

NOT CONFIRMED BY COUNCIL

## SHIRE OF JERRAMUNGUP



## MINUTES

## COUNCIL ORDINARY MEETING

**21<sup>st</sup> MARCH 2012**

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SHIRE OF JERRAMUNGUP

ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS,  
JERRAMUNGUP ON WEDNESDAY 21<sup>st</sup> MARCH 2012, COMMENCING AT 1.30PM.

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

The President declared the meeting open at 1.30pm.

2. **RECORD OF ATTENDANCE**

Cr B Trevaskis	President
Cr R Lester	Deputy President
Cr W Bailey	Member
Cr B Atkin	Member
Cr J Iffla	Member
Cr R Parsons	Member
Cr C Daniel	Member
Mr W Parker	Chief Executive Officer
Mr G Edwards	Executive Manager Infrastructure Services
Mrs C Solomon	Coordinator of Governance & Land Administration

3. **APOLOGIES**

Mr B Bailey	Deputy Chief Executive Officer
Mr C Pursey	Planning Officer

4. **LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil

5. **PUBLIC QUESTION TIME**

Nil

6. **APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

7. **PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

8. **DECLARATIONS OF FINANCIAL INTEREST**

Nil

**9. CONFIRMATION OF MINUTES**

9.1 Ordinary Council Meeting held 15<sup>th</sup> February 2012

**OC120301 Moved Cr Parsons/ Seconded Cr Iffla**

**That the Minutes of the Ordinary Meeting of Council held 15<sup>th</sup> February 2012 be confirmed.**

**Carried 7-0**

# WORKS

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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>	Graham Edwards
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	12 March 2012

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### **ATTACHMENT**

Attachment 10.1.1(a) – Jerramungup maintenance report  
Attachment 10.1.1(b) – Bremer Bay maintenance report  
Attachment 10.1.1(c) – Rural road maintenance report

### **ROAD CONSTRUCTION**

#### **Swamp Road**

The bulk earthworks, pavement preparation and sealing of Swamp Road, from Bremer Bay Road to Doubtful Island Road, are completed. Finishing activities including formation trimming, drainage, signs and pit reinstatement will continue for several weeks.

#### **Devils Creek Road**

Pavement preparation is proceeding from Devils Creek South Road eastward for 5 km.

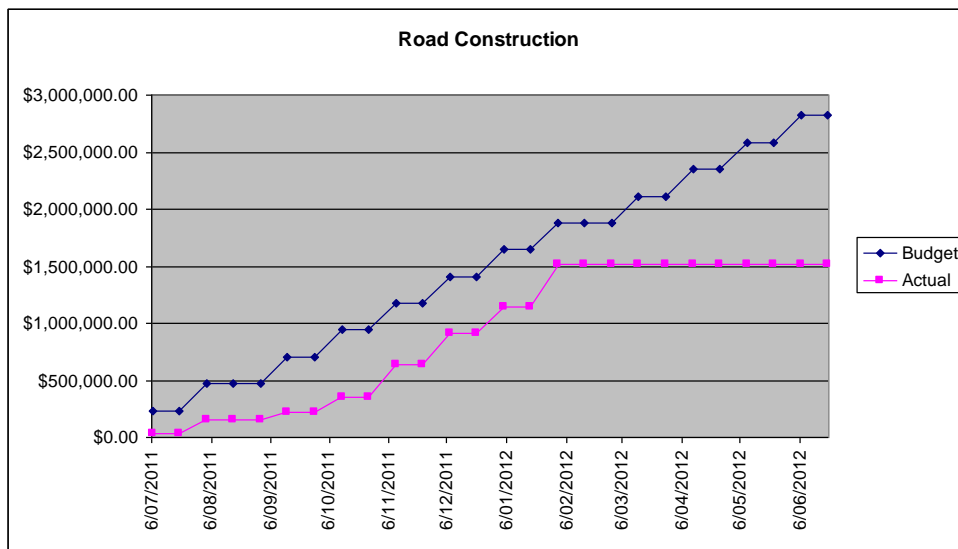
#### **Gairdner South Road**

Drainage reinstatement and pavement repairs are in progress on Gairdner South Road.

#### **Jerramungup**

Contractors Correctline Drainage will arrange pavement, other defect correction and line marking during the coming weeks for completion of the Jerramungup revitalisation project. Pavement repairs will also be undertaken on Derrick Street.

The graph below indicates the current status of the Road Construction Programme.

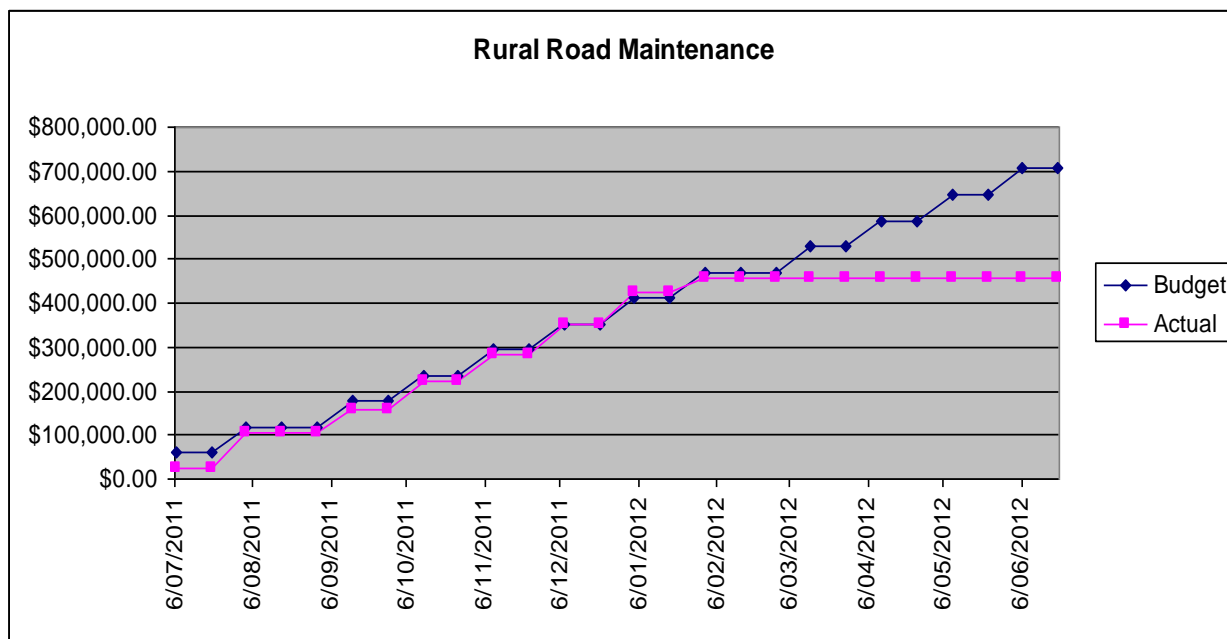


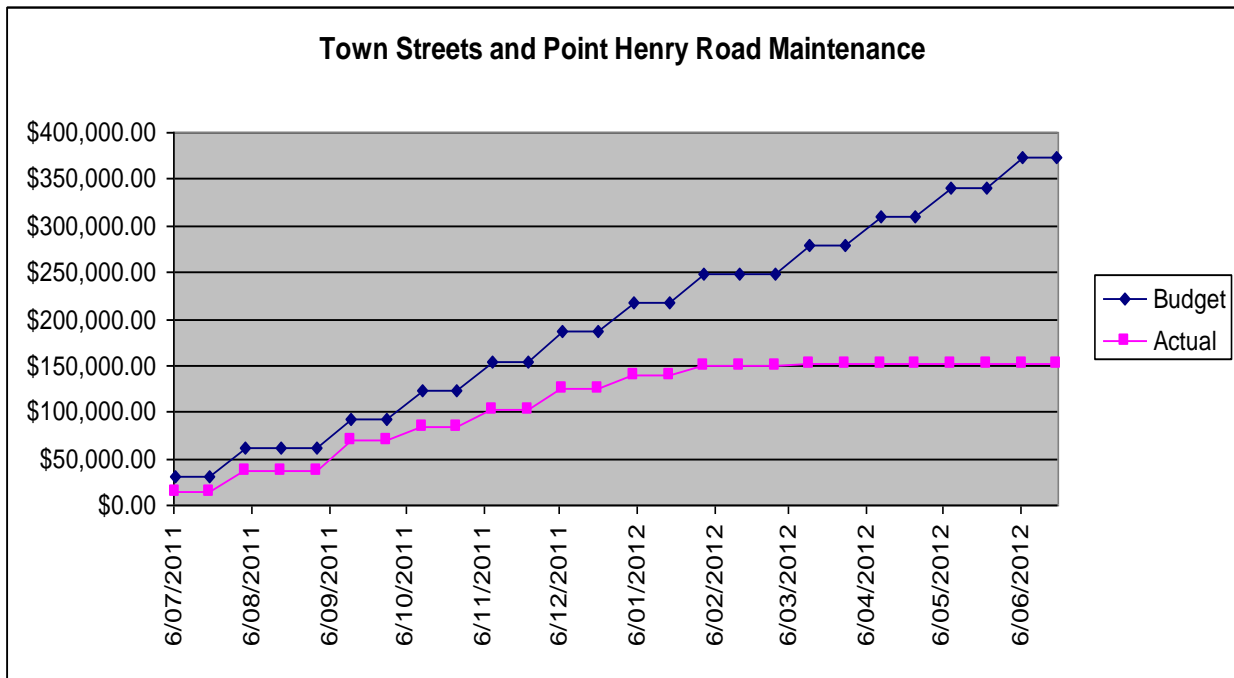
## ROAD MAINTENANCE

The attached reports indicate where road maintenance has been undertaken during February for Bremer Bay, Jerramungup and the rural area.

The graphs indicate expenditure for rural road and street maintenance. Both are at acceptable levels although:

- a) Ideally, rural road maintenance would be underspent at this time of the year, to allow for an increased effort during autumn in preparation for winter.
- b) Significant repairs are required to streets, including Derrick and Bennett Streets in Jerramungup.

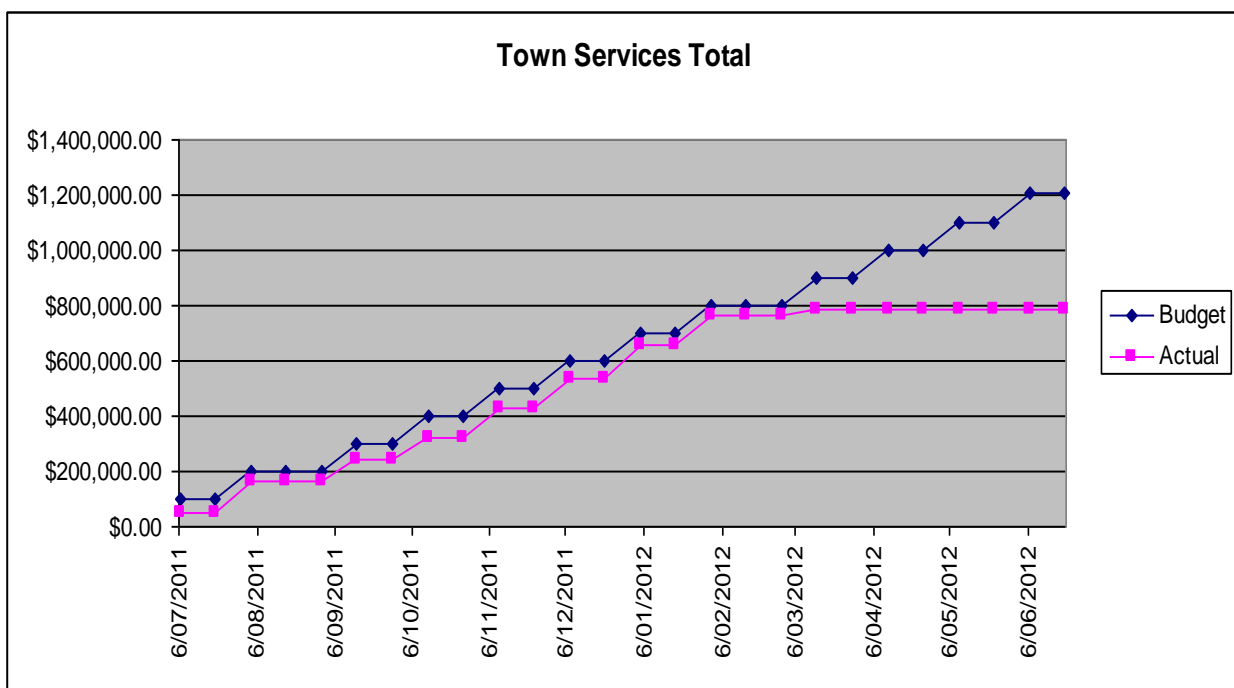




### Town Services

The major components of Town Services are streets and Point Henry roads, waste management, parks, airstrips, cemeteries, fire prevention and ranger services.

Overall Town Services expenditure is indicated below.



The 2011/2012 Works Programme is substantial and has extended resources throughout the organisation. The collective effort to date has been a major achievement which deserves acknowledgement bearing in mind the small workforce and that, management systems are evolving.



**RECOMMENDATION**

That the Works Report be received.

**OC120302 Moved Cr Lester / Seconded Cr Bailey**

**That the Works Report be received.**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Works</b>
<b>AGENDA REFERENCE:</b>	10.1.2
<b>SUBJECT:</b>	Restricted Access Vehicle Network
<b>LOCATION/ADDRESS:</b>	Shire of Jerramungup
<b>NAME OF APPLICANT:</b>	Tobruk Traders
<b>FILE REFERENCE:</b>	12.8
<b>AUTHOR:</b>	Graham Edwards
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	11 March 2012

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## **SUMMARY**

The purpose of the report is to consider a request by local business owners that Tobruk Road, Vasey and adjoining streets be classified as Restricted Access Vehicle, (RAV) Network 6 roads.

## **ATTACHMENT**

Attachment 10.1.2 - An extract of relevant information, from the Main Roads Guidelines for Assessing the Suitability of Routes for Restricted Access Vehicles, is attached.

## **BACKGROUND**

It has come to the attention of business owners in Tobruk Road and Vasey Street that:

- a) These streets are not classified for restricted access vehicles.
- b) The entry of restricted access vehicles is required for deliveries and sales.

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

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

The Jerramungup town is currently classified for general access vehicles to a maximum of 19 metres in combination length.

The adjoining South Coast Highway and Gnowangerup – Jerramungup Road are RAV network 7.

## **CONSULTATION**

The author has consulted with Main Roads Heavy Vehicle Operations section.

## **COMMENT**

Main Roads Western Australia:

- a) Is the controlling authority for Restricted Access Vehicles.
- b) Consults with local government as part of the approval process and has therefore referred the business owners to the Shire of Jerramungup.
- c) Is unlikely to approve a RAV route on a local road unless supported by the local government.

The author has undertaken a preliminary assessment of Tobruk Road, Memorial Road and Vasey Street, which do not satisfy the guideline requirements for a RAV Network 6 classification.

Main Roads might nonetheless approve the RAV Network 6 classification, which might be subject to certain conditions.

## **STATUTORY REQUIREMENTS**

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

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

## **STRATEGIC IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

The financial implications are dependent upon conditions which might be imposed by Main Roads Western Australia, should a RAV Network 6 classification be approved.

## **POLICY IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That:

1. The Jerramungup Shire Council supports Tobruk Road, Vasey Street and Memorial Road being classified as RAV Network 6, subject to reconsideration following consultation with Main Roads Western Australia.
2. Main Roads Western Australia is consulted about conditions which might be imposed should Tobruk Road, Vasey Street and Memorial Road be classified as RAV Network 6.

**OC120303 Moved Cr Iffla / Seconded Cr Lester**

**That:**

1. **The Jerramungup Shire Council supports Tobruk Road, Vasey Street and Memorial Road being classified as RAV Network 6, subject to reconsideration following consultation with Main Roads Western Australia.**
2. **Main Roads Western Australia is consulted about conditions which might be imposed should Tobruk Road, Vasey Street and Memorial Road be classified as RAV Network 6.**

**Carried 7-0**

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**SUBMISSION TO:** Works  
**AGENDA REFERENCE:** 10.1.3  
**SUBJECT:** Road Maintenance Service Standards  
**LOCATION/ADDRESS:** Shire of Jerramungup  
**NAME OF APPLICANT:**  
**FILE REFERENCE:**  
**AUTHOR:** Graham Edwards  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 8 March 2012

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## **SUMMARY**

The purpose of the report is to consider indicative community / operational service standards for road maintenance.

## **ATTACHMENT**

Attachment 10.1.3 - An extract from the Draft Asset Management Plan is attached.

## **BACKGROUND**

Consultant GHD was engaged to assist with the development of Asset Management Plans, of which a portion relates to roads.

Performance measurement requires targets of which *Community / Operational Levels of Service*, and therefore road maintenance is a component. Factors which might be considered and for which targets may be established are:

<b>Community / Operational Levels of Service</b>			
<b>Factor</b>	<b>Level of Service</b>	<b>Performance Measure</b>	<b>Performance Target</b>
Quality	Well maintained suitable road network.  Ride ability and visibility.  Adequate width for traffic demands	User satisfaction survey	?? customer requests per year
Function	Network meets user requirements.  Fully accessible	Suitability for purpose	?? annual reports of inaccessibility due to maintenance
Safety	A safe network	Injuries / accidents	Nil road related per year

GHD was provided with financial, road condition and productivity information, then classified roads into categories indicative of the road hierarchy and responded with nominal service standards as tabled below.

Roads			Grading Frequency	
Type		Length (km)	Option 1	Option 2
Sealed		136	n/a	n/a
Unsealed	1	190	4	3
	2	445	2	1
	3	269	1	1
Formed	4	123	0.33	0.25
Unformed	5	27	1	1
<b>Cost to grade and roll @ \$850 / km / grade</b>			<b>\$1,690,474</b>	<b>\$1,142,020</b>

### **CONSULTATION**

Nil

### **COMMENT**

Inclusive of sealed roads, the current budgetary allocation for rural road maintenance is \$698,731 at an average of \$618 per kilometre annually.

The GHD table above indicates increased expenditure would be required to achieve the nominated service levels. Ancillary costs such as materials, weeds and regrowth vegetation control, drainage and road furniture have not been included in the model and would be an additional expense.

The proposals nominated by GHD are two of many hypothetical but nonetheless valid scenarios. It is suggested however that these be regarded as nominal rather than absolute options.

Although it is suggested that the GHD scenarios are nominal, the Council could nonetheless, resolve to implement absolute standards, where particular roads shall be graded and rolled a specified number of times annually.

Potentially a high level of operational efficiency would be achieved but roads will be graded and rolled regardless of warrant and other needs.

It is probable that the cost / benefit effectiveness of an absolute service standard would not satisfy either the Council or the community.

Maintenance is continually influenced by predictable but random factors such as community functions, seasonal weather conditions, localised storms, variable road materials and heavy haulage for agricultural or other purposes.

It is suggested that a collaborative arrangement which defines the services to be delivered for a specific amount but provides the flexibility of responding on a priority basis is more effective.

It is important to recognise that the Performance Targets are not necessarily a reflection of workforce productivity, but rather a political tool.

A proactively programmed local government workforce managed as a contractor and used to its strengths and capacity is highly efficient and effective.

During recent years the Council has invested in plant for the establishment of a permanent, self reliant rural maintenance team. It is anticipated that at full productivity the team would cost \$500,000 annually and:

- a) During a year when conditions were unfavourable, maintain all rural roads at least twice annually.
- b) During an average year make at least three (3) rotations of the Shire annually.

Every road should be visited on each rotation, with work undertaken according to warrant and affordability at the time, which still represents the delivery of a service standard.

At the current level of funding, the remaining amount of approximately \$200,000 accommodates:

- a) Weed and regrowth vegetation control and minor drainage improvements.
- b) Additional plant resources during peak demand periods such as harvest.
- c) Random reactive responses such as storm damage, school bus bays and priority customer requests.

In terms of asset management, there is an indistinct boundary between maintenance and construction. For example:

- a) Construction might be considered entirely asset preservation or improvement.
- b) Routine maintenance is predominantly for serviceability although a portion will contribute to asset preservation.

Over investing in routine maintenance is likely to be at the expense of long term asset preservation and improvement; therefore affecting long term network serviceability.

Under investing will affect immediate network serviceability.

Apportioning limited revenue for an acceptable balance, therefore presents a dilemma for the Council.

Further development of the Asset Management Plan is dependent upon affordability and as a starting point the Council is requested to consider:

- a) Its level of satisfaction with current standards of routine road maintenance.
- b) The amount by which it might wish to increase road maintenance expenditure.

### **STATUTORY REQUIREMENTS**

Section 3.18 (3) of the Local Government Act 1995 states that:

*“A local government is to satisfy itself that, services and facilities it provides are managed efficiently and effectively”.*

### **STRATEGIC IMPLICATIONS**

An alignment is drawn with the 2009 - 2014 Strategic Plan through:

#### **Building and road infrastructure**

*The Shire of Jerramungup will provide the community with quality road and building infrastructure by ensuring that built infrastructure is well utilised and maintained.*

### **FINANCIAL IMPLICATIONS**

Achievable service standards are directly associated with affordability.

Inclusive of sealed roads, the current allocation for rural road maintenance is \$698,731 at an average of \$618 per kilometre annually.

### **POLICY IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council:

- a) Acknowledges the nominal service standards suggested by GHD.
- b) Acknowledges that the Council’s current financial commitment cannot meet the standards implied by GHD.
- c) Resolves to investigate the issue during the 2012 / 2013 budget preparation period in an effort to address the gap between the current standard and the desired standard of the Shires road network.

**OC120304 Moved Cr Daniel / Seconded Cr Bailey**

**That Council:**

- a) Acknowledges the nominal service standards suggested by GHD.**

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18<sup>th</sup> April 2012



- b) Acknowledges that the Council's current financial commitment cannot meet the standards implied by GHD.**
- c) Resolves to investigate the issue during the 2012 / 2013 budget preparation period in an effort to address the gap between the current standard and the desired standard of the Shires road network.**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Works</b>
<b>AGENDA REFERENCE:</b>	10.1.4
<b>SUBJECT:</b>	2012 Collective Enterprise Agreement
<b>LOCATION/ADDRESS:</b>	Shire of Jerramungup
<b>NAME OF APPLICANT:</b>	Not applicable
<b>FILE REFERENCE:</b>	
<b>AUTHOR:</b>	Graham Edwards
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	12 March 2012

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## **SUMMARY**

The purpose of the report is to submit the 2012 Collective Enterprise Agreement to Council for sanction.

## **ATTACHMENT**

Confidential attachment - Draft 2012 Collective Enterprise Agreement.

## **BACKGROUND**

Bargaining for replacement of the Employee Collective Workplace Agreement 2007 has been in progress since February 2011.

The majority of employees have been represented by the Australian Services Union and general consensus has been reached about the 2012 Agreement.

## **CONSULTATION**

Consultation during the process has included:

- a) The Chief Executive Officer and Deputy Chief Executive Officer.
- b) Works Department employees.
- c) The Western Australian Local Government Association.
- d) The Australian Services Union.

## **COMMENT**

The Collective Enterprise Agreement provides an opportunity for the employer and employees to agree mutually, beneficial objectives for improvement of the workplace and the delivery of services to the community.

## **STATUTORY REQUIREMENTS**

The Fair Work Act 2009 applies.

Section 5.41 of the Local Government Act 1995 applies.

SIGNED BY PRESIDENT

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18<sup>th</sup> April 2012

## **STRATEGIC IMPLICATIONS**

The Strategic Plan 2009 – 2014 nominates as objectives:

### **Our Vision**

*The Shire of Jerramungup will provide leadership to maintain our identity by promoting social and economic development whilst embracing our unique natural environment.*

### **Service Delivery and the Environment**

*The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment by:*

- a) *Ensuring that the service delivery process is supported by appropriately skilled, qualified and enthusiastic staff members.*
- b) *Supporting a range of community services that enhances the community fabric.*

### **Building and Road Infrastructure**

*The Shire of Jerramungup will provide the community with quality road and building infrastructure by:*

- a) *Ensuring that built infrastructure is well utilised and maintained.*
- b) *Adopting whole of life asset management principles.*
- c) *Keeping abreast of new technology and industry best practice.*

### **Our Mission Statement**

*A united workforce dedicated to providing quality services to our Community. To achieve our mission we will:*

- a) *Treat each other with respect.*
- b) *Act honestly and with integrity at all times.*
- c) *Be accountable for our own actions.*
- d) *Use our initiative.*

## **FINANCIAL IMPLICATIONS**

Agreement has been reached for a 12% increase to the minimum base rates of the current Employee Collective Workplace Agreement 2007, with annual consumer price index increases.

## **POLICY IMPLICATIONS**

The Human Resource Operational Policy states that:

SIGNED BY PRESIDENT

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18<sup>th</sup> April 2012

*Workplace Agreement negotiating processes will be negotiated between executive management and staff and outcomes of negotiations, with details of agreed position (or otherwise), are to be submitted to Council for final sanction.*

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That the Draft Collective Enterprise Agreement 2012 is endorsed by the Jerramungup Shire Council, prior to lodging with Fair Work Australia.

**OC120305 Moved Cr Parsons / Seconded Cr Daniel**

**That the Draft Collective Enterprise Agreement 2012 is endorsed by the Jerramungup Shire Council, prior to lodging with Fair Work Australia.**

**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>	Mel Aitchison
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	1 <sup>st</sup> March 2012

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### **ATTACHMENT**

Attachment 10.2.1 - List of Accounts Paid to 29<sup>th</sup> February 2012

### **BACKGROUND**

<b>FUND</b>	<b>VOUCHERS</b>	<b>AMOUNTS</b>
<b>Municipal Account</b>		
Last Cheque Used	27196	
	EFT 5273 - 5314	\$161,140.02
	EFT 5315	Cancelled
	EFT 5316 - 5415	\$495,662.01
	Cheque 27197 - 27224	\$10,623.53
	Direct Debits	\$54,414.05
<b>Municipal Account Total</b>		<b>\$721,839.61</b>
<b>Trust Account</b>		
<b>Trust Account Total</b>		<b>\$280.00</b>
<b><u>Grand Total</u></b>		<b><u>\$722,119.61</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

SIGNED BY PRESIDENT

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18<sup>th</sup> April 2012

**RECOMMENDATION**

That the schedule of direct debits and accounts payable, totalling submitted \$722,119.61 to the Full Council on 21<sup>st</sup> March 2012 be endorsed.

**SIGNATURES**

\_\_\_\_\_  
Author

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

**OC120306 Moved Cr Bailey / Seconded Cr Lester**

**That the schedule of direct debits and accounts payable, totalling submitted \$722,119.61 to the Full Council on 21<sup>st</sup> March 2012 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>	Brent Bailey
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	6 <sup>th</sup> March 2012

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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 29<sup>th</sup> February 2012

## **BACKGROUND**

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

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

## **CONSULTATION**

Council financial records.

## **COMMENT**

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



## **STATUTORY REQUIREMENTS**

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

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

## **STRATEGIC IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

As detailed within the Monthly Financial Report

## **POLICY IMPLICATIONS**

Finance Policy 2: Detailed within Monthly Financial Report

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

- 1) That Council receive the Monthly Financial Report for the period ending 29<sup>th</sup> February 2012 in accordance with Section 6.4 of the Local Government Act 1995.

**OC120307 Moved Cr Atkin / Seconded Cr Bailey**

- 1) That Council receive the Monthly Financial Report for the period ending 29<sup>th</sup> February 2012 in accordance with Section 6.4 of the Local Government Act 1995.

**Carried 7-0**

2.35pm Mr Edwards left meeting.

**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 Scheme Amendment 8
<b>LOCATION/ADDRESS:</b>	Part Lot 11 Borden-Bremer Bay Road, Bremer Bay
<b>NAME OF APPLICANT:</b>	Harley Global on behalf of Williamson Brothers Pty Ltd
<b>FILE REFERENCE:</b>	A21987
<b>AUTHOR:</b>	Planning Officer, Craig Pursey
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	21 March 2012

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## **SUMMARY**

Council is to consider initiating Scheme Amendment 8 to the Shire of Jerramungup Local Planning Scheme No 2 to:

1. Create a new 'Rural Enterprise' zone with various changes to the Scheme text;
2. Adopt a Subdivision Guide Plan to guide future subdivision and development; and
3. Rezone Part Lot 11 Borden-Bremer Bay Road from 'Rural' to 'Rural Enterprise' and amending the Scheme Map accordingly.

The 'Rural Enterprise' zone is intended to provide for the establishment of land uses which accommodate residential dwellings as well as light/ rural industry type land uses on the same site in a live and work arrangement.

The proposed rezoning is consistent with the recent changes to the Local Planning Strategy supported by Council at their February 2012 Council meeting.

The proposed Scheme provisions and subdivision guide plan adequately introduce this new zone to the Scheme and address the site's opportunities and constraints.

On balance, this report recommends that the amendment be initiated and referred to the EPA for assessment.

## **ATTACHMENT**

Attachment 10.3.1 (a) - Draft scheme amendment provisions

Attachment 10.3.1 (b) - Draft Subdivision Guide Plan

## **BACKGROUND**

### ***Scheme Amendment 7***

Council initiated Amendment 7 over this site at their meeting of the December 2010 where it was resolved to rezone the subject site from 'Rural' to 'Rural Residential'.

This scheme amendment was then forwarded to the Western Australian Planning Commission (WAPC) for permission to advertise. The WAPC determined that the

proposal was inconsistent with the adopted Local Planning Strategy and not consistent with the state planning policies on urban growth.

Therefore Scheme Amendment 7 did not progress.

### ***Shire of Jerramungup Local Planning Strategy***

Council adopted an amendment to the Local Planning Strategy that brings the Strategy up to date at their meeting of February 2012. This amendment identifies the subject site as:

*“Area 13 – short to medium term ‘Farmlet’ zone*

- *Currently zoned ‘Rural’ under the Scheme and will require rezoning;*
- *Maintain buffer to proposed industrial area and if industries developed, have regard to EPA buffer guidelines;*
- *Subject to detailed land capability requires examination of water management and an overall SGP/ODP; and*
- *Potential to accommodate a ‘Rural Enterprise’ zone.”*

The proposed rezoning is consistent with the draft Local Planning Strategy (the Strategy). The Strategy is yet to be endorsed by the WAPC. However, the applicant has liaised with Department of Planning staff and has had preliminary agreement to the concept of the proposed rezoning. This should allow the proposed rezoning to progress to public advertising this time should Council agree to initiate the proposal.

### **COMMENT**

#### ***Location and description***

The subject property is located approximately 6.5 kilometres to the west of Bremer Bay Townsite, opposite ‘Old Myamba’ and the Shire’s proposed Industrial Area.

The subject site is the eastern 85ha of Lot 11 Borden-Bremer Bay Road owned by Gregory and Delys Harland. The subject site is currently zoned ‘Rural’ and is used for broad acre farming. The site is gently undulating and has an intermittent creek running north-south through the site that forms part of the head waters of the Bitterwater Creek.



*Subject Site and its relationship to the Bremer Bay Townsite and proposed Industrial Area*

### **Description of proposed Amendment**

The applicant has submitted a draft amendment document which proposes to:

- Create a new zone for 'Rural Enterprise' uses, providing for live and work opportunities within this zone;
- Provide a range of lot sizes for 'Rural Enterprise' uses on land that is subject to minimal constraints;
- Complement the development of other uses on Borden-Bremer Bay Road;
- Ensure that the proposed development does not constrain the Bremer Bay townsite, which has very limited avenues for future growth. This lot has been chosen for 'Rural Enterprise' purposes as it will not constrain the future development of the Bremer Bay townsite in a westward direction; and
- Ensure that the proposed development does not constrain the future growth potential of the adjacent industrial area on Borden-Bremer Bay Road.

To support this application, a Land Capability Assessment has been undertaken by Land Assessment Pty Ltd.

A full copy of the Scheme amendment document is available on request. A copy of the proposed Scheme provisions are at Attachment A and a copy of the Subdivision Guide Plan (SGP) is at Attachment 10.3.1(b) of this report.

### **Assessment**

The intention of the rezoning is to create a development where people can develop hobby farms and have the ability to develop a light industrial business on the same lot. This will meet some of the demand for industrial land near Bremer Bay in the short term (given change of circumstances at Old Myamba) and provide a cheaper alternative for people wishing to develop an industrial business. The benefits of a 'Rural Enterprise zone include:

- To be able to live and work on the same site will offer incentives to people wishing to start a business as they will not have to purchase a residential property as well as a property to run their business;
- To be able to live on the same site as a business will allow people to manage the extremely seasonal nature of the population and demand for services in Bremer Bay; allowing people to run their business during the busy periods and use it as their hobby farm in the quieter times;
- Bremer Bay does not have industrial land at this stage and this will allow for the existing industrial uses scattered throughout the locality to locate in a consolidated area. This will bring economies of scale to further businesses; and
- The Rural Enterprise zone will assist in satisfying an identified demand for both hobby farms and industrial development.

The benefits of the proposed location include:

- It is located close to the proposed industrial area which consolidates all of the industrial activity into one area providing economies of scale and a more easily managed site for the Shire into the future;
- It is relatively unconstrained land well removed from the long term residential land identified to the west of the Bremer Bay townsite;
- It is relatively close to the Bremer Bay townsite by car (approximately 5 minutes).
- The existing Local Planning Strategy (LPS) identifies a potential shortage of 'Hobby Farm' lots. This was identified before the prospect of the Southdown Mine at Wellstead. Should this mine proceed there will be development pressure on the Bremer Bay area and a need to provide for all lifestyle choices for prospective residents. The subject site is relatively unconstrained and presumably could be developed quickly in response to development pressure; and
- The site is proven to be capable of development and of supporting effluent disposal systems.

The disadvantages of the proposal include:

- It may be preferable to locate this sort of development closer to town to more directly support the town centre and locate prospective employment areas closer to residential areas;
- The site is distant to the reticulated water system and highly unlikely to be able to ever connect. Future households and industrial business will need to provide their own water supply. Preliminary assessment of annual rainfall in the area indicates that the residential component of the developments will need a 135Kl water tank and at least 450m<sup>2</sup> of roof area to provide an adequate year round water supply. Industrial development will need to provide evidence that they are capable of providing for their water needs at the time of development.
- There may be potential for issues to arise from having residences in close proximity to light industrial development. These will need careful management into the future and clear guidelines established to prevent individual landowners compromising the whole development.

On balance, staff supports the amendment given its potential to satisfy demand for hobby farm sized lots and industrial land in the short term; particularly given the prospect of the Southdown Mine at Wellstead and the implications for Bremer Bay. The proposed amendment is consistent with the modified Local Planning Strategy adopted by Council at the meeting of February 2012.

Whilst the location and general proposal to rezone the site is supported, there are a number of issues and details that require addressing. These are investigated below.

### **Subdivision Guide Plan**

The Subdivision Guide Plan (SGP) is provided at Attachment B. It shows the subject site subdivided into 33 lots with a minimum lot size of 1ha. The amendment describes the features of the SGP as:

*“The features of the SGP include:*

- *‘Rural Enterprise’ lots ranging in size from 1ha to 4ha. There is demand for these lots as outlined earlier and the development of these lots will complement the proposed development of similar lots to the north of Borden-Bremer Bay Road, as proposed by Amendment No.6;*
- *Two precincts dividing the northern (larger lots) from the southern (smaller lots). The northern precinct will allow for larger industrial/ rural type uses while the southern precinct will allow for smaller scale industrial/rural uses;*
- *Provision of a ‘loop road’ ensuring that lots have a through route for access and egress in the event of a bush fire emergency. This road also ensures that no lots require direct access to Borden-Bremer Bay Road;*
- *An effluent disposal exclusion zone along Bitterwater Creek, reducing any risk of pollution of ground or surface water flows;*
- *A fire fighting water supply to be provided in close proximity to Borden-Bremer Bay Road. A second fire fighting water supply will be available from the dam located on Lot 9; and*
- *Indicative areas in relation to revegetation and landscape areas.*

*It is believed that the SGP addresses all of the Amendment Site’s constraints and opportunities in a manner that will ensure the development of ‘Rural Enterprise’ lots will not impact the environment or surrounding land uses.”*

The SGP design is generally supported. The applicant has liaised with both Shire planning staff and the Department of Planning prior to lodging the SGP and issues have been largely addressed.

### **Land Capability**

The applicant has included land capability information in the documentation which cannot be fully summarised in this report. However the main points are listed below:

*“• The soils are generally poorly drained, particularly in the southern parts of the site. This will impact on the type and method of construction used for on-site effluent disposal;*

*• Agriculture Department Mapping shows the groundwater table to be 10-30m deep over the site. Site-specific testing to 1.5m showed no sign of groundwater although it is noted that local water logging due to the poor draining soil on the site may be experienced during heavy rain periods;*

*• Given depth to groundwater, the use of onsite effluent disposal on the site is consistent with the Health Department draft Country Sewerage Policy;*

*• Bitterwater Creek and an area 30m from each side is not suitable for the location of effluent disposal systems;*

*• The northern parts of the site are generally suitable for the use of conventional septic tank / leach drain systems, with these being inverted in some areas (i.e. located within imported sand fill) or Alternative Treatment Units used ;*

*• Alternative Treatment Units are recommended for the southern parts of the site with these located within 600m of sand fill.”*

The SGP and proposed scheme provisions have responded to the land capability assessment in the location of building envelopes, development setbacks and specification of the types of effluent disposal systems required for the identified soil types.

The Land Capability report will form part of the scheme amendment documentation and will be technically assessed by many of the pertinent government agencies and authorities.

## **STATUTORY REQUIREMENTS**

All amendments undergo a statutory process including referral to the EPA, public advertising and ultimately approval of the amendment is required by the Minister for Planning.

As a first step, should Council agree to initiate the amendment, the amendment is referred to the EPA for assessment.

Public advertising is required and further information from various government agencies is sought during this period to further inform the proposal.

There is no right for review to the State Administrative Tribunal if Council does not initiate an amendment. However, with recent changes to the Planning and Development Act 2005 there may now be an opportunity for the applicant to approach the Minister for Planning to initiate the Amendment.

## **STRATEGIC IMPLICATIONS**

The proposed Scheme Amendment aligns with a variety of the key focus areas in the Strategic Plan:

### ***Ongoing social, economic and financial viability***

SIGNED BY PRESIDENT

- 32 -

18<sup>th</sup> April 2012



*The Shire of Jerramungup will continue to grow and prosper whilst maintaining its identity and sense of place by: ...*

*...1.4 Ensuring that the availability of residential, industrial and commercial land meets demand*

### **Service delivery and the environment**

*The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment y:*

*2.1 Ensuring that growth occurs in a controlled and sustainable manner. ...*

*2.4 Supporting a range of community services that enhances the community fabric.*

### **FINANCIAL IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

N/A

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council,

1. Initiate Amendment No 8 to the Shire of Jerramungup Local Planning Scheme No 2 pursuant to Section 75 of the Planning and Development Act 2005 by;
  - i) Creating a new 'Rural Enterprise' zone with various changes to the Scheme text; and
  - ii) Rezoning Part Lot 11 Borden-Bremer Bay Road from 'Rural' to 'Rural Enterprise' and amending the Scheme Map accordingly.
2. Refer Scheme Amendment No 8 to the Environmental Protection Authority for assessment.

**OC120308 Moved Cr Lester / Seconded Cr Parsons**

That Council,

1. **Initiate Amendment No 8 to the Shire of Jerramungup Local Planning Scheme No 2 pursuant to Section 75 of the Planning and Development Act 2005 by;**
  - i) Creating a new 'Rural Enterprise' zone with various changes to the Scheme text; and**
  - ii) Rezoning Part Lot 11 Borden-Bremer Bay Road from 'Rural' to 'Rural Enterprise' and amending the Scheme Map accordingly.**

SIGNED BY PRESIDENT

- 33 -

18<sup>th</sup> April 2012

- 2. Refer Scheme Amendment No 8 to the Environmental Protection Authority for assessment.**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Health, Building and Town Planning</b>
<b>AGENDA REFERENCE:</b>	10.3.2
<b>SUBJECT:</b>	Proposed Single House, outbuildings and building envelope
<b>LOCATION/ADDRESS:</b>	Lot 108 Magpie Rise Road, Bremer Bay
<b>NAME OF APPLICANT:</b>	Peter & Elizabeth Tozer (owner)
<b>FILE REFERENCE:</b>	A81367
<b>AUTHOR:</b>	Planning Officer, Craig Pursey
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	8 March 2012

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### **SUMMARY**

- An application has been lodged for a Single House, two outbuildings and an adjustment to the previously approved building envelope at Lot 108 Magpie Rise, Bremer Bay.
- The outbuildings comply with all requirements of the Scheme and relevant policies. The Single House exceeds the recommended 5m maximum height by approximately 500mm at either end of the house.
- This report recommends that the application be conditionally approved.

### **ATTACHMENT**

Attachment 10.3.2 (a) - Applicant's plans

Attachment 10.3.2 (b) - Submission from nearby landowner

### **BACKGROUND**

#### ***Site Description***

Lot 108 is located at the end of Magpie Rise in Point Henry. The site is currently only developed with a previously cleared building envelope and access tracks that form a loop around the proposed house site. The property was bought in this state by the current owner.

Lot 108 is 8.025ha in area and slopes down from a high point toward the southern edge of the lot to a low point at the northern edge of the lot. Lot 108 fronts both Magpie Rise and Osprey Rise with strategic fore breaks connecting the site to both roads and a strategic break along the southern edge of the lot.



Site Plan with subject site edge in yellow (Synergy)

### **Previous Approvals**

Council issued planning approval for a residence and amended building envelope location on Lot 108 at its meeting of February 2007. This application established a new building envelope on the site edged in red in the above image.

The house was never constructed, however the previous landowner appears to have cleared the envelope and constructed access tracks for fire management purposes.

### **COMMENT**

#### **Application**

An application has been lodged for a new dwelling, two outbuildings and an adjustment to the approved building envelope. The application is summarised below;

- A single storey, four bedroom, architecturally designed single house is proposed stretching east-west to capture the winter sun and views to the north along Short Beach. There is a small two storey component at the western end of the house. The house has a flat roof and a low profile but stretches across a hill that drops away at either end of the proposed house causing the height of the building from natural ground level to increase to approximately 5.5m.
- A 61m<sup>2</sup> double garage with flat/skillion roof.
- A 180m<sup>2</sup> outbuilding for storage and workshop at the western edge of the proposed building envelope; and
- An irregular shaped 2974m<sup>2</sup> building envelope that stretches east-west to encompass all proposed development.

A full copy of plans are included in Attachment 10.3.2(a).

## Zoning

The lot is zoned 'Rural Residential 3' under the Shire of Jerramungup Local Planning Scheme No 2. All development in this zone requires planning approval.

### Scheme Requirements

Lot 108 is zoned 'Rural Residential Area 3. The specific objective for this zone is:

*"The objective is to facilitate the creation of quality rural-residential retreats in a scenic coastal area, with an emphasis on minimising any detrimental impact on landscape quality and existing natural vegetation and preserving the existing visual amenity of foreground views into Portion Kent Location 111 from Point Henry Road and Short Beach Road, along with views across the land from neighbouring Short Beach."*

The proposed dwelling concentrates its development footprint on an area that is already partially cleared. Although it is set reasonably high in the landscape the proposed house is single storey, has a flat roof and is built on stumps in order to preserve the natural topography. The proposed house will be partially screened from Short Beach Road and Point Henry Road by existing peppermint trees in the foreground of the house site. Additional screening vegetation may be required to supplement this existing vegetation to assist in the proposed house complying with the objectives for the zone.

In addition to the zone objective, there are specific provisions applicable to the Rural Residential zone and Council can have regard for matters such as colours, materials, building height and bulk, architectural design, relationship to surrounding development and bush fire control.

General compliance with the Scheme is summarised below;

Clause	Summary	Comment	Compliance
5.25.3(e)	All buildings to be contained in the building envelope	All buildings are proposed within the new building envelope.	Complies
5.25.3(f)	Building envelopes as shown on the Subdivision Guide Plan are to: (i) be delineated on-site by owner and approved by the local government... (ii) not exceed 10% of the lot area, or 3,000 m <sup>2</sup> whichever is the lesser; (iii) be located having regard for the suitability of the soil for effluent disposal, wind	The building envelope is 2974m <sup>2</sup> in area and complies with the maximum 3000m <sup>2</sup> size. The proposed location is a minor variation on the previously approved and cleared envelope from 2007. The location is reasonably screened from surrounding road networks. The site will be seen from Short	Complies.

	<p>protection and the objective to minimise erosion and the visual prominence of buildings;</p> <p>(iv) be located on lots adjacent to major roads, tourist routes, the roads to the beaches on Point Henry Peninsula, and reserved land so that any building is not visually prominent when viewed from such roads or reserved land;</p> <p>(v) be located, wherever possible, so that new dwellings will not be visible from dwellings on adjacent or surrounding properties.</p>	<p>Beach but is reasonably distant. The building will be seen from adjacent properties and housing, however retention of the surrounding vegetation and use of the natural topography will assist in softening the impact of the proposed house. The envelope itself is reasonably irregular in shape. There is no stipulation in the Scheme that envelopes be rectangular, only that all development be located within the envelope.</p>	
5.25.3(h)	Driveways to be located to minimise soil erosion and visibility of driveways	There is an existing cleared driveway.	Complies.
5.23.3(i)	Materials to be non reflective and blend with the environment	<p>The proposed walls are a pale colourbond colour.</p> <p>The roof maybe reflective but it is not overlooked by any other property and will not cause reflectivity issues in the surrounding environment.</p>	Complies
5.23.3(j)	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	<p>The dwelling height does exceed 5 metres at either end of the proposed house.</p> <p>All outbuildings comply with the maximum 5m height.</p>	This is discussed in detail elsewhere in this report.
5.23.3(l)	Require 92 kilolitre tank and on site effluent disposal prior to occupation of	The applicant proposes 92,000l tank in the application.	Recommend placing a condition on the approval

	dwelling.		requiring the minimum size tank
Schedule 2	20 metre front setback and 15 metre setback from all other boundaries	The setbacks comply.	Complies.
	Compliance with AS3959 is required. <i>AS3959 is the Australian standard for construction of buildings in bushfire prone areas.</i>	A balance of clearing for fire protection and use of the Australian Standard to achieve fire safety standards is required. Given the location on the side of a hill and the need to retain screening vegetation at the front of the proposed house it is recommended that a higher standard under AS3959 may be required rather than removal of screening vegetation.	This will be assessed with the building licence. Conditions regarding retention of vegetation are recommended for the planning approval.

**Outbuilding – Local Planning Policy No 16**

The application includes an outbuilding which complies with Local Planning Policy No 16 – Outbuildings (LPP16).

Setback	Permitted	Proposed	Compliance
<b>Size for one outbuilding</b>	Aggregate of 240m <sup>2</sup>	180m <sup>2</sup> outbuilding & 61m <sup>2</sup> garage	1m <sup>2</sup> variation required
<b>Wall height</b>	4.2 metres	3.4 metres	Complies
<b>Ridge Height</b>	5 metres	4.0 metres	Complies

LPP16 allows for 2 outbuildings up to 320m<sup>2</sup> in this zone provided they do not necessitate excessive clearing or are visually obtrusive, are necessary for the storage of vehicles and goods and are not reflective.

The garage is located behind the proposed house and the outbuilding may be screened from view using a combination of existing vegetation and additional planting. Support is recommended.

**Consultation**

The application was referred to neighbouring landowners for comment, closing on the 14<sup>th</sup> March 2012, seeking comment on the proposed house and in particular the portion of the house proposed in excess of 5m in height.

At the time of writing this report one submission was received, this is provided in full at Attachment B.

In summary the submission raises the following concerns:

- The plans lodged do not show natural ground level and the overall maximum height is not clear;
- The building appears to be constructed on a mound; not natural ground level;
- Council is requested that natural ground level is maintained;
- Retention of building heights in this area is critical to landscape management issues;
- Suggest cutting off the top of the mound to reduce the overall height of the proposed house;
- We request that Council ensure that the approved design is built in accordance with the approved documents and that construction or design creep does not occur in its realisation.
- In a landscape protection zone, landscape and ecological values outweigh all other considerations.

The proposed house raises some concerns with two specific issues that are interrelated; height and visual management/landscape protection. In relation to building height the Scheme states:

*“Clause 5.25.3 (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 applicant has provided a contour plan of the site showing the development and the natural ground level. However, it is fair to say that the plans do not explicitly identify the natural ground level in relation to the proposed heights. Applying a planning condition to restrict the maximum height to natural ground level of 6.0m will address this concern. Allowing 6.0m maximum at the western and eastern extremities of the dwelling will allow for some flexibility come final design whilst not have a major impact on the visual landscape issues

A site visit shows that the house will be located on a natural mound. However it is not proposed to excavate this mound to drop the finished floor level but rather work with the natural topography. This will result in a less visually obtrusive development. In other locations it is common place to push the top of a hill forward on the site to create a flat building pad. Whilst this technically complies with the requirements of the Scheme, it does result in a large battered slope, devoid of vegetation that may be more visually obtrusive than the current proposal.



The Scheme permits development up to 5m, so what needs to be assessed is the difference between a single storey house and the proposed dwelling. This explored briefly below:

- The impact of the extra 1m in height on the surrounding landscape, particularly when viewed from surrounding roads and Short Beach will be negligible.
- The building is slimline, with a flat roof to keep the majority of the building well below the 5m height. The additional height from natural ground level occurs where the house extends beyond the small hill the house is proposed on.
- The eastern end of the building that extends above the 5m height is mostly balcony and will be a lighter intrusion on the landscape.
- The eastern end of the building is dug into the slope to achieve the ground floor component of the house;
- The eastern and western ends of the house come to a point that may reduce the visual impact of the development.
- On the other hand, the building is orientated lengthways when viewed from Short Beach and this may increase the impact of the development when viewed from this area. This is desirable in order to create an energy efficient house but will need managing with screening vegetation.

There is considerable existing vegetation leading up to the house that should be retained to soften the impact when looking up at the development from the roads and beach below. Where this proves to be insufficient this should be augmented by additional planting as a condition of planning approval.

The vegetation on the slope leading up to the house will need to be modified to meet the requirements of establishing a building protection zone and hazard separation zone. This will need to be kept to a minimum by requiring compliance with Australian Standard 3959 to a suitable level at the time of lodging a building licence. This will therefore retain the screening vegetation whilst achieving a suitable fire rating.

## **Conclusion**

The proposed Single House and outbuildings generally comply with the requirements of the Scheme and applicable outbuilding policy.

A variation to the 5m maximum height and the resultant visual management issues require addressing. The proposed development is largely well below the 5m height limit and retains the existing topography. The increase in height occurs where the proposed house extends beyond the small hill that the majority of the house is located upon. These parts of the house are slimmer and should have minimal impact on the landscape.

In order to ensure that the landscape values of the site are protected as far as is practical retention of existing vegetation, additional planting and a maximum height should be required as planning conditions.

Key focus area two of the Shire's Strategic Plan relates to the current application. It states:

**Key Focus Area Two:**

**Service delivery and the environment**

*The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment by:*

*2.1 Ensuring that growth occurs in a controlled and sustainable manner.*

**STATUTORY REQUIREMENTS**

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

**FINANCIAL IMPLICATIONS**

Not applicable.

**POLICY IMPLICATIONS**

Explained in the body of this report.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council;

Approve the application lodged by Peter and Elizabeth Tozer for a Single House, two outbuildings and amended building envelope at Lot 108 Magpie Rise, Bremer Bay subject to the following conditions;

- i) The height of all development is not to exceed 6.0 metres as measured from natural ground level as stated in the application and on the plans submitted.
- ii) The driveway and all strategic fire breaks are to be maintained at a trafficable standard at all times.
- iii) 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.
- iv) Landscape plans, showing size, species, location and reticulation of trees and shrubs to be planted or retained, being submitted to the Shire prior to the issue of a building licence. These plans should show the building protection and hazard separation zones, what existing vegetation is to be retained and what planting is to be added in order to screen development from the surrounding roads and Short Beach to the satisfaction of the Chief Executive Officer.
- v) All land indicated as landscaped area on the approved plan being developed prior to, or concurrently with the practical completion of the building(s) to the

satisfaction of Chief Executive Officer. All landscaped areas are to be maintained in good condition thereafter.

2. Advise the applicant in footnotes on the planning approval that;
  - a) Planning approval is not consent for site works or construction. A building licence is required prior to any commencement of works.
  - b) The owners are advised that no assessment has been undertaken as to whether the proposed envelope location is suitable for on-site effluent disposal. A separate application will need to be lodged with the Shire at development stage for on-site effluent disposal.

**OC120309 Moved Cr Bailey / Seconded Cr Iffla**

**That Council;**

**Approve the application lodged by Peter and Elizabeth Tozer for a Single House, two outbuildings and amended building envelope at Lot 108 Magpie Rise, Bremer Bay subject to the following conditions;**

- i) **The height of all development is not to exceed 6.0 metres as measured from natural ground level as stated in the application and on the plans submitted.**
  - ii) **The driveway and all strategic fire breaks are to be maintained at a trafficable standard at all times.**
  - iii) **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.**
  - iv) **Landscape plans, showing size, species, location and reticulation of trees and shrubs to be planted or retained, being submitted to the Shire prior to the issue of a building licence. These plans should show the building protection and hazard separation zones, what existing vegetation is to be retained and what planting is to be added in order to screen development from the surrounding roads and Short Beach to the satisfaction of the Chief Executive Officer.**
  - v) **All land indicated as landscaped area on the approved plan being developed prior to, or concurrently with the practical completion of the building(s) to the satisfaction of Chief Executive Officer. All landscaped areas are to be maintained in good condition thereafter.**
2. **Advise the applicant in footnotes on the planning approval that;**
    - a) **Planning approval is not consent for site works or construction. A building licence is required prior to any commencement of works.**
    - b) **The owners are advised that no assessment has been undertaken as to whether the proposed envelope location is suitable for on-site effluent**

**disposal. A separate application will need to be lodged with the Shire at development stage for on-site effluent disposal.**

**Carried 7-0**

**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>	Administration Status Report
<b>LOCATION/ADDRESS:</b>	
<b>NAME OF APPLICANT:</b>	Shire of Jerramungup
<b>FILE REFERENCE:</b>	
<b>AUTHOR:</b>	Bill Parker
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	7 March 2012

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## **SUMMARY**

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

## **ATTACHMENT**

Nil

## **PROJECT UPDATE**

### **1) Jerramungup Residential Land Developments**

Titles have been received and the blocks are currently for sale. New for sale signs have been placed at the subject site.

Bremer Bay Realty has been appointed to sell the blocks. The blocks are now advertised on [www.realestate.com.au](http://www.realestate.com.au).

### **2) Farmland Water Response Planning**

The vegetation survey for the subject site is complete with various approvals being submitted. The Shire has been granted permission to complete the works from Main Roads WA and is still negotiating with DEC on the clearing aspect of the project.

The Shire is expecting a response from DEC within 30 days.

### **3) Industrial Land Bremer Bay**

The Shire has been advised that the subject property has been sold. The Shire has met with the new owner to ascertain their interest in developing the subject land.

### **4) Bremer Bay Medical Centre**

The Department for Health has commissioned a Health Services Plan to be completed for Bremer Bay. The purpose of this plan would be to assess and forecast the needs of the community from a health services and infrastructure

perspective. A series of community meetings will commence in February/March 2012.

#### **5) Bremer Bay Town Centre**

Advertising for the Bremer Bay Town Centre has closed with approximately 20 responses received. The Shire's Planner is assessing and will respond to the submissions.

It is anticipated that a final structure plan will be considered by Council in April 2012.

#### **6) Town Site Revitalisation – Jerramungup**

The Fitzgerald Biosphere Garden is progressing well with a majority of the plant species being sourced and successfully propagated.

The remaining components include finishing the crushed limestone paths, installing the solar lighting and installing the signage.

The project budget is tight with more fill and mulch being required for the garden bed preparation.

#### **7) Fitzgerald River National Park Upgrade**

The Shire is progressing well with 12.5km of Swamp Road now sealed. Approximately 3 weeks remain on this project.

The project was completed ahead of schedule from both a timing and financial perspective.

#### **8) Strategic Waste Management**

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

Drilling has commenced on the Ravensthorpe site with Council to consider dual management of the site within the coming months.

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<b>SUBMISSION TO:</b>	<b>Administration</b>
<b>AGENDA REFERENCE:</b>	10.4.2
<b>SUBJECT:</b>	Extension to Lease Area
<b>LOCATION/ADDRESS:</b>	Lot 649 Mary Street, Bremer Bay
<b>NAME OF APPLICANT:</b>	Bremer Bay Community Resource Centre
<b>AUTHOR:</b>	Bill Parker
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	27 February 2012

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## **SUMMARY**

In late 2011, the Shire of Jerramungup received an application from the Bremer Bay Occasional Child Care Centre for an extension to their lease area.

In February 2012, an item was prepared relating to this matter from a land use planning perspective to ensure that the proposed land use did not affect the surrounding residential area.

This item now seeks Council approval to extend the lease area.

## **ATTACHMENT**

Attachment 10.4.2 (a) - Lease: Bremer Bay Community Resource Centre  
Attachment 10.4.2 (b) - Correspondence: Bremer Bay Community Resource Centre  
Attachment 10.4.2(c) - Extended area plan

## **BACKGROUND**

Reserve 26384, Lot 649 Mary Street, Bremer Bay is developed with the Bremer Bay Community Resource Centre, Town Hall and Occasional Child Care Centre. The whole Reserve is under the management of the Shire of Jerramungup, the buildings are leased to the Bremer Bay Community Resource Centre.

The eastern portion of the building is occupied by the Child Care Centre. The Child Care Centre includes an outdoor area developed with a shaded area encompassing a small cubby house, slide and sandpit along with a small grassed area.





*Figure 1: Bremer Bay Community Resource Centre*

In late 2011, the Shire received an application from the Centre to increase the overall size of the outdoor area. The extension is proposed to:

- Provide for additional space that will allow for the separation of younger children that will effectively double the outdoor area;
- Develop a swing set, consisting of an infant swing seat and child's seat to cater for children of all ages; and
- Extension of the fencing and possibly shaded areas into the future.

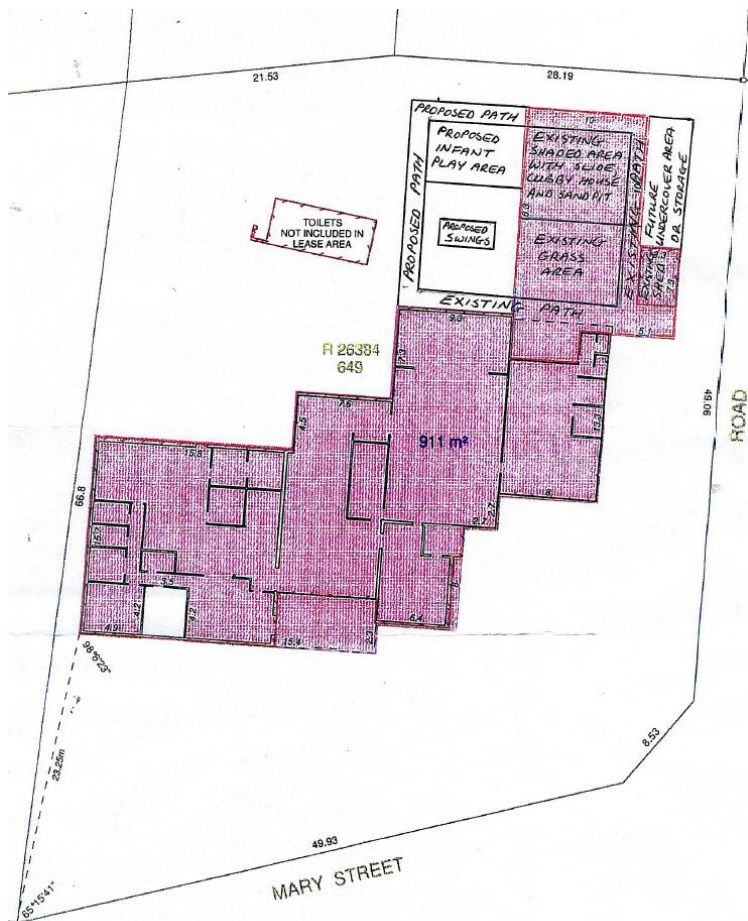


Figure 2: Proposed extension to the lease area

The proposal was assessed from a land use planning perspective in February 2012. At this meeting it was resolved;

*“That Council approve the application lodged by the Bremer Bay Occasional Child Care Centre to extend the outdoor play area at Lot 649 Mary Street, Bremer Bay.”*

Given that the Bremer Bay Community Resource Centre holds the lease, permission was sought from the lessee by the Bremer Bay Occasional Child Care Centre. The lessee has endorsed the request to extend the lease area.

Various provisions are contained within the Local Government Act 1995 and subsidiary legislation relating to the disposal of land. These aspects are covered within the statutory requirements below.

## **CONSULTATION**

Consultation has occurred with the Bremer Bay Occasional Child Care Centre as the applicant and Bremer Bay Community Resource Centre as the lessee.

## **COMMENT**

Nil

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## **STATUTORY REQUIREMENTS**

Section 3.58 of the Local Government Act 1995 relates to the disposal of property including disposal via lease.

### **3.58. Disposing of property**

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

- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
  - (d) any other disposition that is excluded by regulations from the application of this section.

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

## **Land Administration Act 1997**

### **18. Various transactions relating to Crown land to be approved by Minister**

- (1) A person must not without authorisation under subsection (7) assign, sell, transfer or otherwise deal with interests in Crown land or create or grant an interest in Crown land.
- (2) A person must not without authorisation under subsection (7) —
  - (a) grant a lease or licence under this Act, or a licence under the *Local Government Act 1995*, in respect of Crown land in a managed reserve; or
  - (b) being the holder of such a lease or licence, grant a sublease or sublicense in respect of the whole or any part of that Crown land.
- (3) A person must not without authorisation under subsection (7) mortgage a lease of Crown land.
- (4) A lessee of Crown land must not without authorisation under subsection (7) sell, transfer or otherwise dispose of the lease in whole or in part.
- (5) The Minister may, before giving approval under this section, in writing require —
  - (a) an applicant for that approval to furnish the Minister with such information concerning the transaction for which that approval is sought as the Minister specifies in that requirement; and
  - (b) information furnished in compliance with a requirement under paragraph (a) to be verified by statutory declaration.
- (6) An act done in contravention of subsection (1), (2), (3) or (4) is void.
- (7) A person or lessee may make a transaction under subsection (1), (2), (3) or (4) —
  - (a) with the prior approval in writing of the Minister; or
  - (b) if the transaction is made in circumstances, and in accordance with any condition, prescribed for the purposes of this paragraph.

- (8) This section does not apply to a transaction relating to an interest in Crown land if —
- (a) that land is set aside under, dedicated or vested for the purposes of an Act other than this Act, and the transaction is authorised under that Act;
  - (b) that interest may be created, granted, transferred or otherwise dealt with under an Act other than —
    - (i) this Act; or
    - (ii) a prescribed Act;
  - (c) an agreement, ratified or approved by another Act, has the effect that consent to the transaction was not required under section 143 of the repealed Act; or
  - (d) the transaction is a lease, sublease or licence and the approval of the Minister is not required under section 46(3b).

*[Section 18 amended by No. 59 of 2000 s. 8(1)-(5)<sup>5</sup>.]*

## **Local Government (Functions and General) Regulations 1996**

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

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

As the Bremer Bay Community Resource Centre is considered an educational facility and the members are not entitled or permitted to receive any pecuniary profit from the body's transactions, section 3.58 of the Local Government Act does not apply.

## **STRATEGIC IMPLICATIONS**

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

### **Key Focus Area Two: Service Delivery & the Environment**

*The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment by;*

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2.4 Supporting a range of community services that enhances the community fabric.

### **Key Focus Area Three: Building & Road Infrastructure**

*The Shire of Jerramungup will provide the community with quality road and building infrastructure by;*

3.1 Ensuring that our built infrastructure is well utilised and maintained.

### **FINANCIAL IMPLICATIONS**

A small cost (\$106.70) has resulted from redrawing the lease area to incorporate the extension. This was absorbed within the operating expenses associated with the Resource Centre.

### **POLICY IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council authorise the Chief Executive Officer to increase the existing lease area as shown on the attached plan being a Portion of Reserve 26384, more particularly described as Lot 649 on Deposited Plan 189638 subject to gaining consent from the Minister for Lands.

**OC120310 Moved Cr Daniel / Seconded Cr Iffla**

**That Council authorise the Chief Executive Officer to increase the existing lease area as shown on the attached plan being a Portion of Reserve 26384, more particularly described as Lot 649 on Deposited Plan 189638 subject to gaining consent from the Minister for Lands.**

**Carried 7-0**

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<b>SUBMISSION TO:</b>	<b>Administration</b>
<b>AGENDA REFERENCE:</b>	10.4.3
<b>SUBJECT:</b>	Application for Financial Assistance
<b>LOCATION/ADDRESS:</b>	Reserve 25792
<b>NAME OF APPLICANT:</b>	Gairdner Progress Association
<b>AUTHOR:</b>	Bill Parker
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	27 March 2012

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## **SUMMARY**

In November 2011, the Gairdner Progress Association was successful in gaining funding to complete works at the Gairdner Hall.

The Progress Association requires financial assistance from the Shire to complete the works and is facing timing issues relating to funding acquittals, available resources and the timeframes associated with the Shire's financial assistance program.

## **ATTACHMENT**

Application: Gairdner Progress Association  
Correspondence: Gairdner Progress Association

## **BACKGROUND**

In March 2011, the Gairdner Progress Association met with the Shire's Chief Executive Officer to discuss various works associated with the Gairdner Hall. Specifically, the Association wanted to complete paving works surrounding the building.

In response to the meeting, the group was encouraged to raise a portion of the funds before applying to the Shire for financial assistance.

Consequently, the Association applied for funding from the Foundation for Rural and Regional Renewal. An application was made for \$5,000. The application was partially successful with \$3,000 being approved for the improvement works at the Gairdner Hall.

The Association communicated its success to the Shire on 13 February 2012.

The Chief Executive Officer communicated the success of the application to Council prior to the February 2012 Ordinary Council Meeting. At this time, Councillors overwhelmingly felt that the application for financial assistance should be considered during the normal budget process which commences in April 2012 in preparation for the 2012/13 budget.

The position of Council was communicated to the Association via formal correspondence on 15 February 2012.

The Association has responded and is concerned that by waiting until July 2012, the community resources which comprise plant, labour and equipment will not be available due to seeding, winter sport commitments and harvest. The Shire has also been advised that the funding must be acquitted by 1 December 2012.

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## **CONSULTATION**

Extensive consultation has occurred with the Gairdner Progress Association on this matter.

## **COMMENT**

The process applied in this instance is typical of most community applications in that a meeting is held with the Shire, the applicant sources funding and then applies for a contribution from Council through the Community Financial Assistance Program.

This project has been well organised by the Progress Association with regular updates provided to the Shire of Jerramungup.

Where this project has faced difficulty is the speed in which the funds were approved and need to be acquitted. This is a classic example of the Foundation for Rural and Regional Renewal's timelines and objectives not meeting the Shire's statutory timelines.

Some questions have been asked in terms of the Shire's support for this project during the application process. The Shire was approached by the Foundation for Rural and Regional Renewal as the application outlined a financial contribution from the Shire. At each point of communication it was clearly outlined that the Shire can't allocate funding in advance of a statutory budget process and that a definitive contribution would be decided during the 2012/13 budget process. This perhaps was not communicated clearly enough to the Progress Association and the author takes full responsibility for this inadequacy.

## **STATUTORY REQUIREMENTS**

Section 6.8 of the Local Government Act applies to this item. This section outlines that a local government can only incur expenditure from its municipal fund when authorised in advance by a resolution of Council requiring an absolute majority.

### **6.8. Expenditure from municipal fund not included in annual budget**

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

*\* Absolute majority required.*

## **STRATEGIC IMPLICATIONS**

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

### **Key Focus Area Two: Service Delivery & the Environment**



*The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment by;*

2.5 Supporting a range of community services that enhances the community fabric.

### **Key Focus Area Three: Building & Road Infrastructure**

*The Shire of Jerramungup will provide the community with quality road and building infrastructure by;*

3.2 Ensuring that our built infrastructure is well utilised and maintained.

### **FINANCIAL IMPLICATIONS**

The requested amount from the Shire is \$7,876. This is in addition to used paving bricks that were donated that were removed during the Jerramungup Revitalisation Project.

<b>Income</b>	<b>\$</b>	<b>Expenditure</b>	<b>\$</b>
<i>FRRR grant</i>	<b>3,000</b>	<b>Contractors quote</b>	<b>\$15,876</b>
<i>Shire of Jerramungup</i>	<b>7,876</b>		
<i>Progress Assoc (community)</i>	<b>5,000</b>		
<b><i>In-Kind Support</i></b>	<b>9,475</b>	<b><i>In-Kind Support</i></b>	<b>9,475</b>
<b><i>TOTAL:</i></b>	<b>\$25,351</b>	<b><i>TOTAL:</i></b>	<b>\$25,351</b>

### **POLICY IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Absolute Majority

### **RECOMMENDATION**

That Council;

1. Supports the application made by the Gairdner Progress Association to pave and cement the verandah area at the Gairdner Hall.
2. Reallocate \$8,000 from Job No 1075 Jerramungup Church Grounds and Job No 0117 Cameron Business Centre Grounds Maintenance to Job No 112 Gairdner Hall to facilitate the works.

## **ALTERNATIVE MOTION**

**OC120311 Moved Cr Bailey / Seconded Cr Iffla**

**That Council;**

- 1. Supports the application made by the Gairdner Progress Association to pave and cement the verandah area at the Gairdner Hall.**
- 2. Reallocate \$8,000 from the Building Maintenance and Grounds budget to Job No 112 Gairdner Hall to facilitate the works.**
- 3. Agrees to supply used pavers to Gairdner Progress Association estimated at \$2,000 as a in kind donation**

**Carried by Absolute Majority 7-0**

Reason for variation; Council wanted to record the contribution of the pavers.

3.05pm Cr Daniel left the meeting.

3.08pm Cr Daniel returned to the meeting.

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<b>SUBMISSION TO:</b>	<b>Administration</b>
<b>AGENDA REFERENCE:</b>	10.4.4
<b>SUBJECT:</b>	Right to self-determination
<b>LOCATION/ADDRESS:</b>	N/A
<b>NAME OF APPLICANT:</b>	N/A
<b>AUTHOR:</b>	Bill Parker
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	7 March 2012

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## **SUMMARY**

The Shire of Jerramungup has received correspondence seeking the Council's support to preserve the right of your constituents to decide for themselves whether or not your Council should be amalgamated with another council if that is ever proposed.

## **ATTACHMENT**

Attachment 10.4.4 (a) - Correspondence from the 'Councils for Democracy'  
Attachment 10.4.4 (b) - Schedule 2.1 of the Local Government Act 1995

## **BACKGROUND**

The Mayors and President of the Town of Claremont, Town of Cottesloe, Town of Mosman Park and Shire of Peppermint Grove respectively have written to the Shire President seeking "... your Council's support to join with your fellow councils to preserve the right of your constituents to decide for themselves whether or not your Council should be amalgamated with another council if that is ever proposed."

A copy of the correspondence is attached (Attachment 10.4.4 a).

## **CONSULTATION**

Nil

## **COMMENT**

The correspondence is self-explanatory and is supported. By responding as requested, the Shire of Jerramungup will be placing this or any future State Government on notice that the poll provisions contained within the Local Government Act 1995 are seen as critical to the retention and exercise of local democracy.

## **STATUTORY REQUIREMENTS**

A copy of the relevant legislation is attached.

## **STRATEGIC IMPLICATIONS**

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

## **Key Focus Area One: Ongoing Social, Economic & Financial Viability**

The Shire of Jerramungup will continue to grow and prosper whilst maintaining its identity and sense of place.

### **FINANCIAL IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council:

1. Advise the Premier of the State of Western Australia, the Minister for Local Government, the Leader of the Opposition, the Shadow Minister for Local Government, our local members of the Legislative Assembly and Legislative Council, the Metropolitan Local Government Review Panel, and the President of the Western Australian Local Government Association, that this Council calls upon the Parliament of Western Australia to forever uphold and not dilute our constituents' right to self-determination as embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the Local Government Act 1995 (WA).
2. Request the recipient of each such letter to notify our Council by written reply as to whether they do support and will continue to support the preservation without dilution of our constituents' right to self-determination as embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the Local Government Act 1995 (WA).
3. Provide to the Secretariat of the Councils for Democracy a copy of each of our above letters and any responses that our Council receives, for use in demonstrating collective support for our constituents' right to self-determination in clauses 8, 9 and 10(2) of Schedule 2.1 of the Local Government Act 1995.

**OC120312 Moved Cr Bailey / Seconded Cr Lester**

That Council:

1. **Advise the Premier of the State of Western Australia, the Minister for Local Government, the Leader of the Opposition, the Shadow Minister for Local Government, our local members of the Legislative Assembly and Legislative Council, the Metropolitan Local Government Review Panel, and the President of the Western Australian Local Government Association, that this Council calls upon the Parliament of Western Australia to forever uphold and not dilute our constituents' right to self-determination as**

embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the Local Government Act 1995 (WA).

2. Request the recipient of each such letter to notify our Council by written reply as to whether they do support and will continue to support the preservation without dilution of our constituents' right to self-determination as embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the Local Government Act 1995 (WA).
3. Provide to the Secretariat of the Councils for Democracy a copy of each of our above letters and any responses that our Council receives, for use in demonstrating collective support for our constituents' right to self-determination in clauses 8, 9 and 10(2) of Schedule 2.1 of the Local Government Act 1995.

Carried 7-0

# **COUNCILLOR REPORTS**

**11. COUNCILLOR REPORTS**

**Cr Parsons**

Attended a WALGA Zone meeting in Gnowangerup

**Cr Iffla**

Attended a Sport & Recreation meeting in Woodanilling

**Cr Bailey**

Attended a Staff meeting / BBQ – Swamp Road project

**Cr Lester**

Attended a Staff meeting / BBQ – Swamp Road project

Attended a WALGA Zone meeting in Gnowangerup

**Cr Atkin**

Attended a Jerramungup Community Resource Centre meeting

**Cr Trevaskis**

Attended a Staff meeting / BBQ – Swamp Road project

Attended a meeting with Minister Terry Waldron and Matt Benson

**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 Bailey queried if the materials removed from the roof of the entertainment centre will be available for purchase.

Mr Parker responded that Shire staff are dividing the materials into lots and will be selling the materials either by tender or private sale.

**13. NEXT MEETING/S**

13.1 Ordinary Meeting – to be held Wednesday 18<sup>th</sup> April 2012 commencing 1.30pm at the Bremer Bay Town Hall, Bremer Bay.

**14. CLOSURE**

The President declared the meeting closed at 3.25pm.