

SHIRE OF QUAIRADING

MINUTES OF THE ORDINARY MEETING OF COUNCIL

HELD ON THURSDAY 30TH APRIL 2015

COMMENCING AT 2.05PM

ITEM 1 ATTENDANCE AND APOLOGIES

Cr D C Richards	Shire President
Cr B K Caporn	Deputy Shire President
Cr R C Hawksley	
Cr J A Bavin	
Cr T C Andrews	
Cr WMF Davies	
Cr C M Cousins	
Cr G J McRae	
Mr G A Fardon	Chief Executive Officer
Mr A J Merillo	Deputy Chief Executive Officer
Miss L Reynolds	Cashier/Receptionist
Mr T J Newick	Manager of Works and Services (2.05pm to 3.32pm)

Apologies

Mrs J L Clemens	Chief Executive Officer's Secretary
Mr R M Bleakley	Economic Development Project Officer

ITEM 2 ANNOUNCEMENTS BY THE SHIRE PRESIDENT

The Shire President welcomed Councillors and Staff to the April 2015 Ordinary Meeting of Council.

“Before we start our meeting, I would like to acknowledge that we are meeting on Noongar land and we pay respect to the original custodians...past, present and future and welcome you all here today for this meeting”.

The Shire President advised of the need to have the meeting completed by 5.00pm to allow Councillors and Staff to attend the New Residents Function commencing at 5.30pm at the Community Building.

ITEM 2.1 PUBLIC QUESTION TIME

Nil – No Members of the Public present.

ITEM 2.2 DEPUTATIONS

Nil

The Chief Executive Officer advised that he would be inviting the OIC of Quairading Police to the next Council Meeting, and in the event Sergeant Hickman cannot attend, Mrs Diana Ellison HSM of the Quairading Hospital would be invited to present to Council.

ITEM 3 DECLARATIONS OF INTEREST

Cr Richards declared an Interest in Item 10.1.4 being the Dissolution of South Caroling Cemetery Board.

ITEM 4.1 BUSINESS ARISING AND CONFIRMATION OF MINUTES FROM THE ORDINARY MEETING OF COUNCIL HELD ON 26TH MARCH 2015

Small Business Centre Program

The Chief Executive Officer reported that the Small Business Centre based in Corrigin would be discontinuing as of the 30th June 2015. The Meeting was advised that the State Small Business Development Corporation had agreed that the remaining funds be utilised to provide the Service until the 30th June 2015 and that Mr Michael Lynch would continue as a Contractor Consultant three days per week to the end of June.

Water Point at Airstrip

The Manager of Works and Services advised that Project Costings had now been provided to Mr A Gelmi and that the estimated cost to install the facility would be \$8,500.00 (including Council's In Kind Component).

The Chief Executive Officer advised that he had received a message of verbal acceptance of the cost from Mr A Gelmi.

Cr Andrews reported Mr A Gelmi had asked that it be relayed to the Council Meeting that he would like to project to go ahead.

Cr McRae enquired if the facility would be available for all Community Member to use.

Cr Richards suggested that the Works Committee would need to decide who the Facility is available to and create a Policy.

The Chief Executive Officer advised the costings would need to be put in writing to the Quairading Crop Consulting Group and that Council would need a formal letter of acceptance from the Group, who had previously agreed to fund the Material Component of the Project.

179-14/15 MOVED Cr Hawksley seconded Cr Caporn that a letter be sent to the Quairading Crop Consulting Group advising of the Estimated Costs of the Airstrip Water Point Project and seek their commitment in writing to be liable for the Cost of Materials.

CARRIED 8/0

Emergency Contact Information

Cr Hawksley advised that after having previously spoken against Motion 169-14/15, he now believed that Council should support the Bush Fire Volunteers' recommendation to have 000 as the Primary Emergency Contact Number.

180-14/15 MOVED Cr McRae seconded Cr Bavin that Council adopt the Fire Control Officers' Meeting recommendation FCO13-14/15 that 000 become the first point of contact by the Community in regards to an Emergency.

Cr McRae stressed the importance of the Primary phone number in Emergency situations.

CARRIED 8/0

Community Cropping

Cr Davies advised that he had not received any feedback in regard to the Community Cropping being awarded to the Football Club however, advised that he supported Council's decision given that he had not attended the Council Meeting when the decision was made.

Country Women's Association (CWA) – Quairading Branch

The Chief Executive Officer advised that CWA Quairading were making an application to State CWA to fund the Water Drink Fountain. Furthermore, that it had been suggested that the Water Drink Fountain be located near an existing Water Supply in the Main Street and modification would need to be undertaken to ensure the Water Fountain is accessible to Wheelchair and Gopher Users.

The Chief Executive Officer undertook to liaise with Works Committee members on this proposal.

Tree Farming

Cr Caporn requested that the Jerramungup Tree Cropping Policy be forwarded to all Councillors for their information.

The Chief Executive Officer confirmed that Council's Contract Planner had been instructed to commence the Review Process for Council's Tree Cropping Policy.

181-14/15 MOVED Cr Cousins seconded Bavin that the Minutes of the Ordinary Meeting of Council held on 26th March 2015 be confirmed as a true and correct record.

CARRIED 8/0

ITEM 4.2 MATTERS PENDING / ACTION SHEET

Item 2: Geographic Names Committee

The Chief Executive Officer reported that the Hon. Mia Davies would be attending Quairading for the unveiling of Winmar Road on the 15th May 2015. The event is to commence at 11.00am at the Shire Office where the installation of the additional Flag Pole for the Aboriginal Flag is to be celebrated before the Road Naming Ceremony. Council was advised that the event is open to all Community Members.

The Chief Executive Officer recommended the removal of Item 2 Geographic Names Committee from the Matters Pending Action Sheet.

182-14/15 MOVED Cr Bavin seconded Cr Davies that Item 2 the "Geographic Names Committee" listed on the Matters Pending Sheet, be removed.

CARRIED 8/0

Item 4: Badjaling Reserve

The Chief Executive Officer reported on the Badjaling Stakeholders Meeting held in Quairading on the 29th of April 2015 and advised that the Meeting was well attended and involved a Site Visit followed by a Workshop. The Outcome of the Meeting was positive and there was an Action Plan agreed to and a general willingness shown by all parties to work together.

Cr Caporn enquired whether the issue of the North Badjaling Road acting as a water barrier had been discussed.

The Chief Executive Officer advised that the water was currently flowing and that there was strong support for having the Badjaling Road (narrow seal) upgraded. The Chief Executive Officer noted that there was currently no funding to allow for the road upgrade however that the Department of Water had offered to provide \$50,000 towards improvements to the existing Culverts to alleviate the back logging of water. The Meeting noted that water was flowing from Water Seepage rather than any rainfall event.

Cr Cousins asked if the Local Elders were present at the Badjaling Stakeholders Meeting and the Chief Executive Officer confirmed who had attended at both the Badjaling and Quairading Meetings.

Item 8: Shire Newsletter/Public Information

The Chief Executive Officer advised that the next Shire Newsletter would be published in early June.

Cr Richards asked if the Shire Notice Board had been removed from the Quairading Farmers Coop. The Chief Executive Officer confirmed that it had been removed and that the Shire was now using the Cooperative's Community Notice Board by Agreement.

Cr McRae requested that the successful Swimming Pool Grant Application be publicised within the Community.

Item 9: Grain Freight and York Merredin Road

Cr Davies advised that the Cunderdin Road in the Shire of Cunderdin had now been repaired and commented on the excellent job carried out by the Contractors. Cr Davies reported that he had been advised by a Community Member that Tri Dollies were not allowed on the Cunderdin Road for Grain Freight Transport.

The Chief Executive Officer advised that he was not aware of this Restriction.

Cr Hawksley reported that he has noticed an oversized truck using the Badjaling North Road possibly for the Carting of Gypsum.

Cr Richards reported on the recent Local Government Grain Freight Meeting. The Meeting was attended by CBH Representatives who went through their "Optimisation Proposal which involves closing smaller satellite grain receival sites. The Model ensures that Farmers will not have to travel more than 72km to grain receival sites however that some Farmers would be in a situation where they would have to cart backwards to the closest site. CBH reported that its limiting factor is transporting grain from the Site where it is received to the Port and that this is something that CBH is working on". Cr Richards further noted that the CBH Board was still to ratify the Proposal.

Cr Richards advised the Meeting of a recent article in the “Farm Weekly” where it was reported that “CBH’s Mr Capper was seeking access to all of the southern freight rail network, apart from the York-Quairading and Merredin West-Trayning Tier 3 Grain Lines which were closed by Brookfield in 2013”. Cr Richards expressed his opinion that given that the Railway Lines are a Government Asset, the Government should be assisting with negotiations.

The Chief Executive Officer reported that the final drawings for the Wackett Road design had been received which has quantified the extent of Land which would be required from 3 Landholders. The Chief Executive Officer also advised that the Cubbine Road design was also to be reviewed in due course by Main Roads Consulting Engineers.

Cr Cousins enquired if Mr and Mrs Wallwork had been kept informed of Progress on the Cubbine Road design/works.

Cr Richards queried when the last Council communication with Mr and Mrs Wallwork was.

The Chief Executive Officer advised the Meeting that a letter was last sent approximately 8 months ago however that there had been no further progress since then.

Cr Richards requested that Council write to Mr and Mrs Wallwork updating them on the Corner Realignment Project.

Item 12: Horsing Around Group

Cr Caporn enquired if the Group was still functioning and if it was worthwhile Council allocating funds to the facility if it was not going to be used. Cr Caporn also enquired whether the Group could be covered under Council’s Insurance Policy.

The Deputy Chief Executive Officer advised that the Group is still functioning and that the issue the Group are having was in regard to Securing Insurance Cover for its Members.

The Chief Executive Officer advised that because the Group are regularly using the Council owned facility they would not be covered under Council’s Insurance Policy and the Group were looking at alternatives such as amalgamating with another Pony Club or becoming a Member of the State Riding Association for Insurance purposes.

Item 13: Untidy Property – 85 Heal Street

The Chief Executive Officer advised that he has requested the Manager of Health and Building to inspect the Property and proceed with appropriate action.

Item 15: Town Clock Information Board

The Chief Executive Officer reported that the Electrician has advised Council the most cost effective solution to ensure continuous power in a prolonged power outage would be to install a small generator in the vicinity of the Town Clock Information Board.

Item 17: Mobile Communication Tower – Wogerlin Rock

Cr McRae advised the Meeting that the funding from SEPWA was to allow for increased data access and that half the cost would be funded by SEPWA and the other half was required to be funded by the Farmers.

Cr McRae confirmed that she had forwarded the information as promised onto Local Member Hon. Mia Davies.

ITEM 5 WORKS

5.1 No Works Committee Meeting held in April 2015

Mitre Drains

Cr Richards recommended that Council Close the Meeting to the Public.

The Chief Executive Officer advised the Meeting that advice from Civic Legal needed to be discussed and therefore concurred that this section of the Meeting should be closed to the Public in accordance with Section 5.23 of the Local Government Act.

3.05pm

183-14/15 MOVED Cr Hawksley seconded Cr Bavin that the Meeting be closed to the Public.

CARRIED 8/0

3.22pm

184-14/15 MOVED Cr Caporn seconded Cr McRae that the Meeting be reopened to the Public.

CARRIED 8/0

185-14/15 MOVED Cr Davies seconded Cr Bavin that the Independent Engineering Report relating to Roadside Drainage be forwarded to Mr John Haythornthwaite.

CARRIED 8/0

The Manager of Works and Services advised that Miss Chelsea Wells had recently been employed as the Assistant Town Gardener and appears to be settling in well.

The Manager of Works and Services thanked the Chief Executive Officer for allowing his recent two weeks annual leave and congratulated Mr Dave Griffiths on the work carried out in his absence.

The Manager of Works and Services reported on the work currently taking place advising that the gravel carting for Carter Road was almost completed and that the Works Team were beginning to prepare for their Winter Maintenance Grading Program. Furthermore, the Works Team were awaiting approval to begin the demolition of the Caravan Park. The Manager of Works and Services also advised that the Bulk Rubbish Collection for White Goods and E-Waste had been carried out during the last week. The Manager of Works and Services highlighted that there is a Green Waste Verge Collection planned for the coming month.

The Meeting was advised by the Manager of Works and Services that the Excavator would be delivered upon the arrival of the bolt on pads. The Manager of Works and Services also reported that with regards to other Plant, the Loader had a minor repair carried out and that the new Grader was working well.

Cr McRae enquired about the Corrigin and Cunderdin Roads Line Marking.

The Chief Executive Officer advised that he had followed this issue up and that all the required information has been provided to Main Roads.

The Manager of Works and Services advised the work would likely to be carried out when Main Roads Line Marking Contractors are in the area for the marking of other Roads.

Cr McRae enquired if there had been any further progress on the Pink Lake Layby.

The Chief Executive Officer advised that a letter had been written to Main Roads however it would be subject to Main Road Budgets and Programs.

Cr Davies queried if there was any funding available for Phase 2 of the Waste and Recycling Centre.

The Manager of Works and Services advised that the cost of the Next Phase (1A) would be \$99,000 and that the Centre would need to be closed to allow the next Phase to proceed. Mr Newick advised in regard to funding, it would not be available for Phase 1A however there may possibly be some External Funding available for the next Phase 2.

3.32pm

The Manager of Works and Services, Mr Newick, left the Meeting.

186-14/15 MOVED Cr Hawksley seconded Cr Bavin that Council suspend standing orders for Afternoon Tea.

CARRIED 8/0

3.52pm

187-14/15 MOVED Cr Cousins seconded Cr Davies that standing orders resume.

CARRIED 8/0

5.2 Other Works Matters

ITEM 6 INFORMATION SESSION / PERFORMANCE REVIEW

6.1 Shire of Quairading / City of Melville Partnership

Cr Richards reported that he had sent a letter to Mayor Aubrey in regard to Councillors and Staff Visiting the City and also advising the Mayor of the Quairading Agricultural Show Date in case Councillors from the City of Melville were interested in attending again this Year.

6.2 Regional Cooperation

The Chief Executive Officer advised that there had been difficulties getting Elected Members from the three Councils together prior to Seeding. Furthermore, the Computing implementation is progressing well at both Cunderdin and Tammin and that the Deputy Chief Executive Officer has provided Council's Chart of Accounts as an example to the other Shires.

The Chief Executive Officer also reported that there had been no contact received from the Shire of Tammin since the Works Supervisor had passed away.

Council was advised that representatives of Shire of Beverley and the Beverley Community Resource Centre Committee recently attended the Quairading Community Resource Centre to view the Facility and the Chief Executive Officer reported that the Members of the Beverley Delegation were very pleased with the Facility. The Chief Executive Officer commented on the possible networking with the Shire of Beverley in the future.

6.3 Chief Executive Officer's Performance Review

Cr Richards advised that given comments received earlier during the Meeting from Cr McRae and Cr Davies, communication may be an issue. Cr Richards stated that he was in a privileged position where he is aware of how busy the Administration is and noted communication being a dilemma the Chief Executive Officer and the Administration Staff have and may need to be reminded of the importance of timely communication on occasions.

The Chief Executive Officer advised that the Chief Executive Officers Secretary and himself were working on the improvement of communication lines with the Community and acknowledged that some more consistency was needed particularly when Council Staff were absent on Leave.

Cr Davies enquired if Mr Kim Stone and Mr Brendon Stone had been contacted regarding the realignment of the Quairading – Cunderdin Road at the Wackett Road intersection.

The Chief Executive Officer advised that he had been waiting for the next design for Wackett Road Corner and now that it is to hand he would be contacting the affected Landholders.

Cr Richards advised the Meeting that each year the matter of Compliance was becoming a bigger issue. Previously the Salaries and Allowances Tribunal had requested a report on the Remuneration of the Chief Executive Officer, now the Tribunal are requesting the Remuneration and Allowances of the Chief Executive Officer and all Elected Members.

The Chief Executive Officer concurred that the Salaries and Allowance Tribunal were now requesting much more detailed information on Allowances and Expenses for Elected Members and highlighted that providing this information was compulsory.

Cr Richards asked the Chief Executive Officer's view of how much compliance has increased in the last three years. The Chief Executive Officer responded that it had well beyond doubled and that it was becoming much harder to get the "on ground" work done while ensuring that Council is meeting its Legal and Compliance requirements.

The Meeting discussed when the Executive Committee Meeting should be held. The Chief Executive Officer suggested early June and Cr Bavin advised that a Thursday or Friday was her preference and it was Cr Richards' preference that the Meeting was held on a Friday.

Cr McRae queried what the Executive Committee's role was and why all the Councillors were not involved in the Chief Executive Officer's Performance Appraisal Process. Furthermore, that after having attending a number of training sessions it appeared that normally all Councillors are involved in the appraisal process and that also a questionnaire is distributed annually to all Councillors for their feedback.

Cr Richards advised that historically an annual questionnaire was distributed however it was changed to become a monthly agenda item a number of years ago.

The Chief Executive Officer added that when a questionnaire was used the whole year was not generally taken into account by the Elected Members.

Cr McRae advised that the training she had attended had shown how the questionnaire method can be linked with the Organisation's Strategic Planning documents.

The Chief Executive Officer advised that this process is often used where there are fixed term contracts and written Key Performance Indicators in the Contracts.

The Chief Executive Officer commented that the Chief Executive Officer's Performance Review as a Standing Agenda item at Council's Ordinary Monthly Meeting is not the Industry norm but further added that it had worked well in this Council.

Cr Richard commented by having a monthly review ensured that an open line of communication is maintained and when there are issues that need to be addressed they are dealt with in a timely manner.

The Chief Executive Officer advised that he would request samples of Appraisal Processes from regional colleagues for Council to review and consider.

Cr Caporn added to the discussion, having used the annual questionnaire system when he first commenced on Council and that he thought the current arrangement worked very well in comparison.

Cr McRae advised that the enquiry was not to remove the existing system Council has in place, however, to possibly introduce the questionnaire to ensure that Council does not fall behind Industry Standards and Current Best Practise.

ITEM 7 BUILDING AND TOWN PLANNING DEVELOPMENT

Item7.1 Building and Town Planning Development Committee Meeting held on 14th April 2015

Budget Items

Cr Caporn observed that only one Budget request was received from a Club / Organisation with a firm cost estimate and that there was a need for the Clubs to do the ground work before making a Budget Submission.

Cr Andrews voiced his concern that there can big large variations in quotes and that possibly the motion should read "price estimates" rather than "firm quotes" as Council needs to know the Estimated Cost for Budget purposes.

Cr Richards enquired if the process should be changed so close to this year's Budget process.

Cr Caporn commented that the cost was still needed to be known.

188-14/15 MOVED Cr Caporn seconded Cr Hawksley that Clubs and Organisations be requested to provide firm plans and indicative costs for their Budget Requests.

CARRIED 8/0

Cr Davies advised Council that the next Building and Town Planning Meeting would commence at 4.00pm to allow time for an inspection of the Football Changerooms as well as the Sale Yards Area prior to the Meeting.

Item 7.2 Economic Development Project Officer Status Report

Nil – Officer on Annual Leave.

Item 7.3 Other Building Matters – Amended Draft Local Planning Policy for Sea Containers

The Chief Executive Officer advised that the suggestions at the Building and Town Planning Development Committee Meeting had been taken on board and that the adjustments have been made to the Draft Policy in this Agenda.

Cr Richards enquired if the Policy was in line with the Shires of Cunderdin and Tammin Policies.

The Chief Executive Officer advised that Quairading's Policy was slightly different as there is a provision included to delineate between Farms under 400 hectares and over 400 hectares.

Cr Davies suggested removing the provision in the Table for 1-400 hectare farms to allow 2 Sea Containers on all Farming Zoned land before an application to Council is required.

Cr Cousins agreed with Cr Davies given that industrial areas are allowed 2 Sea Containers before an application is required.

188a-14/15 MOVED Cr Andrews seconded Cr Davies: -

- 1. That Council adopt the following Draft Town Planning Policy on Sea Containers; and**
- 2. The Draft Policy be advertised for Public Submissions.**

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SHIRE OF QUAIRADING LOCAL PLANNING POLICY NO. __ SEA CONTAINERS

BACKGROUND

In recent years there has been an increased use of sea containers for storage purposes within the Shire of Quairading. Sea containers provide a cheap and secure way of storing goods, but have the potential to affect the amenity of an area, given their industrial design and often poor location and maintenance.

PURPOSE

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.

It is not intended that a policy be applied rigidly, but each application be examined on its merits, with the objectives and intent of the policy the key for assessment.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances the local government is open to considering (and encourages) well-presented cases having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

OBJECTIVES

The objectives of this policy are as follows:

- a. To establish clear guidelines for the placement of sea containers used for storage purposes within the Shire;
- b. To ensure that any sea container does not detract from an existing (or reasonably desired) streetscape; and
- c. To achieve a balance between providing the legitimate need for sea containers as an affordable and secure storage option, and minimising

any impact on neighbours, streetscape, the amenity of the neighbourhood or locality and of the Shire as a whole.

SCOPE

Clause 8.8 of the Quairading Town Planning Scheme No. 2 provides for the preparation of local planning policies to apply generally or to a particular class or classes of matters and throughout the Scheme area or in one or more parts of the Scheme area.

This policy will apply to the use and installation of 'sea containers' and throughout the Scheme area, that is the whole of the Shire of Quairading. For the purposes of this Policy, a Sea Container is a large metal container originally manufactured to carry goods on a sea vessel.

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

This Policy when adopted will supersede any previous policies regulating sea containers in the Shire of Quairading in accordance with Clause 8.8.3 of the Quairading Town Planning Scheme No, 3.

POLICY PROVISIONS

1. EXEMPTIONS FROM PLANNING APPROVAL

- a. A single sea container does not require Planning Approval when located on a property zoned Industrial, Rural Residential, Farming or Agricultural Industrial by the Scheme, provided it meets with the General Requirements set out below.
- b. For properties zoned Farming the placement and use of two sea containers used in conjunction with farming activities does not require Planning Approval.
- c. Sea container(s) fully enclosed within a building do not require Planning Approval.
- d. Sea container(s) placed temporarily on the property for the purposes of furniture and/or goods removal or delivery do not require Planning Approval where they are located on a property for seven (7) days or less.
- e. Notwithstanding other requirements of this policy, a sea container may be placed on a lot for the temporary storage of building materials and/or equipment during construction works, where:

- i. Building approval for the construction works has been issued and remains valid.
 - ii. The sea container is not placed on site more than two weeks prior to the commencement of construction or associated preparatory works.
 - iii. The sea container is removed from site within four weeks of the conclusion of construction works and prior to occupation of the building.
- f. Where a sea container is proposed to be modified for a dwelling, commercial or industrial building, it will be required to be assessed against the requirements of the Quairading Town Planning Scheme No. 2 and is to be modified to meet the requirements of the Building Act 2011 and any other relevant building and health legislation. Once a sea container is modified, it is no longer considered a sea container for the purposes of this policy.

2. GENERAL REQUIREMENTS

- a. Sea container(s) are to comply with the criteria set out in Table 1 of this policy.
- b. Sea container(s) may not be placed on a road, verge, footpath or other public area.
- c. Sea container(s) are to be suitably screened and/or fenced from the road frontage, public space and neighbouring properties. Where a sea container has high visibility from a public space, the installation of screening to a minimum height equal to that of the sea container may be required.
- d. Sea container(s) shall not compromise or obstruct vehicle or pedestrian sight lines, thereby creating a public safety concern.
- e. Sea container(s) shall not be located over on-site effluent disposal infrastructure or other utilities and shall be located on a flat, compacted area.
- f. Sea container(s) shall be adequately ventilated, in good repair and painted a uniform colour to complement the building to which it is ancillary.
- g. Sea container(s) will not be permitted on vacant land in the Residential, Town Centre, and Rural Townsite zones unless for the purposes of storage for construction purposes as outlined in 1 (d).

3. APPLICATION REQUIREMENTS

- a. A site plan to scale shall be submitted with the application indicating the proposed location of the sea container.
- b. Photographs of the sea container shall be submitted with the application showing that it is in good condition. If the container is in poor condition, the application may be approved with conditions requiring cladding, painting and/or screening.
- c. Details of the use of the sea container shall be submitted with the application.
- d. The application shall be accompanied by details of how it is proposed to comply with any applicable Special Requirements outlined in Table 1.

TABLE 1 – SEA CONTAINER REQUIREMENTS

Zoning	Setback	Requirements	Special Requirements
Residential	<p>In accordance with the requirements of the R-Codes.</p> <p>Shall be located to the rear of the dwelling and shall not be visible from the street.</p>	<p>Only one sea container, up to 6m in length is permitted per property.</p> <p>The sea container is considered part of the permitted maximum outbuilding floor area and shall not reduce open space requirements.</p> <p>The sea container to be used for domestic storage purposes only.</p> <p>The sea container shall not be located over septic tanks, leach drains or utilities.</p>	<p>The sea container shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property.</p> <p>The sea container shall be fitted with a pitched roof.</p> <p>Applicants shall obtain the written consent of surrounding neighbours.</p> <p>The sea container shall be screened from view of the street, including secondary streets and adjoining properties.</p>
Town Centre & Rural Townsite	<p>The sea container to be located in accordance with the provisions of the Quairading Town Planning Scheme No. 2 for the zone and any building envelope provisions.</p> <p>The sea container shall not be located in front of the building setback.</p>	<p>Only one sea container, up to 12m in length is permitted per property.</p> <p>The sea container is to be used in association with the approved use of the property.</p>	<p>The sea container shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property.</p> <p>The sea container shall be screened from view of the street, including secondary streets and adjoining properties.</p> <p>Sea container(s) shall not compromise or obstruct vehicle access ways, vehicle truncations, access to parking areas or the parking bays provided on a site.</p>

Rural Residential	<p>The sea container to be located in accordance with the provisions of the Quairading Town Planning Scheme No. 2 for the zone and any building envelope provisions.</p> <p>The sea container shall not be located in front of the building setback.</p>	<p>Only one sea container, up to 6m in length is permitted per property.</p> <p>The sea container to be used for domestic storage purposes only.</p>	<p>The sea container shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property.</p> <p>The sea container shall be screened from view of the street, including secondary streets and adjoining properties.</p>
Industrial & Agricultural Industrial	<p>The sea container to be located in accordance with the provisions of the Quairading Town Planning Scheme No. 2 for the zone.</p> <p>The sea container shall not be located in front of the building setback.</p>	<p>Generally up to two sea containers are permitted per property. Where it is proposed to utilise multiple sea containers, the application will be considered on its merits.</p> <p>The sea container is to be used in association with the approved use of the property.</p>	<p>The temporary storage of containers associated with an approved transport or storage premises is exempt from the above requirements.</p> <p>Sea container(s) shall not compromise or obstruct vehicle access ways, vehicle truncations, access to parking areas or the parking bays provided on a site.</p>
Farming	<p>The sea container to be located in accordance with the provisions of the Quairading Town Planning Scheme No. 2 for the zone.</p> <p>The sea container shall not be located in front of the building setback.</p>	<p>Up to two sea containers are permitted per property.</p> <p>Where it is proposed to utilise more than 2 sea containers, the application will be considered on its merits.</p> <p>The sea container is to be used in association with the approved use of the property.</p>	<p>Where the sea container is visible from a public place or neighbouring property, it shall be screened or painted a colour complementary to its surroundings.</p>

CARRIED 8/0

ITEM 8 FINANCE

Item 8.1 Finance and Audit Committee Meeting held on 21st April 2015

189-14/15 MOVED Cr Bavin seconded Cr Cousins that Council adopt Finance and Audit Committee recommendations F48-14/15 to F51-14/15: -

Accounts for Payment – March 2015 (F48-14/15)

1. That Schedule of Accounts covering Municipal Vouchers 22312 to 22364 & EFT2033 to EFT2111 totalling \$558,734.06 be received; The balance of all other outstanding Sundry Creditors to the 31/03/2015 total \$37,783.39; and
2. That Police Licensing payments for the month of March 2015 totalling \$62,444.05 be received (Attachment 4.1.2) ; and
3. That fund transfers to Corporate Credit Card for March 2015 totalling \$1094.75 be received (Attachment 4.1.3); and.
4. That Payroll payments for the month March 2015 totalling \$135,653.76 be received; and
5. That fund transfers from Trust account to Municipal account for March 2015 totalling \$509.70 be received; and.
6. That WestNet payments for the month of March 2015 totalling \$69.95 be received.

Fund Balances Report – March 2015 (F49-14/15)

The Fund Balances for the period ending 31st March 2015, as presented to Council be adopted.

<u>Account</u>	<u>Statement Balance</u>	<u>Reconciliation Balance</u>
Municipal A/c	\$ 47,656.10	\$ 2,042,431.86
At Call - Invest.	\$ 10,000.00	
Childcare Centre	\$ 5,633.63	
Medical A/c	\$ 30,903.20	
T/Deposit 6 Mth	\$ 300,000.00	
T/Deposit 2 Mth	\$ 400,000.00	
T/Deposit 4 Mth	\$ 450,000.00	
T/Deposit 3 Mth	\$ 300,000.00	
T/Deposit 3 Mth	\$ 500,000.00	
Total Municipal	\$ 2,044,192.93	
At Call - Reserve	\$ 279,060.84	
T/Deposit-Reserve	\$ 849,367.65	
T/Deposit-Reserve	\$ 650,741.62	
T/Deposit-Reserve	\$ 879,540.78	
T/Deposit-Reserve	\$ 1,184,305.87	
Total Reserves	\$ 3,843,016.76	\$ 3,843,016.76
Trust A/c	\$ 9,113.70	
Police Licensing	\$ 4,231.65	
Total Trust	\$ 13,345.35	\$ 12,495.35

Financial Information – Statements of Income and Expenditure for the Period Ending 31st March (F50-14/15)

The Financial Statements for the period ending 31st March 2015, as presented to Council be adopted.

Financial Statement – Variation to Budget by Percentage or Value – 31st March (F51-14/15)

The Variation to Budget by Percentage and Value noted on the Financial Statements and reported on for the period ending 31st March 2015, be adopted.

CARRIED 8/0

Concessions on Lesser Hall Hire – CWA Quairading Branch (F52-14/15)

190-14/15 MOVED Cr Bavin seconded Cr Caporn that Council adopt Finance Committee recommendation F52-14/15 that the “Local Community Group” concession available in Council’s 2014 /2015 Fees and Charges is considered adequate and that no additional concession be provided to the CWA Quairading Branch for its Lesser Hall Hiring.

CARRIED 8/0

Transfer to Reserve Fund (F53-14/15)

191-14/15 MOVED Cr Bavin seconded Cr Caporn that Council adopt Finance Committee recommendation F53-14/15 that Council transfer an additional \$400,000.00 at the end of the Financial Year from Council’s Municipal Fund to Council’s Swimming Pool Reserve Fund.

Cr McRae advised that she would be voting against the Motion as she believed that the money would be better used to access future Grant Funding for other projects.

CARRIED 7/1

8.2 Other Finance Matters

The Deputy Chief Executive Officer advised that the Auditor Mr Greg Godwin is able to attend the Shire on the 16th June 2015 to align his visit prior to the Works and Finance Committee Meetings on that evening. The Deputy Chief Executive Officer further advised that Mr Godwin had requested that his Meeting with Council be changed to a 4.00pm commencement time to allow him time to travel back to Perth that evening.

Cr Bavin advised that she would not be available for a 4.00pm Meeting.

Cr Caporn advised a Parker House Meeting was scheduled from 3.30pm to 4.30pm.

The Chief Executive Officer advised that he could arrange for the Parker House Meeting to be rescheduled to be held from 2.30pm to 3.30pm to allow for the Auditors Meeting.

ITEM 9 OTHER MEETINGS

Item 9.1 Medical Executive Committee Meeting held on 16th April 2015

192-14/15 MOVED Cr Andrews seconded Cr Hawksley that Council adopt Medical Executive Committee recommendation MEC2-14/15 that the Basic Consultation Fee for the 2015/2016 Year increase in line with CPI.

CARRIED 8/0

The Chief Executive Officer spoke of the MEC discussion in regard to CCTV use in the Reception Area of the Surgery and advised that legalities and privacy issues were currently being assessed.

Cr Andrews advised that if the internal CCTV looked over the entire Reception Area, it had been suggested to him would be a privacy concern for Staff Members.

It was reported to the Meeting that external cameras were the original intent of the Project and that the additional CCTV had been suggested by Dr Adeleye for Patient / Staff Security reasons.

Cr Davies queried if Cr Richards would continue to be a Member of the Medical Executive Committee after retirement as a Councillor.

Cr Richards responded that he enjoys being on the Committee and has experience and knowledge of the Committee but it is up to Council post the Elections.

Cr Andrews also advised that he would like to continue to be a Member of the Medical Executive Committee after he also retires as a Councillor however noted that it was not his decision to make.

Cr McRae enquired why ex Councillors have been allowed on this Committee.

The Chief Executive Officer provided a historical background on the formation and operation of the Medical Executive Committee and commented on what structure the Committee may take following the Retirement of Councillors Richards and Andrews. In particular, the Chief Executive Officer highlighted the representation of the late Mr Mick Laycock, Mr Ray Pozzi and Mr Graham Leverington on the Medical Executive Committee in recent years with Mr Ray Pozzi still sitting on the Committee.

ITEM 10 REPORTS

Item 10.1 Chief Executive Officers Report – April 2015

10.1.1 Proposed Outbuilding & Patio – 49 Murphy St, Quairading
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REPORTING OFFICER

Jacky Jurmann – Planner

Date: 6th April 2015

SENIOR OFFICER

Graeme A Fardon – Chief Executive Officer

Date: 9th April 2015

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Nicolaas & Helen Koot

MATTER FOR CONSIDERATION – An application for planning approval has been submitted to obtain permission to construct an outbuilding and patio at Lot 274 (49) Murphy Street, Quairading.

The proposed outbuilding will be 78 m² in area located in the north-west corner of the property and will be accessed from Junction Rd. The patio will be constructed across the full length of the rear of the existing dwelling.

A number of variations to Council and State policies are proposed to enable the subject development that have been assessed and considered acceptable, particularly considering the unusual shape of the lot and corner location.

It is recommended that the application be conditionally approved.

APPLICANT'S SUBMISSION – The applicant has justified the need for the outbuilding as follows:

“We live at 22 Reid Street at the moment and the shed we currently have is a 10.5 x 10.5. We have a dinghy 13 foot and a camper trailer and a caravan that need to be stored in the shed. My husband also has quite a few tools. We will also be parking his 4x4 in the shed as the carport we have will only fit 1 car in. We both have 4x4 vehicles.”

BACKGROUND – The site is located on the corner of Murphy Street and Junction Road in the north-west portion of the Quairading townsite and has an area of 1123m². Development on the lot currently consists of a single dwelling, detached garage and a rainwater tank.

It is proposed to construct a patio across the rear of the existing dwelling and an outbuilding in the north-west corner of the site.

STATUTORY ENVIRONMENT

Shire of Quairading Town Planning Scheme No. 2 (TPS2)

The property is zoned Residential with a R10/20 coding. The proposed outbuilding and patio are ancillary to the residential use of the property and is therefore consistent with the objectives of the zone.

Clause 4.9.3 of TPS2 enables conditional variation of the density code for dual coded land (such as the subject property), including advertising of the proposal. The application has not been advertised, and therefore has been assessed under the provisions applicable for the R10 coding.

Clause 7.2 of TPS2 provides for permitted development (i.e. development that does not require a planning application). The proposal does not meet the requirements of permitted development due to the variations of the provisions of the R-Codes relating to the maximum permitted floor area and building setbacks, and therefore requires Council to consider the application on its merits through the planning application process.

State Planning Policy 3.1 – Residential Design Codes (R-Codes)

The R-Codes applies to all land zoned Residential in WA. The subject land is zoned Residential and has a dual coding of R10/R20. As indicated above, in accordance with the provisions of TPS2, the application has been assessing applying the R10 coding.

Tables 1 and 2a of the R-Codes sets out the general site requirements as follows:

- Front primary street setback – 7.5m. Proposed – >7.5m. Complies – Yes.
- Secondary street setback - 3m. Proposed - varying from 1.5m to nil. Complies - No.
- Rear boundary setback – 6.0m. Proposed – nil. Complies – No.
- Side boundary setback – 1.0m. Proposed – 4.5m. Complies – Yes.
- Minimum open space – 60% or 673.8m². Proposed - 78% or 869.42m². Complies – Yes.

Clause 5.4.3 applies to outbuildings. The proposal does not comply with the deemed-to-comply provisions of this clause for the following reasons:

- The proposed floor area of the outbuilding exceeds 60m^2 (78m^2 proposed plus 39.37m^2 of existing garage = 117.37m^2);
- The proposed wall height exceeds 2.4m (3.0m proposed); and
- The setbacks of the shed proposed are closer to the secondary street frontage and rear boundary (1.5m to nil and nil proposed respectively).

Therefore, the proposal must be consistent with the design principle for outbuildings of:

“Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties”.

The visual impacts on the neighbouring properties have been considered in this assessment and it is acknowledged that there will be some visual impacts as a result of the reduced setbacks when viewed from Junction Road and the unmade laneway at the rear. It is considered that as there will be no adverse impacts on the streetscape or traffic movements, the application is consistent with the design principle for outbuildings and is recommended for approval.

Quairading Policy 10.3 – Outbuildings in the Quairading Townsite Residential Zone

Council’s current Policy regulating outbuildings advises applicants and landowners that Council will generally support the construction of outbuildings subject to:

- a) Maximum area of the garage 50m^2
Maximum area of store / home workshop 37m^2
Maximum area of garden sheds 9m^2
Only two such outbuildings to be approved in addition to fowl houses, aviaries and shade houses.
- b) The use of second hand materials will generally not be accepted by Council.
- c) Outbuildings in excess of 9m^2 in that part of Quairading south of Suburban Road should be constructed of brick or colourbond.
- d) A minimum requirement for outbuildings in excess of 37m^2 in that part of Quairading north of Suburban Road is that the building should be constructed in colourbond.

The proposed outbuilding, if considered as a combined garage and store/home workshop, also does not comply with Council’s policy for floor area that permits 87m^2 in total floor area. It does however comply with the construction requirements for colourbond.

POLICY IMPLICATIONS – Adverse policy implications can occur where planning approval is granted to a development that could set a precedent that others could use to also justify a variation to Policy.

In this case, the variation of the floor area, rear setback and height of the shed could become a precedent if it was the first time these provisions were being varied. However, this is not the case, as these provisions have been varied a number of times to meet the needs and expectations of the Shire’s residents.

It is typical in regional and rural communities for residents to have different storage needs to those residing in the City. Many residents are downsizing and/or moving from farms and require larger and higher storage needs, and as long as there are no adverse impacts on neighbours, the streetscape or amenity of the area, it is acceptable for Council to vary the provisions of the R-Codes that is a one-size fits all State-wide policy.

The review of the current Council Policy is considered particularly important to provide the community and Council a regulatory framework that will provide a basis for consistent decision making.

It is considered that the variations proposed will not have any adverse policy implications.

FINANCIAL IMPLICATIONS – There are no financial implications for the Shire associated with this proposal.

STRATEGIC IMPLICATIONS – There are no strategic implications for the Shire associated with this proposal for the construction of an outbuilding ancillary to the residential use of the property.

COMMUNITY CONSULTATION – Community consultation is required when it is considered that the proposed variations to the development standards could have an adverse impact on neighbouring landowners or occupiers. In this case, it was considered that due to the number of similar sheds in the locality that the approval of this shed was unlikely to result in any undesirable impacts on neighbouring landowners or occupiers.

COMMENT – Council's Policy for outbuildings is currently under review to ensure that it meets the community's needs and provides an appropriate regulatory framework. This review is particularly necessary due to the inconsistencies with the provisions of the R-Codes. This review is currently pending awaiting the outcome of the proposed amendments to the R-Codes that are expected to be introduced in the near the future.

OFFICER RECOMMENDATION

193-14/15 MOVED Cr Davies seconded Cr Bavin that Council APPROVE the planning application to construct an outbuilding at Lot 274 (49) Murphy Street, Quairading, subject to the following conditions of approval:

- 1. Development must be substantially commenced within two (2) years from the date of determination.**
- 2. Development must be in accordance with the stamped approved plans.**
- 3. All stormwater shall be managed on site to the satisfaction of the local government.**
- 4. The outbuilding shall not be used for habitable, commercial or industrial purposes.**
- 5. Access to the proposed outbuilding is permitted from the unmade laneway at the rear of the property.**
- 6. Advice Notes:**
 - i. If the development the subject of this approval is not substantially commenced within a period of two (2) years, or such other period as specified in the approval after the date of the decision, the approval shall lapse and be of no further effect.**
 - ii. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.**
 - iii. If an applicant is aggrieved by this decision there is a right of appeal pursuant to the provisions of Part 14 of the *Planning and Development Act 2005*. An application for review must be lodged within 28 days from the date of determination.**
 - iv. Prior to the commencement of the development hereby permitted, a Building Permit and/or Demolition Permit may be required under the provisions of the *Building Act 2011*.**

- v. **An application for a crossover or any works on the footpath / verge / unmade laneway will be required prior to carrying out any works. The applicant is advised to liaise with Shire's Manager of Works and Services.**

CARRIED 8/0

10.1.2 Draft Disability Access and Inclusion Plan 2015 - 2020 (DAIP)

REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer

Date 22nd April 2015

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION – Adoption of Draft Disability Access and Inclusion Plan 2015 - 2020

APPLICANT'S SUBMISSION – Draft DAIP attached to Report

BACKGROUND – The purpose of a DAIP is to ensure that people with disability can access services provided by public authorities in Western Australia, and to participate and be included in their community. The goal is to provide, as much as is reasonable, the same level of access as people without disability enjoy, and to ensure that people are not discriminated against on the basis of their disability.

When developing a DAIP, a local government must aim to achieve seven desired outcomes. These provide a framework for translating the principles and objectives of the Act into tangible and achievable results.

The seven desired outcomes are:

1. People with disability have the same opportunities as other people to access the services of, and any events organised by, the relevant public authority.
2. People with disability have the same opportunities as other people to access the buildings and other facilities of the relevant public authority.
3. People with disability receive information from the relevant public authority in a format that will enable them to access the information as readily as other people are able to access it.
4. People with disability receive the same level and quality of service from the staff of the relevant public authority.
5. People with disability have the same opportunities as other people to make complaints to the relevant public authority.
6. People with disability have the same opportunities as other people to participate in any public consultation by the relevant public authority.
7. People with disability have the same opportunities as other people to obtain and maintain employment.

The Disability Services Act stipulates that each local government is required to:

- Develop and implement a DAIP;
- Ensure staff, officers, agents and contractors implement the plan;
- Consult and promote the plan;
- Review and lodge the plan at least every five years;
- Report to the Commission every time the DAIP is reviewed or amended;
- Report to the Commission progress in implementing the DAIP each year; and
- Describe the DAIP activities in the Shire's Annual Report.

Council's last DAIP was for the Period 2007 – 2010.

Council Staff have also been consulted during the process of reviewing the previous Plan and preparing this Draft Plan.

STATUTORY ENVIRONMENT – Disability Services Amendment Act 2004

The Disability Services Regulation 2004, Part 10 - Procedure for Public Consultation by Authorities, states:

- “(1) For the purposes of the Act, a public authority is to undertake consultation in relation to its disability access and inclusion plan by calling for submissions either generally or specifically -
- (a) by notice in a newspaper circulating throughout the State, or in the case of a local government, the district of that local government under the Local Government Act 1995; or
 - (b) on any website maintained by or on behalf of the public authority.
- (2) Nothing in sub regulation (1) prevents a public authority from also undertaking any other consultation.”

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – Any Access Improvements are to be incorporated into Council's Corporate and Capital Plans, Specific Projects or Programs.

STRATEGIC IMPLICATIONS – Built Environment

Objectives: Improve Town Centre

Priorities: Develop access plans for buildings, roads, paths, including all users (disabled, gophers, prams).

COMMUNITY CONSULTATION – Nil to date. Consultation Period scheduled for May / June.

COMMENT – Nil

OFFICER RECOMMENDATION

194-14/15 MOVED Cr Bavin seconded Cr Hawksley: -

- 1. That Council adopt the Draft Disability Access and Inclusion Plan 2015-2020.**
- 2. Council proceed to the Public Consultation Process on the Adopted Draft Plan prior to Final Consideration by Council.**

CARRIED 8/0

10.1.3 Proposed Outbuilding – 19 Charlton Street, Quairading

REPORTING OFFICER

Jacky Jurmann – Planner

Date: 6th April 2015

SENIOR OFFICER

Graeme A Fardon – Chief Executive Officer

Date: 9th April 2015

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Salvatore Chisari

MATTER FOR CONSIDERATION – Endorsement of actions of the Chief Executive Officer in Granting Approval on the Application for Planning Approval that had been submitted to obtain permission to demolish an existing shed and construct a replacement shed at Lot 150 (19) Charlton Street, Quairading.

The proposed outbuilding will be 128m² in area and have a wall height of 3.1 metres and a total height of 4.06 metres to be used by the owner for storage and a workshop associated with the residential use of the dwelling.

It is recommended that the application be conditionally approved.

APPLICANT'S SUBMISSION – The applicant provided the following reasons for the requiring the proposed outbuilding, including the variations in the overall size and height of the proposed outbuilding necessary to cater for his storage needs and to provide a workshop area.

BACKGROUND - The site is located on Charlton Street in the north-west portion of the Quairading townsite and has an area of 3,726m². A single dwelling is located on the front portion of the site with the existing shed located midway on the north-west boundary. It is proposed to demolish the existing shed and construct the proposed outbuilding in the same location extending slightly further east into the site.

A Memo was forwarded to all Councillors on 10th April 2015 seeking comment to the contrary to Grant Planning Approval under Delegated Authority.

No Contrary Comment was made by Councillors and the Chief Executive Officer approved the Development Application.

Endorsement of this Approval is now sought.

STATUTORY ENVIRONMENT

Shire of Quairading Town Planning Scheme No. 2 (TPS2)

The property is zoned Residential with a R10/20 coding. The proposed outbuilding will be ancillary to the residential use of the property and is therefore consistent with the objectives of the zone.

Clause 4.9.3 of TPS2 enables conditional variation of the density code for dual coded land (such as the subject property), including advertising of the proposal. The application has not been advertised, and therefore has been assessed under the provisions applicable for the R10 coding.

Clause 7.2 of TPS2 provides for permitted development (i.e. development that does not require a planning application). The proposal does not meet the requirements of permitted development due to the variations of the provisions of the R-Codes relating to the maximum permitted floor area and wall height, and therefore required Council to consider the application on its merits through the planning application process.

State Planning Policy 3.1 – Residential Design Codes (R-Codes)

The R-Codes applies to all land zoned Residential in WA. The subject land is zoned Residential and has a dual coding of R10/R20. As indicated above, in accordance with the provisions of TPS2, the application has been assessing applying the R10 coding.

Tables 1 and 2a of the R-Codes sets out the general site requirements as follows:

- Front primary street setback – 7.5m. Proposed – >7.5m. Complies – Yes.
- Rear boundary setback – 6.0m. Proposed – 40m. Complies – Yes.
- Side boundary setback – 1.0m. Proposed – 1.0m. Complies – Yes.
- Minimum open space – 60% or 2,235.6m². Proposed - exceeds 60%. Complies – Yes.

Clause 5.4.3 applies to outbuildings. The proposal does not comply with the deemed-to-comply provisions of this clause for the following reasons:

- The proposed floor area of the outbuilding exceeds 60m² (128m² proposed); and
- The proposed wall height exceeds 2.4m (3.1m proposed).

Therefore, the proposal must be consistent with the design principle for outbuildings of:

“Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties”.

The visual impacts on the neighbouring properties have been considered in this assessment and taking into consideration that the proposed shed is replacing an existing shed in the same location that is slightly larger, it can be reasonably concluded that the development proposal is consistent with the design principle for outbuildings.

Quairading Policy 10.3 – Outbuildings in the Quairading Townsite Residential Zone

Council’s current Policy regulating outbuildings advises applicants and landowners that Council will generally support the construction of outbuildings subject to:

- a) Maximum area of the garage 50m²
Maximum area of store / home workshop 37m²
Maximum area of garden sheds 9m²

Only two such outbuildings to be approved in addition to fowl houses, aviaries and shade houses.

- b) The use of second hand materials will generally not be accepted by Council.
- c) Outbuildings in excess of 9m² in that part of Quairading south of Suburban Road should be constructed of brick or colourbond.
- d) A minimum requirement for outbuildings in excess of 37m² in that part of Quairading north of Suburban Road is that the building should be constructed in colourbond.

The proposed outbuilding, if considered as a combined garage and store/home workshop, also does not comply with Council's policy for floor area that permits 87m² in total floor area. It does however comply with the construction requirements for colourbond.

POLICY IMPLICATIONS – Adverse policy implications can occur where planning approval is granted to a development that could set a precedent that others could use to also justify a variation to Policy.

In this case, the variation of the floor area, rear setback and height of the shed could become a precedent if it was the first time these provisions were being varied. However, this is not the case, as these provisions have been varied a number of times to meet the needs and expectations of the Shire's residents.

It is typical in regional and rural communities for residents to have different storage needs to those residing in the City. Many residents are downsizing and/or moving from farms and require larger and higher storage needs, and as long as there are no adverse impacts on neighbours, the streetscape or amenity of the area, it is acceptable for Council to vary the provisions of the R-Codes that is a one-size fits all State-wide policy.

The review of the current Council Policy is considered particularly important to provide the community and Council a regulatory framework that will provide a basis for consistent decision making.

It was considered by the Chief Executive Officer and Town Planner that the variations proposed will not have any adverse policy implications.

FINANCIAL IMPLICATIONS – There are no financial implications for the Shire associated with this proposal.

STRATEGIC IMPLICATIONS – There are no strategic implications for the Shire associated with this proposal for the construction of an outbuilding ancillary to the residential use of the property.

COMMUNITY CONSULTATION – Community consultation is required when it is considered that the proposed variations to the development standards could have an adverse impact on neighbouring landowners or occupiers. In this case, it was considered that due to this being a replacement shed and that there are a number of similar sheds in the locality, that the approval of this shed was unlikely to result in any undesirable impacts on neighbouring landowners or occupiers.

COMMENT – Council's Policy for outbuildings is currently under review to ensure that it meets the community's needs and provides an appropriate regulatory framework. This review is particularly necessary due to the inconsistencies with the provisions of the R-Codes. This review is currently pending awaiting the outcome of the proposed amendments to the R-Codes that are expected to be introduced in the near the future.

OFFICER RECOMMENDATION

195-14/15 MOVED Cr McRae seconded Cr Davies that Council endorse the actions of the Chief Executive Officer in Approving the Planning Application under Delegated Authority to construct an outbuilding at Lot 150 (19) Charlton Street, Quairading, subject to the following conditions of approval:

1. Development must be substantially commenced within two (2) years from the date of determination.
2. Development must be in accordance with the stamped approved plans.
3. All stormwater shall be managed on site to the satisfaction of the local government.
4. The outbuilding shall not be used for habitable, commercial or industrial purposes.
5. Advice Notes:
 - i. If the development the subject of this approval is not substantially commenced within a period of two (2) years, or such other period as specified in the approval after the date of the decision, the approval shall lapse and be of no further effect.
 - ii. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
 - iii. If an applicant is aggrieved by this decision there is a right of appeal pursuant to the provisions of Part 14 of the *Planning and Development Act 2005*. An application for review must be lodged within 28 days from the date of determination.
 - iv. Prior to the commencement of the development hereby permitted, a Building Permit and/or Demolition Permit may be required under the provisions of the *Building Act 2011*.
 - v. An application for a crossover or any works on the footpath/verge will be required prior to carrying out any works. The applicant is advised to liaise with Shire's Manager of Works and Services.

CARRIED 8/0

10.1.4 Dissolution of South Caroling Cemetery Board

Cr Richards declared an Interest in the item.

196-14/15 MOVED Cr Davies seconded Cr Bavin that Cr Richards remain as the Chair of the Meeting however not take part in any discussions or voting on the item.

CARRIED 7/0

REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer

Date 24th April 2015

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Mr Geoff Stone, Secretary of the South Caroling Cemetery Board

MATTER FOR CONSIDERATION – Formal advice from the South Caroling Cemetery Board of its Intention to Cease and hand over Management of the Cemetery to Council.

APPLICANT'S SUBMISSION – Copy of relevant correspondence attached to Agenda.

BACKGROUND – Council was approached in March 2015 by the Secretary of the South Caroling Cemetery Board advising of its Intention to Dissolve the Board and subject to Council Agreement, to transfer Management responsibilities for the Cemetery to Council.

Council resolved to authorise the Chief Executive Officer to commence discussions with the South Caroling Cemetery Board with a view to Council managing the South Caroling Cemetery in the future.

I report to Council that the Chief Executive Officer met with Mr Geoff Stone and Mr Geoff Hall on the 30th March 2015 to discuss all matters relating to the Cemetery Board's proposal.

STATUTORY ENVIRONMENT – Cemeteries Act 1986, require Governor's Orders. Section 5 of the Act relates to transference of Vesting of the Cemetery. The South Caroling Cemetery Board is appointed and operates under the Cemeteries Act.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Council to incur Cost of Managing the South Caroling Cemetery however will collect any Cemetery Fees for future burials.

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Discussions held with Members of the South Caroling Cemetery Board and the Cemetery Board have subsequently held a Special Meeting.

COMMENT – I report to Council that a Special Meeting of the South Caroling Cemetery Board was held on 15th April 2015 and the Board resolved as follows: -

1. “ The South Caroling Cemetery Board be dissolved and the function of the Cemetery Board be transferred to the Shire of Quairading subject to the following points:
 - a. The Cemetery is to remain open.
 - b. All current Plot and Niche Wall Reservations to be honoured.
 - c. An Advisory Committee be set up to have input in the running of the Cemetery comprising three South Caroling residents and whoever else the Shire deems necessary.
 - d. At present we have an annual clean up at a time convenient to us, we would like to continue this practice.
2. The South Caroling Cemetery Board supports the proposal to Landgate that Reserve No 17263, being the South Caroling Cemetery, be transferred to the Shire of Quairading.
3. That remaining funds be transferred to a Trust Account held by the Shire of Quairading to be used for improvements to the South Caroling Cemetery.”

It is now recommended that Council formally resolve to agree to the transfer of Management of the Cemetery and that a joint proposal be submitted to the Minister for Local Government.

It will be necessary for the Vesting / Management Order of the Cemetery Land to be amended to be in Council's Name.

Cr Davies enquired on the funds being transferred to a Council Trust Account and noted that this was a variance to the arrangements with the now dissolved Dudinanning Cemetery Board.

The Chief Executive Officer clarified that the funds are to remain with the Shire at the request of the Board for future use at the South Caroling Cemetery.

OFFICER RECOMMENDATION

197-14/15 MOVED Cr Davies seconded Cr Andrews: -

- 1. That Council formally acknowledge that the South Caroling Cemetery Board at its Special Meeting on the 15th April 2015 resolved to Dissolve the Cemetery Board.**
- 2. That Council reaffirm its support for the proposal to transfer the Management of the South Caroling Cemetery to Council subject to ongoing support and maintenance work at the Cemetery by South Caroling Residents.**
- 3. Council write to the Minister for Local Government seeking the Dissolution of the Cemetery Board and the Transfer of Management to Council.**
- 4. Council support the proposal for up to three South Caroling Residents to sit on an Advisory Committee convened by the Chief Executive Officer to assist on future issues relating to the South Caroling Cemetery.**
- 5. Council support the proposal that any existing funds held by the Cemetery Board be transferred to a Trust Account held by the Shire of Quairading to be used for future improvements to the South Caroling Cemetery.**
- 6. Council apply to the Department of Lands for the Vesting / Management Order for Reserve No 17263 to be Vested in the name of the Shire of Quairading.**

CARRIED 7/0

10.1.5 Local Government Conference and Forum

REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer

Date 24th April 2015

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Western Australian Local Government Association (WALGA)

MATTERS FOR CONSIDERATION: -

1. Notice of Annual General Meeting and Conference Schedule.
2. Invitation to Participate in a Special Forum

APPLICANT'S SUBMISSION – Copies are attached to this Report

BACKGROUND – WALGA has written to Member Councils providing the Notice of the Annual General Meeting to be held on Wednesday 5th August 2015.

The Association has provided Procedural Information for the Preparation and Submission of Motions for the Annual General Meeting.

Secondly, an Invitation has been extended to Shire Presidents, Deputy Shire Presidents and Chief Executive Officers to the Special Forum on the morning of Wednesday 5th August 2015.

This Forum will again be in the form of “Speed Dating” with preferred State Government Department Representatives.

STATUTORY ENVIRONMENT – N/A

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – Both the Annual General Meeting and Forum are free of charge as these Meetings coincide with the Local Government Conference.

STRATEGIC IMPLICATIONS – N/A

COMMUNITY CONSULTATION – N/A

COMMENT – Council is requested to again discuss Council’s Delegates to the Conference (including these specific events) as both the Shire President and Deputy Shire President will be unable to attend this year’s Local Government Conference.

The Shire President and Chief Executive Officer have participated in the “Speed Dating” format on at least one occasion and consider that the 10 minute Time Slots are very restrictive to get meaningful information to / from State Government Departmental Representatives. On the last occasion, feedback to Council was assured on the day and ultimately no information or feedback was forthcoming.

The Chief Executive Officer considers there is merit in hearing the Policy Presentations to be made by both the Government and Opposition spokespersons.

The Chief Executive Officer elaborated that there needed to be a reaffirming of the Elected Members who would be attending the conference and acting as Council’s Voting Delegates at the Annual General Meeting. Previously Cr Davies and Cr McRae had expressed their interest to attend.

OFFICER RECOMMENDATION

Submitted for Council Consideration.

198-14/15 MOVED Cr Hawksley seconded Cr Bavin that Council’s Delegates to the Local Government Week Conference and WALGA Annual General Meeting be Cr McRae and Cr Davies.

CARRIED 8/0

10.1.6 Proposed Permanent Road Closures
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer

Date 24th April 2015

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION:

1. Public Submission Period has now closed for the Proposed Permanent Closure of Sections of 2 Roads.
2. Consideration of Submissions Received.
3. Formal Determination of Proposal and Recommendation to the Minister.

APPLICANT'S SUBMISSION – Relevant correspondence attached to this Report.

BACKGROUND – Council at its Meeting on the 25th September 2014 resolved: -

“48-14/15 MOVED Cr Hawksley seconded Cr Caporn that Council adopt Works Committee recommendation W8-14/15 that Council proceed to provide Public Notice of Council's Intention to Close Cubbine Road (between Heggerty Road and Junction Road) and Badjaling North Road (Railway Line to the York-Merredin Road) in accordance with the Land Administration Act 1997.

CARRIED 8/0”

Public Submissions were invited by Public Notice in the Avon Valley Advocate on Wednesday 25th February 2015.

Further Public Notice was given on local Notice Boards, letters to nearby Landholders, Utilities and Service Providers.

STATUTORY ENVIRONMENT – Local Government Act and more specifically Section 58 of the Land Administration Act.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS –

1. Minor Advertising Costs.
2. Ongoing inability of Council to adequately maintain the Badjaling North Road Section due to seasonal inundation.

STRATEGIC IMPLICATIONS – Sound Management of Council's Built Infrastructure.

COMMUNITY CONSULTATION – Extensive Statutory Public Notice has been undertaken.

COMMENT – Council must not resolve to make the Road Closure Requests until a Period of 35 days has elapsed from the publication in a newspaper circulating in its District of notice of motion for that Resolution and the local government has considered any objection made to it within that Period concerning the proposals set out in that Notice.

I advise that Council has received the following Written Submissions before the Submission Deadline: -

Cubbine Road Closure Proposal

Nil

Badjaling North Road (Between Badjaling – Yoting Road and York – Merredin Road)

1. Mr Alan Gelmi – Objection, attached to this Report.

Assessment of Submission

Mr Gelmi has commented on the unsuitability of the narrow bitumen road (known as Badjaling Road) which goes over the hill and connects with the York – Merredin Road and that the more effective route once Culvert Maintenance occurs is the gravel Badjaling North Road. It is noted that Mr Gelmi is also suggesting the subject Road Section be closed to the Public by the erection of boom gates between the 1st May to the 1st October each year.

It is highlighted to Council that Council has been planning for the major upgrade of the existing bitumen Badjaling Road (traversing over the hill) to accommodate modern Road Transport Configurations. Such widening improvements are subject to Roadside Vegetation Clearing negotiations with the relevant Government Authorities and to address the Cultural Issues in the Locality.

It is recommended that Mr Gelmi's Submission be considered and objection dismissed on the grounds that the Alternative Preferred Route will be upgraded by Council and Seasonal Closing / Opening of the Badjaling North Road is not supported.

Council is advised that the primary concern on this Road is that Council is unable to maintain the Road to a satisfactory standard due to regular inundation of the roadway by water and it is further highlighted that the current temporary "Road Closed" signs are being bypassed creating the situation where motorists are using the road which may be in an unsafe / untrafficable condition.

Council is also aware of discussions with the Badjaling Community / Stakeholders and the Department of Water on the removal of portion of the Roadway to enable the more efficient water flow to the Salt River System.

Council is requested to consider limited Vehicle Access from each end of the Road Section to enable Utilities to service the locality but not be open to the Motoring Public.

OFFICER RECOMMENDATION

199-14/15 MOVED Cr Hawksley seconded Cr Caporn: -

- 1. That Council formally request the Permanent Closure of the section of Cubbine Road (between Heggerty Street and Coraling Street).**
- 2. That Council formally request the Permanent Closure of the Badjaling North Road (between Badjaling – Yoting Road and York – Merredin Road) subject to limited Service Vehicle Access being permitted.**
- 3. That Council refer the Matter of Planned Improvements to the Badjaling Road to the Works Committee to progress Design, Scoping and future Funding Options.**

Cr Davies commented that the timing of the closures may be an issue and enquired if it was possible to delay the closure for 12 months.

The Chief Executive Officer expressed his concern on the condition of the Road and further advised that the seasonal closure, as suggested by M A Gelmi, was not an option given it is unknown when there is going to be a significant rain event causing inundation to the road.

The Meeting was advised by the Chief Executive Officer that there was general consensus from the Badjaling Community to close the Road but noted the need to address local access issues.

Cr McRae expressed her concern for the Road condition on the rise of the Road where School Buses and Trucks both travel. Cr McRae enquired how long it would be until the Road could be repaired.

Cr Caporn observed that water is seeping out of the ground and inundating the Badjaling North Road.

Cr Davies commented that the alternative road needs to be widened to be safe.

CARRIED 8/0

Item 10.2 Health and Building Report

Nil

Item 10.3 Environment Officer's Report

The Chief Executive Office observed that the reports are currently being written by calendar month.

10.4 Community Emergency Services Manager's Report

Nil – Officer on Annual Leave.

ITEM 11 INWARD CORRESPONDENCE

Nil

ITEM 12 LATE ITEMS

Nil

ITEM 13 TABLED ITEMS

Nil

ITEM 14 COUNCILLORS' REPORTS / BUSINESS

Cr McRae

Cr McRae thanked Council for allowing her to attend three courses recently, as well as the Kellerberrin Wheatbelt Forum.

Cr McRae also reported that there had been a good mix of attendees at the Wheatbelt Business Network Meeting in Quairading. Cr McRae advised that Mrs Caroline Robinson had suggested Council join as a member of the WBN and that membership is \$275.00 per year.

The Chief Executive Officer advised that Membership could be considered, and undertook to provide further Membership Information to all Councillors.

Cr Cousins

Cr Cousins reported having attended the ANZAC Day Service in Quairading and commended all involved on their efforts organising the Service.

Cr Davies

Cr Davies agreed with Cr Cousins' comments in regard to the ANZAC Day Service and had observed the great outcome on the Artwork and Metal Cut outs.

Cr Davies thanked Council for allowing him the opportunity to attend the Wheatbelt Conference in Kellerberrin.

Cr Davies advised that he had seen the painted Northam Silos and commented on the good idea.

Cr Davies raised the issue of Workforce and suggested purchasing suitable machinery (ie Stabiliser) and hiring our Staff and Plant to undertake Contract Services.

Cr Davies reported having recently attended a Funeral in Merredin, and advised that Merredin Cemetery has lawn between the grave sites and suggested that it be something that Council could consider for the Quairading Cemetery.

Finally, Cr Davies enquired that given York's issues with the SITA Site whether the District could be considered for the development of a Landfill Site further Eastwards.

Cr Andrews

Cr Andrews requested that there be cheat sheets for the Catering facilities in the Hall Kitchen. Cr Andrews was advised that Cheat Sheets on the Kitchen Equipment already existed.

Cr Caporn

Cr Caporn advised that he had attended the ANZAC Day Service and was very impressed with the effort and also commented that the Football Club had staged a very good ANZAC Service.

Cr Caporn also reported on there being a rise in theft around the District and in surrounding areas with items such as Fuel, Tools and in some cases Vehicles have been reported missing.

Cr Bavin

Cr Bavin reported having also attended the ANZAC Day Services and was very impressed with Travis Hooper's speech and advised that there was well in excess of 400 attendees.

Cr Hawksley

Cr Hawksley reported that he had noticed the Shire land behind BP Quairading was being used by Ag Implements for the setup of Agricultural Equipment.

Cr Hawksley also reported that he had noticed an oversized truck often travelling on the Badjaling North Road and observed that the bridge on the road had to be repaired recently.

Deputy Chief Executive Officer

Nil

Cr Richards

Cr Richards advised the Meeting that he had been in Kojonup on ANZAC Day and reported Kojonup to have had banners along the Main Street for ANZAC Day.

Chief Executive Officer

The Chief Executive Officer tabled a written request from Cr Bavin for Leave of Absence for the Council Meeting being held on 28th May 2015.

200-14/15 MOVED Cr Cousins seconded Cr Andrews that Cr Bavin be granted Leave of Absence for the Council Meeting being held on 28th May 2015.

CARRIED 7/0

ITEM 15 NEXT ORDINARY MEETING

Thursday 28th May 2015 in the Council Chambers commencing 2.00pm.

ITEM 16 CLOSURE

The Chairman thanked Councillors and Staff for their attendance and participation and declared the Meeting closed at 5.23pm.

I certify the Minutes of the Ordinary Meeting of Council held on 30th April 2015 were confirmed on 28th May 2015 as recorded on resolution no_____

Confirmed.....28/5/15