

# SHIRE OF JERRAMUNGUP



## MINUTES

### COUNCIL ORDINARY MEETING

19<sup>th</sup> AUGUST 2015

**MINUTES – 19<sup>th</sup> AUGUST 2015****INDEX**

<b>ITEM NO.</b>	<b><u>DETAILS</u></b>	<b><u>PAGE</u></b>
<b>WORKS</b>		
10.1.1	Works Report	6
<b>FINANCE</b>		
10.2.1	Accounts Payable – July 2015	10
10.2.2	Monthly Financial Report – July 2015	12
10.2.3	Asset Register – Write off golf course improvements	14
10.2.4	Animal Registration Fees	17
<b>HEALTH, BUILDING &amp; TOWN PLANNING</b>		
10.3.1	Proposed Single House – Lot 6 Point Henry Road, Bremer Bay	22
10.3.2	Proposed Field Station for Bush Heritage Australia	32
10.3.3	Proposed Café & Tourism Use – Lot 795 White Trail Road, Bremer Bay	39
<b>ADMIN</b>		
10.4.1	CSRFF Application – Bremer Bay Bowling Green	45
10.4.2	Disposal of Surplus Plant Items	51
10.4.3	Electoral Boundary Change Submission	53
10.4.4	Indexation Freeze of Financial Assistance Grants	56
10.4.5	Leeuwin Ocean Adventure Project Scholarship	59
10.4.6	JOCCA Lease	62
<b>COUNCILLOR REPORT</b>		
11	Councillor Reports	66
<b>NEW BUSINESS OF AN URGENT NATURE</b>		

SHIRE OF JERRAMUNGUP

ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS,  
JERRAMUNGUP ON WEDNESDAY 19<sup>th</sup> AUGUST 2015, COMMENCING AT 2.05PM.

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

The President declared the meeting open at 2:05 pm.

2. **RECORD OF ATTENDANCE**

Cr R Lester	President
Cr J Iffla	Deputy President
Cr B Trevaskis	Member
Cr R Parsons	Member
Cr J Leenhouders	Member
Cr W Bailey	Member
Cr C Daniel	Member
Mr B Bailey	Chief Executive Officer
Mrs C Solomon	Deputy Chief Executive Officer
Mr C Pursey	Planning Officer
Mr C Miller	Engineering Officer
Mrs D Wisewould	Records Officer
Mr S Smale	Member of Public

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**

Cr Parsons declared an impartial interest in Item 10.4.5 – Leeuwin Ocean Adventure Project Scholarship. The nature of the interest is Cr Parsons is the Lions Club President.

Cr Daniel declared an impartial interest in Item 10.4.5 – Leeuwin Ocean Adventure Project Scholarship. The nature of the interest is Cr Daniel is a Lions Club member.

Mr Bailey declared an impartial interest in Item 10.4.6 - JOCCA Lease. The nature of the interest is Mr Bailey's wife is the Vice Chair of JOCCA.

Mr Pursey declared an impartial interest in Item 10.3.3 - Proposed Café & Tourism Use – Lot 795 White Trail Road, Bremer Bay. The nature of the interest is Mr Pursey is friends with the manager of the Abalone farm.

## **9. CONFIRMATION OF MINUTES**

- 9.1 Ordinary Council Meeting held 15<sup>th</sup> July 2015
- 9.2 Special Meeting of Council held 28<sup>th</sup> July 2015

**OC150801 Moved Cr Trevaskis / Seconded Cr Parsons**

- **That the Minutes of the Ordinary Meeting of Council held 15<sup>th</sup> July 2015 be confirmed.**
- **That the Minutes of the Special Meeting of Council held 28<sup>th</sup> July 2015 be confirmed.**

**Carried 7-0**

**W O R K S**

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<b>SUBMISSION TO:</b>	<b>Works</b>
<b>AGENDA REFERENCE:</b>	10.1.1
<b>SUBJECT:</b>	Works Report
<b>LOCATION/ADDRESS:</b>	Shire of Jerramungup
<b>NAME OF APPLICANT:</b>	N/A
<b>FILE REFERENCE:</b>	
<b>AUTHOR:</b>	Chris Miller
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	7 <sup>th</sup> August 2015

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### **ATTACHMENT**

Attachment 10.1.1(a) – Jerramungup, Bremer Bay & Rural Road Maintenance Report  
Attachment 10.1.1(b) – Road Construction Program Schedule

### **ROAD CONSTRUCTION**

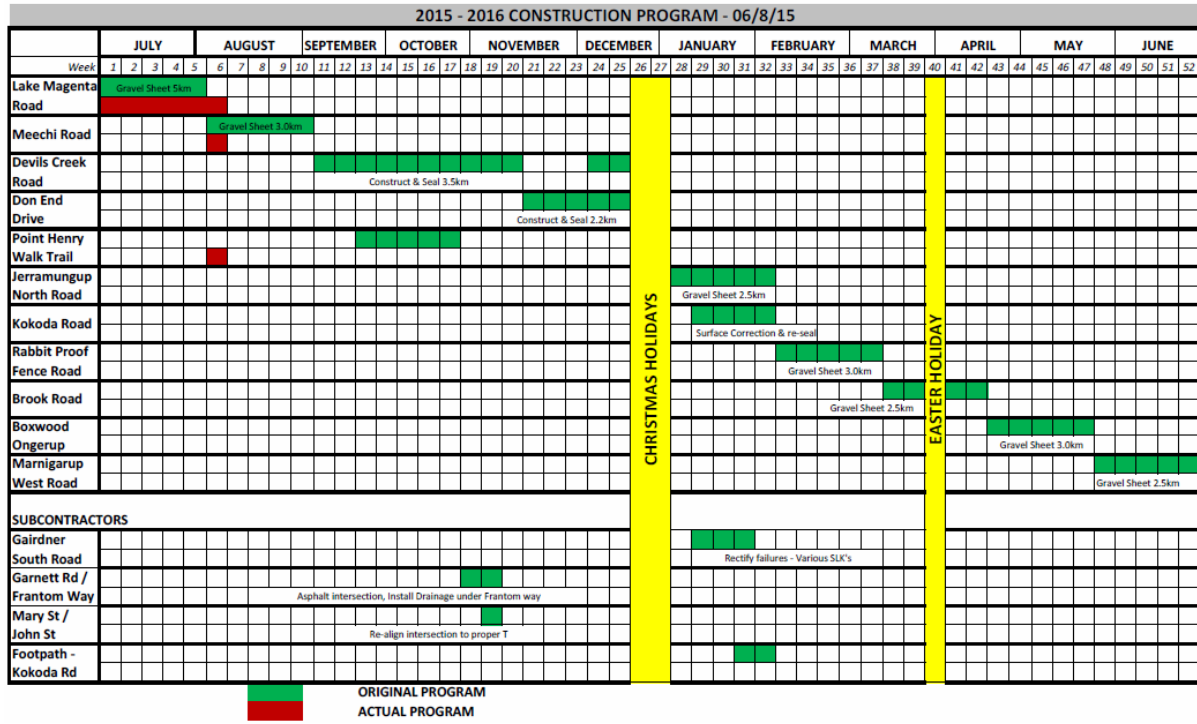
The Construction Crew has moved straight into the 2015/16 construction program in July, mobilising out to Lake Magenta Road to complete re-sheeting works. The section the Crew has been working on is 5.0km following on from the 2013/14 re-sheet, moving south towards Lake North Road.

The Crew has been focusing on using rich conglomerate gravels with high clay content as the majority of traffic using this Road is during the summer months during Gypsum & Lime season.

The Crew will complete works in the first week of August and then mobilise to Meechi Road to complete re-sheeting works from the Swamp Road end prior to Harvest.

Gravel pushing has also been completed for Don End Drive & the Point Henry walk trail project. Between jobs the Construction Crew has also stockpiled gravel from this pit into Point Henry for the walk trail project, ready for construction in September / October.

Refer below for the completed 2015 / 2016 construction program:



## ROAD MAINTENANCE

The Road Maintenance team has continued maintenance grading activities, completing Fitzgerald & Jacup and are now moving clockwise towards Bremer Bay.

The Shires panel contractor is continuing works completing all gravel roads around Needilup and is now moving anti-clockwise towards Boxwood.

Both the Shire’s maintenance team and our panel contractor have lost some production time due to the wet weather in July. The conditions are still ideal for winter grading and as we are moving towards Bremer Bay, these areas will have sufficient ground moisture available for longer, ensuring all roads receive a winter grade.

The order has also been placed for the Shires new maintenance grader in the 2015/16 budget. The new grader will have more power and a larger 14 foot moldboard. This will lead to increased productivity and less down time that we have been having with our existing grader.

## TOWN SERVICES

Over the past month the town services team has been continuing on with street and verge maintenance within the Jerramungup town-site. They have been focusing on re-establishing the existing drainage lines and backfilling behind kerbs & footpaths to the property boundary with gravel.

The team has also been managing contractors, carrying out works on strategic firebreaks in Bremer Bay and Point Henry. The fire breaks are progressing well with all works scheduled to be completed in August well before the start of the restricted period.

Over the next month the team will be focusing on completing outstanding and unfinished jobs and customer requests in Jerramungup and Bremer Bay. The team will complete all outstanding works prior to starting construction of the walk trail project on Point Henry.

### **STATUTORY REQUIREMENTS**

Nil

### **STRATEGIC IMPLICATIONS**

This item relates to the following component from the Shire of Jerramungup Strategic Community Plan 2012 – 2025;

**Aspiration 10:** A community where transport infrastructure is constructed and maintained using best practice principals.

### **FINANCIAL IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **WORKFORCE IMPLICATIONS**

This report provides an overview of the outside workforce operations for the month.

### **VOTING REQUIREMENTS**

Simple Majority

### **COMMENTS**

Nil

### **RECOMMENDATION**

That Council adopt the July works report.

**OC150802 Moved Cr Trevaskis / Seconded Cr Bailey**

**That Council adopt the July works report.**

**Carried 7-0**



# **FINANCE**

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<b>SUBMISSION TO:</b>	<b>Finance</b>
<b>AGENDA REFERENCE:</b>	10.2.1
<b>SUBJECT:</b>	Accounts Payable
<b>LOCATION/ADDRESS:</b>	Shire of Jerramungup
<b>NAME OF APPLICANT:</b>	
<b>AUTHOR:</b>	Kiara Leeson
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	3 <sup>rd</sup> August 2015

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### **ATTACHMENT**

Attachment 10.2.1 - List of Accounts Paid to 31<sup>st</sup> July 2015

### **BACKGROUND**

<b>FUND</b>	<b>VOUCHERS</b>	<b>AMOUNTS</b>
<b>Municipal Account</b>		
Last Cheque Used	27900	
	EFT 10855 – 10867	\$ 102,786.31
	EFT 10869 – 10870	\$ 97,718.11
	EFT 10872 – 10900	\$ 133,540.00
	EFT 10902 – 10934	\$ 67,175.70
	EFT 10935 – 10935	Cancelled
	EFT 10936 – 10963	\$ 84,095.70
	EFT 10965 – 10982	\$ 50,263.09
	Cheque 27901 - 27903	\$ 3673.75
	Cheque 27904 - 27904	Cancelled
	Cheque 27905 - 27911	\$18,047.98
	Direct Deposit	\$ 41,494.46
<b>Municipal Account Total</b>		<b>\$ 598,795.10</b>
<b>Trust Account</b>		
	EFT 10868 – 10868	\$ 20.00
	EFT 10871 – 10871	\$499.00
	EFT 10901 – 10901	\$1672.00
	EFT 10964 – 10964	\$ 68,276.25
<b>Trust Account Total</b>		<b>\$ 70,467.25</b>
<b><u>Grand Total</u></b>		<b><u>\$669,262.35</u></b>

**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 \$669,262.35 to the Full Council on 19<sup>th</sup> August 2015 be endorsed.

**SIGNATURES**

\_\_\_\_\_  
Author

\_\_\_\_\_  
Chief Executive Officer

**OC150803 Moved Cr Daniel / Seconded Cr Parsons**

**That the schedule of direct debits and accounts payable, totalling submitted \$669,262.35 to the Full Council on 19<sup>th</sup> August 2015 be endorsed.**

**SIGNATURES**

\_\_\_\_\_  
Author

\_\_\_\_\_  
Chief Executive Officer

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Finance</b>
<b>AGENDA REFERENCE:</b>	10.2.2
<b>SUBJECT:</b>	Monthly Financial Report
<b>LOCATION/ADDRESS:</b>	Shire of Jerramungup
<b>AUTHOR:</b>	Charmaine Solomon
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	10 <sup>th</sup> August 2015

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## **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 31<sup>st</sup> July 2015

## **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**

This item relates to the following component from the Shire of Jerramungup Strategic Community Plan 2012 – 2025;

**Aspiration 11:** A community where revenue is maximised and rating methodology is fair, equitable and transparent.

## **FINANCIAL IMPLICATIONS**

As detailed within the Monthly Financial Report

## **POLICY IMPLICATIONS**

Accounting policies as detailed within the Monthly Financial Report

## **WORKFORCE IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That Council receive the Monthly Financial Report for the period ending 31<sup>st</sup> July 2015 in accordance with Section 6.4 of the Local Government Act 1995.

**OC150804 Moved Cr Bailey/ Seconded Cr Trevaskis**

**That Council receive the Monthly Financial Report for the period ending 31<sup>st</sup> July 2015 in accordance with Section 6.4 of the Local Government Act 1995.**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Finance</b>
<b>AGENDA REFERENCE:</b>	10.2.3
<b>SUBJECT:</b>	Asset Register – Write off golf course improvements
<b>LOCATION/ADDRESS:</b>	Shire of Jerramungup
<b>AUTHOR:</b>	Tamara Pike
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	1 <sup>st</sup> August 2015

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## **SUMMARY**

This report is to consider writing off the improvement costs recorded in the asset register for the Jerramungup and Bremer Bay golf courses.

## **ATTACHMENT**

Nil

## **BACKGROUND**

The Local Government (Financial Management) Regulations were amended effective 1<sup>st</sup> July 2012, introducing Regulation 17A, which makes it mandatory for Councils asset values to be recorded at 'fair value' in the financial reports. Other Infrastructure must be revaluated as at 30<sup>th</sup> June 2015.

As part of valuing "Other Infrastructure" a number of assets were that are not owned or held by council but are recorded on the asset register. Therefore to ensure the asset register is up to date and accurate these assets need to be formally removed which requires Council approval.

## **CONSULTATION**

As part of discussions with the consultants who valued "Other Infrastructure" for the Shire as at 30<sup>th</sup> June 2015 it was determined that if a golf course is operated and managed by clubs then the course is not an asset of the shire.

## **COMMENT**

The land on which the golf courses are located has been recorded at Fair Value as at 30<sup>th</sup> June 2015 however the current costs showing on the asset register relate to the golf course improvements. As individual clubs operate the golf courses they are not recognised as an asset of the Shire and therefore the improvement costs are recommended to be removed from the Shire's asset register. In addition to this, if the clubs were to cease operation it would be unlikely that the Shire would take over the management and maintenance.

## **STATUTORY REQUIREMENTS**

**17A. Assets, valuation of for financial reports etc.**

- (1) In this regulation —  
**fair value**, in relation to an asset, means the fair value of the asset measured in accordance with the AAS.
- (2) Subject to subregulation (3), the value of an asset shown in a local government's financial reports must be the fair value of the asset.
- (3) A local government must show in each financial report —
  - (a) for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and
  - (b) for the financial year ending on 30 June 2014, the fair value of all of the assets of the local government —
    - (i) that are plant and equipment; and
    - (ii) that are —
      - (I) land and buildings; or
      - (II) infrastructure;
  - (c) for a financial year ending on or after 30 June 2015, the fair value of all of the assets of the local government.
- (4) A local government must revalue all assets of the local government of the classes specified in column 1 of the Table to this subregulation —
  - (a) by the day specified in column 2 of the Table; and
  - (b) by the expiry of each 3 yearly interval after that day.

**Table:**

<b>Class of asset</b>	<b>Day</b>
Plant and equipment	30 June 2016
Land, buildings and infrastructure for which the fair value was shown in the local government's annual financial report for the financial year ending on 30 June 2014	30 June 2017
All other classes of asset	30 June 2018

- (5) A revaluation under subregulation (4) must be based on the value of the asset as at a time that is as close as possible to the day by which the revaluation is due.

## **STRATEGIC IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Bremer Bay Golf Course - current value is \$72,738.90  
 Jerramungup Golf Course - current value is \$48,198.39

Derecognition of these assets will result in a book loss of \$120,937.29 in the financial statements.

**WORKFORCE IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council write off the recorded financial values of the Bremer Bay Golf Course and Jerramungup Golf Course contained in the current asset register at 30<sup>th</sup> June 2015.

**OC150805 Moved Cr Daniel / Seconded Cr Bailey**

**That Council write off the recorded financial values of the Bremer Bay Golf Course and Jerramungup Golf Course contained in the current asset register at 30<sup>th</sup> June 2015.**

**Carried 7-0**



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<b>SUBMISSION TO:</b>	<b>Finance</b>
<b>AGENDA REFERENCE:</b>	10.2.4
<b>SUBJECT:</b>	Animal Registration Fees
<b>LOCATION/ADDRESS:</b>	N/A
<b>NAME OF APPLICANT:</b>	N/A
<b>AUTHOR:</b>	Charmaine Solomon / Sophie Pocock
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	7 <sup>th</sup> August 2015

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## **SUMMARY**

This item addresses the cat and dog registration fees in the 2015/2016 Fees & Charges document adopted by Council at their ordinary meeting in June 2015. An updated fee and charge is required to recognise the discount for working dogs which is not accounted for in the regulations.

The recommendation is to adopt the amended fees for cat and dog registrations.

## **ATTACHMENT**

Attachment 10.2.4 - Amended Fees and Charges 2015 - 2016

## **BACKGROUND**

From 1<sup>st</sup> November 2013 the Cat Act 2011 came into effect requiring all cats to be registered with their local government. This brought cat ownership laws more in line with that for dog ownership.

The Department of Local Government notified that dog registration fees were increased, applying to any new or renewed dog registrations, effective from 1st November 2013.

Council Item '10.2.4 – New and Amended Animal Registration Fees' was adopted at the Ordinary Council meeting on 18th September 2013 which incorporated the changes to the Cat & Dog fees from 1<sup>st</sup> November 2013.

The option of a lifetime registration fee was added to the Dog Regulations fees and consequently added to the Fees and Charges for 2014/2015.

It was also discussed at this stage to increase the working dog fees to reflect a fair portion of the regular registration fees, which was worked out to match the City of Albany at 25% of the regular fees. The fee for working dogs is not provided for in the regulations and thus requires Council to formally adopt its own fee.

Council Item '10.2.3 – 2014/2015 Proposed Fees and Charges' was adopted at the Ordinary Council meeting on 18<sup>th</sup> June 2014 which added the lifetime registration fee for cats and dogs, but the regular registration fees were not increased to reflect the changes to the regulations or the discussed changes to working dog fees.

It was noticed at this stage that there was a difference in the regular fees charged for cat and dog registrations and it was incorporated into an item for the Council budget meeting in July 2015.

Council Item 9.1 was adopted at the Special Council meeting on 28<sup>th</sup> July 2015 and covers the amendment to the regular dog fees and the cat fees bringing them in line with the Dog Regulations but omitted a separate reduced rate for working dogs.

### **CONSULTATION**

The proposed fees and charges have been reviewed against similar charges implemented for the City of Albany. The fees and charges have been brought in line with the increase notified for dog registrations in the Dog Regulations.

### **COMMENT**

The revised fees for registering a cat or dog are proposed to be:

<b>FEES</b>	<b>1 Year</b>	<b>3 Years</b>	<b>Lifetime</b>
<b>NON-WORKING DOGS &amp; CATS</b>			
Sterilised and Micro-chipped	\$20.00	\$42.50	\$100.00
Unsterilised	\$50.00	\$120.00	\$250.00
<b>WORKING DOGS</b>			
Sterilised and Micro-chipped	\$ 5.00	\$10.65	\$25.00
Unsterilised	\$12.50	\$30.00	\$62.50

Pensioner's to receive 50% discount on registrations

### **STATUTORY REQUIREMENTS**

#### **Local Government Act 1995 Section 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 —

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

## **STRATEGIC IMPLICATIONS**

**Aspiration 11:** A community where revenue is maximised and rating methodology is fair, equitable and transparent.

## **FINANCIAL IMPLICATIONS**

Dog registrations account for approximately \$3,500 in annual revenue.

## **POLICY IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Absolute Majority

## **RECOMMENDATION**

That Council

- 1) Adopt and advertise in accordance with Section 6.19 of the Local Government Act 1995 the schedule of fees for cat and dog registration as follows:

FEES	1 Year	3 Years	Lifetime
<b>NON-WORKING DOGS &amp; CATS</b>			
Sterilised and Micro-chipped	\$20.00	\$42.50	\$100.00
Unsterilised	\$50.00	\$120.00	\$250.00
<b>WORKING DOGS</b>			
Sterilised and Micro-chipped	\$ 5.00	\$10.65	\$25.00
Unsterilised	\$12.50	\$30.00	\$62.50

Pensioner's to receive 50% discount on registrations

**OC150806 Moved Cr Leenhouders / Seconded Cr Iffla**

That Council

- 1) Adopt and advertise in accordance with Section 6.19 of the Local Government Act 1995 the schedule of fees for cat and dog registration as follows:

FEES	1 Year	3 Years	Lifetime
<b>NON-WORKING DOGS &amp; CATS</b>			
Sterilised and Micro-chipped	\$20.00	\$42.50	\$100.00
Unsterilised	\$50.00	\$120.00	\$250.00

**WORKING DOGS**

<b>Sterilised and Micro-chipped</b>	<b>\$ 5.00</b>	<b>\$10.65</b>	<b>\$25.00</b>
<b>Unsterilised</b>	<b>\$12.50</b>	<b>\$30.00</b>	<b>\$62.50</b>

**Pensioner's to receive 50% discount on registrations**

**Carried by Absolute Majority 7-0**

**HEALTH,  
BUILDING  
&  
TOWN PLANNING**

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<b>SUBMISSION TO:</b>	<b>Health, Building and Town Planning</b>
<b>AGENDA REFERENCE:</b>	10.3.1
<b>SUBJECT:</b>	Proposed Single House
<b>LOCATION/ADDRESS:</b>	Lot 6 Point Henry Road, Bremer Bay
<b>NAME OF APPLICANT:</b>	AK Homes Construction Pty Ltd
<b>FILE REFERENCE:</b>	A100676
<b>AUTHOR:</b>	Planning Officer, Craig Pursey
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	10 <sup>th</sup> August 2015

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## **SUMMARY**

Council has received a planning application for Lot 6 Point Henry Road, Bremer Bay (Lot 6) that proposes the following:

- A building envelope in the south eastern corner of Lot 6; and
- A two storey residence with parking and laundry beneath and main residence above.

A Bushfire Attack Level (BAL) assessment has been provided with the application that proposes construction to BAL19 standard.

The application requires Council to exercise discretion regarding the height of the proposed house.

No variation to the Point Henry Fire Management Strategy Policy Statement or the Western Australian Planning Commission's (WAPC) Planning for Bushfire Risk Management Policy Framework is proposed.

Conditional planning approval is recommended.

## **ATTACHMENT**

Attachment 10.3.1 - Planning application including plans and BAL Assessment

## **BACKGROUND**

### ***Site Description***

Lot 6 Point Henry Road, Bremer Bay (Lot 6) is located on the western side of Point Henry Road, just north of Black Rocks Road, as shown overleaf.



*Subject Site, Lot 6 Point Henry Road – highlighted in red*

The subject site is largely vegetated. The subject site slopes up from the road toward Torreburrup Hill rising from a height of approximately 100m AHD at the road to 112m AHD at the back of the property.

### ***Zoning & Scheme Requirements***

Lot 6 is zoned Rural Residential Area 1 by the Shire's Local Planning Scheme No.2. All development in this zone requires planning approval.

Council adopted Local Planning Policy 18 - Point Henry Fire Management Strategy Policy Statement (LPP18) at their meeting in October 2014 which applies to the site.

### **CONSULTATION**

LPP18 requires that as part of the planning application for a dwelling, the building envelope is to be redefined and endorsed by Council. Additionally, the proposed house is 7.5m above natural ground level at its highest.

The proposed building envelope and height of the house were referred to all adjoining landowners as part of the assessment process with no objections being received at the time of writing this report.

## **COMMENT**

### ***The Proposal***

Council has received a planning application for Lot 6 Point Henry Road, Bremer Bay that proposes the following:

- A 3000m<sup>2</sup> building envelope in the south eastern corner of Lot 6; and
- Two storey residence (up to 7.5m high from natural ground level) with parking and laundry beneath and main residence above.

A Bushfire Attack Level (BAL) assessment has been provided with the application that proposes construction to BAL19 standard with a 22m low fuel zone.

A full copy of the application and plans are attached to this report.

### ***Assessment***

All development in Rural Residential Zone 1 requires planning approval and is subject to the following requirements and policies:

- A. Shire of Jerramungup Local Planning Scheme No.2 (the Scheme);
- B. WAPC Planning for Bushfire Risk Management Policy Framework including:
  - (i) Draft State Planning Policy 3.7 (SPP 3.7);
  - (ii) Draft Planning for Bushfire Risk Management Guidelines and Appendices; and
  - (iii) Planning for Bushfire Protection Guidelines Edition 2
- C. Local Planning Policy 18 - Point Henry Fire Management Strategy Policy Statement (LPP18)

Compliance with each document is briefly explored below.

- A. Shire of Jerramungup Local Planning Scheme No.2 (the Scheme);

Rural Residential development is controlled through clause 5.24 and Schedule 11 of the Scheme, a summary of the relevant requirements and the proposal's compliance are summarised in the table overleaf.



Requirement	Proposed	Compliance/Comment
20m setback from road frontage and 15m from all other boundaries	Closest setback is ~39m to a side boundary	Complies
Building envelopes are to be a maximum of 10% of the lot area or 3000m <sup>2</sup> , whichever is the lesser. The envelope is not to be located so as to cause erosion issues or result in buildings being visually prominent from tourist routes and ideally surrounding houses.	3000m <sup>2</sup>	Complies.
Driveways located so as to minimise erosion and the visibility of driveways	New driveway straight up the hill from Point Henry Road	Complies Condition recommended to provide some curve to the driveway to slow stormwater runoff would be beneficial.
Buildings are not to exceed 5 metres in height from natural ground level to the apex of the roof unless the local government is satisfied a higher building will not be visually obtrusive	House is proposed at up to 7.5m high from natural ground level.	Requires discretionary decision by Council. This is explored in detail elsewhere in this report.
External walls to utilise non-reflective materials that blend with the landscape	Shale Grey colourbond roof; Wall colour not provided	To be condition of approval.
Minimum of 92KL of water storage and adequate roof catchment	No details provided	To be condition of approval.

### **Fire Management**

The WAPC have released the Planning for Bushfire Risk Management Policy Framework as a draft that includes the following documents that apply to all development proposals in bushfire prone areas (Point Henry is a bushfire prone area):

- (i) Draft State Planning Policy 3.7 (SPP 3.7);
- (ii) Draft Planning for Bushfire Risk Management Guidelines and Appendices; and
- (iii) Planning for Bushfire Protection Guidelines Edition 2

Additionally, Council adopted Local Planning Policy 18 - Point Henry Fire Management Strategy Policy Statement (LPP18) in October 2014 that further refines and clarifies the fire management requirements for development in Point Henry.

The relevant requirements of the WAPC Framework are summarised in the following table.

Requirement	Proposed	Compliance/Comment
SPP 3.7		
Any development application in an area where construction standards at or between BAL-12.5 and BAL-29 may apply requires a Bushfire Management	A BAL assessment was has been provided by an experienced, accredited company proposing BAL19 construction.	Complies

Plan prepared by a fire consultant that includes a BAL assessment.		
Development applications within identified bushfire-prone areas are to undertake a bushfire hazard assessment (low, moderate or extreme), prepared by a fire consultant, in accordance with the methodology set out in the Planning for Bushfire Risk Management Guidelines.	BAL Assessment provided.	Complies
<b>Planning for Bushfire Risk Management Guidelines</b>		
1. Location <i>(Acceptable Solution)</i> The subdivision, development or land use is located in an area that is not subject to ... a Bushfire Attack Level of BAL-40 or BAL-FZ.	Proposed fuel reduction around buildings of at least 22m.	Complies With low fuel areas established the maximum BAL that applies is BAL19
2. Siting & Design of Development <i>(Acceptable Solution)</i> 20m Building Protection Zone (BPZ) + Hazard Separation Zone (HSZ) proposed and housing developed in accordance with AS3959	BAL19 and at least 22m BPZ	Complies
3. Vehicular Access <i>(Acceptable Solutions)</i> Private Driveways with trafficable surface and minimum horizontal and vertical clearances from vegetation.  Turn-around areas designed to accommodate type 3.4 fire appliances and to enable them to turn around safely every 500m and within 50m of a house.	One driveway proposed	To be condition of approval
4. Water No specific requirements at development application stage	None detailed	N/A

As the application complies with the acceptable solutions described in the Planning for Bushfire Risk Management Guidelines and has provided an acceptable BAL assessment the application is deemed to comply with the WAPC Framework.

**B. Local Planning Policy 18 - Point Henry Fire Management Strategy Policy Statement (LPP18)**

Council adopted LPP18 in October 2014 with the objectives:

- a) *To integrate fire management as a key element of development and subdivision design in balance with environmental, landscape, community and residential objectives;*
- b) *To ensure that new development contains appropriate levels of bushfire protection;*

c) To improve the fire safety of existing dwellings; and

d) Not to prohibit development on existing lots.

New development is required to comply with the following elements of LPP18 shown in the table below.

Requirement	Proposed	Compliance/ Comment
<p><u>New Dwellings</u> That new dwellings being developed on existing allotments shall unless otherwise approved by Council:</p> <ul style="list-style-type: none"> <li>• Be constructed in accordance with AS3959 Construction of Buildings in Bushfire Prone Areas;</li> <li>• Comply with any approved fire management plan including any assigned BAL rating;</li> <li>• Have an appropriate water supply of 20,000L;</li> <li>• Have an appropriate driveway and vehicle turn around area;</li> <li>• Have a 20m building protection zone; and</li> <li>• Avoid areas of Kwongkan Shrubland.</li> </ul>	<p>The house, ancillary accommodation &amp; Outbuilding propose:</p> <ul style="list-style-type: none"> <li>• BAL19 construction in accordance with AS3959</li> <li>• 22m BPZ minimum</li> <li>• Proposal is in coastal wattle and low peppermint vegetation communities.</li> </ul>	<p>Condition required to ensure compliance</p>
<p><u>Building Envelope and Balance of Land</u> That as part of the planning application for a dwelling, the building envelope is to be redefined and endorsed by Council.</p>	<p>3000m<sup>2</sup> consolidated envelope</p>	<p>Complies</p>

#### Proposed 'over-height' dwelling

Clause 5.24.3 (j) states “*Buildings are not to exceed 5 metres in height from natural ground level to the apex of the roof unless the local government is satisfied that a higher building will not be visually obtrusive.*”

The proposed house is unlikely to stand out from tourist vantage points and is reasonably well screened from the surrounding road network. It may be seen when driving south down Point Henry Road but will have Torreburrup Hill as a backdrop when viewed from most other vantages. When close up, the roadside vegetation will effectively screen the house from the roads.

Lastly, the house should not be easily seen from neighbouring houses and properties. It is above and behind the houses closer to Point Henry Road and at least 8m below the ground level of the existing building envelopes located further up the hill.

The slate grey roof colour should also assist in the house blending with the environment.

## ***Conclusion***

The proposed house meets the requirements of the Local Planning Scheme and fire management framework with the exception of the height to natural ground level where Council is required to make a discretionary decision.

This report recommends issuing a conditional planning approval controlling fire management measures and adjusting the driveway layout.

## **STATUTORY REQUIREMENTS**

All development in the Rural Residential zone requires planning approval.

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the WAPC.

## **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.

## **FINANCIAL IMPLICATIONS**

None for Council.

## **POLICY IMPLICATIONS**

As described in the body of this report.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That Council,

1. Approve the application lodged by AK Homes Construction Pty Ltd for a single house at Lot 6 Point Henry Road, Bremer Bay subject to the following conditions;
  - a) Development shall be carried out in full and fully implemented in accordance with the approved plans and details submitted with the planning application.
  - b) The development hereby approved, or any works required to implement the development, shall not commence until the following details have submitted to the Shire and has been approved in writing:
    - A final Bushfire Attack Level assessment prepared by a suitably experienced or qualified bushfire consultant; and

- A driveway design that addresses drainage and visual amenity issues.
- c) All runoff from impervious surfaces being contained within the property and disposed of to the satisfaction of the Chief Executive Officer.
  - d) Water tank(s) with a minimum capacity of 92 kilolitres and approved on site effluent disposal must be installed and in operation prior to occupation of dwelling.
  - e) The external walls and roof of the single house are to be constructed out of non-reflective materials to the satisfaction of the Chief Executive Officer. Please note that unpainted zincalume, white and off-white colors are not permitted.
  - f) The house is to be connected to an on-site effluent disposal system to the satisfaction of the Environmental Health Officer.
  - g) A building protection zone being cleared and maintained around all buildings a minimum of 22m in width, unless otherwise determined by a final BAL Assessment.
  - h) All buildings are to be constructed in accordance with 'AS3959 Construction of Buildings in Bushfire Prone Areas' to at least the BAL 19 construction standard unless otherwise determined by a final BAL Assessment.
  - i) At least 20,000litres of water is to be retained for firefighting purposes. The tank is to be fitted with a 50mm male 'camlock' to allow access to the tanks in case of fire and accessed from a compliant turn around area.
  - j) The driveway to be maintained at a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance of 6m and vertical clearance of 4m.
  - k) A turn around area is to be provided within 50m of the house that is designed to accommodate 3.4 fire appliances and enable them to turn around safely.
  - l) The balance of the building envelope is to be maintained as a hazard separation zone.
  - m) The new crossover/s being constructed to the Shire's specifications and satisfaction. A permit from the Shire is required prior to any work being carried out within the road reserve.
2. Advise the applicant in footnotes on the planning approval that;
- (i) Planning approval is not consent for site works or construction. A building permit is required prior to any commencement of works.
  - (ii) You are encouraged to work with neighbouring landowners to establish a secondary exit from the house.
  - (iii) Standards for access, turnarounds, water supply and building protection zones are drawn from the WAPC's Planning for Bushfire Risk Management Guidelines; these should be referenced when considering the establishment of these elements of the development.
  - (iv) In accordance with the requirements of the Local Government (Uniform Local Provisions) Regulations 1996, you are hereby notified that any vehicle access

from the land to a road or other public thoroughfare must be in accordance with the Shire's adopted Crossover Policy and Specifications.

**OC150807 Moved Cr Parsons / Seconded Cr Leenhouders**

**That Council,**

- 1. Approve the application lodged by AK Homes Construction Pty Ltd for a single house at Lot 6 Point Henry Road, Bremer Bay subject to the following conditions;**
  - a) Development shall be carried out in full and fully implemented in accordance with the approved plans and details submitted with the planning application.**
  - b) The development hereby approved, or any works required to implement the development, shall not commence until the following details have submitted to the Shire and has been approved in writing:**
    - A final Bushfire Attack Level assessment prepared by a suitably experienced or qualified bushfire consultant; and**
    - A driveway design that addresses drainage and visual amenity issues.**
  - c) All runoff from impervious surfaces being contained within the property and disposed of to the satisfaction of the Chief Executive Officer.**
  - d) Water tank(s) with a minimum capacity of 92 kilolitres and approved on site effluent disposal must be installed and in operation prior to occupation of dwelling.**
  - e) The external walls and roof of the single house are to be constructed out of non-reflective materials to the satisfaction of the Chief Executive Officer. Please note that unpainted zincalume, white and off-white colors are not permitted.**
  - f) The house is to be connected to an on-site effluent disposal system to the satisfaction of the Environmental Health Officer.**
  - g) A building protection zone being cleared and maintained around all buildings a minimum of 22m in width, unless otherwise determined by a final BAL Assessment.**
  - h) All buildings are to be constructed in accordance with 'AS3959 Construction of Buildings in Bushfire Prone Areas' to at least the BAL 19 construction standard unless otherwise determined by a final BAL Assessment.**
  - i) At least 20,000litres of water is to be retained for firefighting purposes. The tank is to be fitted with a 50mm male 'camlock' to allow access to the tanks in case of fire and accessed from a compliant turn around area.**
  - j) The driveway to be maintained at a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance of 6m and vertical clearance of 4m.**
  - k) A turn around area is to be provided within 50m of the house that is designed to accommodate 3.4 fire appliances and enable them to turn around safely.**

- l) The balance of the building envelope is to be maintained as a hazard separation zone.**
  - m) The new crossover/s being constructed to the Shire's specifications and satisfaction. A permit from the Shire is required prior to any work being carried out within the road reserve.**
- 2. Advise the applicant in footnotes on the planning approval that;**
- (i) Planning approval is not consent for site works or construction. A building permit is required prior to any commencement of works.**
  - (ii) You are encouraged to work with neighbouring landowners to establish a secondary exit from the house.**
  - (iii) Standards for access, turnarounds, and water supply and building protection zones are drawn from the WAPC's Planning for Bushfire Risk Management Guidelines; these should be referenced when considering the establishment of these elements of the development.**
  - (iv) In accordance with the requirements of the Local Government (Uniform Local Provisions) Regulations 1996, you are hereby notified that any vehicle access from the land to a road or other public thoroughfare must be in accordance with the Shire's adopted Crossover Policy and Specifications.**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Health, Building &amp; Town Planning</b>
<b>AGENDA REFERENCE:</b>	10.3.2
<b>SUBJECT:</b>	Proposed Field Station for Bush Heritage Australia
<b>LOCATION/ADDRESS:</b>	Lot 1879 Monjebup Road, Boxwood Hill
<b>NAME OF APPLICANT:</b>	Simon Smale
<b>FILE REFERENCE:</b>	A70502
<b>AUTHOR:</b>	Craig Pursey, Planning Officer
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	5 <sup>th</sup> August 2015

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## **SUMMARY**

Council has received an application to develop a 'field station' for Bush Heritage Australia at Lot 1879 Monjebup Road, Boxwood Hill. The field station would serve as:

- A work base and occasional overnight accommodation for Bush Heritage staff and contractors and university students and researchers;
- As a destination for day visitors to the Fitz-Stirling section of the Gondwana Link conservation project; and
- As a venue for workshops and training courses in conservation and land management.

The proposal has been referred to adjoining landowners for comment with no submissions received.

This report recommends issuing a conditional planning approval.

## **ATTACHMENT**

Attachment 10.3.2 - Planning application – text and plans

## **BACKGROUND**

### ***Site Description***

Lot 1879 Monjebup Road, Boxwood Hill is 1037.3 ha in area and zoned 'Rural' under the Shire's Local Planning Scheme No.2. Lot 1879 is on the western extremity of the Shire.

Lot 1879 is largely vegetated with a cleared area in the south western corner, where the proposed development is located. Monjebup Creek runs through the south western corner of the site and effectively divides the bush from the cleared area.



## **Zoning & Scheme Requirements**

The proposed 'Field Station' has been assessed as a 'Use Not Listed' by the Local Planning Scheme. Clause 4.4.2 of the Scheme states:

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

- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- (b) determine that the proposed 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.*

Under delegation a decision was made that the proposed use is consistent with the zone objectives and it was advertised to the adjoining neighbours for comment.

The objective for the 'Rural' zone is:

*“– To ensure the continuation of broad-hectare farming as the principal land use in the district and encouraging where appropriate the retention and expansion of agricultural activities where the land is capable of such development.*

- To consider non-rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources or the environment.*
- To allow for facilities for tourists and travellers, and for recreation uses.*
- To help protect rural land from land degradation and further loss of biodiversity by:*
  - minimising clearing of remnant vegetation*
  - encouraging retention and protection of remnant vegetation*
  - encouraging development and protection of vegetation corridors*
  - encouraging development of sustainable surface and sub-surface drainage works*
  - encouraging rehabilitation of salt-affected land*
  - encouraging soil conservation through land management measures*
  - encouraging identification and protection of wetlands*
- To promote the sustainable management of natural resources, and the prevention of land degradation.*

The proposed land use is seen as consistent with the objective for the 'Rural' zone as it will promote the protection of biodiversity and help protect rural land from degradation.

The only zone specific clauses that apply to the development are that the buildings are setback at least 20m from the road, rear boundary and 10m from the side boundaries; the proposed development meets these requirements.

## **CONSULTATION**

The proposal was referred to adjoining landowners for comment for 21 days with no objections being received.

## **COMMENT**

### ***The Proposal***

The applicant describes the proposal as follows:

*The proposed Field Station will serve as a work base and occasional overnight accommodation for Bush Heritage staff and contractors and for university students and researchers, as a destination for day visitors to the Fitz-Stirling section of the Gondwana Link conservation project, and as a venue for workshops and training courses in conservation and land management.*

The need and proposed functioning of the facility is described in more detail in an attachment to this report.

The proposed development includes:

- 1. A large semi-open common space with camp kitchen and lockable furniture room housing furniture that can be set out in the space to suit requirements. This space will be able to be closed in with fireproof screens during really inclement weather, or during a wildfire event running through the wallaby grass clearing in which it's located.*
- 2. On the west side of this common space is a building unit containing a workroom with 3 workstations and a small wet lab.*
- 3. On the east side are 2 building units each comprising 4 single bedrooms.*
- 4. Running south off these is a unit comprising plant room housing solar batteries and control panel, etc. and a relatively open ablutions block with showers and hand basins.*
- 5. Forming the south side of an outdoor 'courtyard' is a dormitory unit with another 8 beds.*
- 6. There's a further unit comprising small workshop and cover for 2 vehicles.*
- 7. A separate unit to the northwest of the complex houses 4 Clivus Multrum toilets.*
- 8. The outdoor courtyard space enclosed by the building units will have a fire pit with sitting rocks, etc. and perforated corten steel sheeting fixed to poles that will likely be painted with local Nyungar motifs providing for mounting of information panels and other display material.*
- 9. The facility will be entirely off-grid, with solar power backed by contingency generator, rainwater harvesting off roofs, composting toilets and greywater leachate field.*

See attached plans and application for details.

A bushfire management plan was also lodged with the proposal that complies with the requirements of Planning for Bushfire Risk Management Guidelines and Appendices.

### ***Assessment***

The proposed field station is supported for the following reasons:

- It is broadly consistent with the objectives for the 'Rural' zone;
- The fire management plan complies with the various requirements of the applicable legislation;

- The land use supports the Gondwana Link project and other cultural, educational and environmental based operations in the locality; and
- There are few off-site impacts; only a minor increase in traffic.

### **STATUTORY REQUIREMENTS**

Being a 'Use Not Listed' the Council has the option to determine that the proposed land use is not consistent with the intent of the Rural zoning and may refuse it.

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the WAPC.

### **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 for the Shire

### **WORKFORCE IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

None

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council,

1. Approve the application for a 'Use Not Listed' (Field Station) at Lot 1879 Monjebup Road, Boxwood Hill subject to the following conditions:
  - a) Development shall be carried out in full and fully implemented in accordance with the approved plans and details submitted with the planning application including the Bushfire Management Plan.
  - b) Vehicular parking, manoeuvring and circulation areas indicated on the approved plan being constructed, properly drained and sealed to the

satisfaction of the Shire. All parking spaces being marked out and maintained in good repair thereafter.

- c) The new crossover/s being constructed to the Shire's specifications and satisfaction. A permit from the Shire is required prior to any work being carried out within the road reserve.
  - d) All runoff from impervious surfaces being contained within the property and disposed of to the Shire's satisfaction.
  - e) The development being connected to an on-site effluent disposal system to the satisfaction of the Environmental Health Officer.
  - f) The driveway is to be maintained at a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance of 6m and vertical clearance of 4m.
  - g) A turn around area is to be provided within 50m of the field station that is designed to accommodate 3.4 fire appliances and enable them to turn around safely.
  - h) All buildings are to be constructed in accordance with 'AS3959 Construction of Buildings in Bushfire Prone Areas' to at least the BAL 12.5 construction standard.
  - i) At least 20,000litres of water is to be retained for firefighting purposes. The tank is to be fitted with a 50mm male 'camlock' to allow access to the tanks in case of fire and accessed from a compliant turn around area.
  - j) A Building Protection Zone being cleared and maintained around the dwelling consisting of a parkland cleared area a minimum of 20m in width and shall increase by 1m in width for every degree of incline.
  - k) The accommodation that forms part of this proposal is to be used in conjunction with the field station and not separately as holiday accommodation.
2. Advise the applicant in footnotes on the planning approval that;
- (i) Planning approval is not consent for site works or construction. A building licence is required prior to any commencement of works.
  - (i) You are encouraged to work with neighbouring landowners to establish a secondary exit from the development.
  - (ii) Standards for access, turnarounds, water supply and building protection zones are drawn from the WAPC's Planning for Bushfire Risk Management Guidelines; these should be referenced when considering the establishment of these elements of the development.

That Council,

1. Approve the application for a 'Use Not Listed' (Field Station) at Lot 1879 Monjebup Road, Boxwood Hill subject to the following conditions:
  - a) Development shall be carried out in full and fully implemented in accordance with the approved plans and details submitted with the planning application including the Bushfire Management Plan.
  - b) Vehicular parking, manoeuvring and circulation areas indicated on the approved plan being constructed, properly drained and sealed to the satisfaction of the Shire. All parking spaces being marked out and maintained in good repair thereafter.
  - c) The new crossover/s being constructed to the Shire's specifications and satisfaction. A permit from the Shire is required prior to any work being carried out within the road reserve.
  - d) All runoff from impervious surfaces being contained within the property and disposed of to the Shire's satisfaction.
  - e) The development being connected to an on-site effluent disposal system to the satisfaction of the Environmental Health Officer.
  - f) The driveway is to be maintained at a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance of 6m and vertical clearance of 4m.
  - g) A turn around area is to be provided within 50m of the field station that is designed to accommodate 3.4 fire appliances and enable them to turn around safely.
  - h) All buildings are to be constructed in accordance with 'AS3959 Construction of Buildings in Bushfire Prone Areas' to at least the BAL 12.5 construction standard.
  - i) At least 20,000litres of water is to be retained for firefighting purposes. The tank is to be fitted with a 50mm male 'camlock' to allow access to the tanks in case of fire and accessed from a compliant turn around area.
  - j) A Building Protection Zone being cleared and maintained around the dwelling consisting of a parkland cleared area a minimum of 20m in width and shall increase by 1m in width for every degree of incline.
  - k) The accommodation that forms part of this proposal is to be used in conjunction with the field station and not separately as holiday accommodation.
2. Advise the applicant in footnotes on the planning approval that;
  - (i) Planning approval is not consent for site works or construction. A building licence is required prior to any commencement of works.

- (ii) You are encouraged to work with neighbouring landowners to establish a secondary exit from the development.**
- (iii) Standards for access, turnarounds, water supply and building protection zones are drawn from the WAPC's Planning for Bushfire Risk Management Guidelines; these should be referenced when considering the establishment of these elements of the development.**

**Carried 7-0**

2:38pm Mr Smale and Mrs Solomon left the meeting.

2.39pm Mrs Solomon returned to the meeting.

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<b>SUBMISSION TO:</b>	<b>Health, Building &amp; Town Planning</b>
<b>AGENDA REFERENCE:</b>	10.3.3
<b>SUBJECT:</b>	Proposed café & tourism use
<b>LOCATION/ADDRESS:</b>	Lot 795 White Trail Road, Bremer Bay
<b>NAME OF APPLICANT:</b>	888 Abalone
<b>FILE REFERENCE:</b>	A1602407
<b>AUTHOR:</b>	Craig Pursey, Planning Officer
<b>DISCLOSURE OF ANY INTEREST:</b>	Author has an impartiality interest
<b>DATE OF REPORT:</b>	10 <sup>th</sup> August 2015

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## **SUMMARY**

Council has received an application from 888 Abalone to develop a café and tourist experience at Lot 795 White Trail Rad, Bremer Bay based around the existing Abalone Farm.

The proposal includes a decking area, disabled toilet and parking bay and proposes to utilise the existing parking in White Trail Road. There would be abalone sales direct to the public and 'virtual' abalone farm tours.

This report recommends approval subject to conditions including upgrade of the parking area in White Trail Road and road access to the disabled bay.

## **ATTACHMENT**

Attachment 10.3.3 - Planning application including letter and plans

## **BACKGROUND**

### ***Subject Site***

Lot 795 White Trail Road, Bremer Bay is 4.91ha in area and has been developed with an Abalone Farm. The farm is progressively upgrading and modernising, including redeveloping the series of hatching tanks across the whole site.

There is an existing caretakers dwelling in the south eastern corner of the site with the remainder of the site being developed exclusively with Abalone Farm infrastructure.

### ***Zoning***

The property is located at the end of White Trail Road adjacent to Back Beach. Lot 795 has a zoning of 'Special Use No 6 – Aquaculture and other compatible ancillary uses including caretakers dwelling, outbuildings, and other structures'.

'Special Site' zonings are applied to special categories of land use which do not comfortably sit within any other zone in the Scheme.

## **Recent Approvals**

Council considered an application for a Caretakers Residence and Storage Shed at their meeting of the 21<sup>st</sup> December 2011 and resolved to approve the proposal subject to conditions.

## **CONSULTATION**

None required.

## **COMMENT**

### ***The Proposal***

The applicant describes the proposal as follows:

*888 Abalone is applying to setup a small cafe in front of the residence to the south of the farm with the intention of catering to tourists and locals alike. The cafe would provide services unique to 888 Abalone and Bremer Bay, attracting people to town. These would include:*

- Live and fresh abalone sales direct to the public*
- Virtual abalone farm tours (the only in AUS).*
- Cafe dining experience with a view of back beach and Glasse Island.*

*A small 32m<sup>2</sup> deck extension with disabled toilet would increase the current deck area to 50m<sup>2</sup> and seat 20 people. Due to the sensitive nature of the abalone farm and our stringent biosecurity protocols, it isn't possible at this stage to offer actual tours of the facility and access to the farm. Because of this, access to the cafe is proposed to be from the public car park at the end of White Trail Rd with virtual tours explaining the processes and provide visitors with an insight into abalone farming.*

A full copy of the application and proposed plans are attached to this report.

### **Assessment**

Clause 5.17 of Local Planning Scheme No. 2 (the Scheme) refers to 'tourist related uses' and states:

*"Despite any other provision of the Scheme the local government may approve tourist-related uses that are operated in conjunction with the predominant use of the land and which are for:*

- (a) consumption of food and / or beverages,*
- (b) the sale of produce,*
- (c) the sale of arts and crafts, and / or*
- (d) conducting excursions for tourists."*

The proposed café, sale of abalone and virtual tours are uses that would operate in conjunction with the predominant land use and appear to be largely aimed at servicing tourists.



## ***Parking***

A 'restaurant' attracts a requirement to provide carparking at a rate of one bay for 10m<sup>2</sup> of floor area or 1 for every four seats provided, whichever is the greater. A decking area of 50m<sup>2</sup> is proposed to seat all patrons, attracting a requirement for 5 parking bays.

The applicant has applied to use the bitumen area at the end of White Trail Road to provide the necessary parking due to biosecurity issues.

The existing sealed area at the end of White Trail Road is not highly trafficked, even in the summer period.

This area is wide and long enough to accommodate additional parking as well as a turnaround in the cul-de-sac. However, it is recommended that the parking arrangement be formalised with bays marked and located on the same side of the street as the proposed café and tourist use.

## ***Access***

The proposed development proposes a disabled parking bay accessed by using a portion of the access track to the beach. This access track is maintained by the Shire but in average condition. Minor upgrades to the access track should be required to ensure a suitable standard of access for visitors using the proposed disabled bay.

## ***Conclusion***

The proposed café, abalone sales and virtual tours appear to be a tourist use that complies with the requirements of the Scheme. The parking area would need to be upgraded to allow for a safe parking area to Australian Standards whilst still allowing for vehicles to access the beach and turn around in the cul-de-sac head.

## **STATUTORY REQUIREMENTS**

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the WAPC.

## **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 9:** An economically diverse community where primary industry is supported by a strong secondary and service industry.

## **FINANCIAL IMPLICATIONS**

None for Council.

## **WORKFORCE IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That Council,

1. Approve the application for a Café, Abalone Sales and Virtual Tours at Lot 795 White Trail Road, Bremer Bay subject to the following conditions:
  - a) Development shall be carried out in full and fully implemented in accordance with the approved plans and details submitted with the planning application.
  - b) The parking area at the end of White Trail Road being upgraded to the satisfaction of the Chief Executive Officer in a manner that:
    - Complies with Australian Standard 2890;
    - Places the parking on the same side of the road as the proposed café; and
    - allows for vehicles to safely access the beach and turn around in the cul-de-sac head.
  - c) Access to the disabled parking bay being upgraded to a trafficable standard to the satisfaction of the Chief Executive Officer.
2. Advise the applicant in footnotes on the planning approval that:
  - (i) Planning approval is not consent to open the café, separate registration as a food premises under the Food Act is required prior to opening.
  - (ii) Access to and from the disabled parking bay and toilets is to meet the requirements of AS1428.1

**OC150809          Moved Cr Trevaskis / Seconded Cr Bailey**

That Council,

1. **Approve the application for a Café, Abalone Sales and Virtual Tours at Lot 795 White Trail Road, Bremer Bay subject to the following conditions:**
  - a) **Development shall be carried out in full and fully implemented in accordance with the approved plans and details submitted with the planning application.**
  - b) **The parking area at the end of White Trail Road being upgraded to the satisfaction of the Chief Executive Officer in a manner that:**

- **Complies with Australian Standard 2890;**
  - **Increases the availability of local parking by 5 public parking bays.**
  - **allows for vehicles to safely access the beach and turn around in the cul-de-sac head.**
- c) Access to the disabled parking bay being upgraded to a trafficable standard to the satisfaction of the Chief Executive Officer.**
- 2. Advise the applicant in footnotes on the planning approval that;**
- (i) Planning approval is not consent to open the café, separate registration as a food premises under the Food Act is required prior to opening.**
  - (ii) Access to and from the disabled parking bay and toilets is to meet the requirements of AS1428.1**

**Carried 7-0**

Reason for variation: Applicant is required to increase the availability of local parking by 5 public parking bays.

**A D M I N**

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<b>SUBMISSION TO:</b>	<b>Administration</b>
<b>AGENDA REFERENCE:</b>	10.4.1
<b>SUBJECT:</b>	CSRFF Application – Bremer Bay Bowling Green
<b>LOCATION/ADDRESS:</b>	Frantom Way Bremer Bay
<b>NAME OF APPLICANT:</b>	Bremer Bay Sports Club
<b>AUTHOR:</b>	Brent Bailey
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	10 <sup>th</sup> August 2015

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## **SUMMARY**

The purpose of this report is to place before Council an application from the Bremer Bay Sports Club Inc for grant funding under the Community Sport and Recreation Facilities Fund (CSRFF) grants program with a recommendation that the application be supported.

## **ATTACHMENT**

Attachment 10.4.1 - CSRFF Grant Application - Bremer Bay Sports Club

## **BACKGROUND**

The purpose of the CSRFF program is to provide Western Australian Government financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation. There are two main CSRFF funding streams applicable to infrastructure projects in the Shire of Jerramungup being the small grants (those projects under \$200,000) and annual grants (for those over \$200,000 and up to \$500,000).

The program aims to increase participation in sport and recreation, with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities. The Shire facilitates this funding stream by setting aside 2.5% of the previous year's rates towards individuals, community and sporting organisations for projects that fit within the policy guidelines.

Only one application was received and it was from the Bremer Bay Sports Club Inc. The application is to upgrade the existing bowling facility by replacing the grass green with synthetic and provide for lighting to broaden the playing times for the facility. Further applications may be received later in the financial year under the small grants round however the financial impact of this will likely be incurred in 2016/2017.

## **CONSULTATION**

Bremer Bay Sports Club  
Bremer Bay Bowling Club  
Department of Sport and Recreation

## **COMMENT**

The application for a new Synthetic Green at the Bremer Bay Sports Club has been identified in the Shire's Sporting Infrastructure Plan since its inception in 2010. The Bremer Bay Sports and Bowls Club have investigated significant time and resources into the planning stages of this project and have met with the Shire's staff on a number of occasions during the preparation of this application.

The proposed synthetic turf will reduce the maintenance burden and greatly reduce the complexity in managing a competition ready facility. The existing bowling green is well used by its members and the community including the hosting of regional events. The improved facility should have a beneficial impact on membership further. It is noted that the town's population is projected to increase over the medium term and facilities such as the Sports Club, which includes the bowling greens, are an attraction that encourages people to settle in the area.

A breakdown of the budget expenditure on the project is provided in the table below.

Supply and installation of synthetic green	\$221,592
Reticulation	\$23,790
Fencing	\$8,717
Shade Structures	\$18,419
Lighting and Upgrades	\$41,284
Paving	\$21,940
Project Signage	\$3,000
<b>Total</b>	<b>\$338,742</b>

Council is required to assess and rank the application for formal lodgement with the Department of Sport and Recreation.

## **STATUTORY REQUIREMENTS**

Nil

## **STRATEGIC IMPLICATIONS**

**Aspiration 5:** An active community supported by fit for purpose sport and recreation facilities.

## **FINANCIAL IMPLICATIONS**

The Shire has identified a cash contribution of up to \$130,000 in the 2015/2016 annual budget. This utilises the full 2.5% annual policy allocation and draws additional funds from the Community Recreation Reserve to fund the balance. Depending on the projects timing the expenditure or portions of may be incurred in the 2016/2017 financial year.

1/3 of the project budget for the Bremer Bay Synthetic Bowling Green equates to \$112,914 under this application.

## **WORKFORCE IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Finance Policy 4 – Sport and Recreation Grants

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

- 1) That Council place the following priority on the project submitted for CSRFF funding:
  1. Bremer Bay Sports Club
- 2) That Council authorise a cash contribution of up to a third of the total submitted project budget on the condition that the project is successful in achieving funding from the Department of Sport and Recreation.
- 3) That Council endorse the following project assessment sheet:

### **PROJECT ASSESSMENT SHEET**

This page is for the use of the relevant Local Government Authority to be used for both community and LGA projects. Please attach copies of council minutes relevant to the project approval.

**Name of Local Government Authority:** Shire of Jerramungup

**Name of Applicant:** Bremer Bay Sports Club

Note: The applicant's name cannot be changed once the application is lodged at DSR.

### **Section A**

The CSRFF principles have been considered and the following assessment is provided: (Please include below your assessment of how the applicant has addressed the following criteria)

#### **All applications**

	<b>Satisfactory</b>	<b>Unsatisfactory</b>	<b>Not relevant</b>
Project justification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned approach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community input	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access and opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial viability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-ordination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential to increase Physical	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

activity			
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Development applications only

	Satisfactory	Unsatisfactory	Not relevant
Location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sustainability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-Location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special Interest Group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Section B

LGA – priority ranking of this project	1
Priority ranking of no of applications received	1 of 1 applications received
Is this project consistent with the	<input checked="" type="checkbox"/> Local Plan <input type="checkbox"/> Regional Plan <input type="checkbox"/> State Plan
Have all planning and building approvals been given for this project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If no, what approvals are still outstanding?	Building License to be issued on receipt of funding approval.

### **Project Rating** (Please tick the most appropriate box to describe the project)

- |   |  |                                     |
|---|--|-------------------------------------|
| A | Well planned and needed by municipality        | <input checked="" type="checkbox"/> |
| B | Well planned and needed by applicant           | <input type="checkbox"/>            |
| C | Needed by municipality, more planning required | <input type="checkbox"/>            |
| D | Needed by applicant, more planning required    | <input type="checkbox"/>            |
| E | Idea has merit, more planning work needed      | <input type="checkbox"/>            |
| F | Not recommended                                | <input type="checkbox"/>            |

### **LGA Comments:**

This project has demonstrated a high level of planning and club member involvement and is strongly supported by Council. The refurbishment of the bowling green with a synthetic surface will significantly reduce maintenance and upkeep and allow volunteers at the club to spend more time enjoying their sport of choice. The Shire also envisages this project as having longer term outcomes by expanding recreation opportunities to the wider public and visitors to Bremer Bay. The Bowling Club's establishment of a replacement fund will also ensure that the green's surface will be replaced in due course as its condition requires.



**OC150810 Moved Cr Daniel / Seconded Cr Bailey**

1) That Council place the following priority on the project submitted for CSRFF funding:

1. Bremer Bay Sports Club

2) That Council authorise a cash contribution of up to a third of the total submitted project budget on the condition that the project is successful in achieving funding from the Department of Sport and Recreation.

3) That Council endorse the following project assessment sheet:

<b>PROJECT ASSESSMENT SHEET</b>
---------------------------------

This page is for the use of the relevant Local Government Authority to be used for both community and LGA projects. Please attach copies of council minutes relevant to the project approval.

<b>Name of Local Government Authority:</b> Shire of Jerramungup
<b>Name of Applicant:</b> Bremer Bay Sports Club

Note: The applicant's name cannot be changed once the application is lodged at DSR.

**Section A**

The CSRFF principles have been considered and the following assessment is provided: (Please include below your assessment of how the applicant has addressed the following criteria)

**All applications**

	Satisfactory	Unsatisfactory	Not relevant
Project justification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned approach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community input	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access and opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial viability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-ordination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential to increase Physical activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Development applications only**

	Satisfactory	Unsatisfactory	Not relevant
Location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sustainability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-Location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special Interest Group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Section B**

LGA – priority ranking of this project	1
Priority ranking of no of applications received	1 of 1 applications received
Is this project consistent with the	<input checked="" type="checkbox"/> Local Plan <input type="checkbox"/> Regional Plan <input type="checkbox"/> State Plan
Have all planning and building approvals been given for this project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If no, what approvals are still outstanding?	Building License to be issued on receipt of funding approval.

**Project Rating (Please tick the most appropriate box to describe the project)**

- |   |  |                                     |
|---|--|-------------------------------------|
| A | Well planned and needed by municipality        | <input checked="" type="checkbox"/> |
| B | Well planned and needed by applicant           | <input type="checkbox"/>            |
| C | Needed by municipality, more planning required | <input type="checkbox"/>            |
| D | Needed by applicant, more planning required    | <input type="checkbox"/>            |
| E | Idea has merit, more planning work needed      | <input type="checkbox"/>            |
| F | Not recommended                                | <input type="checkbox"/>            |

**LGA Comments:**

**This project has demonstrated a high level of planning and club member involvement and is strongly supported by Council. The refurbishment of the bowling green with a synthetic surface will significantly reduce maintenance and upkeep and allow volunteers at the club to spend more time enjoying their sport of choice. The Shire also envisages this project as having longer term outcomes by expanding recreation opportunities to the wider public and visitors to Bremer Bay. The Bowling Club’s establishment of a replacement fund will also ensure that the green’s surface will be replaced in due course as its condition requires.**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Administration</b>
<b>AGENDA REFERENCE:</b>	10.4.2
<b>SUBJECT:</b>	Disposal of Surplus Plant Items
<b>LOCATION/ADDRESS:</b>	Shire of Jerramungup
<b>NAME OF APPLICANT:</b>	n/a
<b>AUTHOR:</b>	Brent Bailey
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	10 <sup>th</sup> August 2015

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## **SUMMARY**

This item addresses the proposal to dispose of two items of Council plant which are now surplus to requirements.

## **ATTACHMENT**

Nil

## **BACKGROUND**

A review has been undertaken of the existing light plant fleet and there are two items of plant which have been deemed to be surplus to requirements from an operational perspective.

- 1) 2013 Mitsubishi Triton 4x4 Trayback: This item of plant is currently operated by the Construction Team Leader. It is expected to yield approximately \$15,000 - \$19,000. It is proposed to be disposed of following the resignation of the Leader of Town Services and restructure of the Works Department. The former vehicle operated by the Leader of Town Services of similar specification is now proposed to be transferred to the Construction Team Leader as it is a newer vehicle.
- 2) 2002 BC625A Vermeer Chipper: This item of equipment is rarely used by Council staff and being a high risk task, tree lopping and chipping are often outsourced to qualified and better equipped contractors. It is expected to yield \$2,000 - \$6,000.

Based on the expected sale value Council can dispose of the plant items by any transparent means however it is proposed to sell the items through an auction in Albany which has proven to be the most effective means of disposal for similar assets.

## **CONSULTATION**

Nil

## **COMMENT**

As these asset sales have not been included in the budget it is recommended that Council transfer all net proceeds to the Plant Reserve to fund future plant replacement.

## **STATUTORY REQUIREMENTS**

As per Section 3.58 of the Local Government Act 1995, a local government can only dispose of property to the highest bidder at a public auction, by public tender or by inviting submissions by local public notice, unless regulations determine otherwise.

Regulation 30 (3) of the Local Government (Functions and General) Regulations 1996 states that a disposition of property, other than land, is exempt if its market value is less than \$20,000.

## **STRATEGIC IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Estimated income of up to \$25,000 is projected through the sale of these assets.

## **WORKFORCE IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That Council authorise the Chief Executive Officer to dispose of the following plant items and place all net proceeds in the plant reserve:

- 1) Asset # 801: 2013 Mitsubishi Triton 4x4 Trayback
- 2) Asset # 455: 2002 BC625A Vermeer Chipper

**OC150811 Moved Cr Leenhouwers / Seconded Cr Trevaskis**

**That Council authorise the Chief Executive Officer to dispose of the following plant items and place all net proceeds in the plant reserve:**

- 1) Asset # 801: 2013 Mitsubishi Triton 4x4 Trayback**
- 2) Asset # 455: 2002 BC625A Vermeer Chipper**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Administration</b>
<b>AGENDA REFERENCE:</b>	10.4.3
<b>SUBJECT:</b>	Electoral Boundary Change Submission
<b>LOCATION/ADDRESS:</b>	Shire of Jerramungup
<b>NAME OF APPLICANT:</b>	Shire of Jerramungup
<b>AUTHOR:</b>	Brent Bailey
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	10 <sup>th</sup> August 2015

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## **SUMMARY**

It is recommended that Council participate in the review of the State's electoral boundaries by lodging a submission endorsing the proposal for the Shire of Jerramungup to be incorporated into the Albany District.

## **ATTACHMENT**

Attachment 10.4.3 - Map showing new South West Region Boundaries

## **BACKGROUND**

Before the introduction of the so-called 'one vote one value' legislation (Electoral Amendment and Repeal Act 2006) there were 57 districts, of which 23 were located in the country and 34 in the metropolitan regions. That legislation increased the number of districts to 59. The first distribution after those legislative changes occurred in 2007. In that review the total number of districts in the three country regions was reduced to 17 and the number in the metropolitan regions increased to 42. That allocation between country and metropolitan regions was maintained in the 2011 distribution.

In the 2015 review there is proposed to be a further reduction in country representation so that there will be 43 districts in the metropolitan regions and 16 in the country regions. Under the current proposal the district of Eyre will be abolished. The Shire of Jerramungup will be ceded from the Wagin District to the Albany District and move to the South West Region from the Agricultural Region.

A full report on the proposed changes in Electoral Boundaries in WA can be found at <http://www.boundaries.wa.gov.au/have-your-say/2015-proposed-boundaries-and-reasons>

## **CONSULTATION**

WA Electoral Commission

## **COMMENT**

The Commissioners have provided the following commentary on the Shire of Jerramungup and its move to the Albany District:

*"The Commissioners understand that residents in the Shire of Jerramungup generally regard Albany as their regional centre and as the district of Albany already includes*

*areas where the land use is agricultural (as well as the town centre) there ought not to be any adverse community of interest implications.”*

Albany has been held by all three major parties over the years, the Country Party 1936-56, Labor 1956-74, Liberal 1974-2001 and Labor again since 2001. The last three members have been Leo Watt (Liberal) 1974-93, Kevin Prince (Liberal) 1993-2001 and current Labor incumbent Peter Watson since 2001. At the 2013 Election Peter Watson won the seat with a 2 party preferred vote of 52.1%

Given the marginal status of the seat of Albany and the prevalence of a number of common strategic issues such as South Coast Highway, Health and Emergency Services, Port Infrastructure and Commodity Freight Routes there are perceived opportunities in the Shire of Jerramungup joining the Albany district in the upcoming election. Accordingly it is recommended that Council make a submission to the WA Electoral Commission supporting the change in electoral boundary affecting the Shire of Jerramungup.

### **STATUTORY REQUIREMENTS**

Nil

### **STRATEGIC IMPLICATIONS**

As highlighted above a move to a marginal seat and into the same district as the City of Albany may yield desirable outcomes when lobbying for improvements to State Infrastructure and Services within the region.

### **FINANCIAL IMPLICATIONS**

Nil

### **WORKFORCE IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council lodge a submission with the WA Electoral Commission supporting the proposed new boundary for the Albany District.

**OC150812 Moved Cr Iffla / Seconded Cr Trevaskis**

**That Council lodge a submission with the WA Electoral Commission supporting the proposed new boundary for the Albany District.**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Administration</b>
<b>AGENDA REFERENCE:</b>	10.4.4
<b>SUBJECT:</b>	Indexation Freeze of Financial Assistance Grants.
<b>LOCATION/ADDRESS:</b>	n/a
<b>NAME OF APPLICANT:</b>	n/a
<b>AUTHOR:</b>	Brent Bailey
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	5 <sup>th</sup> August 2015

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## **SUMMARY**

This item addresses the Shire's acknowledgement of the importance of the Federal Government Financial Assistance Grants and Council's support for the reinstating of the annual indexation of the fund to ensure funding levels move in line with the cost of delivering local government infrastructure and services.

## **ATTACHMENT**

Nil

## **BACKGROUND**

The Local Government Industry Australia wide has been impacted by the Federal Government's decision to freeze the indexation on Financial Assistance Grants (FAGS). In response the Australian Local Government Association and Western Australian Local Government Association have called on Local Governments to formally recognise the value of the FAGS and the role in which the funding plays in their delivery of services and infrastructure to the community.

The cumulative impact of the decision will remove \$925M in funding from the FAGS funding program by 2017-2018. The Shire of Jerramungup received \$1.18M in FAGS grants annually. The net effect of the freeze in funding for the Shire of Jerramungup is estimated at around \$25,000 per annum.

## **CONSULTATION**

WALGA  
ALGA

## **COMMENT**

As a part of the lobbying efforts of the industry to reinstate the indexation it is recommended that Council pass a resolution highlighting the value of FAGS and promote its application in Shire publications.

The removal of the indexation in grant funds will result in these inflationary provisions being borne by annual rates increases or service level reductions. The freeze in indexation is the equivalent to around a 1% rate increase.



## **STATUTORY REQUIREMENTS**

Nil

## **STRATEGIC IMPLICATIONS**

FAGS funding provides a significant portion of the Shire of Jerramungup's annual income. Any reduction in this level of funding has a direct impact on the organisations capacity to deliver infrastructure and services and carry out projects identified in the Community Strategic Plan.

## **FINANCIAL IMPLICATIONS**

The Financial impact of the indexation of FAGS has been highlighted in this report.

## **WORKFORCE IMPLICATIONS**

The reduction in annual funding may result in workforce level reviews. As mentioned above the impact is around \$25,000 annually which is the equivalent of a 0.5FTE base salary.

## **POLICY IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That Council;

1. Acknowledges the importance of federal funding through Financial Assistance Grants program for the continued delivery of Council's services and infrastructure;
2. Acknowledges that the Council received \$1,181,912 in 2014-15; and
3. Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including annual reports.

**OC150813 Moved Cr Daniel / Seconded Cr Iffla**

That Council;

1. **Acknowledges the importance of federal funding through Financial Assistance Grants program for the continued delivery of Council's services and infrastructure;**
2. **Acknowledges that the Council received \$1,181,912 in 2014-15; and**
3. **Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately**

**identified as Commonwealth grant funding in Council publications,  
including annual reports.**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Administration</b>
<b>AGENDA REFERENCE:</b>	10.4.5
<b>SUBJECT:</b>	Leeuwin Ocean Adventure Project Scholarship
<b>LOCATION/ADDRESS:</b>	Shire of Jerramungup
<b>NAME OF APPLICANT:</b>	Lions Club
<b>AUTHOR:</b>	Brent Bailey
<b>DISCLOSURE OF ANY INTEREST:</b>	Cr Parsons, Cr Daniel
<b>DATE OF REPORT:</b>	10 <sup>th</sup> August 2015

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## **SUMMARY**

This item addresses a proposal from the local Lions Club to establish a scholarship partnership to allow local youth participation in the Leeuwin Ocean Adventure Project.

## **ATTACHMENT**

Nil

## **BACKGROUND**

In July 2015 the Jerramungup Lions Club approached the Shire with a proposal to co-invest in an annual scholarship for a locally based high school student to participate in the Leeuwin Ocean Adventure Project. The Jerramungup District High School will also participate in the scholarship if endorsed by Council and each party will contribute around \$1,000 towards the costs of registration, travel and in-kind administrative support.

It is proposed that the scholarship be established on a three year trial then reviewed subsequently thereafter. If the scholarship is endorsed the first participant will be selected for the Leeuwin Ocean Adventure Project which departs in December 2015.

## **CONSULTATION**

Jerramungup Lions Club  
Jerramungup District High School

## **COMMENT**

The current proposal provides that the selection of the scholarship winner will be based on the same principals as the existing Leeuwin scholarship programs and awarded based on the following:

- 1) Actively engaged in school studies at Jerramungup District High School
- 2) Age groups from years 8-10
- 3) Applicants to provide a written submission for the scholarship
- 4) Winner to be selected by a committee formed from the scholarship providers

There are a number of other Local Governments and Lions Clubs who also provide scholarships to participate in the Leeuwin programs. A full list of these providers can be

found at <http://www.sailleewin.com/content/scholarships> but include the Shire's of Esperance, Albany, Harvey, Dardanup and Katanning.

A number of positive outcomes have been identified in the planning of this scholarship centred on supporting the local District High School enrolment numbers, building values and aspirations in local youths and providing unique opportunities to geographically disadvantaged individuals in the Shire.

It is recommended that Council support the proposal and allow the Chief Executive Officer to finalise and sign a memorandum of understanding with the other parties to commence the scholarship in 2015.

### **STATUTORY REQUIREMENTS**

Nil

### **STRATEGIC IMPLICATIONS**

**Aspiration 8:** A community that embraces lifelong learning where education is accessible to people of all ages.

### **FINANCIAL IMPLICATIONS**

The proposal requires a \$1,000 contribution from the Shire of Jerramungup. If approved and awarded this financial year sufficient funds are contained in Council's donations allocation to meet the expense. Alternatively it may be drawn from the budgeted end of year surplus.

### **WORKFORCE IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council authorise the Chief Executive Officer to enter into a memorandum of understanding with the Jerramungup Lions Club and the Jerramungup District High School to provide \$1,000 annually towards a Leeuwin Ocean Adventure Project Scholarship for 3 years commencing in 2015.

**OC150814 Moved Cr Trevaskis / Seconded Cr Bailey**

**That Council lay Item 10.4.5 - Leeuwin Ocean Adventure Project Scholarship on the table pending further information.**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Administration</b>
<b>AGENDA REFERENCE:</b>	10.4.6
<b>SUBJECT:</b>	JOCCA Lease
<b>LOCATION/ADDRESS:</b>	3 Spitfire Avenue, Jerramungup
<b>NAME OF APPLICANT:</b>	Jerramungup Occasional Childcare Association (JOCCA)
<b>FILE REFERENCE:</b>	
<b>AUTHOR:</b>	Charmaine Solomon
<b>DISCLOSURE OF ANY INTEREST:</b>	Brent Bailey
<b>DATE OF REPORT:</b>	10 <sup>th</sup> August 2015

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## **SUMMARY**

This item seeks Council approval to prepare and execute a lease agreement between the Shire of Jerramungup and the Jerramungup Occasional Childcare Association (JOCCA).

The recommendation supports the lease for 3 Spitfire Avenue, Jerramungup.

## **ATTACHMENT**

Nil

## **BACKGROUND**

In October 2008 the Jerramungup Occasional Child Care Association (JOCCA) sought a renewal and renegotiation of the leasehold over the land and buildings on 3 Spitfire Avenue, the property has been set up as child care facility and has been run by JOCCA under lease since 2002.

Council granted a lease over the land, buildings and improvements being 3 (Lot 213) Spitfire Avenue, Jerramungup. The lease had a term of five years expiring on 31<sup>st</sup> October 2013 with an option to renew for a further two years from the expiration date.

On 29<sup>th</sup> July 2013, the Shire received correspondence from JOCCA outlining their desire to exercise the two year option. Council granted a further term of two (2) years commencing on 31<sup>st</sup> October 2013 and expiring on 31<sup>st</sup> October 2015.

A new lease is now required between the Shire of Jerramungup and JOCCA.

## **CONSULTATION**

Vice Chairperson, JOCCA

## **COMMENT**

The proposed terms are;

- Term: 5 years plus 2 year option at Shire's discretion
- Rental: Peppercorn

- Signage: With Shire's approval
- Building and grounds insurance: Provided by the Shire
- Annual funding contribution of \$3,000 towards insurance and administrative costs associated with operating a Childcare.
- Building maintenance: In accordance with Council's annual budgets
- Grounds maintenance: In accordance with Council's annual budgets

Given the community benefit of the Childcare Centre it is recommended that Council enter into a new lease with the Jerramungup Occasional Childcare Association.

### **STATUTORY REQUIREMENTS**

Exempt from disposal of land requirements under Section 30(2)(b)(i) of Local Government (Functions and General) Regulations 1996;

### **30. Dispositions of property excluded from Act s. 3.58**

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (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;
  - or
  - (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 component from the Shire of Jerramungup Strategic Community Plan 2012 – 2025;

**Aspiration 8:** A community that embraces lifelong learning where education is accessible to people of all ages.

### **FINANCIAL IMPLICATIONS**

Nil

### **WORKFORCE IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That Council;

1. Acknowledge that the disposition is an exempt disposition in accordance with Local Government (Functions and General) Regulations 1996 Section 30 (2)(b)(i).
2. Authorise the Shire President and Chief Executive Officer to execute a lease agreement between the Shire of Jerramungup and Jerramungup Occasional Childcare Association (JOCCA) for 3 Spitfire Avenue subject to the following key terms:
  - Lease period of 5 years commencing 1<sup>st</sup> November 2015 expiring 31<sup>st</sup> October 2020 with a further 2 year option at the Shire's discretion.
  - Annual lease fee set at a 'peppercorn'.
  - Building and grounds maintenance to be in line with Council budgets.
  - Electricity, telephone and gas to be at the expense of the lessee.
  - Council will provide \$3,000 annually as a contribution towards insurance and administrative costs.
  - Building and grounds insurance will be provided by Council.

**OC150815      Moved Cr Daniel / Seconded Cr Iffla**

That Council;

1. **Acknowledge that the disposition is an exempt disposition in accordance with Local Government (Functions and General) Regulations 1996 Section 30 (2)(b)(i).**
2. **Authorise the Shire President and Chief Executive Officer to execute a lease agreement between the Shire of Jerramungup and Jerramungup Occasional Childcare Association (JOCCA) for 3 Spitfire Avenue subject to the following key terms:**
  - **Lease period of 5 years commencing 1<sup>st</sup> November 2015 expiring 31<sup>st</sup> October 2020 with a further 2 year option at the Shire's discretion.**
  - **Annual lease fee set at a 'peppercorn'.**
  - **Building and grounds maintenance to be in line with Council budgets.**
  - **Electricity, telephone and gas to be at the expense of the lessee.**
  - **Council will provide \$3,000 annually as a contribution towards insurance and administrative costs.**
  - **Building and grounds insurance will be provided by Council.**

**Carried 7-0**



# **COUNCILLOR REPORTS**

## **11. COUNCILLOR REPORTS**

### **Cr Parsons**

Attended the 2015 WA Local Government Convention  
Attended a Special Budget Meeting

### **Cr Daniel**

Attended a Budget Workshop  
Attended a WALGA Zone Meeting

### **Cr Bailey**

Attended the 2015 WA Local Government Convention  
Attended the Jerramungup VES AGM  
Attended a Special Budget Meeting

### **Cr Trevaskis**

Attended the 2015 WA Local Government Convention  
Attended a Regional Road Group Meeting  
Attended a Fitzgerald River National Park Advisory Group Meeting  
Attended a Special Budget Meeting

### **Cr Leenhouders**

Attended a Special Budget Meeting  
Attended a Airfield Master Plan public meeting and fly-in

### **Cr Lester**

Attended the 2015 WA Local Government Convention  
Attended a Special Budget Meeting  
Attended a Water Corporation meeting  
Attended a Airfield Master Plan public meeting and fly-in

## **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 Daniel advised Council that the Needilup Fire Shed Opening will be held on Monday 24<sup>th</sup> August at 5.30pm.

**13. NEXT MEETING/S**

13.1 Ordinary Meeting – to be held Wednesday 16<sup>th</sup> September 2015 commencing 2.00pm at the Council Chambers, Jerramungup.

**14. CLOSURE**

The President declared the meeting closed at 3.57pm.