

SHIRE OF QUAIRADING

MINUTES OF THE ORDINARY MEETING OF COUNCIL

HELD ON THURSDAY 28TH MARCH 2013

COMMENCING AT 2.00PM

ITEM 1 ATTENDANCE AND APOLOGIES

Cr D C Richards	Shire President
Cr G W Anderson	Deputy Shire President
Cr C M Cousins	
Cr WMF Davies	
Cr T C Andrews	
Cr B K Caporn	
Cr J A Bavin	
Mr G A Fardon	Chief Executive Officer
Mrs J L Clemens	Chief Executive Officer's Secretary
Mr T J Newick	Manager of Works and Services (2.00pm to 3.17pm)
Mr R Bleakley	Economic Development Project Officer (4.06pm to 6.27pm)

Leave of Absence

Cr R C Hawksley

ITEM 2 ANNOUNCEMENTS BY THE SHIRE PRESIDENT

Cr Richards welcomed Councillors and Staff to the March Council Meeting and advised that dinner would be held at the Quairading Hotel following the Meeting.

ITEM 2.1 PUBLIC QUESTION TIME

There being no Members of the Public present, the meeting proceeded to the next item of business.

ITEM 3 DECLARATIONS OF INTEREST

Cr Bavin – Agricultural Society Shed (if item is discussed at this Meeting).

ITEM 4.1 BUSINESS ARISING AND CONFIRMATION OF MINUTES FROM THE ORDINARY MEETING OF COUNCIL HELD ON 28TH FEBRUARY 2013

Justice of the Peace Succession Plan

The Chief Executive Officer reported that correspondence had been forwarded to the current Justices of the Peace inviting their participation in an "Interest Event". Council was advised that positive feedback had been received to date.

Toapin Weir Water Usage

Cr Richards queried the progress of negotiations between the Water Corporation and Mr Cardaci for the use of water from Toapin Weir. The Chief Executive Officer advised that with recent rainfall, Mr Cardaci had not been in contact to obtain water from Toapin Weir.

New Council Residence (B34-12/13)

The Chief Executive Officer advised that the Company name “Dixon Construction” is to replace “Ramm’s Building Design”.

Workforce Planning Grant Funding

The Chief Executive Officer advised that Department of Local Government Grant Funding had been received and that “LG People” had been appointed to undertake the Workforce Planning and Report to Council.

Volunteers Recognition

Cr Anderson queried whether there had been any planning undertaken for a “Volunteers Recognition” Event. The Chief Executive Officer reported that the event had not yet been planned and that it was envisaged that all volunteers within the Community would be encouraged to attend. The Chief Executive Officer further advised that the Community Development Officer required input on the format of this Event.

167-12/13 MOVED Cr Anderson seconded Cr Andrews that Council confirm the minutes of the Ordinary Meeting of Council held on 28th February 2013 as a true and correct record of that meeting subject to the correct Company name “Dixon Construction” replacing “Ramm’s Building Design” in Motion 152-12/13 on page 8.

CARRIED 7/0

ITEM 4.2 MATTERS PENDING / ACTION SHEET

Fire Control: Volunteer Training Day

The Chief Executive Officer advised that a Volunteer Training Day is to be held in conjunction with the arrival of the two (2) new Fire Trucks in mid / late April.

Shire Newsletter

The Chief Executive Officer reported that a Shire Newsletter had been produced and distributed to local residents and non local landowners.

Grain Freight and York – Merredin Road

The Chief Executive Officer reported that funding Works on the York – Merredin Road was being administered by the Main Roads Wheatbelt North Regional Office and no details on the Scope of Works had been provided to Council to date.

Government Housing – 10 Avon Street

Cr Cousins advised that Council Employee Mr Robert Breading had been in contact with the Department handling the new untenanted residence at 10 Avon Street.

Legal Advice – Residential Land Caveat

The Chief Executive Officer advised that the advice on the wording of the Residential Land Caveat was back from Mr Harry Formby of WA Property Lawyers but the Chief Executive Officer was seeking further clarification on the issue.

ITEM 5 WORKS

Item 5.1 Works Committee Meeting held on 19th March 2013

Modifications to Junction Road and Main Road (W20-12/13)

168-12/13 MOVED Cr Davies that Council adopt Works Committee recommendation W20-12/13 that Council support in principle the Modifications to Junction Road and the York – Merredin Road, recognising that the Concept needs to be further developed.

MOTION LAPSED DUE TO LACK OF A SECONDER

Council Discussion

Cr Cousins queried whether Council was being hypocritical by undertaking “Grain Freight” road improvements on the Quairading – Cunderdin Road but still wanting to retain the Tier 3 Rail Line.

Cr Cousins queried whether Main Roads WA could force Council to have the intersection modifications undertaken. The Manager of Works and Services advised that Main Roads WA can carry out any work they want to on their own roads however there would be discussion with Council on the treatment of any intersection with a Local Road.

Cr Richards stated that Council’s long held stance is for the retention of “Grain on Rail” and this stance is to be paramount in any Roadworks proposed on the York – Merredin Road. Cr Richards stated that Council’s strong preference was retention / upgrade of the Railway Line, secondly Grain Haulage on the York – Merredin Road. It was highlighted that Council did not actively support the upgrading of the Quairading – Cunderdin Road as a Grain Haulage route however are undertaking the major road improvements support by the fully State Government funding.

Discussion ensued in regard to the stacking distances of the Rail Crossings on Ashton Street and McLennan Street intersecting with the York – Merredin Road.

The Manager of Works and Services advised that Council’s Trucks do not use the McLennan Street intersection with the Main Road due to safety / sightline issues.

169-12/13 MOVED Cr Davies seconded Cr Andrews that Council write to to Main Roads WA advising that Council does not support the Concept Modifications of the York – Merredin Road intersection with Junction Road due to it being predicated on the removal of the Tier 3 Railway line.

CARRIED 7/0

Correspondence from Quairading District High School (W21-12/13)

170-12/13 MOVED Cr Davies seconded Cr Cousins that Council adopt Works Committee recommendation W21-12/13 that: -

- 1. The Manager of Works and Services be requested to liaise with the School Principal to ascertain the Scope of the Works and to prepare a quotation for the cost of asphalt works at the Quairading District High School; and**
- 2. Quotation be brought back to the Committee for consideration and recommendation to Council.**

CARRIED 7/0

Tenders for Removal of Bridge 1001 (W22-12/13)

171-12/13 MOVED Cr Davies seconded Cr Cousins that Council adopt Works Committee recommendation W22-12/13 that: -

- 1. Delegated Authority be granted to the Chief Executive Officer to consider and determine Tenders received for Tender 04-12/13: Removal of Bridge No 1001 and Construction of New Culvert Structure subject to the Tenders being in conformity with Council's Capital Works Budget / Grain Freight Programme; and**
- 2. Delegated Authority be granted to the Chief Executive Officer to purchase other Road Infrastructure / Services subject to the items being in conformity with Council's Capital Works Budget / Grain Freight Programme.**

CARRIED BY ABSOLUTE MAJORITY 7/0

Camping at "The Groves"

Cr Richards queried whether the Police had been contacted in regard to unlawful access to "The Groves".

The Chief Executive Officer advised that the Police had not been contacted and discussion had been had with the CBH Avon Branch. It was reported that there had been a near accident between a pedestrian and CBH machinery on one evening. CBH had advised that it was not feasible to fence the accessible area along the Railway Line.

The Manager of Works and Services stated a possible solution with Council jointly funding the fencing with CBH, as warning signage is quite often not read.

Quairading – Cunderdin Road

Council was advised that the Chief Executive Officer and the Manager of Works and Services would be meeting with Landowners Kim and Brendon Stone next Thursday the 4th April 2013 to discuss road alignment and access issues for the Quairading – Cunderdin Road roadworks at the Wackett Road intersection.

Item 5.2 Other Works Matters

Cr Richards

Cr Richards enquired of the Manager of Works and Services whether extra Staff were required and cited the long timeframe to complete the reticulation works at 14 Reid Street. The Manager of Works and Services advised that he had liaised with the tenant and this work had been considered low on the priority list.

The Manager of Works and Services advised that two (2) additional Staff Members had been employed since Mr George Jason had been appointed the Waste and Recycling Facility Manager.

The Manager of Works and Services further reported that more Contractors would be utilised in the near future for the Grain Freight Funded works.

Manager of Works and Services

The Manager of Works and Services urged Councillors to support himself and the Works Staff on the roadworks being undertaken on the Quairading – Cunderdin Road.

The Manager of Works and Services advised that he was proud of the work being undertaken by Council's Works Staff with a significant increase in the Works Programme due to the Grain Freight Project.

Cr Anderson

Cr Anderson raised concern that mining exploration trucks utilising Andrews Road and Burrows Road had caused damage following recent rainfall.

Council discussion ensued in regard to Asset funding Gap on Council's Road Network and the need for the level of Road Maintenance and Gravel Sheetting to be maintained and increased in the future, not just Maintenance Grading.

Cr Bavin

Cr Bavin reported a dangerous pothole on the York – Merredin Road near the BP Roadhouse. The Manager of Works and Services undertook to inspect the area with a view to providing hazard warning.

Cr Bavin advised that she had been approached in regard to motorists using the Parking Bays designated for Disabled Parking in the Heal Street Shopping Precinct when the Drivers were not disabled. The Chief Executive Officer advised that the Parking Bays are able to be utilised by members of the public during times of injury or when transporting invalid shoppers and an ACROD Parking Permit was not required. Further advertising will be undertaken advising that the Parking Bays can be utilised by all Disabled / Injured Persons and encourage Able Drivers / Passengers to not use the Marked Bays.

3.17pm

The Shire President thanked the Manager of Works and Services for his attendance at the Meeting.

The Manager of Works and Services left the Council Meeting.

ITEM 6 INFORMATION SESSION / PERFORMANCE REVIEW

Item 6.1 Shire of Quairading / City of Melville Partnership

Discussion ensued in regard to the arrangements for the City of Melville to visit the Shire of Quairading.

Cr Richards advised that Mayor Aubrey was currently on Leave.

The Chief Executive Officer reported that the Local Government Elections in October 2013 would have to be factored into any arrangements for a visit to Quairading.

Item 6.2 South East Avon Regional Transition Group (SEARTG)

Councillors noted the Minutes of the South East Avon Regional Transition Group Meeting held in Tammin on Tuesday 5th March 2013.

Cr Caporn made comment that he had enjoyed his attendance at the Meeting and queried whether information contained on pages 22 to 33 of the Minutes in regard to the Local Government Review Board Representation could be provided to members of the public. Cr Richards advised that he could see no reason against providing the information.

The Chief Executive Officer undertook to contact the Executive Officer and other SEARTG Councils to ask whether the pages could be published verbatim. The Chief Executive Officer further commented that an "Extract of the RTG Minutes" could be taken out of context if the full background detail is not included.

Cr Caporn queried Mrs McRae's reference that the City of Greater Geraldton had experienced a 26% Rate Increase due to Amalgamation. The Chief Executive Officer undertook to research previous rate levying percentages from the City of Greater Geraldton.

Cr Richards referred to page 8 which stated that the Shire of Boyup Brook had been unable to enter into an Amalgamation Partnership with neighbouring Shires due to a lack of interest by the Neighbouring Shires but were still receiving Structural Reform funding.

Cr Davies advised that the meeting had been interesting and that the Speakers had spoken well.

The Chief Executive Officer advised that with consultation with the Shire President, the next Regional Transition Group Public Forum had been changed to Thursday 11th April 2013 due to a prior Booking in the Town Hall. Cr Bavin and Cr Anderson provided their apologies.

Cr Richards reported on his recent attendance at a "Conflict Management" Course through the WA Local Government Association and that the Course had been very beneficial.

Cr Caporn queried whether there would be any Guest Speakers at the RTG Forum. Cr Richards advised that it would be a "Local Questions and Answers" format on this occasion.

Item 6.3 Chief Executive Officer's Performance Review

Cr Anderson provided positive encouragement to the Chief Executive Officer to keep the good work going.

Cr Caporn observed that since the employment of the Economic Development Project Officer, the Chief Executive Officer had been able to reduce stress / work load as the Economic Development Project Officer was able to focus on the Major Projects.

The Chief Executive Officer advised Council that Mr Bleakley had recently successfully completed his Probation Performance Review Period and Mr Bleakley had indicated his intention to remain in Council's Employment. The Chief Executive Officer thanked Council for their support by employing the Economic Development Project Officer.

The Chief Executive Officer advised that it was nearly six (6) months before the end of the Manager of Works and Services current Employment Contract and that the Chief Executive Officer intended to enter into negotiations for a new Contract for a 3 – 5 year Term.

3.42pm

172-12/13 MOVED Cr Anderson seconded Cr Bavin that Council suspend Standing Orders for Afternoon Tea.

CARRIED 7/0

4.03pm

173-12/13 MOVED Cr Anderson seconded Cr Cousins that Standing Orders resume.

CARRIED 6/0

4.04pm

Cr Bavin returned to the Council Chambers.

ITEM 6 BUILDING

4.06pm

The Economic Development Project Officer Mr Richard Bleakley entered the Council Meeting.

Item 7.1 Building and Town Planning Development Committee Meeting held on 12th March 2013

Dental Surgery (B35-12/13)

174-12/13 MOVED Cr Caporn seconded Cr Anderson that Council adopt Building and Town Planning Development Committee recommendation B35-12/13: -

- 1. That the Dental Clinic be offered to Dr Graeme Penno of Northam Veterinary Centre for use as a Veterinary Clinic;**
- 2. That minor modifications be undertaken for conversion of the building as a Veterinary Clinic;**
- 3. That investigations be undertaken to dispose of the existing surplus dental equipment; and**
- 4. That the animal pens at the current Veterinary Clinic be relocated.**

CARRIED 7/0

Ram Shed

Cr Caporn reported that Mr Kyle Caporn had been contracted by the Quairading Stud Sheep Breeders Association to construct a Mobile Auctioneers' Stand.

Football Changerooms Sliding Glass Door

Cr Andrews declared an Impartiality Interest as a Football Club Committee Member.

The Chief Executive Officer advised that Northam Districts Glass Service had provided quotations for the replacement of the Sliding Glass Door with a Hinged Door at the Football Changerooms.

175-12/13 MOVED Cr Davies seconded Cr Cousins that Council accept the quotation from Northam Districts Glass Service for the replacement of the Sliding Glass Door with a Hinged Commercial Door at a cost of \$3,726.00 (inc GST) and proceed to order.

CARRIED 7/0

Industrial Land

Cr Caporn advised that he had spoken to local Business Operator, Mr David Kevill, who had concurred that heavier capacity power in Quairading is required. Mr Kevill had commented that spikes in the power cause problems with his computer operated machinery.

Item 7.2 Other Building Matters

The Shire President invited the Economic Development Project Officer to outline projects he was working on.

The Economic Development Project Officer reported on the following: -

- One (1) Tender had been received to date for the new Council Residence. Tenders close at midday on Tuesday 2nd April 2013.
- There had been a good response for the Hall Kitchen Upgrade Tender with seven (7) enquiries. Tenders close at midday on Wednesday 10th April 2013.
- Caravan Park Cottages / Utilities research continuing.
- Veterinary Clinic relocation.
- Town Power Upgrade is a major task with implications in terms of Regional Funding.
- Forward Capital Works Plan and Long Term Financial Plan being prepared in conjunction with the Chief Executive Officer and Consultant Mr Darren Long.

Cr Caporn queried the impact of the unsuccessful TIRF Funding Application for the Park Cottage Project.

The Chief Executive Officer advised that the Park Cottage Project had been fully Budgeted for in the 2012/2013 Year and a proportion of the Expense would be in the Current Year with Carryover Balance to the 2013/2014 Year.

176-12/13 MOVED Cr Caporn seconded Cr Cousins that Council grant delegated authority to the Building and Town Planning Development Committee to consider and determine the Tenders received for the New Council Residence, Hall Kitchen Upgrade and Caravan Park Cottages subject to the Tenders received being within Council's Budget.

Cr Caporn commented in regard to Earthquake Ratings for Council's residence at 14 Reid Street that resulted in additional costs.

CARRIED BY ABSOLUTE MAJORITY 7/0

Next Committee Meeting

The Chief Executive Officer advised that with the rescheduling of the RTG Forum, the next Building and Town Planning Development Committee Meeting would commence at 5.00pm, not 3.30pm as recorded in the Minutes.

Cr Anderson advised that he would be an apology for the Meeting. Proxy Member Cr Davies advised that he was able to attend the Meeting.

ITEM 8 FINANCE

Item 8.1 Finance and Audit Committee Meeting held on 20th March 2013

177-12/13 MOVED Cr Bavin seconded Cr Anderson that Council adopt Finance and Audit Committee recommendation F44-12/13 to F46-12/13 and F50-12/13:

Accounts for Payment – February 2013 (F44-12/13)

- 1. That Schedule of Accounts covering Municipal Vouchers 21054 to 21138 & EFT506 to EFT509 totalling \$401,713.66 be received; The balance of all other outstanding Sundry Creditors to the 28/02/2013 total \$1,327.50; and**
- 2. That Payroll payments for the month of February 2013 totalling \$162,346.56 be received; and**
- 3. That Police Licensing payments for the month of February 2013 totalling \$47,280.85 be received; and**
- 4. That Motor Charge Ltd Payment for the month of February 2013 totalling \$517.03 be received; and**
- 5. That fund transfers from Trust account to Municipal account for February 2013 totalling \$504.00 be received.**
- 6. That fund transfers to Corporate Credit Card for February 2013 totalling \$81.50 be received.**
- 7. That WestNet payments for the month of February 2013 totalling \$69.95 be received.**

Fund Balances Report – February 2013 (F44A-12/13)

The Fund Balances Report for the period ending 28th February 2013 be adopted: -

<i>Account</i>	<i>Statement Balance</i>	<i>Reconciliation Balance</i>
Municipal A/c	\$ 167,524.43	\$ 2,617,905.21
At Call - Invest.	\$ 600,000.00	
Childcare Centre	\$ 21,240.24	
Medical A/c	\$ 32,911.51	
T/Deposit 3 Mth	\$ 501,726.03	
T/Deposit 3 Mth	\$ 300,000.00	
T/Deposit 3 Mth	\$ 300,000.00	

T/Deposit 3 Mth	\$ 200,000.00	
T/Deposit 3 Mth	\$ 200,000.00	
T/Deposit 3 Mth	\$ 300,000.00	
Total Municipal	<u>\$ 2,623,402.21</u>	
Trust A/c	\$ 6,305.44	\$ 6,305.44
Police Licensing	\$ 11,256.70	\$ 11,256.70
At Call - Reserve	\$ 350,209.38	
T/Deposit-Reserve	\$ 511,801.97	\$ 2,057,392.26
T/Deposit-Reserve	\$ 1,195,380.91	

Financial Information – Statements of Income and Expenditure for the Period Ending 28th February 2013 (F45-12/13)

The Financial Statements for the period ending 28th February 2013 as presented to Council be adopted.

Financial Statements – Variation to Budget by Percentage or Value – February 2013 (F46-12/13)

The Variation to Budget by Percentage and Value noted on the Finance Statements and reported on the period ending 28th February 2013 be adopted.

Asset Management (F50-12/13)

The following documents be formally adopted by Council:

- **Roads and Bridges Asset Management Plan dated August 2012**
- **Buildings and Structures Asset Management Plan dated November 2011.**

CARRIED 7/0

Childcare Centre Attendance Without Payment Policy (F47-12/13)

178-12/13 MOVED Cr Bavin seconded Cr Anderson that Council adopt Finance and Audit Committee recommendation F47-12/13 that the Childcare Centre Attendance Without Payment Policy, as tabled below, be adopted.

1. POLICY STATEMENT

While exercising the right to refuse entry, consideration needs to be given to the circumstances surrounding the continued request for services.

The policy establishes a series of limits within which Council Officers must operate in the planning and process. In setting these limits Council is determining the general level of Risk that is acceptable for monies owed to the Childcare Centre and the impact on the Community of Quairading.

a) Manager's Role

To ensure that all Fees and Charges for all children in attendance are paid to date of attendance.

Any request for assistance in defaulting on the Fees & Charges is to be limited to 3 consecutive days or the balance of days remaining in the week, at the end of which time payment is to be made IN FULL or the Chief Executive Officers to approve any arrangement.

Any request for assistance where there is a previous record of default, that was not cleared within arrangements is to be declined.

- b) The Chief Executive Officer is authorised to negotiate with the debtor if unable to clear the outstanding debt, either an extension of time or a repayment plan. Where conditions of the extension are not complied with, the Chief Executive Officer is authorised to commence legal action and institute recovery proceedings**
- c) On request from the Childcare Centre Manager and after all attempts to have any of the outstanding debt cleared a Council Letter of Demand is to be issued requesting payment IN FULL within 21 days.**
- d) At the end of the 21 days the Chief Executive Officer may authorise the issue of a Notice of Intent to Summons if the debt remains outstanding.**
- e) At the end of the 14 days the Chief Executive Officer may authorise the issue of a summons.**

CARRIED 7/0

Statutory Compliance Audit Return (F48-12/13)

179-12/13 MOVED Cr Bavin seconded Cr Andrews that Council adopt Finance and Audit Committee recommendation F48-12/13 that the Statutory Compliance Audit Return for the period 1st January 2012 to 31st December 2012 be adopted by Council.

CARRIED BY ABSOLUTE MAJORITY 7/0

Item 8.2 Other Finance Matters

The Chair of the Finance and Audit Committee expressed appreciation to the Chief Executive Officer and the Economic Development Project Officer for the preparation of the Long Term Financial Plan.

It was resolved by Council that Mr Darren Long of DL Consulting be requested to provide a briefing to Councillors at midday prior to the next Council Meeting to be held on 24th April 2013.

The Shire President and Chief Executive Officer provided an update on the Whole of Town Power Issue and Cr Richards' recent discussions with Ausplow's owner Mr John Ryan.

ITEM 9 OTHER MEETINGS

Item 9.1 Local Emergency Management Committee Meeting held on 7th March 2013

Update of Contacts (Committee and Emergency) (LEMC2A-12/13)

180-12/13 MOVED Cr Anderson seconded Cr Davies that Council adopt Local Emergency Management Committee recommendation LEMC2A-12/13 that Mr Brad Slater be appointed as the Executive Officer for the Local Emergency Management Committee.

CARRIED 7/0

Update of Contacts (Committee and Emergency) (LEMC3-12/13)

181-12/13 MOVED Cr Davies seconded Cr Caporn that Council adopt Local Emergency Management Committee recommendation LEMC3-12/13 that Cr Anderson be appointed as a Deputy Chair for the Local Emergency Management Committee.

CARRIED 7/0

Update of Contacts (Committee and Emergency) (LEMC4-12/13)

182-12/13 MOVED Cr Anderson seconded Cr Caporn that Council adopt Local Emergency Management Committee recommendation LEMC4-12/13 that Mr Ian Wilson be appointed as the St John Ambulance Representative for the Local Emergency Management Committee and that Cr Wayne Davies be appointed as the Proxy representative for St John Ambulance.

CARRIED 7/0

Restricted Version (RV) of Local Emergency Management Arrangements (LEMA) (LEMC5-12/13)

183-12/13 MOVED Cr Andrews seconded Cr Bavin that Council adopt Local Emergency Management Committee recommendation LEMC5-12/13 that the Community Emergency Services Manager Mr Slater develop a Restricted Version (RV) Hard Copy of the LEMA to be maintained at the Shire Office and an RV Electronic Copy of the LEMA to be placed onto the Shire Website as required for Public Viewing.

CARRIED 7/0

Cr Davies queried whether the Community Emergency Services Manager could provide a Monthly Officer's Report. The Chief Executive Officer advised that Mr Slater had provided him with an emailed Report which he will have forwarded to Councillors.

The Chief Executive Officer reported that the Community Emergency Services Manager, Mr Brad Slater, would be having his Probation Performance Review next week and had indicated his desire to continue in the Position.

Item 9.2 Quairading and Districts Sport and Recreation Council Meeting held on 11th March 2013

Cr Anderson reported that the Quairading and Districts Sport and Recreation Council Meeting held on the 11th March 2013 had been very hard to Chair and was in essence a Reporting Session only.

Cr Richards commented on Groups within Community only attending meetings when their Sport required a Project and attendance dropped away when their interest or issue was met.

Cr Anderson stated that the Oval looks magnificent and requested that congratulations be forwarded to Council's Parks and Gardens Team.

Item 9.3 Medical Executive Committee Meeting held on 26th March 2013

The Chief Executive Officer advised that due to time constraints, the minutes of the Medical Executive Committee Meeting held on Tuesday 26th March 2013 had not yet been prepared for circulation.

Cr Richards and the Chief Executive Officer provided a verbal Report on the Meeting.

Council was advised that Dr Ade was very happy with his tenure in Quairading.

Council discussion ensued in regard to Succession Planning of the Medical Executive Committee with Mr Pozzi's impending departure from the Committee in 2014 and the Shire President reported that he proposed that Cr Andrews be invited to sit on the Medical Executive Committee for a trial period.

The Chief Executive Officer reported that the Medical Practice Staff were actively preparing for the upcoming Accreditation process.

Council was advised that the Practice Nurse had become a valuable asset to the Practice.

ITEM 10 REPORTS

Item 10.1 Chief Executive Officer's Report – March 2013

10.1.1 Appointment of a Replacement Environmental Health Officer

REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer Date 20th March 2013

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Nil

MATTER FOR CONSIDERATION – Formal Appointment of a Replacement Environmental Health Officer.

APPLICANT'S SUBMISSION – Nil

BACKGROUND – Council has negotiated with the Shire of York for the Shire of York to provide Health and Building Services to Council.

STATUTORY ENVIRONMENT – Appointment of Environmental Health Officers is under the Health Act 1911 subject to the approval of the Executive Director of Public Health.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Council has budgeted for Health / Building Services in the 2012/2013 year.

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Nil

COMMENT – The Shire of York has advised that it has appointed a replacement Environmental Health Officer to assist Mr Gordon Tester following the Termination of Services of Ms Judith Anderson.

Mr George Johnson will be able to provide Environmental Health Services to the Shire of Quairading.

OFFICER RECOMMENDATION

184-12/13 MOVED Cr Bavin seconded Cr Anderson that subject to the consent of the Executive Director of Public Health, Council appoint Mr George Johnson as an Environmental Health Surveyor for the Shire of Quairading and Council note the Cancellation of the Appointment of Ms Judith Anderson.

CARRIED 7/0

10.1.2 National General Assembly (NGA) 2013
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer Date 25th March 2013

DISCLOSURE OF INTEREST – Chief Executive Officer has previously attended the National General Assembly as a Council Delegate.

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION – Nomination of Council’s Delegates for the National General Assembly (NGA): 17th – 19th June 2013.

APPLICANT’S SUBMISSION – Copy of Assembly Overview attached.

BACKGROUND – Council has nominated Delegates to attend the National General Assembly in Canberra for the past 3 years and Registrations have been invited for the 2013 Assembly with Day 1 on Monday 17th June 2013.

Last year Council’s Delegates were the Shire President Cr Richards, Deputy Shire President Cr Anderson and the Chief Executive Officer.

Cr Anderson has indicated that he will be unable to attend this year’s Assembly.

STATUTORY ENVIRONMENT – N/A

POLICY IMPLICATIONS – Not Standing Policy but included in Council’s Annual Budget.

FINANCIAL IMPLICATIONS – 2012/2013 Budget (GL 0302) has provided funding for two (2) Elected Members to attend NGA and the Chief Executive Officer’s Expenses allocated to GL 0792.

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – N/A

COMMENT – Council has actively participated in the General Assembly as part of a contingent of representatives originally from SEAVROC and in recent years as part of SEARTG.

The NGA also provides an ideal opportunity to also meet with relevant Politicians and Departmental Officers on issues impacting Quairading and the SEARTG Region.

Council is requested to consider merit of being represented at National Assembly this year and if so, determining Council’s Delegate/s.

Council may also wish to consider a substitute representative for Deputy Shire President Cr Anderson.

It is estimated that Assembly Registration, Travel and Accommodation Expenses will be \$2,850 per Delegate.

Council is respectfully requested to consider this matter at this meeting to attract “Early Bird Discount” Registration Fees and to enable Flight and Accommodation Bookings at an early date as both fill quickly.

OFFICER RECOMMENDATION

Submitted for Council consideration.

Council noted that representation at the National General Assembly had been voted upon at the September 2012 Council Meeting and that as Deputy Shire President Cr Anderson was unable to attend, that a substitute Delegate be considered. Cr Richards commented that priority should be given to Councillors with long Service.

Councillors present indicated they would be unable to attend the National General Assembly.

Council resolved that subject to his acceptance, Cr Hawksley be nominated as Council’s third Delegate to attend the National General Assembly. The Chief Executive Officer undertook to contact Cr Hawksley while he was on Leave to ascertain his availability in order to secure flights and accommodation.

10.1.3 Local Government Climate Change Declaration

REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer Date 25th March 2013

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION – Council Support for Local Government Climate Change Declaration

APPLICANT’S SUBMISSION – Copy of WALGA’s Pro Forma Climate Change Declaration attached to Report

BACKGROUND – In September 2011, Council initially considered the Draft Climate Change Declaration prepared by WALGA.

Prior to any further consideration, Council publicised the Draft Declaration for a number of months without any Public Comments / Submissions being received.

Council at its June 2012 Ordinary Council Meeting, resolved as follows: -

- 1. That the issue of preparing and considering a Regional Climate Change Policy be referred to the RTG Member Councils; and*

2. *That the Regional Environment Service Officers be asked to prepare a RTG / SEAVROC Draft Policy by 20th December 2012 for consideration by Member Councils in the February 2013 Round of Meetings.*

STATUTORY ENVIRONMENT – N/A. Voluntary Declaration proposed by WALGA.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Draft Declaration on Council’s Website inviting Public Comment. Nil received.

COMMENT – Pursuant to Council’s Resolution, the SEAVROC NRM Team canvassed the Member Councils on their position on the Climate Change Declaration: -

Shire of Cunderdin

Support a unified approach from the SEAVROC Councils but did not suggest any wording change.

Shire of York

Support a unified approach from the SEAVROC Councils but did not suggest any wording change.

Shire of Brookton

In principle support for the “Local Government Climate Change Declaration” provided that resources for action are provided by the State and Federal Government. We were told that the declaration was not signed although Brookton are listed on the WALGA Website as having Adopted.

Shire of Beverley

In September last year Shire of Beverly did not support the WALGA Proposition. Officers were again advised that the Council position would not have changed since that time.

Shire of Tammin

No response.

In summary, there is broad support from Cunderdin and York to a unified approach without any further wording / amendments proposed.

Council has requested that this issue be brought back to Council for consideration and determination.

Council Discussion

Cr Richards commented that as Council employed two (2) Environment Officers, Council should take the lead for SEAVROC and provide a Draft Climate Change Declaration for consideration.

The Chief Executive Officer suggested that the Submission include the Councils of the South East Avon Regional Transition Group.

Cr Anderson expressed concern at how Council would set an appropriate reduction target for emissions from the Landfill Site.

Cr Richards commented on the Federal Government's stance to have "Zero Waste by 2020".

Cr Caporn queried the amount of room remaining at the Landfill Site. The Chief Executive Officer advised that a new cell had been constructed in the last two (2) years for Domestic Waste.

Council concurred that the district is reducing its waste to Landfill and increasing its Recycling which is a major platform addressing Climate Change.

OFFICER RECOMMENDATION

Nil

Submitted for Council consideration and determination of action required.

185-12/13 MOVED Cr Anderson seconded Cr Bavin that Council: -

- 1. Prepare a Uniform Draft Climate Change Declaration for the Shires of Cunderdin, Tammin, Quairading and York for presentation to each Council for consideration; and**
- 2. Council support the Western Australian Local Government Declaration on Climate Change subject to minor modifications as proposed by the Shire President and Chief Executive Officer.**

CARRIED 9/0

10.1.4 Correspondence – Mindax Energy Pty Ltd
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Cr Richards and Cr Anderson declared a Proximity Interest in this Item.

REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer Date 25th March 2013

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Mindax Energy Pty Ltd, West Perth

MATTERS FOR CONSIDERATION

1. Correspondence submitted for Councillors' information.
2. Determine whether Council requires a Presentation from the Company.

APPLICANT'S SUBMISSION – Relevant Correspondence attached to Report.

BACKGROUND – Mindax Energy Pty Ltd have written to Council outlining their current Exploration Drilling Program within the Shire.

Mindax Energy Pty Ltd has held Exploration Licences covering sections of the District since 2006 when exploring for minerals down the "Salt River System".

STATUTORY ENVIRONMENT – Mining Act

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Nil, at this stage.

COMMUNITY CONSULTATION – Landowners on which drilling is to occur must be advised and consent to the Company accessing their property.

COMMENT – Council’s attention is also drawn to the recent article in the “Avon Advocate” relating to Mindax’s exploration for Uranium.

Mindax Energy Pty Ltd has now corresponded with Council after the Newspaper article was published.

An opportunity is available for Council to be briefed on the Company’s activities if Council requires a Briefing.

Council is advised that at any point in time there are a number of valid / current Exploration Licences covering most sections of the District.

Council generally has not requested further information from these companies.

If a Company was to progress to a more substantial level of testing or commencement of operations Council would be requiring a Briefing and close Consultation with the relevant Company.

OFFICER RECOMMENDATION

- 1. Submitted for Council’s information.**
- 2. Determine whether Council are requiring a Presentation from the Company.**

Council noted the Chief Executive Officer’s Report and resolved not to request a Presentation from Mindax at this time.

10.1.5 South West Settlement of Native Title Claims
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer Date 25th March 2013

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Team Leader – South West Settlements, State Land Services

MATTER FOR CONSIDERATION – Council to provide comment on land identified by the Department of Regional Development and Lands under the Settlement of Native Title Claims over the South West.

APPLICANT’S SUBMISSION – Copy of letter attached to Report

BACKGROUND – Council was written to late in 2012 invited comment on land identified to date that may be considered as part of the benefits package offered to the six Claimant Groups via the South West Aboriginal Land and Sea Council (SWALSC).

The Chief Executive Officer has sought further detail on the three parcels of land identified in the first stage of the process.

Council has been granted an extension to the 31st March 2013 to provide comment.

STATUTORY ENVIRONMENT – N/A

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Parcels of land identified by the Chief Executive Officer and confirmed with Mr David Collard and Mr Clem Rodney (SWALSC).

COMMENT – The three identified parcels of land in the Quairading District at this stage are: -

Department of Regional Development and Lands

Lot Nos 35 and 36 Badjaling – Yoting Road.

2.67 hectares of Crown Land South East of the CBH Wheat Bin Facility.

South West Aboriginal Land and Sea Council

Lot No 27540 (off Old Beverley Road).

Crown Land – 1,416 square metres adjoining farmland previously owned by the Heal Family.

Further detail (digital map) will be displayed at the Council Meeting.

It is expected that any land included as part of a “Single Claim” Settlement would have to be the subject of appropriate Management Plans / Protocols.

Council is invited to provide comment back to the Department of Regional Development and Lands.

The Chief Executive Officer has identified that the Old Beverley Road property (Lot 27540) does not have made road access nor a Road Reserve nearby. The land identified is fenced and is a “Burial Ground”.

It is considered that this should not be a barrier to its inclusion but does need to be reported back to the Department.

OFFICER RECOMMENDATION

- 1. That Council acknowledge the correspondence from the Department of Regional Development and Lands.**
- 2. That Council advise that Council has no objections to the following land identified being considered as part of the South West Land Claim:**

- **Lot Nos 35 and 36 Badjaling – Yoting Road.**
- **2.67 hectares of Crown Land South East of the CBH Wheat Bin Facility.**
- **Lot No 27540 (off Old Beverley Road).**

3. Council to advise the Department of Regional Development and Lands that Lot 27540 does not have any road access and is surrounded by Freehold Farmland.

COUNCIL RECOMMENDATION

186-12/13 MOVED Cr Cousins seconded Cr Bavin:

- 1. That Council acknowledge the correspondence from the Department of Regional Development and Lands.**
- 2. That Council advise that Council has no objection to the following land identified being considered as part of the South West Land Claim subject to appropriate Management Plans being in place: -**
 - **Lot Nos 35 and 36 Badjaling – Yoting Road, being 2.67 hectares of Crown Land South East of the CBH Wheat Bin Facility.**
- 3. Council advise the Department of Regional Development and Lands that Lot 27540 does not have any road access and is surrounded by Freehold Farmland.**
- 4. The Department of Regional Development and Lands be requested to consult with adjoining Landowners.**

Cr Davies queried whether there would be any compensation for the Landowners. The Chief Executive Officer advised that the parcels are “Unallocated Crown Land” and therefore not in private ownership. This issue of access to Lot 27540 would need to be resolved by the State Government with the adjoining landowner.

Cr Richards asked whether Council should forewarn the adjoining Landholders of the South West Land Claim. The Chief Executive Officer advised that background information could be provided to the landowners.

CARRIED 7/0

Reason for Variation

Council considered that Lot 27540 should be noted as not having Road Reserve access and at this time not supported.

Item 10.2 Manager of Health and Building Services’ Report

Nil.

Item 10.3 Environment Officers’ Report

Council received the Environment Officer’s Report.

Council noted that a new Bore at the Borefield had been provided for in the current Budget and that contact would be made with the Drilling Contractor to proceed.

ITEM 11 INWARD CORRESPONDENCE

11.1 Australian Local Government Association – 2013 National General Assembly of Local Government – Call for Motions

11.2 WALGA – State Council Summary Minutes – March 2013

ITEM 12 LATE ITEMS

187-12/13 MOVED Cr Bavin seconded Cr Davies that Council consider Late Items.

CARRIED 7/0

Item 12.1 Gazettal of Authorised Officers
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer Date 27th March 2013

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Quairading

MATTER FOR CONSIDERATION – Gazettal of Authorised Officers

APPLICANT’S SUBMISSION – N/A

BACKGROUND – Council contracts Ranger Services from the Shire of York.

Council has previously appointed both Officers as “Authorised Officers” under the Dog Act.

Matthew Sharpe and Daniel William Birleson are to be gazetted as Authorised Officers for the following Acts: -

- Caravan Parks & Camping Grounds Act 1995
- Control of Vehicles (Off-Road Areas) Act 1978
- Litter Act 1979
- Local Government (Miscellaneous Provisions) Act 1960
- Bush Fires Act 1954

STATUTORY ENVIRONMENT – Nil

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – There will be a cost associated with advertising the gazettal notices in the Government Gazette

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Nil

COMMENT – To ensure uniformity within the Districts covered by Ranger Services, Council is requested to approve the appointment of both Officers for the abovementioned Acts and Subsidiary legislation.

OFFICER RECOMMENDATION

188-12/13 MOVED Cr Andrews seconded Cr Caporn that Council approve the Appointments of Matthew Sharpe and Daniel William Birleson for the following Acts:-

- **Caravan Parks & Camping Grounds Act 1995**
- **Control of Vehicles (Off-Road Areas) Act 1978**
- **Litter Act 1979**
- **Local Government (Miscellaneous Provisions) Act 1960**
- **Bush Fires Act 1954**

CARRIED BY ABSOLUTE MAJORITY 7/0

ITEM 13 TABLED ITEMS

13.1 Department of Regional Australia, Local Government, Arts and Sport – 2009-10 Local Government National Report

13.2 WALGA – 2013 Association Honours

ITEM 14 COUNCILLORS' REPORTS / BUSINESS

Cr Anderson

Cr Anderson advised that he had received requests from Ratepayers that Kerbside Recycling Bins be collected weekly and Household Waste every fortnight. It was resolved that this matter be referred to the Works Committee for consideration as part of the 12 month Review of the Waste and Recycling Facility.

Cr Anderson advised that he would be absent from the next Finance and Audit Committee Meeting.

Cr Cousins

Cr Cousins requested that the matter of the Quairading Agricultural Society Inc Account for the Construction of the Shed at the Showgrounds be revisited.

Cr Bavin declared an interest in this item.

5.57pm

Cr Bavin left the Council Chambers.

Cr Cousins advised that she had been approached by the Agricultural Society President Mr Noel Stone in regard to correspondence received from Council for the repayment of funds associated with the construction of the Quairading Agricultural Society Shed.

The Chief Executive Officer advised that he had also spoken to Mr Stone who was seeking clarification to the context of the Council Motion seeking repayment from the Quairading Agricultural Society Inc.

Cr Caporn commented that he agreed with Council's former motion that the monies as requested be reimbursed to Council.

Cr Davies advised that the Quairading Agricultural Society Inc should be held accountable and that Council had provided a long timeframe for the repayment of the requested funds.

Cr Richards commented that the Bowling Club, Tennis Club and Golf Club had applied for Self Supporting Loans through Council and that there needs to be equity with all Clubs.

The meeting noted that the Repayment Proposal was without incurring an Interest Charge.

Discussion ensued in regard to the monies paid to Digging Docker for works in the vicinity of the Showgrounds as the site drainage issue had been attended to whilst works were being undertaken in the area by Council.

189-12/13 MOVED Cr Cousins seconded Cr Caporn that Council advise the Quairading Agricultural Society: -

- **That Council will waive the “Digging Docker” charge of \$654.55 from the repayment amount; and**
- **That Council’s proposed timeframe and terms for the repayment of the monies remain unchanged.**

CARRIED 6/0

6.14pm

Cr Bavin returned to the Council Meeting.

Cr Cousins enquired if Council could consider inviting Officers from the Department of Racing, Gaming and Liquor to explain the Liquor Licensing requirements for the B&S Ball and the Quairading Agricultural Society Inc Shed.

Cr Richards commented that public safety should be considered before profit. Cr Richards also commented that the B&S is a great event being run by future leaders of the Community.

Cr Davies

Nil

Cr Andrews

Cr Andrews reported by he had been approached by Mr Adamson in regard to erosion / scouring by water runoff off Wood Street into the creekline. The Chief Executive Officer advised that the Manager of Works and Services had met with Cr Davies on this issue following similar representation from Mr Adamson and discussion at the Works Committee Meeting.

Cr Caporn

Nil

Cr Bavin

Cr Bavin requested that the Council Photographs in Council’s Reception Room be updated.

It was noted that a photograph including the Late B E Laycock OAM as Shire President was not on display.

Economic Development Project Officer

Nil

Cr Richards

Cr Richards provided information in regard to a future awarding of a Shire Freemanship.

Council resolved that the matter lay on the table at this time.

Chief Executive Officer's Secretary

The Chief Executive Officer's Secretary requested that Councillors provide a "Read Receipt" to emails when requested.

Cr Davies and Cr Cousins advised that if emails were retrieved from Iphones or Ipads, there was no "Read Receipt" function. This information was noted by the Meeting.

Cr Richards

Cr Richards sought information on the WALGA 2013 Association Honours with a view to nominating the Chief Executive Officer for "Local Government Officer Award".

6.20pm

The Chief Executive Officer's Secretary left the Council Chambers.

The Chief Executive Officer also provided advice to the meeting that Mrs Janice Clemens had recently completed 20 years of Full Time Employment with Council.

6.22pm

The Chief Executive Officer's Secretary returned to the Council Chambers and the Chief Executive Officer congratulated Mrs Clemens on her outstanding service to Council and loyalty as the Chief Executive Officer's Secretary.

The Shire President congratulated the Mrs Clemens on the recent anniversary of 20 years of Full Time Employment with Council.

The Chief Executive Officer's Secretary thanked Council for the opportunity and commented that many changes had taken place during her employment.

Chief Executive Officer

Nil

ITEM 15 NEXT ORDINARY MEETING

Wednesday 24th April 2013 in the Council Chambers commencing at 12.00 noon with a Presentation by Darren Long (to be confirmed).

ITEM 16 CLOSURE

There being no further business to discuss, the Chairman declared the meeting closed at 6.27pm.

I certify the Minutes of the Ordinary Meeting of Council held on 28th March 2013 were confirmed on 24th April 2013 as recorded on resolution no. _____

Presiding Member