

**ITEM 7**

**SHIRE OF QUAIRADING**  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
**HELD ON THURSDAY 30<sup>TH</sup> MARCH 2017**  
**COMMENCING AT 2.22PM**

**ITEM 1 ATTENDANCE AND APOLOGIES**

Cr B K Caporn	Shire President
Cr W M F 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 Merillo	Deputy Chief Executive Officer
Mrs J L Clemens	Chief Executive Officer's Secretary
Mrs A G Strauss	Clerical Officer
Mr T J Newick	Manager of Works and Services (2.22pm -3.35pm)
Mr R M Bleakley	Economic Development Project Officer (from 3.00pm)
Sgt John Hancock	Quairading Police (4.11pm to 4.25pm)

**Observers**

Mr J W Haythornthwaite

**ITEM 2 ANNOUNCEMENTS BY THE SHIRE PRESIDENT**

“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”.

1 Minute Silence was observed for the Late Mr Warren Richards on his Passing.

Councillors are advised that an Invitation had been extended to the new Officer in Charge of the Quairading Police Station, Sergeant John Hancock and the new School Teachers, Lara Valentinusson, Sam White, Daniel Kujawski and Davy John to be accompanied by Abby Kerr for Afternoon Tea.

Sergeant John Hancock has furthermore been invited to address the Council on Police Issues at the Meeting.

**ITEM 3 PUBLIC QUESTION TIME****Mr J W Haythornthwaite**

The Chief Executive Officer advised the Chairman that Mr Haythornthwaite had submitted his Questions via email 3 days prior to the Council Meeting and the Chief Executive Officer was requested to read out the Questions and the Responses.

Question

- EFT 3882 Wongan Hills Betta Home \$1989.00 - Why does the Shire purchase from Wongan Hills as surely there were be closer and more companies to purchase from?**

Response*Operational Question:-*

- New Stove for Tennis Club Kitchen Refurbishment.
- No Local Suppliers available. Electrician contacted both Retail Outlets but not able / willing to Quote on a Stove.
- Quotations were sought from Perth and Regional Suppliers in accordance with Council's Purchasing Policy.
- Wongan Hills Supplier was the most competitive Price and no Delivery/Collection charges.
- Other Suppliers would add on a Charge for Freight up to Quairading or Council Staff would have to pick up at a Cost to Council.
- Purchase within Council's Adopted Budget

Question

- 2. EFT 3884 – 3 batteries at a total cost of \$732. Could you please advise physical size measurements of these batteries, the cranking capacity and the make of these batteries?**

Response*Operational Question:-*

- 1x "Supercharge" MF31-931 Battery for Sewell Road Broom (Tow along but with a Drive Motor)
- 1x "Supercharge" MFN120 Battery for Dynapac Vibrating Roller.
- 1x "Supercharge" MF43 Battery for Mazda Utility Q551.
- Procurement supports Local Purchasing Preference.

Question

- 3. EFT 3911. Bent Nail Fence Hire from 11<sup>th</sup> January to 10<sup>th</sup> February - \$468. I advised at a previous council meeting (around the time of the works depot being fenced) that fence hire could be obtained from Perth for the cost of \$600 for 12 months. Why is the shire paying \$5616/year for fence hire?**

Response*Operational Question:-*

- Council Administration has negotiated the reduced Hire Rate only for the number of length required during any Month. Considered by the Administration as the most effective option due to reduced costs of Travel to/from Perth and Council not having to hold a large number of Fencing Panels and able to relocate to other Construction Sites.
- Procurement supports Local Purchasing Preference.

Additional Questions

Mr Haythornthwaite wanted to know why are the mitre drains being cut to run the water into farming land?

Quairading South Road, Harvey Road, Wamenusking Road, Haythornthwaite Road, Brighthouse Road, Church Road, Blake Road and Burrows Road.

Response

Cr Caporn took the Question on Notice.

The Chief Executive Officer suggested that he discuss with Mr Haythornthwaite after the Meeting to arrange a suitable Date & Time for an Onsite Meeting to inspect the Roads.

The Chief Executive Officer thanked Mr Haythornthwaite for preparing and submitting his Questions prior to the Council Meeting for review.

**ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil

**ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE**

Written Leave of Absence received from Cr McRae included in the Agenda.

**142-2016/2017 MOVED Cr Davies seconded Cr Shenton that Cr McRae be granted Leave of Absence from the Ordinary Meeting of Council to be held on 27<sup>th</sup> August 2017 and Committee Meetings for the period 12<sup>th</sup> August 2017 to the 3<sup>rd</sup> September 2017.**

**CARRIED 7/0**

**ITEM 6 DECLARATIONS OF INTEREST**

Nil – at this time.

**ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING FROM THE ORDINARY MEETING OF COUNCIL HELD ON 23<sup>RD</sup> FEBRUARY 2017**

**143-16/17 MOVED Cr McRae seconded Cr Shenton that the Minutes of the Ordinary Meeting of Council held on 23<sup>rd</sup> February 2017 be confirmed as a true and correct record of that Meeting.**

**CARRIED 8/0**

**Business Arising**Road Maintenance Policy and Procedure

The Road Maintenance Policy and Procedure was requested to be made a priority while the Policies are under Review.

Service Levels/Road Policy

The Service Levels/Road Policy was requested to be made a priority while the Policies are under Review.

Townsite Water Inundating Farmland

Query if the Land Owner had submitted a formal submission regarding the overflow of water from the Townsite onto the farmland adjoining the Townsite. Mr Fardon confirmed that no Submission had been received.

Road Construction Status Report

The Administration Staff were thanked for the Budget and YTD Actuals that were included in the Road Status Report.

Traffic Control on Works (W17)

Query on the progress of procuring the Traffic Control Lights. The Manager of Works and Services confirmed that no progress had been made since the last Council Meeting.

**ITEM 8 WORKS****Item 8.1 No Works Committee Meeting held in March 2017**Road Flood Damage Assessment

The Manager of Works and Services informed the Meeting that the final 25 Roads are still to be costed and the Current Estimated Repair Total Cost is \$8.9M.

The Meeting enquired as to when the repair work would likely be completed?

The Manager of Works and Services commented that the duration of the Repair Work could be several Years but as an interim measure, minor grading and scouring repairs have begun and Roads are being “opened up” with Motorists advised to take caution.

The Manager of Works and Services informed the Council that the damaged Bridges had been assessed in the District Assessment and are included in the above mentioned repair Cost Estimate but are subject to Council's Insurance Claim/Cover.

The Chief Executive Officer indicated that the Bridge Insurance claim through LGIS would be a separate process to the WANDRRA Approval Process.

The Meeting requested if an Action Plan be formulated to address the Scope of the Repair Project?

The Manager of Works and Services said that it is going to be a challenge to secure Civil Contractors, but Council's Administration will follow the Procurement Process through Tendering and/or WALGA Preferred Supplier Panels.

The Manager of Works and Services also advised the Council that the Assessment and Cost Estimate Document should be completed next week and be submitted to Main Roads for the WANDRRA Submission.

### **Item 8.2 Road Construction Status Report**

Noted.

The Meeting enquired if there are any Council Works Vehicles to sell?

The Manager of Works and Services confirmed that there is a Tractor, 2x Side Tippers and the old Road Sweeper to be disposed of by 30<sup>th</sup> June 2017. The Manager of Works and Services commented that the Quotation and Asset Management Information requested for the Purchase of a Replacement Small Tractor would be available for the Works Committee Meeting in April 2017.

### **3.00pm**

The Economic Development Project Officer entered to the Council Meeting.

**Council considered Item 14.1.6 while the Manager of Works & Services was in attendance at the Meeting.**

<b>14.1.6 Proposed Road Closure – Badjaling to Yoting Road</b>
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#### REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer                      Date: 23<sup>rd</sup> March 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – N/A

#### MATTER FOR CONSIDERATION –

1. To discuss the Major Road Damage / Destruction of the Badjaling – Yoting Road and Council's Claim for Reconstruction under WANDRRA.
2. Flooding Mitigation of the Badjaling Community.
3. Proposal to Permanently Close the Section of Badjaling – Yoting Road East of the Badjaling Community.

APPLICANT'S SUBMISSION INCLUDED IN AGENDA – Copy of Checklist to Local Government to Close a Road (Dedicated Public Road).

BACKGROUND – Council has been liaising with the Badjaling Community, Landholders, State Government Departments and the South West Aboriginal Land and Sea Council for a number of years on Engineering Solutions to mitigate the inundation of the Badjaling Aboriginal Community.

The most recent Rainfall (Flood) Event in January and February 2017 has resulted in the Badjaling – Yoting Road being destroyed for an estimated distance of 5.5 kilometres from the Badjaling South Road to the Creekline near to Mr and Mrs Gelmi's Farm.

STATUTORY ENVIRONMENT – Land Administration Act, Section 58

**58. Closing roads**

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.
- (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.
- (3) A local government must not resolve to make a request under subsection (1) 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 objections made to it within that period concerning the proposals set out in that notice.
- (4) On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —
  - (a) by order grant the request; or
  - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
  - (c) refuse the request.
- (5) If the Minister grants a request under subsection (4) —
  - (a) the road concerned is closed on and from the day on which the relevant order is registered; and
  - (b) any rights suspended under section 55(3)(a) cease to be so suspended.
- (6) When a road is closed under this section, the land comprising the former road —
  - (a) becomes unallocated Crown land; or
  - (b) if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – Preliminary Estimated Reinstatement Cost for the entire length of the Badjaling – Yoting Road is \$682,000.

STRATEGIC IMPLICATIONS – Strategic Community Plan

**Built Environment**

Objective

To ensure the Shire of Quairading’s built environment is responsive to our community’s diverse needs.

Outcome

B1: Enhanced and Sustainably Managed Assets and Infrastructure.

Strategies

B1.1: Continue the development and implementation of effective Infrastructure Asset Management Plans.

COMMUNITY CONSULTATION – Full Public Consultation / Public Notices will be required to be undertaken prior to Council determining to Close a Dedicated Road.

COMMENT – Councillors and Senior Staff attended the Badjaling Townsite on the 7<sup>th</sup> March 2017 to view the impact of the Flooding.

Councillors and Staff met with Mr Murray Yarran, Mr Cliff Collard, Mr Alan Gelmi and Mr Nigel Gelmi.

The Discussion focussed on viewing the road damage, evidence of where the water flowed and discharged and also future road access to the Community and the adjoining Farmland.

Council Consideration is sought on the Risk / Cost / Benefit of Reinstating the Road Surface under WANDRRA Claim without any Drainage / Flood Mitigation Measures being put in place.

The Chief Executive Officer advises that this is at least the third time this road has been repaired / or needed major reconstruction in the past 17 years.

A copy of the Aerial Photograph of the Locality will be emailed to all Councillors under Separate Cover.

It is recommended that Council consider the Proposal to Seek the Closure of the Badjaling – Yoting Road from East of the Badjaling Community to the Creekline, an Estimated Distance of 5.0 kilometres.

### **OFFICER RECOMMENDATION**

- 1. Submitted for Council Consideration on the Proposed Road Closure under Section 58 of the Land Administration Act.**
- 2. Council await the Department of Water's Review of the Drainage Concept Plan following the Department's Site Inspection before determining the most effective Inundation Mitigation Works.**

**144-16/17 MOVED Cr McGuinness seconded Cr Haythornthwaite that Council not accept the Officer's Recommendation and that the Matter be held over to the April 2017 Council Meeting awaiting the Department of Water's Inspection, Review Report of the Badjaling Drainage Plan and Resulting Recommendations.**

**CARRIED 8/0**

### **3.35pm**

Council adjourned for Afternoon Tea.

Council met the New Teachers and the new Quairading Police Office In Charge Sergeant John Hancock.

### **3.35pm**

The Manager of Works and Services left the Council Meeting.

### **4.11pm**

The Council Meeting Resumed.

Cr Caporn introduced the new Officer in Charge of the Quairading Police Station, Sergeant John Hancock to the Meeting.

Sergeant Hancock thanked the Council for the invitation to attend Afternoon Tea and to present to Council and gave a brief Bio of his Police Career.

Sergeant Hancock gave an overview of the Police District's current Activities:-

- Emphasis on Road Safety.
- Police District Rostering across multiple Towns.
- Improving Communications with the Quairading District High School.
- Several recent burglaries in Town.
- ANZAC Day arrangements.

Cr Caporn thanked Sergeant Hancock for attending.

**4.25pm**

Sergeant Hancock left the Council Meeting.

**ITEM 9 MATTERS PENDING / ACTION SHEET**

Council discussion ensued on the following: -

- Item 3 – Review of Local Laws: The Chief Executive Officer’s Secretary is currently working with Consultant Mr Darren Long to get the adopted Local Laws Gazetted. Explanatory Memorandum’s to be completed.
- Item 5 – Grain Freight Project: Additional Survey required on the Cubbine Road Corner. It was noted that there had been a Communication Issue with Land Owners and that this situation to be rectified and Land Dealings be finalised.
- Item 6 – “The Groves”: A copy of the Management Plan to be emailed to Councillors.
- Item 7 – Reconciliation Action Plan: The Economic Development Project Officer Reported on the RAP Workshop. 19 people attended. Emphasis was on Youth Development and Cultural Heritage. A Vision Statement had been drafted from the Workshop.
- Item 9 – Kevill’s Lake: No further update. Waiting on Dept. of Transport Appraisal and Ski Club background information.
- Item 10 – Audio Visual Upgrade at Town Hall: Curtain Raisers to be approached on Community Group Contributions and letter of Support be sought.
- Item 12 – Pink Lake Layby: The Chief Executive Officer to follow-up Action by Main Roads WA on the recent Road damage.
- Item 13 – Industrial Land: The Chief Executive Officer to make contact with LandCorp and the Wheatbelt Development Commission regarding the Project.
- Item 16 – Works Depot Upgrade: A Special Meeting was set for the 18<sup>th</sup> April 2017 at 4:30pm to Review and determine the Tenders.
- Item 30 – Meeting with Business Houses: The Chief Executive Officer to contact the Wheatbelt Business Network Executive Officer, Caroline Robinson regarding a Meeting with the Business Houses in Late August 2017.
- Item 37 – Quairading Community Resource Centre – Service Agreement: Council requested a Business Management Plan or Business Charter, be obtained from the CRC before the Working Group convene its Meeting with the CRC.
- Item 39 – Toapin Weir: The Chief Executive Officer to follow-up with a letter to WaterCorp on the next Actions.
- Item 44 – Road Design – Winmar Road and Main Road: The Chief Executive Officer to follow-up.
- Item 46 – Edward Way Land Sale: The Economic Development Project Officer to assist the Chief Executive Officer with developing a Marketing Strategy.
- Item 51 – Old School Building: Date for the Working Group’s first Meeting to be arranged.
- Item 52 – Community Playground/Skate Park: A copy of the Concept Plan to be emailed to Councillors.
- Item 55 – Veterinary Clinic Building: Tenancy/Usage Agreement to be considered at the next Finance and Audit Committee Meeting.

**144A-16/17 MOVED Cr Davies seconded Cr Taylor that Item 41: Website Portal and Item 42: Education Issue, be removed from the Matters Pending / Action Sheet.**

**CARRIED 8/0**

**ITEM 10 INFORMATION SESSION / DELEGATES’ REPORTS**

**Item 10.1 Shire of Quairading / City of Melville Partnership**

Nil

**Item 10.2 Regional Cooperation**

Heritage Adviser Mr Stephen Carrick will meet with Council on Heritage Issues at the April 2017 Council Meeting.

**Item 10.3 Delegates' Reports****Cr McGuinness (Proxy Chief Executive Office Mr Graeme Fardon)**

Attended the Roe Sub Regional Road Group Meeting held at Corrigin Shire on Wednesday 22nd March 2017.

Issue of Wheatbelt Councils supporting a "Secondary Freight Route Project" for a Funding Bid through Regional Development Australia Wheatbelt (RDA)

Council's Delegates provided further Background on this Emerging Issue which has Strategic Risks and Financial Implications to Council if other Funding Sources are not secured for the Planning Project.

**145-16/17 MOVED Cr McGuinness seconded Cr Taylor that:-**

- 1. Council considers that there are a number of "Project Risks" (including the possible lack of integration between State and Local Government Freight Planning Projects) that need to be addressed by the Wheatbelt Councils, Wheatbelt Main Roads and Regional Development Australia Wheatbelt Inc to ensure that a Stronger Project Submission can be presented to the Federal Government's "Building Better Region Fund".**
- 2. Council provide "In Principle" Support for the "Secondary Freight Route Project" however Council advise that it is not in a position to provide a Financial Commitment (Draft Budget for 2017/2018) at this time.**

**CARRIED 8/0**

**Item 10.4 Report on Delegated Authority Exercised**

Report Noted.

**ITEM 11 BUILDING AND TOWN PLANNING DEVELOPMENT****Item 11.1 No Building and Town Planning Development Committee Meeting held in March 2017.****Item 11.2 Other Building Matters**

The Meeting requested that Councils Staff Housing Strategy be Reviewed.

**The Economic Development Project Officer reported on the following: -**Independent Living Unit Precinct

Excision of Land from 'Hospital and Allied Purposes' Reserve 16215 commenced, for creation of new Reserve vested to the Shire of Quairading with the Council being responsible for all Survey Costs, including Survey, Plan Preparation and Landgate lodging/plan audit Fees.

Cunderdin / Tammin / Quairading Aged Precinct Project - Budget, Business Case and Cost Benefit Analysis completed by WDC and submitted to Dept. of Regional Development. The Announcement made on 15<sup>th</sup> December 2016 of successful outcome. Project deferred till 2018/2019 for Delivery.

Swimming Pool

Pool Redevelopment Project (CSRFF) completed and acquitted.

Outstanding issues are:-

- Treatment plant – Pump 1 @ Leisure pool
- Calibration
- Floor drainage in Ladies Changeroom.
- Noted – Handrail modifications and grab rope.



External Works:-

- Barbeque - deferred until post-Pool Season.

Country Pool Revitalisation Program:-

- Grant funding 2016/2017 received (\$35,200 inc GST)
- Allocated for Pool Lighting and Shade Sails
- Acquittal Process commenced.

Pool Operation:-

- Contractor – Contract Aquatic Services
- Lease on 25 Suburban Road to be concluded on 14/04/17. New Rental for House in Reid Street taken up.
- Patronage Season-to-date: 5,769.

Industrial / Commercial Land

RDAP Application submitted on 31<sup>st</sup> March 2016 by Town Planner. Due diligence process within RDA underway pending outcome / feedback from Dept. of Roads on the Road Realignment. Project if Grant Application successful, is scheduled for 2018/2019.

Audio Visual Upgrade – Shire Hall

Officer in discussions with LotteryWest on a possible Grant Submission. Further round of the Regional Venue Improvement Fund in early 2017. New round of Community Chest Grant announced.

**5.34pm**

The Chief Executive Office left the Meeting.

Solar Panels for Administration Centre

Production to date is 8,940KWH (24/03/17). Power consumption (KW/Day) has declined from an average of 90KW/day to 27KW/Day. It appears a combination of both installation of more efficient reverse cycle air-conditioning units and the Solar Voltaic System. Savings will be less during the Winter Months.

**5.36pm**

The Chief Executive Officer re-entered the Meeting.

Strategic Planning

Community Survey and Community Engagement “Have Your Say” day completed. Noongar “Have Your Say Workshop’ was held on 29<sup>th</sup> March 2017. The Economic Development Project Officer currently working on Financial Profile in preparation for the development of the Corporate Business Plan (4 Year Plan) and the Long Term Financial Plan.

RAP Revision and Documentation

Review of RAP Document and new Template. Session conducted on 15<sup>th</sup> March 2017 at the CRC.

The Meeting suggested that the Swimming Pool Season Report be communicated in the next Shire eNewsletter and that the Shire should seek feedback from the Community.

**ITEM 12 FINANCE****12.1.1 Accounts for Payment – February 2017**

## REPORTING OFFICER

Tony Merillo Deputy Chief Executive Officer Date – 4<sup>th</sup> March 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Nil

MATTER FOR CONSIDERATION – Authorisation of accounts paid during the month.

APPLICANT'S SUBMISSION – Nil

BACKGROUND – Accounts paid are required to be submitted each month.

STATUTORY ENVIRONMENT – Local Government (Financial Management) Regulations 1996 (Reg 13 (1)) requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Payment from Council's Municipal Fund from 2016 / 2017 Budget Expenditure.

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Nil

COMMENT – Payments as per the attached schedules 4.1.1/2/3

**STAFF RECOMMENDATION**

**146-16/17 MOVED Cr McRae seconded Cr Haythornthwaite that Council adopt the following:-**

- 1. That Schedule of Accounts covering Municipal Vouchers 23159 to 23180 & EFT3870 to EFT3938 & DD12301.1 to DD12301.12 & DD12302.1 to DD12302.11 totalling \$577,384.90 be received; The balance of all other outstanding Sundry Creditors to the 28/02/2017 total \$52,678.97; and**
- 2. That Police Licensing payments for the month of February 2017 totalling \$33,083.95 be received (Attachment 4.1.2); and**
- 3. That fund transfers to Corporate Credit Card for February 2017 totalling \$226.77 be received (Attachment 4.1.3); and.**
- 4. That Payroll payments for the month February 2017 totalling \$180,751.18 be received; and**
- 5. That fund transfers from Trust account to Municipal account for February 2017 totalling \$496.10 be received; and.**
- 6. That the WestNet payment for the month of February 2017 totalling \$69.95 be received.**

**CARRIED 8/0**

<b>12.1.2 Fund Balances Report – February 2017</b>
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## REPORTING OFFICER

Tony Merillo Deputy Chief Executive Officer Date – 4<sup>th</sup> March 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Nil

MATTER FOR CONSIDERATION – Financial Position as at 28<sup>th</sup> February 2017

APPLICANT’S SUBMISSION – Nil

BACKGROUND – The Municipal, Cash Backed Reserves and Trust accounts shown here as at 28<sup>th</sup> February 2017, are provided to inform Council of its financial position as at that date.

<u>Account</u>	<u>Statement Balance</u>		<u>Reconciliation Balance</u>
Municipal A/c	\$122,650.45	Reconciled Municipal Balance	<b>\$1,771,719.16</b>
At Call - Invest.	\$450,000.00	(Plus Outstanding Payments)	<b>\$17,576.55</b>
Childcare Centre	\$16,258.18	(Less Outstanding Deposits)	<b>(\$1,738.35)</b>
Medical A/c	\$33,132.98	(Less Outstanding Transport)	<b>(\$15,515.75)</b>
T/Deposit 3 Mth	\$350,000.00		
T/Deposit 3 Mth	\$400,000.00		
T/Deposit 3 Mth	\$400,000.00		
<b>Total Municipal</b>	<b><u>\$1,772,041.61</u></b>		<b><u>\$1,772,041.61</u></b>
At Call - Reserve	\$321,559.04		
T/Deposit-Reserve	\$878,850.00		
T/Deposit-Reserve	\$1,285,591.05		
T/Deposit-Reserve	\$450,615.21		
<b>Total Reserves</b>	<b><u>\$2,936,615.30</u></b>		<b><u>\$2,936,615.30</u></b>
Trust A/c	\$87,919.13		
Police Licensing	\$15,515.75		
<b>Total Trust</b>	<b><u>\$103,434.88</u></b>		<b><u>\$103,434.88</u></b>
	<b><u>\$4,812,091.79</u></b>		<b><u>\$4,812,091.79</u></b>

STATUTORY ENVIRONMENT – Forms part of Financial Management Reg 34(2)(a)

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Nil

COMMENT – Fund Balances for the period ending 28<sup>th</sup> February 2017 as stated above.

## STAFF RECOMMENDATION

**147-16/17 MOVED** Cr McRae seconded Cr Haythornthwaite that Council adopt the Fund balances for the period ending 28<sup>th</sup> February 2017.

CARRIED 8/0

<b>12.1.3</b>	<b>Financial Information–Statements of Income and Expenditure for the Period Ending – 28<sup>th</sup> February 2017</b>
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## REPORTING OFFICER

Tony Merillo Deputy Chief Executive Officer Date – 4<sup>th</sup> March 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Nil

MATTER FOR CONSIDERATION – The adoption of the Monthly Financial Report and Statements of Financial Activity.

BACKGROUND – Council resolved in October 2000 (Minute Number 071-00/01) to receive Financial Statements in the Statutory required format.

STATUTORY ENVIRONMENT – Amendments to the regulations, gazetted on the 31<sup>st</sup> March 2005 and effective from the 1<sup>st</sup> July 2005, have repealed the existing regulations (34 and 35) relating to monthly and quarterly / triannual financial reports.

They have been substituted with a new Regulation 34. This new regulation only requires Local Governments to report on a monthly basis, although it is much more prescriptive as to what is required and its intention is to establish a minimum standard across the industry.

The new regulations require Local Government to prepare each month a statement of financial activity as per attachment. This statement is intended to report on the sources and application of funds highlighting variances to budget for the month in question.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Nil

COMMENT – Schedules in the normal format also accompany the required documentation to assist with the interpretation for fund movements and variations.

Financial Statements for the period ending 28<sup>th</sup> February 2017 follow.

**STAFF RECOMMENDATION**

**148-16/17 MOVED Cr McRae seconded Cr Davies that Council adopt the Financial Statements for the period ending 28<sup>th</sup> February 2017.**

CARRIED 8/0

<b>12.1.4</b>	<b>Financial Statements – Variation to Budget by Percentage or Value – 28<sup>th</sup> February 2017</b>
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## REPORTING OFFICER

Tony Merillo Deputy Chief Executive Officer Date – 5<sup>th</sup> March 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Nil

MATTER FOR CONSIDERATION – To review all Financial Activity for material variances greater than both 10% and \$10,000.00 to Budget.

BACKGROUND – Under the requirements of regulation 34 Council is to each financial year adopt a percentage or value for reporting material variances.

At the Ordinary Meeting of Council held 31<sup>st</sup> August 2016 under resolution Budget Adoption - SMC16/17 it was moved to report on any material “**Variations of \$10,000.00 AND Greater than 10%**”. Council will continue to include in the Adopted Annual Budget the material variation limits

to be reported on. The Finance and Audit Committee and Council are still able to request clarification of any variation they may have a concern with.

STATUTORY ENVIRONMENT – Regulation 34 Financial Activity s. 6.4

(1) A Local Government is to prepare each month a statement of financial activity reporting on the sources and application of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail-

Item (5) covers the variances and states that each financial year; a Local Government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Nil

COMMENT – As detailed in variation report attached.

**STAFF RECOMMENDATION**

**149-16/17 MOVED Cr McRae seconded Cr McGuinness that Council adopt the Variation to Budget by Percentage and Value noted on the Financial Statements and reported on for the period ending 28<sup>th</sup> February 2017.**

**CARRIED 8/0**

<b>12.1.5</b>	<b>Lease of Colour Copier – 2016 / 2017 Budget</b>
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REPORTING OFFICER

Tony Merillo Deputy Chief Executive Officer Date – 5<sup>th</sup> March 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Nil

MATTER FOR CONSIDERATION – Rescind Ordinary Meeting of Council Motion 103 -16/17 on Finance and Audit Committee recommendation F7 – 16/17 to purchase on Colour Printer for \$672.73 (GST Exc)

BACKGROUND – The original Staff Recommendation as attached, was made to the Finance and Audit Committee to highlight the Cost Benefit to Council in proceeding with the purchase of a Colour Printer rather than a Colour Copier and disposing of the existing Black and White copier.

Perfect Computer Solutions were able to locate a HP colour printer for \$672.73 (Exc GST) and replacement colour toner for \$268.18 (Exc GST) however when asked to supply the printer their supply advised that they were out of stock and that the printer was no longer being manufactured.

Lease of Colour Copier – 2016 / 2017 Budget (F7-16/17)

**103-16/17 MOVED Cr McRae seconded Cr Davies that Council adopt Finance and Audit Community Recommendation F7-16/17 to purchase a new Colour Printer as per the Perfect Computer Solutions quote of \$672.73 (ex GST), and review advantages and usage of the Printer after 6 months.**

**CARRIED 8/0**

Unfortunately the purchase of a suitable colour printer with the capability to print A3 size copies was limited and the Economic Development Project Officer was only able to locate an OKI series C810 / C830 and additional colour toner at a cost of \$1022.73 (Exc GST)

STATUTORY ENVIRONMENT – Nil

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Budget item 2016 /2017 - 0712 Office Equipment & Maintenance \$3,370 (EX GST) first year lease repayment on a New Colour Copier over a 4 year term.

The purchase of the OKI series C810 / C830 Colour Printer was \$1,022.73 (Exc GST)

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Nil

COMMENT – The purchase of the OKI series C810 / C830 was greater than the approved motion of \$672.73 (Exc GST) and therefore Cr Haythornthwaite requested that a motion to Rescind motion 103 – 16/17 be submitted to the next Finance and Audit Committee.

#### **STAFF RECOMMENDATION**

**That the Finance and Audit Committee recommend that Council Rescind:**

**1/ 103-16/17 MOVED Cr McRae seconded Cr Davies that Council adopt Finance and Audit Community Recommendation F7-16/17 to purchase a new Colour Printer as per the Perfect Computer Solutions quote of \$672.73 (ex GST), and review advantages and usage of the Printer after 6 months.**

**2/ that Council approve the purchase of a new OKI series C810 / C830 colour printer for \$1,022.73 (Exc GST) and review advantages and usage of the Printer as part of the Draft Budget Consideration.**

**The Officer's Recommendation was not considered by the Meeting. No Mover or Seconder as the Matter had been already been Considered and Action determined at the Council Meeting held on the 23<sup>rd</sup> February 2017.**

#### **ITEM 12.2 OTHER FINANCIAL MATTERS**

The Meeting enquired about the Employee Income Protection Plan and the Advice to Employees that Council will not be continuing with Insurance Cover in 2017/2018 Year.

The Chief Executive Officer informed the Council that he has conducted informal discussions but will follow-up with Written Correspondence to all Staff.

The Meeting noted the IT Maintenance Budget that had been exceeded, and it was suggested that Council be proactive and perhaps set up an IT Reserve Fund in the future.

The Meeting noted that the Chief Executive Officer's Vehicle had recently been changed over at an advantageous figure to Council.

#### **ITEM 13 OTHER MEETINGS**

##### **Item 13.1 Reconciliation Action Plan (RAP) Meeting held on 22<sup>nd</sup> February 2017**

Minutes noted.

##### **Item 13.2 Local Emergency Management Committee Meeting held on 1<sup>st</sup> March 2017**

St John Ambulance (Quairading) - Mobile Phones (LEMC6 – 16/17)

**150-16/17 MOVED Cr Davies seconded Cr McRae that Council adopt the Local Emergency Management Committee Recommendation LEMC6-16/17 that Council lobby Telstra in regard to the Short Battery Life of the Telecommunications Towers in the District which significantly compromises Emergency Services and Response Times.**

**CARRIED 8/0**

#### Council Discussion

Council requested that the Community Emergency Service Manager make a presentation in future to a Council Meeting informing on the Roles of the Local Emergency Management Committee and the Community Emergency Services Manager's Position.

**Item 13.3 Medical Executive Committee Meeting held on 15<sup>th</sup> March 2017.**

Community Medical Transport Vehicle Storage

The Chairman informed the Meeting of the outcome of the recent investigation into the storage solution for the Community Medical Transport Vehicle and that the preferred option was to use the discussed Double Garage at the rear of the Doctor's Residence with minor modifications to the fence and gate to provide Privacy and Security. The Meeting noted this had been actioned by the Shire President and the Chief Executive Officer.

**Item 13.4 Quairading and Districts Sport and Recreation Council Meeting held on 20<sup>th</sup> March 2017.**

Minuted Noted.

Council noted that the next Meeting of the Working Group would be held on 4<sup>th</sup> April 2017 to review their Action Plan.

**Item 13.5 Special Meeting of the Finance and Audit Committee held on 21<sup>st</sup> March 2017**

<b>13.5.1 Budget Review 2016/2017</b>
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer                      Date: 15th March 2017

Tony Merillo – Deputy Chief Executive Officer

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Nil

MATTER FOR CONSIDERATION – Local Government Budget Review.

BACKGROUND – Local Government is required to conduct a Budget Review between 1st January and 31st March each Financial Year.

STATUTORY ENVIRONMENT – Local Government (Financial Management) Regulations 1996

33A. Review of budget

(1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.

(2A) The review of an annual budget for a financial year must —

(a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and

(b) consider the local government's financial position as at the date of the review; and

(c) review the outcomes for the end of that financial year that are forecast in the budget.

(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.

(3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

\*Absolute majority required.

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – A more accurate estimation of Council's financial position against proposed initial budget income/expenditure.

STRATEGIC IMPLICATIONS – Strategic Community Plan Governance:

Outcome

G1 Sustainable and Accountable Governance;

Strategies

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

COMMUNITY CONSULTATION – Nil

COMMENT –The Detailed Budget Review will enable the Finance and Audit Committee to consider the Budget Review Report and recommend to Council.

\*The Budget Review is based on the Financial Statements to the 28th February 2017.

COMMITTEE DISCUSSION

Cr B McGuinness entered the Meeting at 5.16pm.

Cr McRae requested a detailed report on the Income and Expenditure for the Environment Project Officer's Position to be an Item for the April 2017 Finance and Audit Committee Meeting.

The Chief Executive Officer commented that a Future Business Plan for Electrical Services would be presented at the April 2017 Finance and Audit Committee Meeting for Consideration.

Cr McRae requested a Detailed Report on the Long Service Leave and Annual Leave Liabilities and the Plan for reducing the Liability to be presented to the Finance and Audit Committee

Budget Review Report (F27-16/17)

**151-16/17 MOVED Cr McRae seconded Cr Taylor that Council accept the Special Finance and Audit Committee Recommendation F27-16/17, and that Council adopt that the 2016/2017 Budget Review Report, with the following Variations:-**

- 1. No Loan to be raised in 2016/2017 towards the Construction of the Works Depot Shed and Amenities.**
- 2. \$200,000 be Transferred from the Building Reserve in the 2016/217 Year for the Construction of the Works Depot Shed and Amenities.**
- 3. Increase in the Computer Maintenance Budget (GL 0742) by \$10,000.**

**CARRIED 8/0**

<b>13.5.2 Statutory Compliance Return</b>
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer

Date: 15<sup>th</sup> March 2017

MATTER FOR CONSIDERATION – Consideration of the Statutory Compliance Audit Return for the year ended 31<sup>st</sup> December 2016.

APPLICANT'S SUBMISSION – Copy of Completed Draft Return is attached for Elected Members' consideration.

STATUTORY ENVIRONMENT – Local Government (Audit) Regulations 1996

**14. Compliance audits by local governments**

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.



- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
- (a) presented to the council at a meeting of the council; and
  - (b) adopted by the council; and
  - (c) recorded in the minutes of the meeting at which it is adopted.

### **15. Compliance audit return, certified copy of etc. to be given to Executive Director**

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
- (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
  - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.
- (2) In this regulation —
- certified* in relation to a compliance audit return means signed by —
- (a) the mayor or president; and
  - (b) the CEO.

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Strategic Community Plan Governance:

#### Outcome

G1 Sustainable and Accountable Governance;

#### Strategies

G1.1 Improve Organisational Planning, Processes and Systems.

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

#### COMMITTEE DISCUSSION

The Committee requested that the Statutory Compliance Audit Return reflect that the Chief Executive Officer is the Respondent in all Sections of the Compliance Return.

**152-16/17 MOVED Cr McRae seconded Cr Haythornthwaite that Council accept the Special Finance and Audit Committee Recommendation F28-16/17 that the Statutory Compliance Audit Return for the period 1<sup>st</sup> January 2016 to 31<sup>st</sup> December 2016 be Adopted by Council.**

**CARRIED 8/0**

#### ITEM 14 OFFICERS' REPORTS WITH RECOMMENDATIONS

##### **14.1.1 Review of Occupational Health and Safety Policy**

#### REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer

Date: 20<sup>th</sup> March 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION – Council is requested to Review and Endorse Council's Occupational Health and Safety Policy.

**BACKGROUND** – The Policy is prepared to provide Council with a formal written record of the Occupational Health and Safety Policy.

The Policy aims to ensure that every Employee works in an environment where every effort is made to prevent accidents, injury and disruption to Employees' Health from foreseeable Work Hazards.

**STATUTORY ENVIRONMENT**

Occupational Health and Safety Act 1984

Occupational Safety and Health Regulations 1996

**POLICY IMPLICATIONS** – Review of the current Occupational Health and Safety Policy

**FINANCIAL IMPLICATIONS** – Nil

**STRATEGIC IMPLICATIONS** – Australian Standards 4308, 3547 Duty of Care requirements under Occupational Safety and Health Legislation Duty of Care requirements at Common Law Local Government Act 1995 Local Government (Rules of Conduct) Regulations 2007 r.3 (1)(h) Occupational Safety and Health Act 1984 Occupational Safety and Health Regulations 1996

**COMMENT** – Council is advised that the Shire Occupational Health and Safety Committee have supported the Policy, without Amendment for the forthcoming 12 Months.

**OFFICER RECOMMENDATION**

**153-16/17 MOVED** Cr McGuinness seconded Cr Shenton that Council adopt the Occupational Health and Safety Policy with the minor formatting Amendments provided for clarity.

**CARRIED 8/0**

<b>14.1.2</b>	<b>Quairading Town Planning Scheme No. 2</b>
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**REPORTING OFFICER**

Jacky Jurmann – Contract Planner

Date: 9<sup>th</sup> March 2017

**SENIOR OFFICER**

Graeme A Fardon – Chief Executive Officer

Date: 22<sup>nd</sup> March 2017

**DISCLOSURE OF INTEREST** – Mrs J Jurmann – Contract Town Planner

**OWNER/APPLICANT** – N/A

**MATTER FOR CONSIDERATION** – Proposed Review of the Quairading Townsite Expansion Strategy and Town Planning Scheme No. 2.

**APPLICANT'S SUBMISSION** – Not applicable.

**BACKGROUND** – The Shire of Quairading has received a request for comments from the Shire of Beverley regarding their Draft Local Planning Scheme No. 3. The Draft Scheme has been reviewed and no comments are considered necessary for the reason that the Gazettal of the Scheme is unlikely to result in any significant implications for the Shire of Quairading as a result of any proposed rezoning or changes in land use permissibility.

The Referral, has however prompted a comparison of their proposed Scheme with the Shire of Quairading's current Scheme considering the provision in the new Regulations requires a review of the Scheme this year (refer Statutory Environment for further information).

The new Shire of Beverley Scheme has been developed using the new Model Scheme Text and therefore could be considered "Best Practice" for a local planning scheme. It has also been developed following approval of the combined Beverley and Brookton Local Planning Strategy in October 2013.

STATUTORY ENVIRONMENT – The *Planning and Development (Local Planning Schemes) Regulations 2015* came into effect on the 19<sup>th</sup> October 2015 and introduced two Schedules containing deemed provisions, provisions that immediately superseded some provisions in local Town Planning Schemes; and a new Model Scheme Text that aims to standardise the format, zone labels and land use definitions.

The provisions of the Regulations require every local government to have a Local Planning Scheme and any new Scheme prepared to be accompanied by a Local Planning Strategy (not applied retrospectively). The new provisions also require local governments to review their Local Planning Schemes every five years with initial review periods for existing Schemes prepared under the previous Regulations stipulated as follows:

- 2020 – If the Scheme is less than five years old (i.e. Gazetted from 19 October 2010 to present).
- 2017 – If the Scheme is more than five years old (i.e. Gazetted from 18 October 2010 or older).

The Scheme Review Report in the form specified in the Regulations (see attached) must be submitted to the Western Australian Planning Commission within six months of the required date of the Review.

It is expected due to the age of the Quairading Town Planning Scheme No. 2 and the non-conformance with the new Model Scheme Text, that the review of the Scheme will determine a new local planning scheme will be required, and consequently a Shire-wide Local Planning Strategy.

POLICY IMPLICATIONS – Local Planning Policies may need to be reviewed following the introduction of a new Local Planning Strategy and Scheme to ensure that they are current and consistent.

FINANCIAL IMPLICATIONS – The preparation of the Local Planning Strategy and Scheme will need budget allocations for Consultancy Fees and Advertising. A Draft Budget estimate for the 2017/2018 Year will be provided by Council's Town Planner and Chief Executive Officer.

STRATEGIC IMPLICATIONS – The Local Planning Strategy is the framework for local planning and the strategic basis for local planning schemes. It provides the interface between regional and local planning, and is increasingly being seen by other agencies as the means by which to address economic, resource management, environmental and social issues at a strategic level.

Local Planning Schemes are the principal statutory tool for implementing the local planning strategy and achieving the local government's aims and objectives with respect to the development of its local area. While Schemes deal mainly with land use, development control and infrastructure coordination, they must be developed in the context of the Strategic Framework and the broader environmental, social and economic goals and objectives.

The Local Planning Strategy and Scheme should also be developed as part of the local government's suite of Strategic Planning Documents, including the Strategic Community Plan.

Council's current Strategic Community Plan – Built Environment

#### Objective

To ensure the Shire of Quairading's built environment is responsive to our Community's diverse needs.

#### Outcome

B2 Demonstrate Sustainable Practices.

#### Strategies

B2.1 Ensure land use planning services are responsive to Community aspirations including the increase in availability of industrial, commercial and residential land.

COMMUNITY CONSULTATION – The *Planning and Development (Local Planning Schemes) Regulations 2017* stipulate the advertising requirements for local planning strategies and schemes, being a minimum of 90 days.

COMMENT – The Shire of Quairading Town Planning Scheme No. 2 (TPS2) was originally gazetted on 31 August 1993 and must be reviewed in 2017.

To date, seven scheme amendments have been gazetted to Council's TPS2, including an Omnibus Amendment (Scheme Amendment No. 3) in 2003, which updated numerous provisions of the Scheme and could be considered a substantial review of the Scheme in the context of the current Review requirements.

The Quairading Townsite Expansion Strategy was adopted in June 2008 as an interim measure to provide guidance for the future development and expansion of the Quairading Townsite until such time a local planning strategy was prepared. (It should be noted that prior to the introduction of the Regulations, there was no requirement for local governments to prepare a Local Planning Strategy.)

The current Strategy continues to sufficiently provide guidance for development of the townsite and could form the basis for the development of a Shire-wide Local Planning Strategy.

Alternatively, the Shire could develop a Regional Local Planning Strategy in conjunction with the Shires of Cunderdin and Tammin, similar to the approach of the Shires of Brookton and Beverley, and the Shires of Narrogin, Pingelly and Wickelpin. The Regional Local Planning Strategies contain regional and local strategies to address the needs of each Shire individually and collectively. (A copy of the Strategies are available from the Department of Planning's and the individual Shire's websites.)

This approach may be advantageous from a resource sharing view point (each Shire employs the same Town Planner and Combined Advertising), and to align Strategies and Actions that are relevant on a regional basis. Individually each Shire would still require a Local Planning Scheme that could be developed collectively and tailored again to each Shire's needs.

Cunderdin Shire currently has a Shire-wide local planning strategy that was adopted in December 2006 and is in the process of being reviewed with the view of adopting a new Local Planning Scheme. Tammin does not currently have a Local Planning Strategy, however again their Scheme is required to be reviewed and a Local Planning Strategy will be required.

The Shire of Cunderdin Local Planning Strategy could be used as a basis for the development of a regional strategy, particularly for the rural areas where the strategies will be similar for each of the Shires.

It is timely for Council to resolve to commence the required review of TPS2 to ensure the required timeline is met. Additionally, guidance from Council is requested to establish the best approach to the development of a new Local Planning Scheme, and as a result a Local Planning Strategy.

#### **OFFICER RECOMMENDATION**

**154-16/17 MOVED Cr Davies seconded Cr McRae that Council:-**

- 1. Authorise the Chief Executive Officer to commence the review of the Quairading Town Planning Scheme No. 2 as required by the *Planning and Development (Local Planning Schemes) Regulations 2015* and finalise the Review Report by October 2017.**
- 2. Authorise the Chief Executive Officer to commence discussions with the Shires of Cunderdin and Tammin with an aim to commence the development of a Regional Local Planning Strategy and for the Chief Executive Officer to report back to Council on the Collaborative Approach Discussions and Projected Timeline for the Project.**

**CARRIED 8/0**

<b>14.1.3 Seafood Vending Proposal – Direct Seafood’s NT</b>
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## REPORTING OFFICER

Jacky Jurmann – Contract Planner

Date: 23<sup>rd</sup> March 2017

## SENIOR OFFICER

Graeme A Fardon – Chief Executive Officer

Date: 23<sup>rd</sup> March 2017

## DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Direct Seafood’s NT, Mindarie

MATTER FOR CONSIDERATION – Provision of landowner’s consent by the Shire of Quairading to submit a development application to use of the “Old Saleyards Area” for the retail sale of seafood by the Applicant one Wednesday morning per month from 8am to 11am.

APPLICANT’S SUBMISSION – We own and operate Direct Seafood's NT. We are a local Perth based business selling Seafood Direct to the public and have been operating for nearly two years. All our product is Australian and the majority comes directly off our Commercial Fishing boats in Darwin. We currently service several towns near Quairading including York, Toodyay, Bruce Rock, Merredin, Cunderdin, Coolgardie, Southern Cross and Kalgoorlie and would like to include Quairading in the Run.

We would be looking at one morning a month on a Wednesday from 8am to 11am and after talking to the Shire Planner, the suggested sites were the BP Service Station or the Old Sale Yards and we have chosen to apply for the Sale Yards. I have attached our Business Certificate, Public Liability Cover, Planning Application and also a Photo of our set up (copies attached to this Report). Our set up needs the equivalent of 2 car bays. If this site is not suitable for some reason we are certainly open to suggestions from the Council.

BACKGROUND – The subject site is owned Freehold by the Shire of Quairading and is located on the corner of the York-Quairading and Winmar Roads. The site was previously used as saleyards and currently contains amenities for travellers and truck drivers.

Main Roads are currently finalising plans for the realignment of the corner in conjunction with the Grain Freight upgrades, which will result in the excision of a portion of the land on both street frontages. In addition, the land is the subject of an application to Landcorp’s Regional Development Assistance Program to develop industrial lots on the rear portion of the site.

STATUTORY ENVIRONMENT – The *Planning and Development (Local Planning Schemes) Regulations 2017*, Part 8, clause 62(1)(b) requires a development application to be signed by the owner of the land on which the development is proposed, which in this case is the Shire of Quairading.

For the purposes of subclause (1)(b), a person or body may sign an application for development approval as the owner of freehold land if the person or body is one of the following —

- (a) a person who is referred to in the definition of owner in respect of freehold land in clause 1;
- (b) a strata company that is authorised by a management statement registered under the Strata Titles Act 1985 section 5C to make an application for development approval in respect of the land;
- (c) a person who is authorised under another written law to make an application for development approval in respect of the land;
- (d) an agent of a person referred to in paragraph (a).

Clause 1 defines an owner, in relation to land, as meaning —

- (a) if the land is freehold land —
  - i. a person whose name is registered as a proprietor of the land; and
  - ii. the State, if registered as a proprietor of the land; and
  - iii. a person who holds an interest as purchaser under a contract to purchase an estate in fee simple in the land; and

- iv. a person who is the holder of a freehold interest in land vested in an executor or administrator under the Administration Act 1903 section 8; and
- (b) if the land is Crown land —
- i. the State; and
  - ii. a person who holds an interest as purchaser under a contract to purchase an estate in fee simple in the land;

**POLICY IMPLICATIONS** – The Shire Delegation Register (2016) does not provide the Chief Executive Officer delegated authority to provide owner’s consent on behalf of the Council, hence the purpose of this Report.

**FINANCIAL IMPLICATIONS** – Should owner’s consent be granted, the Applicant must pay the application fee to formally submit the development application prior to the application being formally accepted and determined.

**STRATEGIC IMPLICATIONS** – The Community Aspirations of the Quairading Strategic Community Plan (2015) are to:

#### 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.

Of particular relevance to this proposal, is the Economic aspiration to support and build local business and services. Although, it could be considered this proposal is providing an additional service to the community, it is not a local business and therefore may not be consistent with the Aims and Objectives of the current Strategic Community Plan.

**COMMUNITY CONSULTATION** – Should owner’s consent be granted, the development application will be advertised to the community for comment as part of the assessment process.

**COMMENT** – The requirement for landowner’s consent has resulted in a two-step application process – 1<sup>st</sup> step is for Council to determine whether they are going to grant consent as a landowner; and the 2<sup>nd</sup> step is to determine the development application on the planning merits of the proposal.

If Council resolves to grant landowner’s consent for the Applicant to submit the development application, then the Applicant will pay the application fee and the application will be formally accepted. It is recommended that the development application be advertised to the community for a minimum period of 14 days as part of the assessment process. If no objections are received, the application can be determined under delegated authority, unless the Council resolves to ‘call up’ the application for their determination. If objections are received, then the Council will determine the application.

If Council resolves not to grant landowner’s consent for the Applicant to submit the development application, then the application cannot progress any further. Unlike refusing a development application, there is no right of appeal.

**OFFICER RECOMMENDATION**

**155-16/17 MOVED Cr Caporn seconded Cr Davies that Council not provide Authority to the Chief Executive Officer to sign the Development Application Form for Direct Seafood's NT to use Lot 1 on Diagram 017004 known as the Old Saleyards located on the corner of the York-Quairading and Winmar Roads, Quairading.**

**CARRIED 8/0**

Council Discussion

The Meeting supported that Commercial Enterprises be on Freehold land in the Commercial Zone and not on Shire Managed Land.

<b>14.1.4 Draft Customer Service Charter</b>
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## REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer                      Date: 23rd March 2017

DISCLOSURE OF INTEREST - Nil

OWNER/APPLICANT - Chief Executive Officer

MATTER FOR CONSIDERATION – Draft of a Proposed Customer Service Charter for Council.

APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

Copy of the Proposed Draft – Customer Service Charter

BACKGROUND – Council as part of the Chief Executive Officer's Key Performance Indicators for the 2016/2017 Year required the Preparation of a Customer Service Charter for Council's Consideration.

STATUTORY ENVIRONMENT - Nil

POLICY IMPLICATIONS – Council has existing Communication and Record Keeping Policies which will need Review. Council does not have an existing "Service Charter".

FINANCIAL IMPLICATIONS - Nil

STRATEGIC IMPLICATIONS – Strategic Community Plan – Governance

Objective

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

Outcome

G1.1 Improve Organisational planning, Processes and Systems.

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

G1.3 Encourage Community engagement with Council.

COMMUNITY CONSULTATION – Adopted Charter would be displayed and publicised.

COMMENT – Council Officers have researched a number of Councils for a suitable Customer Service Charter Template.

The Council's Vision i.e. from the Current Strategic Community Plan and as such will need to be modified accordingly, once Council's Major Review of the Strategic Community Plan has been adopted.

Council feedback and an endorsement of the proposed Customer Service Charter is sought. It is proposed that a Communication Plan or Strategy be a "Stand Alone" Council Policy which when drafted will Guide Councillors, Staff and inform the Community on the Style and Manner in which Council will communicate with the Shire's Residents and Stakeholders.

It is envisaged that the Communication Plan will be presented to the April 2017 Council Meeting.

## **OFFICER RECOMMENDATION**

- 1. That the Draft Council “Customer Service Charter” be adopted.**
- 2. Further Reviews of the Charter be undertaken following the completion of the Strategic Community Plan.**

### Council Discussion

A Discussion ensued regarding the Customer Service Charter, and it was recommended that further Contributions/Feedback from Councillors be submitted before the Charter is further considered by Council.

<b>14.1.5 Local Government Honours</b>
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#### REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer                      Date: 23<sup>rd</sup> March 2017

#### DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Chief Executive Officer, Western Australian Local Government Association

MATTER FOR CONSIDERATION – Submission of Nominations for Local Government Association Honours

APPLICANT’S SUBMISSION – Copy of Correspondence and Honours Criteria are attached to this Report

BACKGROUND – The Western Australian Local Government Association has written to Council inviting Nominations for the Local Government Honours System.

The Deadline for Nominations is the Friday 5<sup>th</sup> May 2017.

Council is respectfully requested to consider any Councillor (or Past Councillors) for the Relevant Category.

STATUTORY ENVIRONMENT – Nil

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – Nil, No Cost to Council

STRATEGIC IMPLICATIONS – N/A

COMMUNITY CONSULTATION – N/A

COMMENT – Council, in the past, has only Nominated Persons who have completed their Term as an Elected Member.

Council is informed that Ex Councillors Darryl Richards, Julie Bavin and Clive Hawksley all received Honour Awards at the 2016 Local Government Week Convention.

## **OFFICER RECOMMENDATION**

**Submitted for Council Consideration and Recommendation.**

### Council Discussion

No Nominations for 2017, Report Noted by Council.



**ITEM 15 OTHER OFFICERS' REPORTS – FOR INFORMATION – NO RECOMMENDATIONS TO COUNCIL**

**Item 15.1 Manager of Health and Building Services**

Report Noted by Council.

Council requested feedback from the recent inspection conducted at the Quairading Roadhouse.

**Item 15.2 Environment Officer's Report**

Report Noted by Council.

**Item 15.3 Community Emergency Services Manager's Report**

Report Noted by Council.

**Item 15.4 Community Development Officer's Report**

Report Noted by Council.

**Item 15.5 Economic Development Project Officer's Report**

Officer providing information to the Roe Tourism Executive Officer for the drafting of Roe Tourism Strategic Plan.

Council Discussion

The Meeting raised concerns regarding the continued support of Roe Tourism as Council does not currently have a Tourism Strategy.

**ITEM 16 NEW BUSINESS INTRODUCED BY DECISION OF MEETING**

**156-16/17 MOVED Cr McGuinness seconded Cr Haythornthwaite that Council accept New Business.**

**CARRIED 8/0**

**Cr McGuinness**

- Requested that new Councillor Induction Packages be put in place well before for the 2017 Elections.
- Cr McGuinness made reference to the Asset Management Training and requested that the Asset Management Plans be Reviewed.
- Cr McGuinness suggested that the Chief Executive Officer's Recommendation Format / Template be revised to incorporate "Risk Management Implications".

**157-16/17 MOVED Cr McGuinness seconded Cr Taylor that Council adopt the following changes to the Chief Executive Officer's Recommendation Format / Template:-**

1. That the Chief Executive Officer's Recommendation Format / Template be revised to incorporate "Risk Management Implications". The Risk identified commentary is to be noted as either "Extreme, High, Medium, Low" for the Consequence areas identified as:-
  - I. Financial Loss
  - II. Health
  - III. Reputation
  - IV. Operation
  - V. Natural Environment
2. Mitigation Strategies for Risk(s) identified to be noted in the body of the recommendation (e.g. under Comment heading)
3. That the CEO, Deputy CEO, EDPO, CDO, Works Manager participate in formal Risk Management Training.

**CARRIED 8/0**

**Cr Caporn**

Cr Caporn advised the Meeting that he will be away from the 2<sup>nd</sup> April 2017 to the 12<sup>th</sup> April 2017 and the Deputy Shire President Cr Davies will be away from the 6<sup>th</sup> April 2017 to the 13<sup>th</sup> April 2017. Cr Caporn sought Council direction on the Appointment of an Acting Shire President for the 5 Days Period.

**158-16/17 MOVED Cr Shenton seconded Cr McGuinness that Council Elect Cr Haythornthwaite to be the Acting Shire President from the 6<sup>th</sup> April 2017 to the 12<sup>th</sup> April 2017.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**ITEM 17 NEXT ORDINARY MEETING**

Thursday 27<sup>th</sup> April 2017 in the Council Chambers commencing at 2.00pm.

**ITEM 18 CLOSURE**

There being no further business to discuss, the Chairman declared the Meeting closed at 7.05pm.

I certify the Minutes of the Ordinary Meeting of Council held on 30<sup>th</sup> March 2017 were confirmed on 27<sup>th</sup> April 2017 as recorded on Resolution no \_\_\_\_\_

Confirmed..... 30/03/17