

**SHIRE OF QUAIRADING**  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
**HELD ON THURSDAY 26<sup>TH</sup> NOVEMBER 2015**  
**COMMENCING AT 2.00PM**

**ITEM 1 ATTENDANCE AND APOLOGIES**

|                        |  |
|------------------------|--|
| Cr B K Caporn          | Shire President                                    |
| Cr WMF Davies          | Deputy Shire President                             |
| Cr L R Brown           |  |
| Cr J N Haythornthwaite |  |
| Cr B McGuinness        |  |
| Cr G J McRae           |  |
| Cr W E Shenton         |  |
| Cr G B Taylor          |  |
| Mr G A Fardon          | Chief Executive Officer                            |
| Mr A J Merillo         | Deputy Chief Executive Officer                     |
| Mr T J Newick          | Manager of Works and Services (2.00pm to 2.39pm)   |
| Mrs J L Clemens        | Chief Executive Officer's Secretary                |
| Mr R M Bleakley        | Economic Development Project Officer (from 3.10pm) |

**ITEM 2 ANNOUNCEMENTS BY THE SHIRE PRESIDENT**

Shire President Cr Caporn welcomed Councillors and Staff to the November 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”.

Cr Caporn advised that a light meal would be provided in Council's Reception Room following the Council 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 2.2 DEPUTATIONS**

Nil

**ITEM 3 DECLARATIONS OF INTEREST**

Cr McRae declared an Impartiality Interest in Finance and Audit Committee Item 4.5: Community Gym and Item 4.6: Quairading Community Resource Centre – Gym Management.

## **ITEM 4.1 BUSINESS ARISING AND CONFIRMATION OF MINUTES FROM THE ORDINARY MEETING OF COUNCIL HELD ON 22<sup>ND</sup> OCTOBER 2015**

### City of Fremantle – Mayors for Peace

Cr Davies sought information on whether the EAVROC Councils were interested in “Mayors for Peace”. The Chief Executive Officer advised that he had discussed “Mayors for Peace” with the Joint Chief Executive Officer of Cunderdin and Tammin Shires and it appeared that there was little interest from either Shires.

### Syrian Refugees

Cr Haythornthwaite requested the word “Info” be amended to “Information”. The Chief Executive Officer advised that this would be changed however “Info Page” is the official title of Memos circulated by the WA Local Government Association.

Further, the Chief Executive Officer advised that WALGA were yet to circulate any updated information on the Syrian Refugee Program.

### Item 11: Kevill’s Lake

Cr Davies requested a minor change to wording on line 2 of this Item.

### Item 16: Industrial Land

Cr McRae sought an update on the Industrial Land. The Chief Executive Officer advised that Main Roads WA and Landcorp were in discussion on possible Intersection designs and what remaining land could be available for future Development.

### Waste and Recycling Facility

Cr Haythornthwaite queried the timing of a Councillors’ Tour of the Waste and Recycling Facility. The Shire President advised that a Tour would be conducted after Harvest and more likely in February 2016.

Cr Taylor sought further information on the provision of a vehicle previously at the Waste and Recycling Facility. The Chief Executive Officer reiterated what the circumstances were surrounding the Surplus Vehicle that had been utilised at the Waste and Recycling Facility and that there is no vehicle planned for the Facility in the foreseeable future.

### Abandoned Vehicles at Badjaling

Cr McRae sought an update on the abandoned vehicles at the Badjaling Community. The Chief Executive Officer reported that residents of the Community had been requested to contact the Department of Aboriginal Affairs to provide a Purchase Order for removal the abandoned vehicles.

### Railway Barracks

Cr Caporn spoke of his dislike in granting Concessions for Accommodation at the Railway Barracks and on Hirings at other Council Buildings.

Cr Caporn requested that a Washing Machine / Clothes Dryer be investigated for the Railway Barracks.

Meeting with Local Businesses

Cr McRae queried the timing of Council arranging a Function to meet with Local Businesses. The Chief Executive Officer advised that subject to whether a “New Residents” Function being held in 2016, that the event could be held in March 2016.

**76-15/16 MOVED Cr McRae seconded Cr Taylor that the Minutes of the Ordinary Meeting of Council held on 22<sup>nd</sup> October 2015 be confirmed as a true and correct record subject to the following: -**

- **Page 2 – Amendment of word “Info” to “Information”.**
- **Page 3 – Item 11: Kevill’s Lake paragraph to read “Cr Davies provided information on the land containing Kevill’s Lake and requested Councillors in contact with the family to enquire on any progress.”**

**CARRIED 8/0**

**ITEM 4.2 MATTERS PENDING / ACTION SHEET**

Item 2: Badjaling Reserve

Cr Caporn queried whether a section of the road surface on the closed portion of the Badjaling North Road had been removed yet to allow the water to flow.

The Manager of Works and Services advised that this work was yet to be undertaken but would be completed in the near future.

Item 5: Shire Newsletter / Public Information

Cr Haythornthwaite queried whether the Shire Newsletter would be produced on a regular basis in future. The Chief Executive Officer advised of several factors affecting the regular production in 2015 and this should be overcome next year with a planned production of the eNewsletter every even Month.

Item 9: Horsing Around Group

The Deputy Chief Executive Officer advised that this item was in status quo with the Horsing Around Group still investigating to secure Insurance Cover before using the facility any further.

**ITEM 5 WORKS**

**Item 5.1 Works Committee Meeting held on 17<sup>th</sup> November 2015**

Roadworks / Projects – Grain Freight Project

Cr McRae queried whether more funding had been received for the Grain Freight Project. The Manager of Works and Services provided information to the Meeting confirming that additional funding had been secured by Main Roads WA and offered to Council.

Cr Davies queried whether contact had been made with the Landholders. The Manager of Works and Services advised that contact had not been made due to the early onset of Harvest.

Cr Davies requested that all affected Landholders be advised of the increased funding and of the likely timeframe for on ground works.

### Roadworks / Projects – Caravan Park

Cr McRae sought more information on the Campers' Kitchen Design and its Budget. The Chief Executive Officer undertook to provide information to all Councillors.

#### **Item 5.2 Other Works Matters**

Cr McGuinness commented that he was looking forward to Chairing the Works Committee.

Cr Davies queried whether the Polycom product had been applied to the Quairading South Road. The Manager of Works and Services advised that the works would be undertaken in the near future.

Cr Taylor queried the timing of repairs to the road surface in McLennan Street following the replacement of the Water Pipe. The Manager of Works and Services advised that he understood from the Water Corporation Contractor that the patching of the bitumen surface would be carried out on Friday 27<sup>th</sup> November 2015.

#### **2.39pm**

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**

The Shire President advised that the Chief Executive Officer, Mrs Fardon, Mrs Caporn and himself would be attending the City of Melville Mayoral Dinner on Friday 27<sup>th</sup> November 2015.

#### **Item 6.2 East Avon Regional Cooperation**

The Chief Executive Officer reported that Mr Naylor was settling into the position of Joint Chief Executive Officer of the Shires of Cunderdin and Tammin.

The Deputy Chief Executive Officer reported that the Shire of Cunderdin was appointing a Risk Management / Governance Officer who would be able to assist with the preparation of Policies and Procedures and that agreement had been reached for Policies to be developed for the three Shires.

The Chief Executive Officer advised that there had been no formal contact between Elected Members of the three Shires.

#### **Item 6.3 Chief Executive Officer's Performance Review**

No items raised by Councillors.

The Chief Executive Officer reported on the following Staff issues: -

- Miss Sarah Van Elden has been appointed to the Cashier / Receptionist Position.
- Mrs Jess Richards, Practice Nurse, has given birth to a son.
- Mrs Green, Environment Project Officer, would soon be taking Annual Leave leading into Maternity Leave and that Contractor Mr Dylan Copeland would be engaged to provide a limited NRM Service to the Councils.

Cr Davies thanked the Chief Executive Officer for his welcoming of the new Councillors.

#### **Item 6.4 Elected Member Training**

Discussion ensued in regard to the Schedule of Elected Member Training with Elected Members nominating for their preferred Training Sessions. The Meeting resolved to defer Elected Member Training offered by Civic Legal at this time.

Council supported the “in house” Local Government Finance Training proposed to be presented by Moore Stephens for early February 2016.

#### **Item 6.5 Retiring Councillors’ Dinner**

Cr Caporn reported that a Retiring Councillors’ Function was being planned for Post February 2016 Council Meeting. Matter to be further discussed later in the Meeting.

#### **ITEM 7 BUILDING**

##### **Item 7.1 Building and Town Planning Development Committee Meeting held on 10<sup>th</sup> November 2015**

**77-15/16 MOVED Cr McRae seconded Cr Davies that Council adopt Building and Town Planning Development Committee recommendation B5-15/16 that a Pro Forma Template be prepared and circulated to all Clubs/Organisations that use Shire Facilities requesting its completion by the end of March 2016 to assist with Future Funding Requests and also as Support for External Grant Applications.**

**CARRIED 8/0**

#### Town Hall

Cr McRae reported that the Interior of the South Wall of the Hall Female Changerooms was fretting. The Deputy Chief Executive Officer advised that the wall had not been treated previously.

The Deputy Chief Executive Officer further explained treatment of the walls left unrendered to allow the moisture to escape.

Cr Brown reported that a drain from the Town Hall Kitchen had been overflowing during recent Catering for larger Functions. The Chief Executive Officer undertook to have the Plumbing inspected again.

#### **3.10pm**

The Economic Development Project Officer entered the Meeting.

#### Edwards Way Land Sale

Cr McRae queried the progress on the Signage and Marketing Campaign for Edwards Way. The Chief Executive Officer advised that this issue will be followed up with the Real Estate Agent and suggested a Reporting Date of the end of February 2016.

### Industrial / Commercial Land

Cr Haythornthwaite queried the Power Supply adequacy for future Industrial / Commercial Land. The Chief Executive Officer provided an explanation of the current Power Supply as previously provided to Council by Western Power.

Cr Davies commented on “Green Measures” on Energy Consumption and Alternative Power Generation.

The Economic Development Project Officer provided information on “End of Line / End of Grid”.

The Meeting resolved to place this Item on the Matters Pending List.

### **Item 7.2 Economic Development Project Officer Status Report**

#### Swimming Pool

The Economic Development Project Officer reported on the Tender Process for the Swimming Pool Upgrade and Power Upgrade to the vicinity.

#### Caravan Park

Cr Haythornthwaite relayed Ratepayer concerns in regard to the aesthetics of the new Ablution Block. The Economic Development Project Officer advised that this was the base structure and that patience was needed as there was further major works to complete the Building and Surrounds.

Cr Caporn advised that the Manager of Works and Services was very conscience of the public following the progress of the Project and urged everyone to await the Completion of the Project.

#### Community Gym

Cr McRae reported that the Community Gym has been well utilised since opening and encouraged Councillors and Staff to join.

Cr Haythornthwaite advised that she had used the Gym three times and found it to be an ideal facility.

The Economic Development Project Officer reported that the Security Cameras had been modified to provide improved coverage.

### **Item 7.3 Other Building Matters**

Nil

**3.43pm**

**78-15/16 MOVED Cr Haythornthwaite seconded Cr McGuinness that Council adjourn standing orders for Afternoon Tea.**

**CARRIED 8/0**

4.07pm

79-15/16 MOVED Cr McGuinness seconded Cr McRae that standing orders resume.

CARRIED 8/0

**ITEM 8 FINANCE**

**Item 8.1 Finance and Audit Committee Meeting held on 17<sup>th</sup> November 2015**

Chairperson Cr McRae thanked the Deputy Chief Executive Officer for his assistance and detailed explanation of the Financial Statements at the Finance and Audit Committee Meeting.

**80-15/16 MOVED Cr McRae seconded Cr Haythornthwaite that Council adopt Finance and Audit Committee Recommendations F18-15/16 to F21-15/16:**

Accounts for Payment – October 2015 (F18-15/16)

1. That Schedule of Accounts covering Municipal Vouchers 22645 to 22685 & EFT2559 to EFT2642 & DD11656.1.1 to DD11657.11 totalling \$309,572.77 be received; The balance of all other outstanding Sundry Creditors to the 31/10/2015 total \$114,063.40; and
2. That Police Licensing payments for the month of October 2015 totalling \$63,236.15 be received (Attachment 4.1.2) ; and
3. That fund transfers to Corporate Credit Card for October 2015 totalling \$869.90 be received (Attachment 4.1.3); and.
4. That Payroll payments for the month October 2015 totalling \$161,659.08 be received; and
5. That fund transfers from Trust account to Municipal account for October 2015 totalling \$3,291.64.00 be received; and
6. That the WestNet payment for the month of October 2015 totalling \$69.95 be received.

Fund Balances Report – October 2015 (F19-15/16)

The Fund Balances for the period ending 31<sup>st</sup> October 2015, as presented to Council be adopted.

| <u>Account</u>         | <u>Statement Balance</u> | <u>Reconciliation Balance</u> |
|------------------------|--------------------------|-------------------------------|
| Municipal A/c          | \$ 201,108.42            | \$ 2,894,361.66               |
| At Call - Invest.      | \$ 150,000.00            |                               |
| Childcare Centre       | \$ 4,781.91              |                               |
| Medical A/c            | \$ 38,653.61             |                               |
| T/Deposit 4 Mth        | \$ 200,000.00            |                               |
| T/Deposit 3 Mth        | \$ 350,000.00            |                               |
| T/Deposit 2 Mth        | \$ 300,000.00            |                               |
| T/Deposit 2 Mth        | \$ 300,000.00            |                               |
| T/Deposit 4 Mth        | \$ 300,000.00            |                               |
| T/Deposit 4 Mth        | \$ 400,000.00            |                               |
| T/Deposit 4 Mth        | \$ 350,000.00            |                               |
| T/Deposit 2 Mth        | \$ 300,000.00            |                               |
| <b>Total Municipal</b> | <b>\$ 2,894,543.94</b>   |                               |

|                       |                        |                        |
|-----------------------|------------------------|------------------------|
| At Call - Reserve     | \$ 156,134.73          |                        |
| T/Deposit-Reserve     | \$ 855,469.13          |                        |
| T/Deposit-Reserve     | \$ 1,233,694.75        |                        |
| T/Deposit-Reserve     | \$ 885,859.02          |                        |
| T/Deposit-Reserve     | \$ 1,192,962.66        |                        |
| <b>Total Reserves</b> | <b>\$ 4,324,120.29</b> | <b>\$ 4,324,120.29</b> |
| Trust A/c             | \$ 11,115.28           |                        |
| Police Licensing      | \$ 6,581.35            |                        |
| <b>Total Trust</b>    | <b>\$ 17,696.63</b>    | <b>\$ 17,238.63</b>    |

Financial Information – Statements of Income and Expenditure for the Period Ending – 31<sup>st</sup> October 2015 (F20-15/16)

**The Financial Statements for the period ending 31<sup>st</sup> October 2015, as presented to Council be adopted.**

Financial Statements – Variation to Budget by Percentage or Value – 31<sup>st</sup> October 2015 (F21-15/16)

**The Variation to Budget by Percentage and Value noted on the Financial Statements and reported on for the period ending 31<sup>st</sup> October 2015, be adopted.**

**CARRIED 8/0**

Community Gym – Fees & Charges 2015/2016 (F22-15/16)

Cr McRae declared an Impartiality Interest in this Item as the Treasurer of the Gym Committee.

**81-15/16 MOVED Cr McRae seconded Cr Davies that Council adopt Finance and Audit Committee Recommendation F22-15/16 that the Fees & Charges for Membership to the Community Gym in 2015 / 2016 be in accordance with those recommended by the Gym Management Committee:-**

1. **Annual Membership subscription of \$150.00 (GST Inc)**
2. **Special Introductory Offer of \$135.00 (GST Inc) for 6<sup>th</sup> & 7<sup>th</sup> November 2015.**
3. **Pensioner 65 + / Disability Concession of \$120.00 (GST Inc)**
4. **Three (3) months membership \$50.00 (GST Inc) (This will be by Full Access Swipe Card during opening hours.)**
5. **Casual rate per visit \$10.00 (GST Inc) (Access during QCRC office hours only with no swipe card)**
6. **Replacement of lost or damaged swipe card \$12.00 (GST Inc)**

**CARRIED 8/0**

Community Resource Centre – Gym Equipment Management Remuneration (F23-15/16)

Cr McRae declared an Impartiality Interest in this Item as the Treasurer of the Gym Committee and a Member of the Community Resource Centre Committee.

**82-15/16 MOVED Cr McRae seconded Cr Haythornthwaite that Council adopt Finance and Audit Committee Recommendation F23-15/16 that the Community Resource Centre Committee be offered a Fee for the Management of the Community Gym: -**



1. **For a Four (4) Month Probationary Period.**
2. **The hourly rate of \$25.00 (GST Exc)**
3. **Fortnightly Reports be provided with Invoices.**
4. **Review of Memorandum of Understanding to be fulfilled by completion of the Probation Period (Trial).**

**CARRIED 8/0**

Meals Following Council Meetings (F25-15/16)

**83-15/16 MOVED Cr McRae seconded Cr Haythornthwaite that Council adopt Finance and Audit Committee Recommendation F25-15/16 that a light meal be served in the Council Meeting Room on completion of the Ordinary Meetings of Council in lieu of attending outside Venues.**

Council discussion ensued on various options available to Council.

**CARRIED 8/0**

**Item 8.2 Other Finance Matters**

Administration Vehicle

The Deputy Chief Executive Officer provided information in regard to his interest in purchasing the Council owned Holden Captiva in light of a low trade in value provided for Council's vehicle.

The Meeting noted the Deputy Chief Executive Officer's Interest however acknowledged the Legislative Requirements in regard to disposing of Council Property and the need for transparency.

**84-15/16 MOVED Cr McRae seconded Cr Brown that Council: -**

1. **Purchase a Subaru Outback from Subaru Wangara for the amount of \$37,198.04 (GST Inclusive);**
2. **Place the current Holden Captiva for Auction through Pickles Auctions; and**
3. **Undertake local publicity of the Auction Sale of the Vehicle.**

**CARRIED 8/0**

**ITEM 9 OTHER MEETINGS**

Nil

**ITEM 10 REPORTS**

**Item 10.1 Chief Executive Officer's Report – November 2015**

**10.1.1 Town Planning Delegations – Planning and Development (Local Planning Schemes) Regulations 2015**

REPORTING OFFICER

Jacky Jurmann – Contract Planner

Date: 3<sup>rd</sup> November 2015

## CHIEF EXECUTIVE OFFICER

Graeme A Fardon – Chief Executive Officer

Date: 20<sup>th</sup> November 2015

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Not applicable

MATTER FOR CONSIDERATION – As a result of the gazettal of the new *Planning and Development (Local Planning Schemes) Regulations 2015*, Council's delegation are now required to be amended.

The current delegations to the Chief Executive Officer adopted in May 2015 have been reviewed and only Delegation 35 is affected. It is proposed to amend the delegation to reflect the effect of the new legislation only. The level of delegation to the Chief Executive Officer is not altered by the proposed amendments.

APPLICANT'S SUBMISSION – Not applicable.

BACKGROUND – The new *Planning and Development (Local Planning Schemes) Regulations 2015* have replaced various parts of the Shire of Quairading's Town Planning Scheme No. 2 and have introduced deemed provisions that took effect on 19 October 2015.

Previously functions of the planning scheme were delegated through Clause 8.9 of the Scheme. This clause has been superseded by Clauses 81 to 84 of the Regulations and therefore, the current delegations must be updated to reflect these changes.

Delegations of functions of the planning scheme is a common practice in local government to enable the Chief Executive Officer and the Planning Officers to efficiently and effectively implement the provisions of the town planning scheme.

The current delegations enable development applications to be advertised, where necessary, and to be determined where the proposal complies with the provisions of the Scheme and the Residential Design Codes. Some of the delegations have 'call in' provisions where the Chief Executive Officer has received a request from a Councillor.

As indicated in earlier in this Report, it is not proposed to change the level of delegation of function to the Chief Executive Officer and Planner at this point in time. All delegations must be reviewed annually and it is recommended that the level of delegation, if necessary, be reviewed during the regular review process.

STATUTORY ENVIRONMENT – The introduction of the *Planning and Development (Local Planning Schemes) Regulations 2015* have resulted in the need to amend the delegations.

POLICY IMPLICATIONS – There are no policy implications associated with this Report.

FINANCIAL IMPLICATIONS – There are no financial implications associated with this Report.

STRATEGIC IMPLICATIONS – The efficient and effective implementation of the Shire of Quairading's Town Planning Scheme No. 2 is important for the community, landowners and developers to achieve the goals of the Shire's Strategic Community Plan.

COMMUNITY CONSULTATION – Not applicable.

COMMENT – Delegation 32 has been amended to reflect the changes required as a result of the introduction of the *Planning and Development (Local Planning Schemes) Regulations 2015* and is attached. The majority of the changes are amendments to the relevant clause and legislation reference, with the exception of delegations relating to Structure Plans where the Western Australian Planning Commission has now become the approval authority.

## OFFICER RECOMMENDATION

**85-15/16 MOVED** Cr Haythornthwaite seconded Cr McRae that Council approve the proposed amendments to Delegation 32 relating to “Certain Planning Functions Relating to the Town Planning Scheme” as detailed below: -

### Delegation 1 – Certain Planning Functions Relating to the Town Planning Scheme

|                            |  |   |                         |
|----------------------------|--|---|-------------------------|
| <b>Date Adopted:</b>       |  | <b>Delegate:</b>                              | Chief Executive Officer |
| <b>Date Last Reviewed:</b> |  | <b>Sub-Delegated:</b>                         | Planner                 |
| <b>Policy Reference:</b>   |  | <b>Chief Executive Instruction/Procedure:</b> |                         |

|   |   |
|---|---|
| <b>Legal (Parent):</b><br><br><i>Planning and Development (Local Planning Schemes) Regulations 2015</i> | <b>Legal (Subsidiary):</b><br><br>Quairading Town Planning Scheme No. 2 |
|---|---|

Council delegates its authority and power to the Chief Executive in accordance with Clauses 82 and 83 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as follows:

#### 1.0 Advertising and Determining Applications for Development Approval

1.1 Notification and Advertising of Applications for Development Approval in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* determine that a particular application will be advertised and carry out the means and extent of such advertising.

#### 2.0 Consideration of Applications for Planning Approval

2.1 Determine applications with a use permissibility classification of ‘P’, ‘D’ and ‘A’ in Table 1 for Development Approval in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, Shire of Quairading Town Planning Scheme No. 2 and/or Western Australian Planning Commission State Planning Policy No. 3.1 – Residential Design Codes where no objections have been received (if advertised) and impose conditions as required.

2.2 Refusal of all development applications where the proposed use is not permitted by the Scheme or where the development does not comply with the non-discretionary provisions of the Residential Design Codes or any mandatory statutory requirement or adopted Council policy.

2.3 Grant an extension of development approval for up to two (2) years.

### 3.0 Use Not Listed

3.1 To determine if a use that is not specifically listed in the Zoning Table (Table 1) of the Quairading Town Planning Scheme No. 2 is consistent, maybe consistent or is not consistent with the objectives of the zone.

Subject to:

- (a) An officer to whom delegated authority is granted is not to exercise that authority in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination.
- (b) With the exception of delegated power 2.0 above, all applications will be submitted to a meeting of Council for determination in the following circumstances:
- (c) Where the delegated decision would be contrary to the intent of a previous decision made at a Council meeting, or any law or regulation;
- (d) Where written objection is received to the proposal from any statutory agency;
- (e) Where the proposal is inconsistent with the intent of the Local Planning Scheme, relevant Policies, Residential Design Codes, or any Outline Development Plan adopted by Council;
- (f) Where notification has been given to adjoining and nearby owners or the general public for comment in accordance with the Local Planning Scheme or any Policy and written objections have been received within the time specified.

### 4.0 Advertising Extension for Town Planning Scheme Amendments

4.1 To extend the advertising period for planning scheme amendments where it is considered necessary to provide for adequate consultation and/or accommodate specific community consultation exercises (e.g. special electors meetings, workshops etc).

Subject to:

- (a) An officer to whom delegated authority is granted is not to exercise that authority in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination.

### 5.0 Directions regarding unauthorised development

5.1 To give directions in relation to unauthorised development and to authorise any action available to the responsible authority under the *Planning and Development Act 2005* incidental to such written direction, including but not limited to issuing a notice to correct or amend the development or to commence legal action in accordance with the Council's endorsed procedure for compliance and enforcement.

Subject to:

- (a) An officer to whom delegated authority is granted is not to exercise that authority in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination.

### 6.0 Structure Plans, Activity Centre Plans and Local Development Plans

6.1 Acceptance of Structure Plans and amendments to Structure Plans, Activity Centre Plans and Local Development Plans for the purposes of advertising in accordance with the provisions of Regulation 18 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

## 7.0 Responsible Authority Reports to the Development Assessment Panel

7.1 To submit Responsible Authority Reports to the Development Assessment Panel pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulations 2011 in relation to applications for planning approval under Shire of Quairading Town Planning Scheme No. 2.

### Subject to:

- (a) The Chief Executive Officer is to advise Council of the lodgement and subsequent decision of a Development Assessment Panel (DAP) application at the next available Council meeting.

### NOTES:

- (a) These Delegations do not preclude the Delegate or Sub-Delegate referring the categories of development or legal proceedings outlined above, to Council for determination, after having regard to the circumstances of a particular case.
- (b) All matters determined under Delegated Authority are to be listed at the first available Ordinary Meeting of Council.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

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| <b>10.1.2 Proposed Yabby Farm &amp; Farm Stay (DA 2015/16 - 5)</b> |
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### REPORTING OFFICER

Jacky Jurmann – Contract Planner

Date: 3<sup>rd</sup> November 2015

### CHIEF EXECUTIVE OFFICER

Graeme A Fardon – Chief Executive Officer

Date: 20<sup>th</sup> November 2015

### DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – BP & WF Davey – Lot 13246, Gimbel Road, Quairading

MATTER FOR CONSIDERATION – To establish an aquaculture facility for growing and harvesting yabbies and to use an existing second dwelling for farm stay accommodation.

APPLICANT’S SUBMISSION – The following is an excerpt of the supporting document submitted by the Applicant with the development application:

“The proposal is a family initiative. It is difficult to provide a comprehensive plan because we are doing a lot of research and development as we go. We are endeavouring to develop a sustainable enterprise using under-utilised natural resources aiming to improve and enhance the environment. We are also committed to a Mortlock Connections Project – see summary. I am a qualified landcare technician, my son Steele has done aquaculture units at Curtin University and Agri Business units at Muresk and will be involved in the management. My brother Irwin Davey resides at dwelling No 2 and will be responsible for undertaking daily monitoring and maintenance.

The existing situation is we have four dams that collect water from several breakaways as part of a water control system. We have installed nine ponds as part of the water management system and these will be used to grow out yabbies depending on water availability. We have an eleven kilolitre purging tank system with the wastewater used in the toilets and gardens.

We have agreements with four of our immediate neighbours to utilise some extra dams. We have also one grower who will provide us with yabbies.

If the business is successful and we expand our operations we may need to install more purging tanks and plantings such as Acacias and Quandongs to use the wastewater.

As part of this proposal we would like the option to use the dwelling no 1 as a self-contained farm stay and or quarters for extra staff if needed. The dwelling is a four bedroom, 1 bathroom, 1 toilet, kitchen, dining and living room with a BBQ area.”

BACKGROUND – A development application was received by Shire on 22<sup>nd</sup> September 2015 to obtain approval for an aquaculture enterprise (yabbies) to enable the Applicant to obtain a license under the provisions of the Fisheries Act. Incidental to the aquaculture enterprise, is the conversion of one of two dwellings for tourist/worker’s accommodation.

The property is located at Lot 13246 (203) Gimbel Road, Quairading on the northern boundary of the Shire and has an area of 34.0329 hectares.

## STATUTORY ENVIRONMENT

### Shire of Quairading Town Planning Scheme No. 2

The property is zoned Farming. The land uses of ‘aquaculture’ and ‘ancillary tourist accommodation are listed in the Zoning Table as ‘A’ uses, which are uses that are not permitted unless Council has exercised its discretion by granting approval after advertising in accordance with Regulation 64. The land use of ‘worker’s accommodation’ is listed as a ‘D’ use, which is a discretionary use that does not require advertising.

The general development requirements in the Farming zone set out in Clause 4.14.2 must be considered when determining a planning application and are as follows:

- (a) any sensitive or incompatible uses which may require buffer separation from the proposed use. *Comment* – there are no sensitive or incompatible uses identified.
- (b) evidence of a sustainable water supply that does not rely on catchment outside the lot, or damming of a stream that will impact on the water availability for another lot or lots. *Comment* – there are a number of dams on the property that will be used to meet water supply needs of the proposal.
- (c) soil conditions, slope, soil type, rock, potential for water logging, foundation stability, and how the application has address these site characteristics. *Comment* – as the dams are established it is assumed that the soil type is suitable for their construction and holding water.
- (d) proposals for treatment and disposal of waste products. *Comment* – the Applicant indicates that wastewater will be treated and disposed on-site using purging tanks and plantings, including Acacias and Quandongs.

### Planning & Development (Local Planning Schemes) Regulations 2015

Regulation 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires the local government, in considering an application for development approval, to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;

Shire of Quairading Town Planning Scheme No. 2

The objectives of the Scheme are:

- (a) to zone the Scheme Area for the purposes described in the Scheme;
- (b) to secure the amenity health and convenience of the Scheme Area and the residents thereof;
- (c) to provide for the concentration of development in the District, and particularly residential development, to be in the Quairading townsite;
- (d) to provide for very limited development in, and in the environs of, small townsites in the District outside the Quairading townsite;
- (e) to make provisions as to the nature and location of buildings and the size of lots when used for certain purposes;
- (f) the preservation of places of natural beauty, of historic buildings and objects of historical and scientific interest; and
- (g) to make provision for other matters necessary or incidental to Town Planning and housing.

The proposal is consistent with these objectives and the applicable provisions have been considered as outlined earlier in this Report.

- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;

Scheme Amendment No. 8 has been initiated by the Shire but is not applicable to this proposal.

- (c) any approved State planning policy;

State Planning Policy 2.5 – Land Use Planning in Rural Areas & Rural Planning Guidelines (2014)

The objectives of the policy are to:

- a) To protect rural land from incompatible uses by:
  - i) requiring comprehensive planning for rural areas;
  - ii) making land use decisions for rural land that support existing and future primary production and protection of priority agricultural land, particularly for the production of food; and
  - iii) providing investment security for the existing and future primary production sector.
- b) To promote regional development through provision of ongoing economic opportunities on rural land.
- c) To promote sustainable settlement in, and adjacent to, existing urban areas.
- d) To protect and improve environmental and landscape assets.
- e) To minimise land use conflicts.

The development proposal is consistent with the objectives of the SPP, particularly with objectives (b) and (d).

- (d) any environmental protection policy approved under the *Environmental Protection Act 1986* section 31(d) – Nil;
- (e) any policy of the Commission – Nil;
- (f) any policy of the State – Nil;
- (g) any local planning policy for the Scheme area – Nil;

- (h) any structure plan, activity centre plan or local development plan that relates to the development – Nil;
- (i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015* – Nil;
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve – Not applicable;
- (k) the built heritage conservation of any place that is of cultural significance – Nil;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located – Nil;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

The proposed development is compatible with the farming activities in the locality. At this stage, there is no additional infrastructure proposed as part of this application.

- (n) the amenity of the locality including the following —
  - (i) environmental impacts of the development;
  - (ii) the character of the locality;
  - (iii) social impacts of the development;

The development proposal will not impact the amenity of the locality if managed as indicated in the application. The rural character of the area will not be changed from that typical of grazing and cropping activities that include dams to meet water supply needs. There are no social impacts associated with the development.

- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;

It is proposed to mitigate impacts from wastewater by using purging tanks and planting of vegetation. If required, the Applicant has indicated that additional tanks and plantings will be established.

- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved – Nil;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk – Nil;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety – Land is considered suitable.;



- (s) the adequacy of —
  - (i) the proposed means of access to and egress from the site; and
  - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;

The existing access and egress, including on-site parking is considered suitable to meet the proposal, however if the truck movements increase as a result in business growth, then it may be necessary to consider the impacts on Gimbel Road.

- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety – refer to comments above;
- (u) the availability and adequacy for the development of the following —
  - (i) public transport services;
  - (ii) public utility services;
  - (iii) storage, management and collection of waste;
  - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
  - (v) access by older people and people with disability;

All of the above are not applicable to this proposal.

- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses – Not applicable;
- (w) the history of the site where the development is to be located;

The site has been historically used for traditional agricultural purposes, including cropping and grazing.

- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals – Nil;
- (y) any submissions received on the application – Nil;
- (za) the comments or submissions received from any authority consulted under clause 66 – Nil;
- (zb) any other planning consideration the local government considers appropriate – Nil.

The provisions of Regulation 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the local government may refuse to approve any application for development approval or may grant its approval unconditionally or subject to such conditions as it thinks fit.

#### State Planning Policy 2.5 – Land Use Planning in Rural Areas

SPP 2.5 aims to support, encourage and protect rural land for primary production purposes. In relation to this application, there are no specific provisions other than ensuring that the proposed development will not result in a land-use conflict, which is unlikely due to the location and low intensity of the operation.

The policy acknowledges the need for farmers to diversify their activities and to provide ancillary accommodation on site and/or to introduce appropriate tourism activities as long as land use conflict does not result or that any additional buildings are not used to justify subdivision.

In this instance, the diversification of the farming activities through the introduction of aquaculture will provide the family additional income. The use of an existing second dwelling for tourist and/or workers accommodation as an incidental use is considered appropriate and supportive of the farming activities.

**POLICY IMPLICATIONS** – The proposal is consistent with relevant policies.

**FINANCIAL IMPLICATIONS** – There are no financial implications for the Shire.

**STRATEGIC IMPLICATIONS** – The goals of the Shire of Quairading’s Strategic Community Plan are:

#### Social

- Grow and build the population base.
- Maintain and strengthen community connectedness and integration.
- Build and strengthen an active and vibrant community.

#### Environmental

- Aspire to be a ‘Green Shire’, while maintaining and promoting our rural identity.
- Sustain and promote the natural environment.

#### Economic

- Support and build local businesses and services.
- Promote and support sustainable and ‘green’ commercial alternative energy opportunities and potential.

The proposal is consistent with the goals of the SCP, particularly with the economic goals to support and build local businesses.

**COMMUNITY CONSULTATION** – The neighbouring landowners were consulted as required by the Regulations. No comments were received.

**COMMENT** – The key issues identified during the assessment of the application are as follows:

- Level of information submitted – i.e. the proposal is a new and developing idea for the Applicant and therefore there is an unknown element.
- Potential traffic issues in any growth of the development.
- Rural tourism – any land use conflict.

In conclusion, the proposed aquaculture development and ancillary tourist/workers accommodation is considered appropriate for the property and location as part of the farm diversification. Conditions should be imposed regarding the intensity of the development to minimise any impacts, such as traffic and noise.

### **OFFICER RECOMMENDATION**

**That the application for development approval to establish aquaculture (yabby farming) and ancillary tourist/workers accommodation at Lot 13246 (203) Gimbel Rd, Quairading be approved, subject to the following conditions and advice notes:**

#### **Conditions:**

- 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. Prior to commencement of the aquaculture activities, copies of any licenses and environmental management plans required under the Fisheries Act shall be provided to the local government.
4. Should the aquaculture enterprise increase in intensity where articulated vehicles are utilised and/or movements exceed more than two (2) per day, a further development approval will be required from the local government.
5. The ancillary tourist/workers accommodation may only be occupied by tourists for a period not exceeding three (3) months at any one time or workers that are employed directly in farming operations.

**Advice Notes:**

1. If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
2. 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.
3. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Discussion ensued on Recommendation Condition Number 4 on the scale of the Proposed Development and anticipated Articulated Vehicle Movements.

The Chief Executive Officer advised that Condition 4 had been recommended to ensure Council was able to determine further Planning Controls if the Development escalated in scale.

**COUNCIL MOTION**

**86-15/16 MOVED** Cr Haythornthwaite seconded Cr Shenton that the application for development approval to establish aquaculture (yabby farming) and ancillary tourist/workers accommodation at Lot 13246 (203) Gimbel Rd, Quairading be approved, subject to the following conditions and advice notes:

**Conditions:**

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. Prior to commencement of the aquaculture activities, copies of any licenses and environmental management plans required under the Fisheries Act shall be provided to the local government.
4. The ancillary tourist/workers accommodation may only be occupied by tourists for a period not exceeding three (3) months at any one time or workers that are employed directly in farming operations.

**Advice Notes:**

1. If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
2. 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.

- 3. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.**

**CARRIED 8/0**

## **REASON FOR VARIATION FROM OFFICER'S RECOMMENDATION**

Council considered that Condition No 4 was too restrictive and deleted it from the Motion as there would be greater Vehicle Movements on local roads associated with general Broadacre Farming.

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| <b>10.1.3 Council / Committee Meeting Dates – 2016</b> |
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### REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer

Date: 13<sup>th</sup> November 2015

DISCLOSURE OF INTEREST – N/A

MATTER FOR CONSIDERATION – Draft Schedule of Meeting Dates for Council and Committee Meetings for the 2016 Year.

APPLICANT'S SUBMISSION – Nil

BACKGROUND – Council is required to set its meeting dates for the next Calendar year.

Council's Policy is to conduct the Ordinary Council Meeting on the fourth (or last if 5) Thursday of each month unless Public Holidays / Annual Conferences interfere with the preparation or conduct of the meeting and the Ordinary Council Meeting is then held on the third Thursday.

Council resolved in 2007 that Council would not meet in January each year to enable a Holiday Recess.

STATUTORY ENVIRONMENT – Section 5.25(9) of the Local Government Act requires Council to give local public notice of the date, time and location at which Ordinary Council Meetings will be conducted over the next 12 months.

It is highlighted that only the dates of Council Meetings need to be advertised. Committee Meeting dates need only to be advertised if the Committee has Delegated Authority from Council to make a decision on any matter.

POLICY IMPLICATIONS – As above

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Council Meeting Dates are publicised in a newspaper circulating in the district, on Council's Website and on the Official Noticeboard.

COMMENT – The following Meeting dates are offered for Council's consideration with Council Meetings to commence at 2.00pm in the Council Chambers unless otherwise stated.

Subject to further discussion, Ordinary Committee Meetings have been listed for every second month (ie Even Numbered Months). This Scheduling was successfully trialled in 2014 and adopted for 2015.

The scheduling of Strategic / Special Council Meetings / Forums are also be considered on an “as and when needs” basis and generally in “Odd Numbered Months”.

Some discussion is required on the concurrent timing for the Works and Finance and Audit Committee Meetings in the 2016 or to have the Meeting on different nights (every 2 months).

|                  |   |  |
|------------------|---|--|
| <b>January</b>   | Council in Recess   |  |
| <b>February</b>  | Tuesday 9 <sup>th</sup><br>Tuesday 16 <sup>th</sup><br>Thursday 25 <sup>th</sup>  | Building Committee<br>Committees (Works and Finance)<br>Council  |
| <b>March</b>     | Thursday 31 <sup>st</sup>   | Council (5 <sup>th</sup> Thursday)   |
| <b>April</b>     | Tuesday 12 <sup>th</sup><br>Tuesday 19 <sup>th</sup><br>Thursday 28 <sup>th</sup> | Building Committee<br>Committees (Works and Finance)<br>Council  |
| <b>May</b>       | Thursday 26 <sup>th</sup>   | Council  |
| <b>June</b>      | Tuesday 14 <sup>th</sup><br>Tuesday 21 <sup>st</sup><br>Thursday 30 <sup>th</sup> | Building Committee<br>Committees (Works and Finance)<br>Council  |
| <b>July</b>      | Thursday 28 <sup>th</sup>   | Council  |
| <b>August</b>    | Tuesday 9 <sup>th</sup><br>Tuesday 16 <sup>th</sup><br>Thursday 25 <sup>th</sup>  | Building Committee<br>Committees (Works and Finance)<br>Council  |
| <b>September</b> | Thursday 29 <sup>th</sup>   | Council (5 <sup>th</sup> Thursday)   |
| <b>October</b>   | Tuesday 4 <sup>th</sup><br>Tuesday 11 <sup>th</sup><br>Thursday 20 <sup>th</sup>  | Building Committee (1 <sup>st</sup> Tuesday)<br>Committees (Works and Finance) (2 <sup>nd</sup> Tuesday)<br>Council (3 <sup>rd</sup> Thursday) Due to LGMA State Conference in last week |
| <b>November</b>  | Thursday 24 <sup>th</sup>   | Council  |
| <b>December</b>  | Tuesday 6 <sup>th</sup><br>Tuesday 13 <sup>th</sup><br>Thursday 22 <sup>nd</sup>  | Building Committee (1 <sup>st</sup> Tuesday)<br>Committees (Works and Finance) (2 <sup>nd</sup> Tuesday)<br>Council (4 <sup>th</sup> Thursday) commencing at 12.00 noon                  |

Discussion ensued on altering the Council Meeting Dates in February and March to enable Councillors to attend Regional Elected Member Training Courses.

**OFFICER RECOMMENDATION**

**87-15/16 MOVED Cr Davies seconded Cr McGuinness: -**

- 1. That Council formally adopt the Council / Committee meeting dates for the 2016 Year.**
- 2. That the Ordinary Council Meeting Dates be published in accordance with the Local Government Act.**

**2016 MEETING DATES**

|                  |   |  |
|------------------|---|--|
| <b>January</b>   | Council in Recess   |  |
| <b>February</b>  | Tuesday 9 <sup>th</sup><br>Wednesday 10 <sup>th</sup><br>Wednesday 24 <sup>th</sup> | Building Committee<br>Committees (Works and Finance)<br>Council  |
| <b>March</b>     | Wednesday 30 <sup>th</sup>  | Council (5 <sup>th</sup> Wednesday)  |
| <b>April</b>     | Tuesday 12 <sup>th</sup><br>Tuesday 19 <sup>th</sup><br>Thursday 28 <sup>th</sup>   | Building Committee<br>Committees (Works and Finance)<br>Council  |
| <b>May</b>       | Thursday 26 <sup>th</sup>   | Council  |
| <b>June</b>      | Tuesday 14 <sup>th</sup><br>Tuesday 21 <sup>st</sup><br>Thursday 30 <sup>th</sup>   | Building Committee<br>Committees (Works and Finance)<br>Council  |
| <b>July</b>      | Thursday 28 <sup>th</sup>   | Council  |
| <b>August</b>    | Tuesday 9 <sup>th</sup><br>Tuesday 16 <sup>th</sup><br>Thursday 25 <sup>th</sup>    | Building Committee<br>Committees (Works and Finance)<br>Council  |
| <b>September</b> | Thursday 29 <sup>th</sup>   | Council (5 <sup>th</sup> Thursday)   |
| <b>October</b>   | Tuesday 4 <sup>th</sup><br>Tuesday 11 <sup>th</sup><br>Thursday 20 <sup>th</sup>    | Building Committee (1 <sup>st</sup> Tuesday)<br>Committees (Works and Finance) (2 <sup>nd</sup> Tuesday)<br>Council (3 <sup>rd</sup> Thursday) Due to LGMA State Conference in last week |
| <b>November</b>  | Thursday 24 <sup>th</sup>   | Council  |
| <b>December</b>  | Tuesday 6 <sup>th</sup><br>Tuesday 13 <sup>th</sup><br>Thursday 22 <sup>nd</sup>    | Building Committee (1 <sup>st</sup> Tuesday)<br>Committees (Works and Finance) (2 <sup>nd</sup> Tuesday)<br>Council (4 <sup>th</sup> Thursday) commencing at 12.00 noon                  |

**CARRIED 8/0**

Retired Councillors' Function

**88-15/16 MOVED Cr McRae seconded Cr Shenton that Council combine the Retired Councillors' Function with this Year's Annual Christmas Party.**

**CARRIED 8/0**

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| <b>Item 10.1.4 Gazettal of Authorised Officers</b> |
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer                      Date    19<sup>th</sup> November 2015

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Quairading

MATTER FOR CONSIDERATION – Gazettal of Authorised Officers

BACKGROUND – Following the withdrawal of general services by the Shire of York, including Ranger Services, negotiations have been held with Mr Matthew Sharpe of WA Contract Ranger Services Pty Ltd to provide a Service to the Shire of Quairading.

In February 2015, Matthew Sharpe, Brad Miller, Gloria Robinson and Jodie Taylor were Appointed by Council as Authorised Officers for the following Acts: -

- Dog Act 1976
- Cat Act 2011
- 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

Council is advised that WA Contract Ranger Services Pty Ltd now employs Derek Powell and Carmody Glass who are also to be appointed as Authorised Officers.

STATUTORY ENVIRONMENT – Nil

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Nil

COMMENT – To ensure uniformity within the areas covered by WA Contract Ranger Services Pty Ltd, Council is requested to approve the Officers.

## OFFICER RECOMMENDATION

**89-15/16 MOVED** Cr Davies seconded Cr Brown that Council endorse the Appointments of Matthew Sharpe, Brad Miller, Jodie Taylor, Derek Powell and Carmody Glass for the following Acts:-

- Dog Act 1976
- Cat Act 2011
- 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 8/0**

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|---|
| <b>10.1.5      Audit Certificate and Management Letter Year Ended 30<sup>th</sup> June 2015</b> |
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### REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer                      Date    17<sup>th</sup> November 2015

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Mr Greg Godwin, Auditor, Moore Stephens

MATTER FOR CONSIDERATION – Receipt of the Annual Auditor’s Report for the Year Ended 30<sup>th</sup> June 2015

APPLICANT’S SUBMISSION – Copy of the Independent Auditor’s Report and Management Report Letter

BACKGROUND – Council’s Auditor Mr Greg Godwin attended the Shire Administration Centre on the 20<sup>th</sup> and 21<sup>st</sup> October 2015 to conduct the Annual Audit of Council’s Financial Statements for the Year ended 30<sup>th</sup> June 2015.

Mr Godwin has now completed the Audit and has provided the “Independent Auditor’s Report” and the “Management Report Letter”.

STATUTORY ENVIRONMENT: -

- Annual Financial Statements prepared by Council in accordance with Section 6.4 of the Local Government Act.
- Audit Completed in accordance with Section 7.9 of the Local Government Act.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Audit Fees are provided for in Council’s Adopted Budget



## STRATEGIC IMPLICATIONS – Revised Strategic Community Plan

### Objective

To strengthen the Shire of Quairading's leadership and governance.

### Strategy

G1.2 Ensure Transparent and accountable governance of the Shire.

COMMUNITY CONSULTATION – Audit Report will be included in Council's Annual Report which will be published and available to the Community.

COMMENT – Council's Auditor has now prepared and presented the Audit Report dated 10<sup>th</sup> November 2015.

Council has achieved an Unqualified or "Clear" Audit Opinion for the Year under Review.

Mr Godwin has prepared a Management Letter to assist Council and Staff interpret the Statutory Ratios and the Trends in the Ratios which are displayed using a "Traffic Light" System where: -

- Green is Improving Trend
- Amber is Neutral
- Red is Downward Trend

Further details and discussion with the Auditor will be possible when the Annual Meeting with the Auditor which needs to be arranged before 30<sup>th</sup> June 2016.

### **OFFICER RECOMMENDATION**

**90-15/16 MOVED Cr Davies seconded Cr Haythornthwaite that Council note the Unqualified Audit Report and the Management Letter from Council's Auditor for the Year Ended 30<sup>th</sup> June 2015.**

**CARRIED 8/0**

The Chief Executive Officer thanked the Administration Staff for their efforts with the Annual Financial Statements and the clear Audit Result.

The Shire President thanked the Deputy Chief Executive Officer for his efforts.

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| <b>10.1.6 Reconciliation Action Plan 2015 – 2017</b> |
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### REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer                      Date    20<sup>th</sup> November 2015

DISCLOSURE OF INTEREST – Chief Executive Officer, Chairperson of the Reconciliation Action Plan Committee

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION – Council’s Adoption of the Final Draft Reconciliation Action Plan 2015 – 2017.

APPLICANT’S SUBMISSION – Copy of Final Revised Version of the Reconciliation Action Plan 2015 – 2017 (27/8/15) attached to Agenda.

BACKGROUND – With the support of Council, the Reconciliation Action Plan Committee has been preparing and considering Council and the Community’s first Reconciliation Action Plan for the past 12 months with a Finalised Draft (Dated 27<sup>th</sup> August 2015) prepared.

The Plan has been developed following extensive consultation with the Noongar Representatives and Facilitated by Mr David Collard.

STATUTORY ENVIRONMENT – Development of a Reconciliation Action Plan is not a legislative requirement however, the “Reconciliation Action Plan Program” was launched by the Federal Government in 2006.

Over 300 Corporations, Government Agencies, Councils and Council Organisations have voluntarily developed Reconciliation Action Plans to suit their circumstances.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Budget Allocation for the Administration of the Reconciliation Action Plan Committee. Any Initiatives resulting from the Reconciliation Action Plan would require specific Budgetary provision in the relevant year.

STRATEGIC IMPLICATIONS – Revised Strategic Community Plan

#### Objective

To build and support Quairading’s Community Spirit

#### Outcome

S1 Participation and Inclusive Community

#### Strategies

S1.3 Actively lead the Noongar Reconciliation and Cultural Awareness Process and build Resilience

COMMUNITY CONSULTATION – The Community have been invited to provide comment on the Final Draft Plan which was available on Council’s Website and also in Hard Copy.

COMMENT – At the Close of the Extended Consultation Period there were no Submissions to consider.

It is recommended that Council proceed to Adopt the final Version of the inaugural Quairading Reconciliation Action Plan and to publicise the final Document. Further, that Council submit the Adopted Plan to Reconciliation Australia under the “Reconciliation Action Plan Program”.

**OFFICER RECOMMENDATION**

**91-15/16 MOVED Cr McGuinness seconded Cr McRae: -**

- 1. That Council adopt the “Shire of Quairading Reconciliation Action Plan 2015 – 2017” dated 27<sup>th</sup> August 2015.**
- 2. That Council publicise the Reconciliation Action Plan on Council’s Website and in Hard Copy Publication.**
- 3. That Council submit the Plan to Reconciliation Australia under the “Reconciliation Action Plan Program”.**

**CARRIED 8/0**

**10.1.7 Election of Executive Committee and Council Delegate/s**

**REPORTING OFFICER**

Graeme A Fardon – Chief Executive Officer                      Date 23<sup>rd</sup> November 2015

**DISCLOSURE OF INTEREST – Nil**

**OWNER/APPLICANT – N/A**

**MATTER FOR CONSIDERATION – Council to Constitute the Executive Committee for a Two (2) Year Term and Consider two other Appointments of Delegates.**

**APPLICANT’S SUBMISSION – Nil**

**BACKGROUND – Council, at its Ordinary meeting on the 22<sup>nd</sup> October 2015, established Committees and Appointed Delegates for the Two (2) Year Term expiring October 2017.**

- 1. Establishment of Council’s Executive Committee was held over until the election of Presiding Officers (Chairs) of the Building and Town Planning Development Committee, Finance and Audit Committee and Works Committee had been conducted.**
- 2. Further, it is reported that a Council / Community Delegate for the Roe Tourism Association was omitted from the original Committee and Delegates Listing.**

Community Member Mr Frank Burnett has attended the Roe Tourism Meeting in recent years (as Chair of the Quairading Tourist and Tidy Town Committee) and is currently Chairperson of “Roe Tourism Association”.

It is recommended that Mr Frank Burnett be appointed as Council’s Delegate to Roe Tourism. Councillors and Staff are able to attend Roe Tourism Meetings which are held on a rotational basis in the Member Shires’ Towns.

- 3. Reconciliation Action Plan Committee – Mrs Nikki Egginton – Hughes has declined the Nomination to continue on the Reconciliation Action Plan Committee and Ms Cath Cousins has agreed to sit on the Committee as one of the Community Representatives.**

**STATUTORY ENVIRONMENT – Section 5.8 of the Local Government Act – Establishment of Committees**

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – N/A

COMMUNITY CONSULTATION – Nil

COMMENT – The Executive Committee is historically comprised as follows: -

1. Shire President – Cr Caporn
2. Deputy Shire President – Cr Davies
3. Chairperson of Finance and Audit Committee – Cr McRae
4. Chairperson of Works – Cr McGuinness
5. Proxy – Chairperson of the Building and Town Planning Development Committee

As the Deputy Shire President, Cr Davies, has also been appointed as Chairperson of the Building and Town Planning Development Committee, Council will need to determine another Elected Member as the Proxy Member of the Executive Committee.

#### COUNCIL DISCUSSION

Cr Shenton nominated Cr Haythornthwaite as Proxy Member to the Executive Committee.

Cr Haythornthwaite accepted the Nomination.

Cr Taylor advised of a possible Conflict of Interest on the Quairading Frail and Aged Lodge Committee and Medical Executive Committee and declared his decision to step down from the Medical Executive Committee and Quairading Frail and Aged Lodge Committee.

#### OFFICER RECOMMENDATION

**92-15/16 MOVED Cr McRae seconded Cr Haythornthwaite hat Council make the following Appointments: -**

1. **That Cr Haythornthwaite be appointed as Proxy Member to the Executive Committee.**
2. **Mr Frank Burnett be appointed as the Council / Quairading Delegate to the Roe Tourism Association.**
3. **That Ms Cathy Cousins be appointed as a Community member on the Reconciliation Action Plan Committee.**
4. **Cr Brown be appointed to the Medical Executive Committee.**
5. **Cr McGuinness be appointed to the Frail and Aged Lodge Committee.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

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| <b>10.1.8 Central Country Zone Meeting – 27<sup>th</sup> November 2015</b> |
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#### REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer

Date 23<sup>rd</sup> November 2015

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Mr Bruce Wittber, Executive Officer, Central Country Zone

MATTER FOR CONSIDERATION – Items requiring Council Consideration and to provide Direction to Council’s Voting Delegates

APPLICANT’S SUBMISSION – Copy of Agenda Papers attached to this Report

BACKGROUND – The next Meeting of the Central Country Zone will be held in Brookton this Friday 27<sup>th</sup> November 2015.

Council’s Delegates to the Central Country Zone are as follows: -

1. Cr Caporn
2. Cr Davies
- Proxy 1. Cr McRae
- Proxy 2. Chief Executive Officer

Cr Davies and Cr McRae have submitted their Apologies for this Meeting and Council’s two Voting Delegates will be the Shire President Cr Caporn and the Chief Executive Officer.

STATUTORY ENVIRONMENT – Central Country Zone operates under the auspices of the WA Local Government Association and comprises 16 Councils from Quairading to Kulin to Dumbleyung.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Council pays a Meeting Allowance to Elected Members who attend as Voting Delegates

STRATEGIC IMPLICATIONS – Strategic Community Plan: Strong Local Government Leadership

COMMUNITY CONSULTATION – N/A

COMMENT – Council is requested to consider any Matters in the Central Country Zone Meeting Agenda Papers and to provide Direction to Council’s two Delegates.

The following Items due for Discussion are highlighted of Interest: -

- Election of State Council Representative and Deputy State Councillors.
- Election of Zone President, Deputy Zone President and 3 Zone Executive Members.
- Election of Zone Representatives to Local Government Grain Freight Group, South District Emergency Management Committee (Note: Quairading not in the Emergency Management District) and Wheatbelt Health Initiative Group.
- Guest Speaker from the Department of the Premier and Cabinet on the South West Native Title Settlement.
- Central Country Zone – Audit Report.
- 2016 Zone Meeting Schedule.
- Census of Local Government Councillors.
- Recruitment of Doctors in the Wheatbelt.
- Wheatbelt Conference to be held in Narrogin on the 7<sup>th</sup> and 8<sup>th</sup> April 2016.
- Formation of Wheatbelt Health Initiative.

**OFFICER RECOMMENDATION**

**Nil – Submitted for Council’s Consideration and Direction to Council’s Delegates.**

Cr Caporn reported in regard to a Fire Tender and Volunteer Manpower deployed to assist with the fires at Esperance.

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| <b>10.1.9 Roe Tourism Association (RTA)</b> |
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**REPORTING OFFICER**

Graeme A Fardon – Chief Executive Officer                      Date 23<sup>rd</sup> November 2015

**DISCLOSURE OF INTEREST – Nil**

**OWNER/APPLICANT – Mrs Jenny Gmeiner, Roe Tourism Association**

**MATTER FOR CONSIDERATION – Additional Financial Contribution to the Regional Tourism Body**

**APPLICANT’S SUBMISSION – Copy of Roe Tourism Submission was attached to this Report**

**BACKGROUND – The Roe Tourism Association has written to Council advising of the Group’s intention to appoint in the future, a Paid Executive Officer to support the Volunteer Tourism Committee.**

Duties planned to be undertaken by the Executive Officer include Secretary, Treasurer, Marketing and Advertising and Promotion.

Member Councils have been invited to consider an additional financial contribution to the RTA over the next two (2) years.

**STATUTORY ENVIRONMENT – N/A**

**POLICY IMPLICATIONS – Nil**

**FINANCIAL IMPLICATIONS – Council contributes \$2,500 per year towards Roe Tourism. Any additional amount in the 2015/2016 Year would be the subject of the Mid Year Budget Review.**

**STRATEGIC IMPLICATIONS – Strategic Community Plan**

Outcome

ED 2 Tourism growth

Strategies

ED2.1 Support the development of eco-tourism and cultural tourism opportunities, businesses and supporting services.

COMMUNITY CONSULTATION – Quairading has previously been represented on the RTA by Mr Frank Burnett.

Council’s Community Development Officer and Economic Development Project Officer have also attended RTA Meetings at various times.

COMMENT – The Proposal does have merit to improve the Secretariat and Promotions role of the Association which in the past has been largely undertaken by the Volunteer Committee Members and Member Councils’ Staff.

The Association is seeking an additional Contribution of \$2,500 per Council per Year to assist funding this new Position.

The Association has respectfully requested that a Contribution in the 2015/2016 Year be considered as part of the formal Budget Review process undertaken in February and March 2016.

### **OFFICER RECOMMENDATION**

**93-15/16 MOVED Cr McRae seconded Cr Haythornthwaite that this item be referred to the Finance and Audit Committee for Consideration over the coming months and to then make a Recommendation to Council.**

**CARRIED 8/0**

#### **Item 10.2 Health and Building Report**

The Meeting received the report prepared by the Manager of Health and Building Services.

#### **Item 10.3 Environment Officer’s Report**

Council received the Environment Officer’s Report.

The Chief Executive Officer reported that a Meeting had been held on the 17<sup>th</sup> of November 2015 to discuss the NRM Service whilst Mrs Jen Green was on Maternity Leave.

#### **Item 10.4 Community Emergency Services Manager’s Report**

Nil, due to Mr Daniel Birleson’s attendance at the Esperance Fires.

#### **Item 10.5 Community Development Officer’s Report**

The Chief Executive Officer advised that the Community Development Officer had been unable to prepare a written Report for Council due to time restraints.

The Chief Executive Officer tabled a request that had been received from the Quairading Community Resource Centre seeking Council’s contribution to underwrite a Country Arts WA Tour visit to Quairading in March 2016.

**94-15/16 MOVED Cr Davies seconded Cr Shenton that Council support the Community Resource Centre Request by providing an underwriting to a maximum of \$1,000.00 and waiving the Hall Hire Fees for a Country Arts WA Tour Production in Quairading in March 2016 with the funds to be allocated from GL 4572.**

**CARRIED 8/0**

**ITEM 11 INWARD CORRESPONDENCE**

**11.1** Quairading Community Gym – Thank You to Council

**ITEM 12 LATE ITEMS**

Nil

**ITEM 13 TABLED ITEMS**

**13.1** Regional Development Australia Wheatbelt WA – Annual Report 2015

**ITEM 14 COUNCILLORS' REPORTS / BUSINESS**

**95-15/16 MOVED Cr McGuinness seconded Cr Brown that Council formally acknowledge and thank the Volunteer Fire Fighters who attended the recent fires in the Shire of Esperance.**

**CARRIED 8/0**

**Cr Brown**

Cr Brown commented on the kerbing of the York – Merredin Road in the Townsite and queried whether kerbing should be provided to the Townsite Boundary.

The Chief Executive Officer provided details on recent discussions with Main Roads WA on a future Joint Project to upgrade Kerbing to the East of the Shire Office to the Townsite Boundary.

Cr Brown sought clarification on the progress of the Multi Purpose Precinct. The Shire President advised that discussions are currently in abeyance and urged Cr Brown to encourage people to attend future Meetings of the Quairading and Districts Sport and Recreation Council.

The Economic Development Project Officer provided information on Project Planning and the limited availability of External Grant Funding.

**Cr Haythornthwaite**Quairading Tourist and Tidy Town Committee

Cr Haythornthwaite reported having attended a recent Quairading Tourist and Tidy Town Meeting where the following items had been raised: -

- Caravanners passing through Town due to the Caravan Park Redevelopment and the need for signage to indicate that the Showgrounds Area is accessible for Caravanners.
- Signage regarding Litter.
- Full / Overflowing Bins on the Main Road.

It was noted by Council that the full and overflowing bins are administered by Main Roads WA.

Cr McRae queried whether the bins could be removed. The Chief Executive Officer advised that this would need to be a Main Roads WA Strategy.



**96-15/16 MOVED Cr McRae seconded Cr Shenton that Council approach Main Roads WA requesting the removal of bins on the Main Road.**

Cr Shenton queried whether Council could service the bins. The Chief Executive Officer advised that Main Roads WA do not have funding to pay for the service and it would be Cost Shifting to Council.

**MOTION LOST 2/6**

Impartiality Interests

Cr Haythornthwaite sought clarification from the Chief Executive Officer on Impartiality Interests. The Chief Executive Officer undertook to provide further information to all Councillors.

**Cr Davies**

Fires

Cr Davies queried whether people could be fined for Careless Acts in the Fire Season.

The Chief Executive Officer suggested that Cr Davies raise the particular issue with the Chief Bush Fire Control Officer.

Cr McGuinness reported that he had attended the fire in question that was in the Shire of Beverley.

Cr McRae advised that a “Small Landholders Fire Prevention Day” was being planned by the Community Emergency Services Manager which may assist with Education.

**Cr McGuinness**

Works Matters

Cr McGuinness advised that he would inspect the Waste and Recycling Facility and Water Trucks as a fact finding Exercise as Chair of the Works Committee with the Manager of Works and Services.

Cr McGuinness enquired on the viability of the Waste and Recycling Facility. Cr Caporn advised that the Waste and Recycling Centre would never be cost efficient but it would significantly increase the life of the existing Landfill Site.

Cr McGuinness advised that a separate Tour of Works Projects would be undertaken at a later date.

**Cr McRae**

Water Usage

Cr McRae queried whether Council was charging Main Roads WA for Standpipe Water Usage. The Chief Executive Officer advised that an Account had been raised with further Invoices to be raised.

**Cr Shenton**

Nil

**Cr Taylor**

Nil

**Cr Caporn**

Nil

**Chief Executive Officer**

The Chief Executive Officer reported on the Rotary Club recently hosting 16 International Students.

The Chief Executive Officer reminded Councillors of the December 2015 Committee Dates. It was noted that the Chief Executive Officer would be attending the Finance and Audit Committee Meeting in the absence of the Deputy Chief Executive Officer on Annual Leave.

The Chief Executive Officer advised of the Australia Day Function / Citizen of the Year Awards in January 2016.

**Deputy Chief Executive Officer**

Nil

**Economic Development Project Officer**

Nil

**Chief Executive Officer’s Secretary**

The Chief Executive Officer Secretary advised that Christmas Function Invitations had been distributed with a RSVP date of Thursday 10<sup>th</sup> December 2015.

**ITEM 15 NEXT MEETING**

Thursday 17<sup>th</sup> December 2015 commencing at 12.00 noon, noting that a proposed Elected Member Training Session would commence at 10.00am.

**ITEM 16 CLOSURE**

There being no further business to discuss, the Chairman declared the Meeting closed at 6.29pm.

I certify the Minutes of the Ordinary Meeting of Council held on 26<sup>th</sup> November 2015 were confirmed on 17<sup>th</sup> December 2015 as recorded on resolution no \_\_\_\_\_

Confirmed.....17/12/15