

FINANCE

SUBMISSION TO:	Finance
AGENDA REFERENCE:	10.2.1
SUBJECT:	Accounts Payable
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	
AUTHOR:	Mel Aitchison
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	1 st April 2013

ATTACHMENT

Attachment 10.2.1 - List of Accounts Paid to 31st March 2013

BACKGROUND

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	27450	
	EFT 6871 - 6884	\$39,105.57
	EFT 6886 - 6994	\$411,250.50
	Cheque 27346	Cancelled
	Cheque 27451 – 27465	\$42,677.52
	Direct Debits	\$24.00
Municipal Account Total		\$493,057.59
Trust Account		
	EFT 6885	\$500.00
	Cheque 00189	Cancelled
	Cheque 00190	\$292.00
Trust Account Total		\$792.00
<u>Grand Total</u>		<u>\$493,849.59</u>

CERTIFICATE

This schedule of accounts as presented, which was submitted to each member of the Council, has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices computation, and costings and the amounts shown have been paid.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the schedule of direct debits and accounts payable, totalling submitted \$493,849.59 to the Full Council on 17th April 2013 be endorsed.

SIGNATURES

Author

Chief Executive Officer

OC130403 Moved Cr Trevaskis / Seconded Cr Bailey

That the schedule of direct debits and accounts payable, totalling submitted \$493,849.59 to the Full Council on 17th April 2013 be endorsed.

SIGNATURES

Author

Chief Executive Officer

Carried 7-0

SUBMISSION TO:	Finance
AGENDA REFERENCE:	10.2.2
SUBJECT:	Monthly Financial Report
LOCATION/ADDRESS:	Shire of Jerramungup
AUTHOR:	Brent Bailey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	4 th April 2013

SUMMARY

This report presents the monthly financial report to Council which is provided as an attachment to the agenda. The recommendation is to receive the monthly financial report.

ATTACHMENT

Attachment 10.2.2 - Monthly Financial Report – Period Ending 31st March 2013

BACKGROUND

As per the Financial Management Regulation 34 each Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month with the following detail

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,
- Include an operating statement, and
- Any other required supporting notes.

CONSULTATION

Council financial records.

COMMENT

This report contains annual budget estimates, actual amounts of expenditure, revenue and income to the end of the month. It shows the material differences between the budget and actual amounts where they are not associated to timing differences for the purpose of keeping Council abreast of the current financial position.

STATUTORY REQUIREMENTS

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 require that financial activity statement reports are provided each month reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month.

The report is to be presented at either the next ordinary meeting after the end of the month, or if not prepared in time to the next ordinary meeting after that meeting.

STRATEGIC IMPLICATIONS

Key Focus Area One: Ongoing social, economic and financial viability.

FINANCIAL IMPLICATIONS

As detailed within the Monthly Financial Report

POLICY IMPLICATIONS

Finance Policy 2: Detailed within Monthly Financial Report

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

- 1) That Council receive the Monthly Financial Report for the period ending 31st March 2013 in accordance with Section 6.4 of the Local Government Act 1995.

OC130404 Moved Cr Daniel / Seconded Cr Iffla

- 1) That Council receive the Monthly Financial Report for the period ending 31st March 2013 in accordance with Section 6.4 of the Local Government Act 1995.

Carried 7-0

**HEALTH,
BUILDING
&
TOWN PLANNING**

SUBMISSION TO:	Health, Building & Town Planning
AGENDA REFERENCE:	10.3.1
SUBJECT:	Proposed review of Local Planning Policy 16 - Outbuildings
LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	
AUTHOR:	Craig Pursey, Planning Officer
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	8 th April 2013

SUMMARY

Local Planning Policy 16 Outbuildings (LPP16) is 5 years old and has recently been reviewed. A number of applications for outbuildings beyond the recommended height limitations in the existing policy have been received since its adoption.

Council is requested to consider a number of modifications to the Outbuildings Policy including raising the maximum wall height.

If the revised Policy is generally supported by Council, it will be advertised for public comment.

On the close of advertising, a further report will be referred to Council to consider final adoption of the Policy.

ATTACHMENT

Attachment 10.3.1(a) : Draft revised Local Planning Policy 16 Outbuildings

BACKGROUND

Local Planning Policy 16 (LPP16) was adopted for final approval by Council at the Ordinary meeting held 16th September 2008. The draft policy was advertised for public comment and no submissions were received.

The existing Policy sets out general requirements for the development of outbuildings and deals with matters such as:

- Outbuildings proposed on vacant lots;
- Maximum height and floor areas;
- Use of outbuildings;
- Setback requirements; and
- Materials and colours.

CONSULTATION

If the revised policy is adopted by Council it will be advertised for 21 days for public comment. Builders and designers who operate regularly in the Shire will be approached individually for comment.

COMMENT

The Shire's local planning policies will be reviewed over the next 6 months with a view to simplifying them and bringing them into line with similar policies in Ravensthorpe and Gnowangerup.

The LPP16 is 5 years old and due for review. The need for review is driven by:

- Five years have passed and we can now assess its effectiveness over time;
- There is an apparent need for greater wall height in sheds to accommodate the growing size of caravans and boats; and
- The Shire shares a number of resources and has a great deal in common with the neighbouring Shires of Gnowangerup and Ravensthorpe. Bringing the Shire's policies into alignment wherever practical with these Shire's will provide more clarity for landowners, Councils and staff in the greater area.

This report proposes to make the following changes to Local Planning Policy 16 Outbuildings (LPP 16):

1. Clearly state that an outbuilding that complies with LPP16 does not require planning approval;
2. Remove sections 3.0 and 7.0 as they are reproducing information already provided for in the Local Planning Scheme.
3. Add information to the background of the report that clarifies the need for the Policy.
4. Remove 6.3.2, 6.3.5, 6.3.7 & 6.3.8 as they are already requirements of the Scheme, Residential Design Codes or the Building Code of Australia. These should be included in Information packs rather than in Local Planning Policies.
5. Add a clause regarding ablutions in outbuildings, permitting them only where a house exists on the same site to discourage habitation of outbuildings, even temporarily.
6. Raise the maximum wall height to 3.5m to allow for the storage of larger boats, caravans and other recreational vehicles. Retain existing maximum roof height and floor areas.

Most of the proposed changes should be self-evident. Wall height, roof height and floor area limitations are explored in more detail below.

Height & Floor Area

The limitations in the Rural Residential zones have rarely been varied and are proposed for retention as is.

In the 'Residential' zone the Council has received consistent requests to vary the limitations set in the Policy. This appears to be due to:

- Boats and caravans are getting bigger. It is better to have these secured out of the weather and out of sight rather than have them stored in front yards.

- Bremer Bay has a greater requirement for storing caravans, boats and vehicles than other towns as it is a holiday destination. Jerramungup has an ageing population with many ex-farmers who may also have requirements to store larger recreational vehicles and equipment.

The floor area limitation of 90m² remains generous and adequate.

The roof height of 4.2m remains a suitable maximum height as it retains what is seen as an acceptable residential scale of outbuilding. Residential Design Codes that are used to assess residential development across the State (although appear to be largely written for metropolitan Perth), apply a maximum roof height of 4.2m.

However, the Shire of Jerramungup clearly has different requirements to that of metropolitan Perth and a wall height variation is proposed through this policy.

The current wall height of 3.0m is most commonly requested to be varied. Consultation with a local shed builder in Bremer Bay suggests that if the wall height was raised to 3.5m then it would suit the majority of requirements. The impact of raising the maximum walls height in residential areas is that outbuildings will appear to be taller and have greater bulk.

A review of a number of outbuildings throughout Bremer Bay shows at least 9 outbuildings with a wall height exceeding 3.0m. The Pelican Op-shop and the existing outbuilding at 1 John Street have a wall height of 3.5m and these appear to have kept a reasonable residential scale.

STATUTORY REQUIREMENTS

Part 2 'Local Planning Policy Framework' of the Scheme controls local planning policies.

Clause 2.4.1 requires Council upon adoption of a draft policy to;

- a) Publish a notice of the proposed Policy for 2 consecutive weeks in a local newspaper giving details of the policy and inviting submissions for a minimum of 21 days; and
- b) May publish the notice in other manners and consult with others.

Council is then required to consider any submissions received from the advertising of the draft policy and resolve to modify or not proceed with the policy.

STRATEGIC IMPLICATIONS

The proposal aligns with a variety of the aspirations of the Strategic Community Plan:

Aspiration 2:

A growing community that embraces well designed and sustainable development.

Aspiration 4:

An environmentally astute community where human needs are met while conserving our natural and built environment.

FINANCIAL IMPLICATIONS

Nil

WORKFORCE IMPLICATIONS

Nil

POLICY IMPLICATIONS

If adopted by Council the Policy will become an adopted Local Planning Policy under Local Planning Scheme No.2 and will apply to all proposals for outbuildings within the Shire.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Adopt the revised Local Planning Policy No. 16 pursuant to Clause 2.2 of the Shire of Jerramungup Town Planning Scheme No.2 for the purpose of initiating formal procedures including advertising.
2. Advertise Local Planning Policy No. 16 in accordance with Clause 2.4 of the Shire of Jerramungup Town Planning Scheme No. 2 by publishing a notice of the proposed policy once a week for two consecutive weeks in a newspaper circulating in the area, giving details of:
 - i. Where the draft policy may be inspected;
 - ii. The subject and nature of the Policy and
 - iii. Inviting written submissions and nominating the advertising period (not less than 21 days)
3. Following advertising, a further report be referred to Council to consider any submissions lodged during the advertising period and to consider whether to finally adopt the revised Local Planning Policy (with or without modifications).

OC130405 Moved Cr Trevaskis / Seconded Cr Daniel

That Council:

- 1. Adopt the revised Local Planning Policy No. 16 pursuant to Clause 2.2 of the Shire of Jerramungup Town Planning Scheme No.2 for the purpose of initiating formal procedures including advertising.**
- 2. Advertise Local Planning Policy No. 16 in accordance with Clause 2.4 of the Shire of Jerramungup Town Planning Scheme No. 2 by publishing a notice of the proposed policy once a week for two consecutive weeks in a newspaper circulating in the area, giving details of:**

- i. Where the draft policy may be inspected;
 - ii. The subject and nature of the Policy and
 - iii. Inviting written submissions and nominating the advertising period (not less than 21 days)
3. Following advertising, a further report be referred to Council to consider any submissions lodged during the advertising period and to consider whether to finally adopt the revised Local Planning Policy (with or without modifications).

Carried 7-0

A D M I N

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.1
SUBJECT:	Administration Status Report
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Shire of Jerramungup
FILE REFERENCE:	
AUTHOR:	Brent Bailey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	8 th April 2013

SUMMARY

This status report provides Council with an update on current projects of interest being addressed by administration.

ATTACHMENT

Nil

PROJECT UPDATE

1) Farmland Water Response Planning

A preferred site has been assessed on private property in Jacup. The site has been drilled and has been determined as being acceptable for an emergency water point.

The grant submission for funding of the project has been re-submitted to the Department of Water for assessment following the broadening of the project scope.

2) Bremer Bay Medical Centre

The Health Services Plan for the Shire of Jerramungup is currently with the Health Department – a public consultation period was initiated in late 2012 and the Chief Executive Officer has made a submission with viewpoints previously raised with Council.

Efforts will now be directed towards political lobbying for the project to be included in the State Government budget.

3) Bremer Bay Town Centre

The Shire has included a provisional sum in the draft 2012/13 budget to complete stage one of the project.

Detailed design has been completed with the Structure Plan and subdivision application currently with the WAPC for consideration.

Loan proceeds have been received and the construction phase of the project is being tendered by Landcorp in March. Currently the planning approval process is

being held up pending negotiations over a number of proposed conditions in the development approval such as the requirement for a Reserve Management Plan for the nature strip in between the Town Centre Area and John Street. Negotiations are being undertaken by Landcorp and the WAPC but are unlikely to hold up construction works on the project.

4) Town Site Revitalisation – Jerramungup

The Fitzgerald Biosphere Garden is essentially complete with a majority of the plant species being sourced, successfully propagated and now planted.

The only remaining component is the manufacture of signs. A funding application has been approved for \$15,000 towards the project. It is anticipated that the signage component will be completed in 2012/13.

The construction of the synthetic surface is complete.

5) Strategic Waste Management

The final business case has been received by the Shire. Funding has been approved by the Department for Regional Development and Lands.

The Katanning site has progressed significantly with the commencement of detailed design.

Detailed design and engineering of the Ravensthorpe Site is currently underway.

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.2
SUBJECT:	Audit Committee Meeting Minutes
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	Nil
AUTHOR:	Charmaine Solomon
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	25 th March 2013

ATTACHMENT

Attachment 10.4.2 – Audit Committee Meeting Minutes

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Minutes of the Audit Committee held on 20th February 2013 (copy contained within agenda attachments) be received.

OC130406 Moved Cr Bailey / Seconded Cr Parsons

That the Minutes of the Audit Committee held on 20th February 2013 (copy contained within agenda attachments) be received.

Carried 7-0

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.3
SUBJECT:	Lease Hangar Site 2
LOCATION/ADDRESS:	Bremer Bay Airfield
NAME OF APPLICANT:	St John Ambulance W.A. Jerramungup Sub Centre
FILE REFERENCE:	
AUTHOR:	Charmaine Solomon
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	5 th April 2013

SUMMARY

This item is to authorise the Chief Executive Officer and Shire President to execute a lease agreement between the Shire of Jerramungup and St John Ambulance Australia W.A. Jerramungup Sub Centre for a portion of Reserve 24521, Hangar Site 2, Bremer Bay Airfield for use as a patient transfer shed.

St John's are proposing to construct a hangar at the Bremer Bay Airstrip for patient transfer purposes, to do this and apply for funding St John's are required to have some form of tenure over the land.

ATTACHMENT

Attachment 10.4.3 (a) - Draft lease Portion of Reserve 24521, Hangar Site 2, Bremer Bay Airfield.

Attachment 10.4.3 (b) – Plan of Bremer Bay Airfield Hangar Site 2

BACKGROUND

St John Ambulance Australia W.A. Jerramungup Sub Centre wrote to Council in February 2013 (ICR137761) advising them they have for some time been considering ways of constructing a Patient Transfer Shed at the Bremer Bay Airfield.

At present when it is necessary to transfer a patient to the Royal Flying Doctor Service the patient transfer takes place on the side of the runway, patients are swapped from the ambulance stretcher to the flying doctor stretcher with no privacy and no protection from the weather.

CONSULTATION

Mr Phil Dorrell

COMMENT

Given the community benefits it is recommended that Council formalise a lease agreement with the St John Ambulance W.A. Jerramungup Sub Centre for a patient transfer shed to be constructed on Hangar Site 2 at the Bremer Bay Airfield to ensure privacy and protection of patients needing emergency care.

STATUTORY REQUIREMENTS

3.58. Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
 - (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

- (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
- (d) any other disposition that is excluded by regulations from the application of this section.

[Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

Local Government (Functions and General) Regulations 1996

30. Dispositions of property to which section 3.58 of the Act does not apply

- (2) A disposition of land is an exempt disposition if —
 - (a) the land is disposed of to an owner of adjoining land (in this paragraph called ***the transferee***) and —
 - (i) its market value is less than \$5 000; and
 - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;
 - (b) the land is disposed of to a body, whether incorporated or not —
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

STRATEGIC IMPLICATIONS

This item relates to the following components from the Shire of Jerramungup's Strategic Community Plan;

Aspiration 7: A healthy community where residents feel safe, secure and self-assured.

Activity: Implement Local Emergency Management Arrangements (existing)

Key components: Development of Jerramungup and Bremer Bay airstrip suitable for emergency use.

FINANCIAL IMPLICATIONS

Given the purpose of the proposed lessee, the subject lease will be offered for a period of 21 years.

The Shire has capacity within the current budget to cover the costs associated with lease preparation. It is anticipated this will cost approximately \$1200.

WORKFORCE IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council;

1. Endorse the terms of the proposed lease being a peppercorn rent for a period of 21 years.
2. Authorise the Chief Executive Officer and Shire President to execute a lease between the Shire of Jerramungup and St John Ambulance Australia W.A. Jerramungup Sub Centre for a portion of Reserve 24521, Hangar Site 2, Bremer Bay Airfield subject to:
 - consent being received from St John Ambulance Australia W.A. Ambulance Service Inc.
 - the Shire gaining consent from the Minister of Lands.

OC130407 Moved Cr Bailey / Seconded Cr Daniel

That Council;

1. **Endorse the terms of the proposed lease being a peppercorn rent for a period of 21 years.**
2. **Authorise the Chief Executive Officer and Shire President to execute a lease between the Shire of Jerramungup and St John Ambulance Australia W.A. Jerramungup Sub Centre for a portion of Reserve 24521, Hangar Site 2, Bremer Bay Airfield subject to:**
 - **consent being received from St John Ambulance Australia W.A. Ambulance Service Inc.**
 - **the Shire gaining consent from the Minister of Lands.**

Carried 7-0

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.4
SUBJECT:	Bremer Bay Community Development Committee Meeting Minutes
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	Nil
AUTHOR:	Charmaine Solomon
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	8 th April 2013

ATTACHMENT

Attachment 10.4.4 – BBCDC Committee Meeting Minutes

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Minutes of the Bremer Bay Community Development Committee held on 5th April 2013 (copy contained within agenda attachments) be received.

OC130408 Moved Cr Trevaskis / Seconded Cr Bailey

That the Minutes of the Bremer Bay Community Development Committee held on 5th April 2013 (copy contained within agenda attachments) be received.

Carried 7-0

OC130409

Moved Cr Trevaskis / Seconded Cr Iffla

Council resolve to lay on the table Officer Report; Establishment of Health Advisory Committee of Council to obtain further information from the existing community committee.

Carried 7-0

COUNCILLOR REPORTS

11. COUNCILLOR REPORTS

Cr Parsons

Attended a FBG meeting

Attended a Bush Fire Advisory Committee AGM

Attended a Presentation for Wes Thomas, Chief Bush Fire Control Officer

Cr Daniel

Attended a Presentation for Wes Thomas, Chief Bush Fire Control Officer

Cr Iffla

Attended a BBCDC meeting

Cr Bailey

Attended a Bush Fire Advisory Committee AGM

Attended a Presentation for Wes Thomas, Chief Bush Fire Control Officer

Cr Trevaskis

Attended a Jerramungup Health Advisory meeting

Attended a Regional Road Group meeting

Cr Atkin

Attended a Bush Fire Advisory Committee AGM

Attended a Presentation for Wes Thomas, Chief Bush Fire Control Officer

Cr Lester

Teleconference with Pioneer Health

Attended a BBCDC meeting

Attended a Regional Road Group meeting

Attended a Presentation for Wes Thomas, Chief Bush Fire Control Officer

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY LEAVE OF THE PRESIDING MEMBER

12.1 From Officers

Nil

12.2 From Elected Members

Cr Parsons queried the Shire's future intentions for the Lions Park and the barbeque. The Lions Club would like to revegetate and tidy up the area.

Cr Daniel asked when the Shire was going to replace the signage in the Lions Park, it is quite out dated.

Mr Bailey responded that the project including signage within the parking area could be considered through the budget process. Council needed to consider the ongoing costs of managing two barbeque areas within the townsite. Mr Bailey informed Council on the estimated annual costs associated with servicing and cleaning barbeques in the Shire.

Cr Daniel had received complaints that the barbeques weren't working in Paperbarks prior to Easter and asked if they had been repaired.

Mr Bailey responded that improvements to the paperbarks facilities would be another Council decision in the 2013/14 budget deliberations. The existing barbeques would be serviced and maintained within existing budget allocations.

13. NEXT MEETING/S

13.1 Ordinary Meeting – to be held Wednesday 15th May 2013 commencing 2.00pm at the Council Chambers, Jerramungup.

14. CLOSURE

The President declared the meeting closed at 3.35pm.