SHIRE OF JERRAMUNGUP



MINUTES

COUNCIL ORDINARY MEETING

19th AUGUST 2015

MINUTES – 19 th AUGUST 2015				
<u>INDEX</u>				
ITEM NO.	<u>DETAILS</u>	PAGE		
WORKS				
10.1.1	Works Report	6		
FINANCE				
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		
HEALTH, B	UILDING & TOWN PLANNING			
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		
ADMIN				
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		
COUNCILL	OR REPORT			
11	Councillor Reports	66		
NEW BUSI	NESS OF AN URGENT NATURE			

SHIRE OF JERRAMUNGUP

ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, JERRAMUNGUP ON WEDNESDAY 19th 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 Leenhouwers 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. <u>DECLARATIONS OF FINANCIAL INTEREST</u>

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.

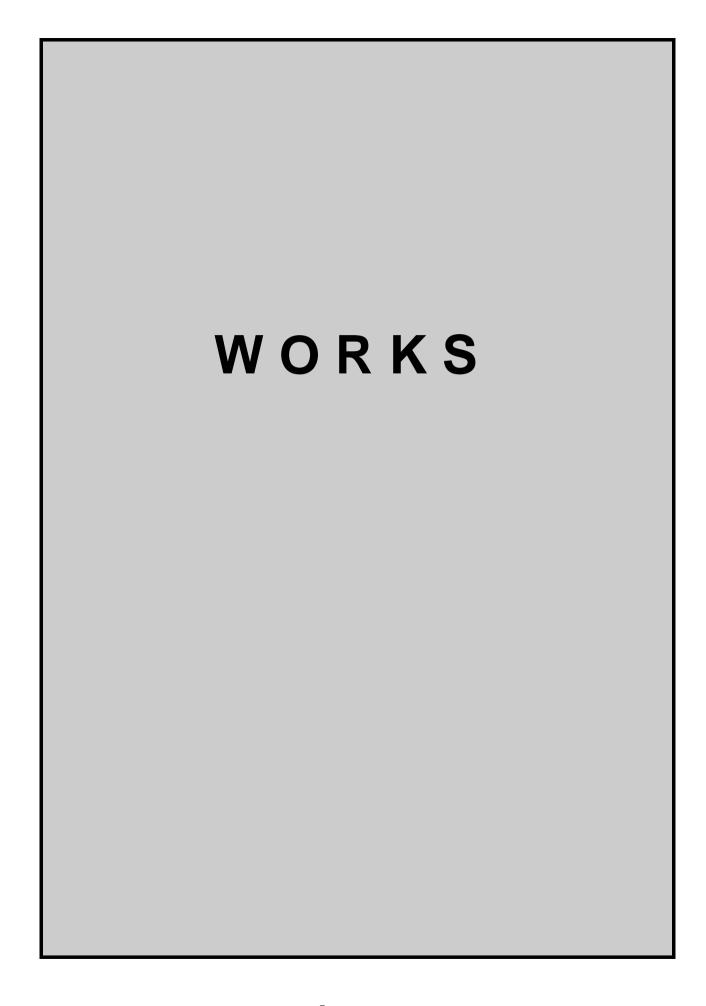
9. CONFIRMATION OF MINUTES

- 9.1 Ordinary Council Meeting held 15th July 2015
- 9.2 Special Meeting of Council held 28th July 2015

OC150801 Moved Cr Trevaskis / Seconded Cr Parsons

- That the Minutes of the Ordinary Meeting of Council held 15th July 2015 be confirmed.
- That the Minutes of the Special Meeting of Council held 28th July 2015 be confirmed.

Carried 7-0



SUBMISSION TO: Works
AGENDA REFERENCE: 10.1.1

SUBJECT: Works Report

LOCATION/ADDRESS: Shire of Jerramungup

NAME OF APPLICANT: N/A

FILE REFERENCE:

AUTHOR: Chris Miller

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 7th August 2015

ATTACHMENT

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

ROAD CONSTRUCTION

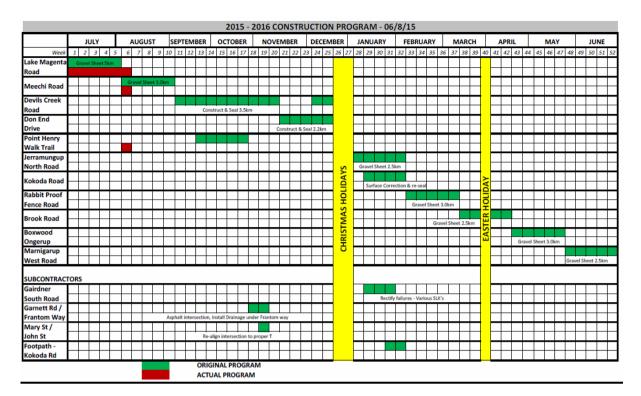
The Construction Crew has moved straight into the 2015/16 construction program in July, mobilising out to Lake Magenta Road to complete re-sheeting works. The section the Crew has been working on is 5.0km following on from the 2013/14 re-sheet, moving south towards Lake North Road.

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 reestablishing 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



SUBMISSION TO: Finance AGENDA REFERENCE: 10.2.1

SUBJECT: Accounts Payable LOCATION/ADDRESS: Shire of Jerramungup

NAME OF APPLICANT:

AUTHOR: Kiara Leeson

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 3rd August 2015

ATTACHMENT

Attachment 10.2.1 - List of Accounts Paid to 31st July 2015

BACKGROUND

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used Municipal Account Total	27900 EFT 10855 - 10867 EFT 10869 - 10870 EFT 10872 - 10900 EFT 10902 - 10934 EFT 10935 - 10935 EFT 10936 - 10963 EFT 10965 - 10982 Cheque 27901 - 27903 Cheque 27904 - 27904 Cheque 27905 - 27911 Direct Deposit	\$ 102,786.31 \$ 97,718.11 \$ 133,540.00 \$ 67,175.70 Cancelled \$ 84,095.70 \$ 50,263.09 \$ 3673.75 Cancelled \$18,047.98 \$ 41,494.46 \$ 598,795.10
Municipal Account Total		ψ 330,7 33.10
Trust Account	EFT 10868 - 10868 EFT 10871 - 10871 EFT 10901 - 10901 EFT 10964 - 10964	\$ 20.00 \$499.00 \$1672.00 \$ 68,276.25
Trust Account Total		\$ 70,467.25
Grand Total		\$669,262.35

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	REQU	IREN	JENTS
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Simple Majority

Author

RECOMMENDATION

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

	<u>SIGNATURES</u>
Author	Chief Executive Officer
OC150803	Moved Cr Daniel / Seconded Cr Parsons
	ect debits and accounts payable, totalling submitted Council on 19 th August 2015 be endorsed.
	SIGNATURES

Carried 7-0

Chief Executive Officer

SUBMISSION TO: Finance AGENDA REFERENCE: 10.2.2

SUBJECT: Monthly Financial Report LOCATION/ADDRESS: Shire of Jerramungup Charmaine Solomon

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 10th August 2015

SUMMARY

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

ATTACHMENT

Attachment 10.2.2 - Monthly Financial Report – Period Ending 31st 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 31st 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 31st July 2015 in accordance with Section 6.4 of the Local Government Act 1995.

Carried 7-0

SUBMISSION TO: Finance AGENDA REFERENCE: 10.2.3

SUBJECT: Asset Register – Write off golf course

improvements

LOCATION/ADDRESS: Shire of Jerramungup

AUTHOR: Tamara Pike

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 1st August 2015

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 1st 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 30th 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 30th 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 30th 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; and
- (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:

Class of asset	Day	
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 30th 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 30th June 2015.

Carried 7-0

SUBMISSION TO: Finance AGENDA REFERENCE: 10.2.4

SUBJECT: Animal Registration Fees

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A

AUTHOR: Charmaine Solomon / Sophie Pocock

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 7th August 2015

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 1st 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 1st 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 18th 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 28th 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:

FEES	1 Year	3 Years	Lifetime
NON-WORKING DOGS & CATS	3		
Sterilised and Micro-chipped	\$20.00	\$42.50	\$100.00
Unsterilised	\$50.00	\$120.00	\$250.00
WORKING DOGS			
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
NON-WORKING DOGS & CAT	S		
Sterilised and Micro-chipped	\$20.00	\$42.50	\$100.00
Unsterilised	\$50.00	\$120.00	\$250.00
WORKING DOGS			
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 Leenhouwers / 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
NON-WORKING DOGS & CATS	6		
Sterilised and Micro-chipped	\$20.00	\$42.50	\$100.00
Unsterilised	\$50.00	\$120.00	\$250.00

WORKING DOGS

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

Carried by Absolute Majority 7-0

HEALTH, BUILDING & TOWN PLANNING

SUBMISSION TO: Health, Building and Town Planning

AGENDA REFERENCE: 10.3.1

SUBJECT: Proposed Single House

LOCATION/ADDRESS: Lot 6 Point Henry Road, Bremer Bay NAME OF APPLICANT: AK Homes Construction Pty Ltd

FILE REFERENCE: A100676

AUTHOR: Planning Officer, Craig Pursey

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 10th August 2015

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 3000m² 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 3000m², 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 ²	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		Complies
an area where construction		
standards at or between BAL-	experienced, accredited	
12.5 and BAL-29 may apply		
requires a Bushfire Management	BAL19 construction.	

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		
Planning for Bushfire Risk Management Guidelines				
1. Location (Acceptable Solution) 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 (Acceptable Solution) 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 (Acceptable Solutions) Private Driveways with trafficable surface and minimum horizontal and vertical clearances from vegetation. Turn-around areas designed to	One driveway proposed	To be condition of approval		
accommodate type 3.4 fire appliances and to enable them to turn around safely every 500m and within 50m of a house.				
Water No specific requirements at development application stage	None detailed	N/A		

Plan prepared by a fire consultant

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. <u>Local Planning Policy 18 - Point Henry Fire Management Strategy Policy Statement (LPP18)</u>

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
New Dwellings That new dwellings being developed on existing allotments shall unless otherwise approved by Council:	The house, ancillary accommodation & Outbuilding propose:	Condition required to ensure compliance
Be constructed in accordance with AS3959 Construction of Buildings in Bushfire Prone Areas;	BAL19 construction in accordance with AS3959	
Comply with any approved fire management plan including any assigned BAL rating;	 22m BPZ minimum Proposal is in coastal wattle and low peppermint vegetation 	
Have an appropriate water supply of 20,000L;	communities.	
Have an appropriate driveway and vehicle turn around area;		
Have a 20m building protection zone; and		
Avoid areas of Kwongkan Shrubland.		
Building Envelope and Balance of Land	2	
That as part of the planning application	3000m ² consolidated envelope	Complies
for a dwelling, the building envelope is		
to be redefined and endorsed by		
Council.		

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 <u>unless the local government is satisfied that a higher</u> 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,

- 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 nonreflective 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.
- I) 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 Leenhouwers

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.

- I) 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

SUBMISSION TO: Health, Building & Town Planning

AGENDA REFERENCE: 10.3.2

SUBJECT: Proposed Field Station for Bush Heritage

Australia

Location/Address: Lot 1879 Monjebup Road, Boxwood Hill

NAME OF APPLICANT: Simon Smale

FILE REFERENCE: A70502

AUTHOR: Craig Pursey, Planning Officer

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 5th August 2015

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.

OC150808 Moved Cr Bailey / Seconded Cr Daniel

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.

- 2:38pm Mr Smale and Mrs Solomon left the meeting.
- 2.39pm Mrs Solomon returned to the meeting.

SUBMISSION TO: Health, Building & Town Planning

AGENDA REFERENCE: 10.3.3

SUBJECT: Proposed café & tourism use

LOCATION/ADDRESS: Lot 795 White Trail Road, Bremer Bay

NAME OF APPLICANT: 888 Abalone FILE REFERENCE: A1602407

AUTHOR: Craig Pursey, Planning Officer
DISCLOSURE OF ANY INTEREST: Author has an impartiality interest

DATE OF REPORT: 10th August 2015

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 21st 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 32m² deck extension with disabled toilet would increase the current deck area to 50m² 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 10m² of floor area or 1 for every four seats provided, whichever is the greater. A decking area of 50m² 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-desac 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

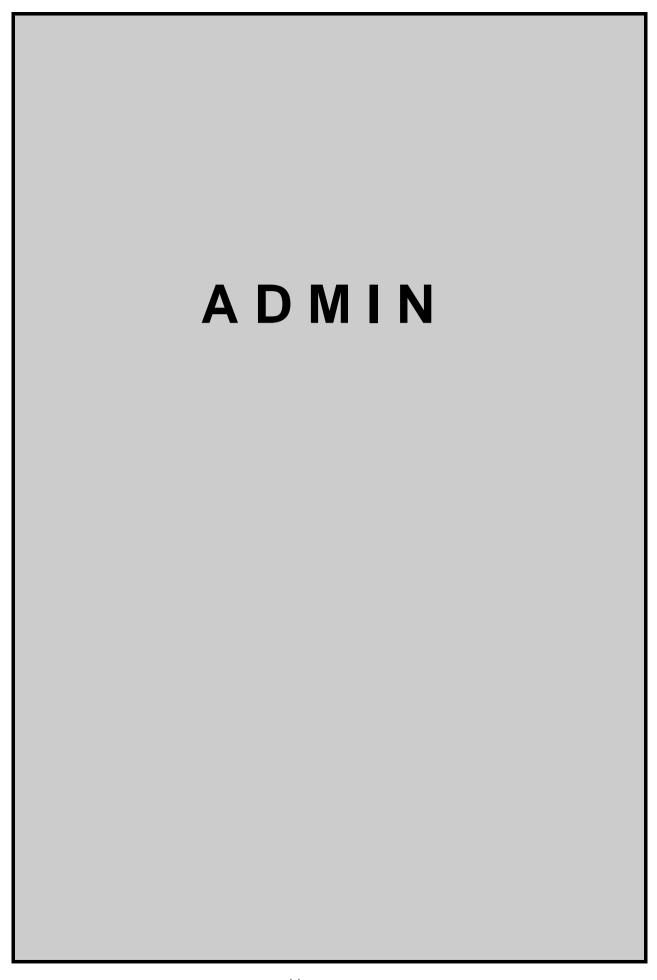
That Council,

- 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 culde-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.



AGENDA REFERENCE: 10.4.1

SUBJECT: CSRFF Application – Bremer Bay Bowling

Green

LOCATION/ADDRESS: Frantom Way Bremer Bay
NAME OF APPLICANT: Bremer Bay Sports Club

AUTHOR: Brent Bailey

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 10th August 2015

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
Total	\$338,742

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

	Satisfactory	Unsatisfactory	Not relevant
Project justification	\boxtimes		
Planned approach	\boxtimes		
Community input	\boxtimes		
Management planning	\boxtimes		
Access and opportunity	\boxtimes		
Design	\boxtimes		
Financial viability	\boxtimes		
Co-ordination	\boxtimes		
Potential to increase Physical			

activity			
Sustainability	\boxtimes		
Development applications only			
	Satisfactory	Unsatisfactory	Not relevant
Location			
Sustainability			
Co-Location			
Special Interest Group			
Soction B			
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			
Have all planning and building approvals been given for this project?	☐ Yes ⊠ No		
If no, what approvals are still outstanding?	Building License to be issued on receipt of funding approval.		
Project Rating (Please tick the		riate box to describ	e the project)
·	planned and needed by municipality		
B Well planned and needed by	planned and needed by applicant		
C Needed by municipality, mor	nore planning required		
D Needed by applicant, more p	more planning required		
E Idea has merit, more plannin	Idea has merit, more planning work needed		

LGA Comments:

Not recommended

F

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:

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			

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	\boxtimes		
Planned approach	\boxtimes		
Community input	\boxtimes		
Management planning	\boxtimes		
Access and opportunity			
Design	\boxtimes		
Financial viability	\boxtimes		
Co-ordination			
Potential to increase Physical activity			
Sustainability	\boxtimes		

Development applications only

	Satisfactory	Unsatisfactory	Not relevant
Location			
Sustainability			
Co-Location			
Special Interest Group			

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			
Have all planning and building approvals been given for this project?	☐ Yes ⊠ 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)			
Α	Well planned and needed by municipality	\boxtimes		
В	Well planned and needed by applicant			
С	Needed by municipality, more planning required			
D	Needed by applicant, more planning required			
Е	Idea has merit, more planning work needed			
F	Not recommended			

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.

AGENDA REFERENCE: 10.4.2

SUBJECT: Disposal of Surplus Plant Items

LOCATION/ADDRESS: Shire of Jerramungup

NAME OF APPLICANT: n/a

AUTHOR: Brent Bailey

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 10th August 2015

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

AGENDA REFERENCE: 10.4.3

SUBJECT: Electoral Boundary Change Submission

LOCATION/ADDRESS: Shire of Jerramungup NAME OF APPLICANT: Shire of Jerramungup

AUTHOR: Brent Bailey

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 10th August 2015

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.

AGENDA REFERENCE: 10.4.4

SUBJECT: Indexation Freeze of Financial Assistance

Grants.

LOCATION/ADDRESS: n/a
NAME OF APPLICANT: n/a

AUTHOR: Brent Bailey

DISCLOSURE OF ANY INTEREST: Nil

DATE OF REPORT: 5th August 2015

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;

- 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 Commonwealtl	n grant funding	in Council	publications,
including annual reports.			

AGENDA REFERENCE: 10.4.5

SUBJECT: Leeuwin Ocean Adventure Project

Scholarship

LOCATION/ADDRESS: Shire of Jerramungup

NAME OF APPLICANT: Lions Club AUTHOR: Brent Bailey

DISCLOSURE OF ANY INTEREST: Cr Parsons, Cr Daniel **DATE OF REPORT:** 10th August 2015

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 coinvest 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.sailleeuwin.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.

AGENDA REFERENCE: 10.4.6

SUBJECT: JOCCA Lease

LOCATION/ADDRESS: 3 Spitfire Avenue, Jerramungup NAME OF APPLICANT: Jerramungup Occasional Childcare

Association (JOCCA)

FILE REFERENCE:

AUTHOR: Charmaine Solomon

DISCLOSURE OF ANY INTEREST: Brent Bailey **DATE OF REPORT:** 10th August 2015

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 31st October 2013 with an option to renew for a further two years from the expiration date.

On 29th 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 31st October 2013 and expiring on 31st 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
 - 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).
- 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 1st November 2015 expiring 31st 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 1st November 2015 expiring 31st 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.



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 Leenhouwers

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. <u>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY LEAVE OF THE PRESIDING MEMBER</u>

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 24th August at 5.30pm.

13. <u>NEXT MEETING/S</u>

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

14. CLOSURE

The President declared the meeting closed at 3.57pm.