



# Shire of Quairading

## **ORDINARY COUNCIL MEETING MINUTES**

30<sup>th</sup> November 2017

# Disclaimer

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## **Disclaimer**

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# SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 30<sup>th</sup> November 2017 commencing at 2.30pm.

## ITEM 1 OPENING & ANNOUNCEMENTS

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The Shire President opened the Meeting at 2.30pm.

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

The Shire President welcomed Mr John Haythornthwaite, Mrs Margaret Hemsley and the Shire Staff to the Meeting.

## ITEM 2 ATTENDANCE AND APOLOGIES

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### Councillors

Cr WMF Davies	Shire President
Cr B McGuinness	Deputy Shire President
Cr LR Brown	
Cr JN Haythornthwaite	
Cr J McRae	
Cr WE Shenton	
Cr PD Smith	
Cr TJ Stacey	

### Council Officers

Mr GA Fardon	Chief Executive Officer
Mr AJ Merillo	Deputy Chief Executive Officer
Mr A Rourke	Manager of Works & Services
Mr RM Bleakley	Economic Development Project Officer
Mrs A Strauss	Chief Executive Officer's Secretary

### Observers/Visitor

Mr John Haythornthwaite	
Mrs Margaret Hemsley	Consultant LG People Culture (2:30pm – 3.52pm)

### Apologies

Nil.

### Leave of Absence Previously Granted

Cr Shenton: 1<sup>st</sup> December 2017 to the 19<sup>th</sup> March 2018 inclusive noted for future Meetings.

## ITEM 3 PUBLIC QUESTION TIME

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The following three (3) question were raised by Mr John Haythornthwaite: -

### Question

Enquired about the Old Railway Crane's structural safety in relation to the adequacy of the Structure's base/foundations.

### Response

The Chief Executive Officer advised that the matter would need to be raised by Council with the Public Transport Authority as Managers of the “Railway Land”.

### Question

In the adopted Budget, the WA Treasury Corporation Loan of \$500k for the Works Depot didn't specify what it was going to be spent on.

### Response

The Chief Executive Officer advised the Meeting that the Loan was raised for the Construction of the Works Depot which includes the Shed and Staff Amenities. He further explained that the Loan will be repaid back over a 10-year period with a Fixed Interest Rate.

### Question

Mr Haythornthwaite enquired about the damage sustained and cost to repair Sedan Q0.

### Response

The Chief Executive Officer responded that the approx. cost of repairs due to the collision with a kangaroo was estimated at \$4,000.00 with an excess of \$1,000 under Council's Motor Vehicle Insurance Policy.

## ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

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Nil.

## ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

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An Application for Leave of Absence has been received from Cr Haythornthwaite for the period 18<sup>th</sup> December 2017 to 28<sup>th</sup> December 2017 (inclusive).

### **RESOLUTION: 79-17/18**

MOVED Cr McRae SECONDED Cr Shenton

That Cr Haythornthwaite be granted Leave of Absence from Council and Committee Meetings for the 18<sup>th</sup> December 2017 to 28<sup>th</sup> December 2017 (inclusive).

**CARRIED 7/0**

## ITEM 6 DECLARATIONS OF INTEREST

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Councillors to use pro forma declaration of interest handed to Chief Executive Officer prior to meeting or verbal declaration of interest.

Nil at this time.

## ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

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### **7.1 Confirmation of Minutes – 26<sup>th</sup> October 2017**

### **RESOLUTION: 80-17/18**

MOVED Cr McGuinness SECONDED Cr Smith

That the Minutes of the Ordinary Meeting of Council held on the 26<sup>th</sup> October 2017 be confirmed as a true and accurate record.

**CARRIED 8/0**

### **7.1a Business Arising**

Nil.

## **7.2 Confirmation of Minutes – 16<sup>th</sup> November 2017**

### **RESOLUTION: 81-17/18**

MOVED Cr Haythornthwaite SECONDED Cr Brown

That the Minutes of the Special Meeting of Council held on the 16th November 2017 be confirmed as a true and accurate record.

**CARRIED 8/0**

## **7.2a Business Arising**

Nil.

ITEM 8      MATTERS FOR CONSIDERATION – WORKS

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*No matters for consideration.*

## 9.1 Quairading Heritage Strategy

### REPORTING OFFICER

Jacky Jurmann – Planning Consultant

Date: 21<sup>st</sup> November 2017

### SENIOR OFFICER

Neville Hale – Acting Chief Executive Officer

DISCLOSURE OF INTEREST – Nil.

OWNER/APPLICANT – Shire of Quairading

MATTER FOR CONSIDERATION –

Shire of Quairading Heritage Strategy 2017

APPLICANT'S SUBMISSION – N/A

### BACKGROUND –

The Report was commissioned as part of the Heritage Advisory Service partially funded by the State Heritage Office to establish the current state of heritage in the Shire and provide a list of objectives and prioritised actions as the first step of the new service.

Existing heritage reports, including the 2013 and 2016 strategies, and planning documents were considered in relation to best heritage practice, particularly the terms of the Burra Charter. Guidelines provided by the Heritage Council of WA for producing heritage strategies were followed to produce the final report.

The report found that whilst measures to protect heritage have been taken, including provisions in the Local Planning Scheme, more actions can be taken to increase the profile of heritage matters.

Key recommendations of the report are:

- Review the Municipal Heritage Inventory;
- Produce a Heritage List in accordance with the Local Planning Scheme;
- Promote the appreciation, awareness and profile of heritage places in the community; and
- Explore interpretation projects to raise the awareness and profile of heritage places.

### STATUTORY ENVIRONMENT –

As outlined in the Strategy, a Heritage List needs to be prepared for inclusion in the Local Planning Scheme to provide an appropriate level of statutory protection to the listed places. At present, the entire Municipal Heritage Inventory is the Heritage List, which is inappropriate and onerous on landowners of places listed in categories of lesser significance.

Following preparation of the Heritage List, the Municipal Heritage Inventory will then become an important community resource that could be managed by the Community Development Officer, which should be published on the Shire's website and be available in hardcopy to provide a source of information for people researching local and family history.

### POLICY IMPLICATIONS –

An action listed in the Strategy is for Council to consider the preparation of a Local Planning Policy for Heritage Conservation and Development to assist in making decisions under the Scheme about heritage places. It is recommended that the LPP reference State Planning Policy 3.5 Historic Heritage Conservation and include application requirements for heritage listed places, such as Heritage Impact Statements, Structural Condition Assessments and Archival Recording and Development Plans in instances of proposed demolitions.



## FINANCIAL IMPLICATIONS –

The Shire has been successful for the past few years in obtaining a 50% subsidy for the costs of employing a Heritage Advisor. Unfortunately, this subsidy has been discontinued for the foreseen future. Specific budget allocations would be required to implement the actions within the Strategy.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

The development and adoption of the Heritage Strategy is consistent with the: -

### **Built Environment**

#### Objective

Planning and Infrastructure to meet the needs of the community to develop a responsible land use planning service.

## COMMUNITY CONSULTATION –

Community consultation would occur during the review of the Municipal Heritage Inventory and preparation of a Heritage List, particularly with landowners of existing and proposed listed places.

## COMMENT –

The Heritage Strategy contains many actions relating to heritage that has been summarised into a Progress Report Template (Appendix 2) that can be used to monitor the implementation of the Strategy. It is recommended that the Strategy be reviewed annually and be the subject of a major review every 5 years.

## OFFICER RECOMMENDATION

### **RESOLUTION: 82-17/18**

MOVED Cr Haythornthwaite SECONDED Cr Brown

That Council resolve to:

1. Receive the Shire of Quairading's Heritage Strategy 2017;
2. Publish the Strategy on the Shire's website; and
3. Incorporate the Heritage Strategy into the Strategic Community Plan to facilitate implementation.

**LOST 0/8**

### **Reason for Council's Decision**

The Officer's Recommendation does not reflect the Shire's Current Position and requires Administration to provide a further detailed Report on the Strategy and a proposed/recommendation Implementation Plan, including budgetary consideration for future Budgets.

## 9.2 Shire of Brookton Draft LPS4

### REPORTING OFFICER

Jacky Jurmann – Planning Consultant

Date: 21<sup>st</sup> November 2017

### SENIOR OFFICER

Neville Hale – Acting Chief Executive Officer

### DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Brookton

### MATTER FOR CONSIDERATION –

Shire of Brookton Draft Local Planning Scheme No. 4.

### APPLICANT'S SUBMISSION –

“The Shire of Brookton is presently reviewing its Town Planning Scheme No. 3 (TPS3) and has prepared a draft Local Planning Scheme No. 4 (LPS4) that will ultimately replace the existing document.

With approval having been granted by the Minister for Planning to proceed to formal advertising, the Shire Council respectfully seeks your organisation's comments on its draft LPS pursuant to Regulation 22(1) of the Planning and Development (Local Planning Schemes) Regulations 2015.”

### BACKGROUND –

The Shires of Beverley and Brookton have prepared a combined Local Planning Strategy, which was endorsed on 25 October 2013.

The Shire of Beverley referred their draft Local Planning Scheme No. 3 to Council for comment and was considered at the Ordinary Meeting on 30 March 2017. No comments were offered regarding the draft LPS3.

### STATUTORY ENVIRONMENT –

The Shire of Brookton has prepared the draft Local Planning Scheme No. 4 in accordance with the powers conferred by the Planning and Development Act 2005 and Schedule 2 (known as the Model Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015.

### POLICY IMPLICATIONS – N/A

### FINANCIAL IMPLICATIONS – N/A

### STRATEGIC IMPLICATIONS –

The draft Local Planning Scheme has been assessed with the view of determining any adverse implications for the Shire of Quairading and also taking into consideration the current local planning review. No adverse implications were identified with the majority of land adjoining the Shire boundary remaining zoned Rural.

### COMMUNITY CONSULTATION –

The Shire of Brookton's referral is part of their community consultation process.

### COMMENT –

The Shire of Brookton's draft Local Planning Scheme No. 4 is an example of the current format and content of new local planning schemes, and is similar to the document that will be prepared for the Shire of Quairading following endorsement of the Regional Local Planning Strategy.

**OFFICER RECOMMENDATION**

**RESOLUTION: 83-17/18**

MOVED Cr Haythornthwaite SECONDED Cr McRae

That Council resolves to advise the Shire of Brookton that it has no comments on the Draft Local Planning Scheme No. 4.

**CARRIED 8/0**

ITEM 10    MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

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*No matters for consideration.*

**11.1 Accounts for Payment – October 2017**

REPORTING OFFICER

Tony Merillo    Deputy Chief Executive Officer

Date: 13<sup>th</sup> November 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. Expenditure authorised as it is included in the Adopted 2017/2018 Budget.

STRATEGIC IMPLICATIONS – Strategic Community Plan

G1.2 Ensure Transparency and Accountable Governance of the Shire.

Corporate Business Plan

G1.1.2 Continued Improvement of Risk Management Practices.

G1.2.1 Continued Improvement of Shire Reporting

G1.2.2 Continue to Uphold the Shire Code of Conduct

COMMUNITY CONSULTATION – Nil

RISK MANAGEMENT –

Council's Risk Management Policy and Risk Management Framework Considered low Risk on Risk Matrix given Purchasing / Procurement procedures followed together with, Managements Separation of acceptance of Duties and Processes.

COMMENT –

Payments as per the attached schedules 11.1.1/2/3.

## **OFFICER RECOMMENDATION**

### **RESOLUTION: 84-17/18**

MOVED Cr Haythornthwaite SECONDED Cr McRae

That Council adopt the following:

1. That Schedule of Accounts covering Municipal Vouchers 23330 to 23355, EFT4613 to EFT4680, EFT4708 to EFT4748 & DD12644.1 to DD12644.12 & DD12645.1 to DD12645.12 & DD12646.1 to DD12646.12 totalling \$1,065,641.76 be received; The balance of all other outstanding Sundry Creditors to the 31/10/2017 total \$80,605.66; and
2. That Police Licensing payments for the month of October 2017 totalling \$44,590.35 be received on the (Attachment 11.1.2); and
3. That fund transfers to Corporate Credit Card for October 2017 totalling \$4,338.50 was received on the 31st October 2017(Attachment 11.1.3); and.
4. That Payroll payments for the month October 2017 totalling \$252,693.86 be received; and
5. That fund transfers from Trust account to Municipal account for October 2017 totalling \$3,197.74 be received; and.
6. That the WestNet payment for the month of October 2017 totalling \$0.00 be received.

**CARRIED 8/0**

## 11.2 Fund Balances Report – October 2017

### REPORTING OFFICER

Tony Merillo Deputy Chief Executive Officer

Date: 13<sup>th</sup> November 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Nil

MATTER FOR CONSIDERATION – Reconciled Cash Financial Position as at 31<sup>st</sup> October 2017

APPLICANT'S SUBMISSION – Nil

BACKGROUND – The Municipal, Cash Backed Reserves and Trust Accounts shown here as at 31<sup>st</sup> October 2017, are provided to inform Council of its Cash Financial Position as at that date.

<u>Account</u>	<u>Statement Balance</u>		<u>Reconciliation Balance</u>
Municipal A/c Acc: 000001	\$387,507.95	Reconciled Municipal Balance	<b><u>\$3,326,894.03</u></b>
At Call - Invest. Acc:128224	\$900,000.00	(Plus Outstanding Payments)	<b>\$19,792.76</b>
Childcare Centre Acc:150827	\$11,358.57	(Less Outstanding Deposits)	<b>(\$2,243.11)</b>
Medical A/c Acc: 111529	\$44,105.71	(Less Outstanding Transport)	<b>(\$1,761.45)</b>
T/Deposit 3 Mth Acc: 160718	\$400,000.00	(Unknown Deposit Entry)	\$290.00
T/Deposit 3 Mth Acc: 160873	\$450,000.00		
T/Deposit 2 Mth Acc: 160857	\$550,000.00		
T/Deposit 2 Mth Acc: 161438	\$600,000.00		
<b>Total Municipal</b>	<b><u>\$3,342,972.23</u></b>		<b><u>\$3,342,972.23</u></b>
At Call – Reserve Acc: 129083	\$380,571.30		
T/Deposit-Reserve Acc: 159389	\$201,335.89		
T/Deposit-Reserve Acc: 149105	\$1,299,714.94		
T/Deposit-Reserve Acc: 160427	\$452,256.93		
<b>Total Reserves</b>	<b><u>\$2,339,325.42</u></b>		<b><u>\$2,339,325.42</u></b>
Trust A/c	\$88,558.38	Trust General Ledger	<b>\$88,558.38</b>
	\$0.00	Plus Outstanding Deposits	\$0.00
		Less Outstanding Transfers	\$0.00
Police Licensing	\$1,761.45		\$1,761.45
<b>Total Trust</b>	<b><u>\$90,319.83</u></b>		<b><u>\$90,319.83</u></b>
	<b><u>\$5,772,617.45</u></b>		<b><u>\$5,772,617.48</u></b>

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

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS –Strategic Community Plan

G1.2 Ensure Transparency and Accountable Governance of the Shire.

COMMUNITY CONSULTATION – Nil

RISK MANAGEMENT: Adopted Risk Management Policy and Risk Management Framework in Place.

Fund Balances are reported following Reconciliation of Council's Accounting System with Council's Bank Statements and Certificates of Term Depots held. Accounting and Reconciliation conducted in accordance with Council's Financial Management Procedures. Risk Assessment – Low given adherence with Local Government Act and Accounting Regulations.

COMMENT – Fund Balances for the period ending 31<sup>st</sup> October 2017 as stated above.

**OFFICER RECOMMENDATION**

**RESOLUTION: 85-17/18**

MOVED Cr Stacey SECONDED Cr Shenton

That Council adopt the Reconciled Fund Balances for the period ending 31st October 2017.

**CARRIED 8/0**



### **11.3 Financial Information–Statements of Income and Expenditure for the Period Ending – 31<sup>st</sup> October 2017**

#### REPORTING OFFICER

Tony Merillo Deputy Chief Executive Officer

Date – 15<sup>th</sup> November 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 –Strategic Community Plan

G1.2 Ensure Transparency and Accountable Governance of the Shire.

Corporate Business Plan

G1.1.2 Continued Improvement of Risk Management Practices.

G1.2.1 Continued Improvement of Shire Reporting

G1.2.2 Continue to Uphold the Shire Code of Conduct

COMMUNITY CONSULTATION – Nil

RISK MANAGEMENT: Adopted Risk Management Policy and Risk Management Framework in Place. Comprehensive Monthly Financial Report in accordance with the Local Government's Financial Regulation 34 including individual Schedules and each budget line item provided to Audit and Finance Committee for analysis and Recommendation to Council. Risk Ranking – Low due to Checking Procedures followed.

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 31<sup>st</sup> October 2017 follow.

#### **OFFICER RECOMMENDATION**

#### **RESOLUTION: 86-17/18**

MOVED Cr McRae SECONDED Cr Haythornthwaite

That Council adopt the Financial Statements for the period ending 31<sup>st</sup> October 2017.

**CARRIED 8/0**

## **11.4 Financial Statements – Variation to Budget by Percentage or Value –31<sup>st</sup> October 2017**

REPORTING OFFICER

Tony Merillo Deputy Chief Executive Officer

Date – 15<sup>th</sup> November 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 24<sup>th</sup> August 2017 under resolution Budget Adoption - SMC17/18 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 –Strategic Community Plan

G1.2 Ensure Transparency and Accountable Governance of the Shire.

Corporate Business Plan

G1.1.2 Continued Improvement of Risk Management Practices.

G1.2.1 Continued Improvement of Shire Reporting

G1.2.2 Continue to Uphold the Shire Code of Conduct

COMMUNITY CONSULTATION – Nil

RISK MANAGEMENT: Adopted Risk Management Policy and Risk Management Framework in Place. Comprehensive Reporting on Material Variances in accordance with the Local Government's Financial Regulation 34 as Adopted Annually. Clarification on All Variations submitted to the Audit and Finance Committee for analysis and Recommendation to Council. Risk Ranking – Low due to Checking Procedures followed.

COMMENT – As detailed in variation report attached.

### **OFFICER RECOMMENDATION**

#### **RESOLUTION: 87-17/18**

MOVED Cr McRae SECONDED Cr Stacey

That Council adopt 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 2017.

**CARRIED 8/0**

## 11.5 Unbudgeted Expenditure – Soil Contamination Assessment

REPORTING OFFICER

Date: 21<sup>st</sup> November 2017

Neville A Hale – Acting Chief Executive Officer

DISCLOSURE OF INTEREST – N/A

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION –

For Council to agree to an unbudgeted expenditure of up to \$10,000 to undertake an evaluation of soil conditions and provide a report inclusive of analysis, testing and appropriate recommendations in respect to land located on the corner of McLennan Street and Parker Street, Quairading that is under consideration for use as a future public recreation area inclusive of a playground/Skate Park.

APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

Attached for Council's information are two quotations received in respect to the Contaminated Soil Evaluation.

BACKGROUND –

The local community has been looking for appropriate sites to accommodate a recreation area inclusive of a Playground/Skate Park. Following the recent demolition of buildings located on land on the corner of McLennan Street and Parker Street the site has come under consideration given its proximity to the Town Hall/Public Toilets, Caravan Park and Community Resource Centre.

The land forms part of Reserve Land under the control of the Public Transport Authority (PTA) which has indicated a willingness to lease the land to the Shire for "Public Purposes" at a nominal annual rent.

The site was previously used as a Vehicle Sales Yard/Fuel Service Station with a known history of a large fuel (diesel) spill. Accordingly, before the site could be used as a recreation facility and/or the Shire enter into a lease agreement with the PTA, it is first required to ascertain the extent of any soil contamination that may preclude its use for the proposed purpose.

I understand that an earlier Soil Contamination report has been prepared regarding this site for the PTA by former lessee Valley Ford. A copy of this Report should be provided to the Shire's consultant.

STATUTORY ENVIRONMENT –

Contaminated Sites Act 2003 –

Should significant Contamination be identified at the site then the site would have to be reported to the Department of Water and Environmental Regulation.

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* *Absolute majority required.*

(1a) In subsection (1) —

**additional purpose** means a purpose for which no expenditure estimate is included in the local government's annual budget.

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS –

It is anticipated that the initial cost to undertake evaluation of soil contamination on site will require an unbudgeted expenditure of \$10,000. Should the site be significantly contaminated, requiring costly remediation and further testing, a cost benefit analysis should be undertaken before it is considered as an appropriate site for a recreation/playground/skate Park.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

### **Built Environment**

#### Objective

Planning and infrastructure to meet the needs of the community

#### Strategies

Ensure the provision of community facilities and other built assets takes into account the needs of the community

COMMUNITY CONSULTATION – N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Medium – the Shire needs to ascertain the extent of contamination and remedial action required before committing to the site

Health – Low Risk

Reputation – Low Risk

Operation – Low Risk

Natural Environment – Low Risk.

COMMENT –

The land under consideration is well located and could be leased from the Public Transport Authority for a nominal rent as per the Shire's arrangements with other Rail Reserve Lands.

The unbudgeted expenditure will enable the Shire to ascertain the extent of contamination and whether further, more expensive, remediation works would be required before the site could be used for its intended purpose.

EXECUTIVE SUMMARY –

- The Community is looking at alternative sites within Quairading Town for the establishment of a Recreation Area inclusive of a Playground and Skate Park;
- The Railway Reserve land, under the control of the PTA, on the corner of McLennan and Parker Street, Quairading has been identified as a potential site;
- The Reserve land was previously used as a Car Sales Yard/Service Station and is known to have been the subject of a significant fuel spill;
- The Shire proposes to undertake a Soil Contamination Evaluation with a view to ascertaining the extent of contamination and likely cost to remediate the land for the proposed purpose as a Recreation Area;
- The Shire's 2017/18 Annual Budget makes no provision for the engagement of consultants to undertake a Soil Contamination Evaluation thereby requiring Council approval for unbudgeted expenditure of up to \$10,000, based on quotes obtained with provision for contingencies.

## **OFFICER RECOMMENDATION**

### **RESOLUTION: 88-17/18**

MOVED Cr Haythornthwaite SECONDED Cr Brown

1. That Council engage Western Environmental Pty Ltd to undertake a Site Investigation in accordance with the scope of works outlined in its proposal titled "1 Quairading-York Road, Quairading – Soil Contamination Assessment" over the 3,800 sqm site on the corner of McLennan and Parker Streets, Quairading at a cost of \$8,620;
2. Western Environmental Pty Ltd be requested to provide a report to Council that identifies the extent of any soil contamination on the Site and recommendations on what remedial action would be required to enable the Site to be used for its proposed use as a recreation/playground/Skate Park;
3. That Council approve unbudgeted expenditure of \$10,000 to meet the cost of the Soil Contamination Assessment by Western Environmental Services Pty Ltd inclusive of cost and contingencies from account 3190 – McLennan Street Park – Soil testing;
4. The unbudgeted expenditure of up to \$10,000 to be funded from Trust Account – Rural Youth – Park Project which has a current balance of \$73,226.87

**LOST 0/8**

### **Reason for Decision**

Council did not support the Officers Recommendation given that further Community and Council engagement is required on the Park Concept, Siting and Funding.

### **Council Discussion**

Pursuant to Section 5.21 (4) of the Local Government Act, Cr Haythornthwaite requested that the Votes of All Members be recorded in the Minutes.

**FOR:** Nil.

**AGAINST:** Cr Davies, Cr Brown, Cr Haythornthwaite, Cr McGuinness, Cr McRae, Cr Shenton, Cr Smith, Cr Stacey.

## 11.6 Main Roads WA Offer to Purchase Part Lot 30 (83) Heal Street Quairading

REPORTING OFFICER

Date: 21<sup>st</sup> November 2017

Neville A Hale – Acting Chief Executive Officer

DISCLOSURE OF INTEREST – N/A

OWNER/APPLICANT –

Main Roads Western Australia (MRWA)

MATTER FOR CONSIDERATION –

York – Merredin Road, Ashton Street and Winmar Street Intersection Upgrade.

MRWA has offered to purchase 37sqm of Shire owned land being Part Lot 30 (83) Heal Street, Quairading – C/T 846/175 to facilitate the intersection upgrade

APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

A copy of the Offer to purchase the said land at a price of \$2,000 is attached to this Agenda Item.

BACKGROUND –

The Shire has been working with MRWA for some time to improve the Winmar Road intersection. To facilitate the construction of the York – Merredin Road; Ashton Street and Winmar Street Intersection Upgrade, MRWA requires a portion of Lot 30 (83) Heal Street, Quairading, land upon which the Shire has constructed a factory unit that is leased for light industry purposes.

The Attached Plan shows the land to be purchased. A valuation of the land to be disposed, as required by the Local Government Act 1995, has been obtained by MRWA and is attached.

MRWA has also agreed: *“to be responsible for all costs associated with the transfer of the land and the works for the relocation / reinstatement of affected services and kerbing along the new boundary unless agreed otherwise with the Shire of Quairading”*.

It is proposed to dispose of the said land to MRWA, an adjoining landowner that is also an agency of the Crown for a market value that is less than \$5,000 thereby being a disposal of property exempt from the requirements of s.3.58 of the Local Government Act, 1995.

STATUTORY ENVIRONMENT –

Land Administration Act 1997

Enables MRWA to acquire land for a public work by negotiation or by compulsory acquisition and gives the landowner (the Shire), if not satisfied with the amount offered, the ability to object, appeal and receive fair compensation.

Local Government (Functions and General) Regulations, 1996

30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
  - (a) the land is disposed of to an owner of adjoining land (in this paragraph called the **transferee**) and —
    - (i) its market value is less than \$5 000; and
    - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;
  - or
  - (c) the land is disposed of to —
    - (i) the Crown in right of the State or the Commonwealth; or

- (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or
- (iii) another local government or a regional local government;

#### Local Government Act 1995

#### s.3.58. Disposing of property

- (1) In this section —  
**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;  
**property** includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
  - (a) the highest bidder at public auction; or
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
  - (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned; and
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
  - and
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS –

The Shire would receive unbudgeted revenue of \$2,000 for the disposition of 37sqm of land and may request MRWA to meet all associated costs.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

#### **Built Environment**

##### Objective

Planning and infrastructure to meet the needs of the community.

##### Strategies

B1.1 Ensure land use planning services are responsive to community aspirations including increased availability of industrial, commercial and residential land;

B2.1 Ensure the provision of roads, footpaths and drainage takes into account the needs of the community, including the needs of the agricultural industry.

COMMUNITY CONSULTATION –

The intersection upgrade has been the subject of much discussion over a number of years. Whilst no specific consultation has been had about this land disposal, the requirement for adequate truck access is well understood and encroachment on neighbouring land holdings is not unexpected. Given the extent of the land taking and fair value the sale of land should be supported.

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Low Risk

Health – N/A

Reputation – Low Risk

Operation – Low Risk

Natural Environment – Low Risk.

COMMENT –

The excision of land from Shire owned Lot 30 (83) Heal Street, Quairading is necessary to facilitate the construction of the upgraded York – Merredin Road/Winmar Street intersection so as to provide adequate turning circle requirements as per the intersection design.

The proposed payment of \$2,000 represents fair value for the land area as indicated by the independent valuation obtained by MRWA in accordance with its processes under the Land Administration Act 1997.

The sale of a Part Lot 30 (83) Heal Street, Quairading by the Shire is, for the purposes of the Local Government Act 1995, an exempt disposal of land as it is less than \$5,000 in value, is being sold to an adjoining land owner which is also an agent of the Crown.

The sale of land to MRWA will enable the intersection upgrade to be undertaken.

EXECUTIVE SUMMARY –

- The York – Merredin Road/Winmar Street intersection is a long awaited outcome to address traffic concerns relating to large trucks using the intersection and accessing and egressing the CBH storage facilities and stacking distance requirements across the adjacent rail line crossing;
- Design of the intersection requires a Part of Shire owned Lot 30 (83) Heal Street, Quairading to be acquired by MRWA to facilitate the construction of the upgraded intersection;
- MRWA has, in accordance with the Land Administration Act 1997, negotiated the purchase of 37 sqm of land and has offered \$2,000, based on independent valuation by a Licenced Valuer;
- Disposal of Shire property is governed by the Local Government Act, 1995 section 3.58 and Local Government (Functions and General) Regulations 1996, reg 30 - *Dispositions of property excluded from Act s. 3.58*; and,
- Council is required to agree to the disposal of land and set such conditions as it requires.

#### OFFICER RECOMMENDATION

#### RESOLUTION: 89-17/18

MOVED Cr McRae SECONDED Cr McGuinness

1. That Council agree to accept the Main Roads WA offer of Two Thousand Dollars (\$2,000) plus GST if applicable for the 37 sqm of land required of Lot 30 (83), Heal Street, Quairading and being part of Lot 30 on Deposited Plan 223072 as is comprised in Certificate of Title Volume 846 Folio 175 as shown on Main Roads Western Australia Drawing No. 1760-126 of 19/7/2017 (attached);
2. The sale of land is subject to Main Roads WA being responsible for all costs associated with the transfer of the land and the works for the relocation / reinstatement of affected services, kerbing and landscaping along the new boundary: and,
3. That Council authorise the Shire President and Chief Executive Officer to sign the letter of Acceptance of Offer and subsequent Transfer of Land documents under Seal.

**CARRIED 8/0**



## ITEM 12      MATTERS FOR CONSIDERATION – GOVERNANCE & ADMINISTRATION

### 12.1    State Council Agenda – December 2017

REPORTING OFFICER

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

Neville A Hale – Acting Chief Executive Officer

DISCLOSURE OF INTEREST – N/A

OWNER/APPLICANT –

Western Australian Local Government Association (WALGA)

MATTER FOR CONSIDERATION –

State Council Agenda Items – December 2017

APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

A copy of the Agenda was circulated to Councillors on Friday, 17<sup>th</sup> November 2017.

BACKGROUND –

The next meeting of the WALGA State Council is scheduled to be held on Wednesday, 6 December 2017 at 170 Railway Parade, West Leederville with the following Items being considered for resolution:

- 5.1    Local Government Act 1995 Review
- 5.2    Submission to ERA – Western Power Access Arrangements
- 5.3    Public Health Act 2016
- 5.4    Outcome of Consultation – Short term Rental Accommodation and the Sharing Economy Discussion Paper
- 5.5    Policy for Assessing Applications to Operate Restricted Access Vehicles on Local Government Roads
- 5.6    Review of the Western Australian Rail Access Regime
- 5.7    Interim Submission and the Emissions Reduction Fund

The above items will be discussed at the upcoming WALGA Central Country Zone Meeting to be held on 1 December 2017 in Wagin.

The Items are presented to enable Council to provide direction to its Delegates

STATUTORY ENVIRONMENT –

These are items for discussion and resolution by local government in accordance with the constitution of WALGA

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – There are no direct financial implications.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

#### **Governance**

##### Objective

Strong Governance and community engagement

##### Strategies

G2.1 Partnerships with and advocacy to Federal and State Government to strengthen service provision within the Shire.

COMMUNITY CONSULTATION –

N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Given that this report is limited to enabling Council to provide feedback/comment on matters of a generic nature, the risk impact to the Shire is limited.

Financial - Low Risk

Health – Low Risk

Reputation – Low Risk

Operation – Low Risk

Natural Environment – Low Risk.

COMMENT –

Not all items listed for resolution have a direct and / or tangible impact on the Shire but I draw Council's attention to the following:

#### 5.1 Local Government Act Review

Councillors have previously been invited to make comment on the Act Review and these comments have been on-forwarded to the Central Country Zone Executive Officer and have been considered within the State Council Agenda document. Councillors may wish to review Item 5.1 with a view to making any final comment and direction to its CCZ Delegates;

#### 5.3 Public Health Act 2016

Local government has previously provided feedback on this subject. It is noted that the Act which commenced in July 2016 is moving through a process of staged implementation and is currently in Stage 4. The Act requires a State Public Health Plan to be prepared during Stage 5 of implementation.

Importantly, in approximately 3 – 5 years' time local governments are also required to prepare a Local Public Health Plan which reflects the needs of their communities.

During the consultation process, concerns have emerged that the State Government is using Local Public Health Planning as a mechanism to shift the cost of managing health onto local government.

WALGA is of the view that such Plans should clarify the role of local government i.e. who has responsibility for what?

#### 5.5 Policy for Assessing Applications to Operate Restricted Access Vehicles on Local Government Roads

A Model has been developed under the guidance of the Freight Policy Forum to assist local governments to provide a consistent approach when assessing RAV applications. It is noted that the "Policy" contains what would normally be described as guidelines and or procedures and relies heavily on local government taking a more active role in the assessment process.

Moreover, it is noted that the "policy" enables local government to recommend certain conditions under which it would endorse a RAV application though any such condition will be applied at MRWA discretion.

#### 5.6 Review of the Western Australian Rail Access Regime

Under the existing Western Australian Rail Access Regime, a number of rail lines have been closed with a resulting cost impact on the rural road network. The remaining rail network is important to address this cost shift and to support export industries such as local agriculture.

Local government was invited to comment on the earlier draft interim submission, circulated in October 2017, which have been incorporated into the Interim Submission now before State Council.

## EXECUTIVE SUMMARY –

- On 17<sup>th</sup> November 2017, the State Council Agenda for its 1<sup>st</sup> December 2017 Meeting was circulated for Councillors' information;
- The Agenda includes a number of Items that have previously been the subject of local government feedback, e.g. The Local Government Act 1995 Review and or Review of the Western Australian Rail Access Regime;
- The Agenda is presented to Council as an opportunity to be informed of current topics under consideration by WALGA State Council and to provide comment and direction to its Delegates attending the next Central Country Zone Meeting later this month.

## OFFICER RECOMMENDATION

### RESOLUTION: 90-17/18

MOVED Cr McGuinness SECONDED Cr Smith

That Council received the WALGA State Council Agenda for its 1<sup>st</sup> December 2017 Zone Meeting and provide comment and or direction to its Central Country Zone Delegates as it deems necessary.

**CARRIED 8/0**

## 12.2 Council / Committee Meeting Dates - 2018

REPORTING OFFICER

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

Neville A Hale – Acting Chief Executive Officer

DISCLOSURE OF INTEREST – N/A

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION –

Draft schedule of Meeting Dates for Council and Committee Meetings for the 2018 Calendar Year

APPLICANT'S SUBMISSION INCLUDED IN AGENDA – 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 it would not meet in January each year to enable Holiday Recess.

STATUTORY ENVIRONMENT –

Section 5.25(9) of the Local Government Act 1995, 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 be advertised if the Committee has Delegated Authority from Council to make a decision on any matter.

POLICY IMPLICATIONS –

As above

FINANCIAL IMPLICATIONS –

Minimal cost of advertising

STRATEGIC IMPLICATIONS –

Nil

COMMUNITY CONSULTATION –

Council Meeting Dates are published in a Newspaper circulating in the District (Avon Advocate), on Council's Website and on Official Noticeboards.

RISK ASSESSMENT – N/A

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.

With the change in Committee structure, given no Delegated Authority has been given by Council to Committees, advertising is not required. Minimum quarterly Meeting dates have been suggested in accordance with the Committee's Terms of Reference can meet as and when required.

Note that Council may wish to hold the November 2018 Meeting on the fourth week being 22<sup>nd</sup> November 2018 due to harvest commitments.

EXECUTIVE SUMMARY –

Local Government Act 1995 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.

## OFFICER RECOMMENDATION

### RESOLUTION: 91-17/18

MOVED Cr McRae SECONDED Cr Shenton

1. That Council formally adopt the following Council Meeting Dates for the 2018 Calendar year with Council Meetings to commence at 2.00pm in the Council Chambers unless otherwise stated.

<b>January</b>	Council in recess	
<b>February</b>	Thursday, 22 <sup>nd</sup>	
<b>March</b>	Thursday, 29 <sup>th</sup> (5 <sup>th</sup> Thursday)	
<b>April</b>	Thursday, 26 <sup>th</sup>	
<b>May</b>	Thursday, 31 <sup>st</sup> (5 <sup>th</sup> Thursday)	
<b>June</b>	Thursday, 28 <sup>th</sup>	
<b>July</b>	Thursday, 26 <sup>th</sup>	
<b>August</b>	Thursday, 30 <sup>th</sup> (5 <sup>th</sup> Thursday)	
<b>September</b>	Thursday, 27 <sup>th</sup>	
<b>October</b>	Thursday, 25 <sup>th</sup>	
<b>November</b>	Thursday, 29 <sup>th</sup> (5 <sup>th</sup> Thursday)	
<b>December</b>	Thursday, 20 <sup>th</sup>	Commencing at 12.00 noon

2. That the Ordinary Council Meeting Dates be published in accordance with the requirements of the Local Government Act, 1995.

3. That Council formally adopt the following Committee Meeting Dates for 2018: -

<b>February</b>	Tuesday, 6 <sup>th</sup>	Strategic Planning Committee <i>(Incl. Budget Considerations)</i>
<b>March</b>	Tuesday, 13 <sup>th</sup>	Audit & Risk Committee
<b>April</b>	Tuesday, 10 <sup>th</sup>	Strategic Planning Committee <i>(Incl. Budget Considerations)</i>
<b>June</b>	Tuesday, 12 <sup>th</sup>	Audit & Risk Committee
<b>August</b>	Tuesday, 14 <sup>th</sup>	Strategic Planning Committee
<b>September</b>	Tuesday, 11 <sup>th</sup>	Audit & Risk Committee
<b>October</b>	Tuesday, 9 <sup>th</sup>	Strategic Planning Committee
<b>December</b>	Tuesday, 11 <sup>th</sup>	Audit & Risk Committee

**CARRIED 8/0**

Noting that the Committees may determine to hold additional Committee/Forums as and when required.

**3.52pm**

Council adjourned for Afternoon Tea.

**4.20pm**

The Council Meeting resumed.

## 12.3 Quairading Sport & Recreation Working Group

REPORTING OFFICER

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

Richard Bleakley – Economic Development Project Officer

SENIOR OFFICER

Neville Hale – Acting Chief Executive Officer

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT –

Quairading Sport & Recreation Working Group.

MATTER FOR CONSIDERATION –

Report and Recommendations from Quairading Sport and Recreation Working Group Study.

APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

Copy of Report to Council from Working Group (November 2017)

BACKGROUND –

A number of the Shire's Sports and Recreational Facilities are now reaching a stage of their life where they are due either for major renovations or replacement.

This issue has been discussed for a number of years within the Sports and Recreation Committee without reaching a clear direction forward. As a consequence, in March 2016 the Council established the Quairading Sports and Recreation Working Group and requested it to progress with the development of a number of options for consideration.

The Working Group has engaged in the following:

- i. Review of previous proposal plans;
- ii. Review of existing facilities;
- iii. Consultation with Shire Sporting and Community Clubs;
- iv. Study visits to a number of neighbouring Shires which have / are engaged in their own Redevelopment of Shire Sporting and Community Facilities;
- v. Discussions with Wheatbelt DSR on guidelines / process / funding options

The output of this process has been the drafting of a Report to Council and a series of recommendations including a request to formally extend the activity of the Working Group for a further two years.

STATUTORY ENVIRONMENT –

Local Government Act 1995

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS –

Future consideration be given to establishing a Reserve Fund for the purpose of the Upgrading the Shire Sport, Recreation and Leisure Facilities

Possible allocation to be made in the 2018/19 Budget for co-funding of a Consultant to develop the Project Concept to a stage where the Shire is ready to source external funding for its phased implementation

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

### Social Objective: Active, healthy, safe and inclusive community

ITEM	OUTCOMES AND STRATEGIES
S1	Active community
S1.1	Provide facilities and support participation in sport and recreational activities, facilities and clubs
S1.2	Promote increased participation in the social and cultural life of the community

### Built Environment Objective: Planning and infrastructure to meet the needs of the community

ITEM	OUTCOMES AND STRATEGIES
B2	Enhanced and Sustainably Managed Assets and Infrastructure
B2.2	Ensure the provision of community facilities and other built assets takes into account the needs of the community

## COMMUNITY CONSULTATION –

Preliminary stages of the consultation process have focused on the Sporting and Recreational Groups in the Community. Their findings are incorporated into the Report

As the Concepts evolve there will be additional consultation with the Community as a whole.

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Low Risk

Health – Low Risk

Reputation – Low Risk

Operation – Low Risk

Natural Environment – Low Risk.

## COMMENT –

The attached report provides a Brief on the progress of the Working Group towards a final concept for the upgrading of Sporting and Recreational Facilities in the Town.

## EXECUTIVE SUMMARY –

The Working Group was established in March 2016.

The Working Group has reached the stage where it has identified a number of options to be considered by both the Shire Council and the Community.

Option 1. A Recreational Precinct amalgamating the majority of clubs into a single facility

Option 2. Community Building and Change Rooms replaced and a number of clubs relocating to the new facility.

Bowling Club to remain at existing location

Option 3. Combining of Tennis and Bowling Club into a upgraded facility and the relocation of small court team sports

Upgrading of Community Building and Change rooms for football, cricket and hockey

Option 4. Upgrade and maintenance of all existing facilities. No new buildings / facilities.

It has also made a number of recommendations to progress forward.

- An extension of the Working Group's mandate to continue for a further two years
- Establish a Reserve for both the funding of the final Concept and the leveraging of external grant funding.

## **OFFICER RECOMMENDATION**

### **RESOLUTION: 92-17/18**

MOVED Cr Brown SECONDED Cr Haythornthwaite

That the Council extends: -

1. the Mandate of the Working Group for an additional two years ending on 31<sup>st</sup> March 2020 to define the final project concept; and
2. that the Council gives consideration in the 2018/19 Budget deliberations to
  - (a) the establishment of a Reserve Fund for the future financing of the Upgrade to Sport, Recreation and Leisure Facilities; and
  - (b) additional resources for the future contracting of consultants to draw up the final design prior to submission for external grant funding

**CARRIED 8/0**



## 12.4 Community Engagement Plan

REPORTING OFFICER

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

Graeme A Fardon – Chief Executive Officer/ Neville Hale – Acting Chief Executive Officer

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION –

For Council to adopt attached Community Engagement Plan.

APPLICANT'S SUBMISSION INCLUDED IN AGENDA – N/A

BACKGROUND –

Council has previously requested the Chief Executive Officer to prepare a Draft Community Engagement Plan for its consideration that will develop and implement a community engagement strategy, including (but not limited to):

- A survey of customer satisfaction with Council services and infrastructure; and,
- Ensure ongoing consultation with the community and landholders during major works/projects.

A draft Community Engagement Plan was submitted to Council at its September 2017 Ordinary Meeting for consideration and it was deferred to allow further feedback to be obtained from councillors.

This feedback has been incorporated into the revised document.

It is noted that this proposed Plan relates to Community Engagement and is separate from the Shire's Communications Policy adopted on 29 July 2017, though there is a synergy between that Policy and the Draft Community Engagement Plan.

STATUTORY ENVIRONMENT –

Local Government Act 1995 – s.5.56 Planning for the future

Local Government (Administration) Regulations 1996 – Reg 19(c)(9)

*(9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*

POLICY IMPLICATIONS –

N/A

FINANCIAL IMPLICATIONS – N/A

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

### **Governance**

#### Objective

Strong Governance and Community Engagement

#### Strategies

G3: Community Engagement

G3.1: Provide appealing opportunities for the community to participate in the decisions that affect them.

G3.2: Collaborate with the community to achieve desired outcomes.

## COMMUNITY CONSULTATION –

Community consultation is a key component of the Integrated Planning and Reporting requirements of the Local Government (Administration) Regulations 1996. The Shire’s Draft Strategic Community Plan has identified “Strong governance and community engagement” as one of its five (5) key objectives and lists Strategy G3 – Community Engagement as an issue to be addressed.

A number of similar Community Engagement Plans from various sized local governments have been reviewed to assist in the formulation of the attached draft document.

Draft document for Council consideration prior to Community Consultation.

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Low Risk

Health – Low Risk

Reputation – Low Risk

Operation – Low Risk

Natural Environment – Low Risk.

## COMMENT –

The attached draft Community Engagement Plan is aimed to ensure that:

- Council has the opportunity to consider the input of a wide range of community members before making decisions;
- Community members are given the opportunity to contribute to the planning and development process;
- That an annual Survey of Customer Satisfaction is undertaken in March each year; and,
- community and landholders are consulted during major works/projects on the impact and progress of those works/projects

The attached document is in two (2) parts. Part 1: Pages 1 – 7 is the Community Engagement Plan and Part 2: Pages 8 – 14 is additional information for the benefit of the Shire Staff for guidance.

An additional section has been included in the Draft Plan that reflects the “Inclusive” approach being taken by the Shire which is guided by the following philosophies where the Shire and Council will be: -

Trustworthy	Responsive	Simple	Progressive
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The Plan has been revised to recognise a fourth strategy for Reporting/Evaluation:

- Inform
- Consult
- Involve
- Report/Evaluate

Each strategy has a specific goal, a commitment to the community and a set of methodologies which have now been summarised in a Table format as suggested through Councillor feedback. The Table reflects the example provided for consideration which is noted to be similar in content but less descriptive. However, the more detailed Strategy descriptions are retained and shown as attachment Guidelines, at this stage.

It is noted that the Plan is a living document that will reflect feedback from the Community and is therefore subject to change and refinement, by management, as the engagement process evolves.

Where legislative requirements exist which address specific information/consultation processes, the legislative requirements take precedence.

Further comments were made in regard to social media which are more relevant to the Shire's Communication Policy. In this regard, Council may wish to consider, at some future time, the amalgamation of its Engagement Plan and Communications Policy, which could be undertaken following the next Community Survey where in the results would enable focus to be on key areas of concern. Notwithstanding, one needs to be aware that social media is an ever changing "beast" that is not easily managed as it is always evolving. It is also an expensive medium to try to manage.

Notwithstanding, social media is a medium through which the Shire can engage with its community, whether it be Facebook, twitter, etc. however the content, be it a calendar or regular or annual notice, are the result of other processes governed by the services provided by the Shire and are not strategies of the Plan but rather the content of the communication.

Furthermore, in addition to this Plan one should also separately consider the development of a "Style Guide" for Shire/Council documents that would ensure there is a consistent approach to their presentation.

#### **EXECUTIVE SUMMARY –**

- Council seeks a Community Engagement Plan that is inclusive of a survey of customer satisfaction with Shire services and infrastructure and ensures ongoing consultation with the community and landholders during major works/projects;
- Community engagement is a key element of the Integrated Planning and Reporting requirements of the Local Government Act and the Shire's associated Strategic Community Plan; and
- A previous draft Community Engagement Plan has been reviewed by Council and some changes incorporated
- The revised Community engagement plan is attached for Council's consideration.

#### **OFFICER RECOMMENDATION**

##### **RESOLUTION: 93-17/18**

That Council adopt the attached Community Engagement Plan.

##### **MOTION LAPSE DUE TO LACK OF MOVER**

#### **Reason for Decision**

Council considered that a Community Engagement Strategy maybe at a larger scale than able to be sustained given Council's Resources.

Matter to be revisited by Council in its consideration of Key Performance Indicators.

Note: Councillors to be provided with copies of Council's Adopted Customer Service Charter and Communication Strategy.

**13.0 Information Bulletin – November 2017**

REPORTING OFFICER

Neville Hale – Acting Chief Executive Officer

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

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Quairading

MATTER FOR CONSIDERATION –

Various reports from Council Delegates, Minutes of Other Meetings and Officer Reports.

APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

Reports are attached.

BACKGROUND –

Each month Delegates and Shire Officers provide updates on activities and meetings attended. Copy of Minutes from various Meetings are also included for Councillors information.

STATUTORY ENVIRONMENT –

Local Government Act 1995

Local Government (Administration) Regulations, 1996

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – N/A

STRATEGIC IMPLICATIONS –

B1: Enhanced and sustainably managed assets and infrastructure; and,

G1: Sustainable and accountable governance.

COMMUNITY CONSULTATION – N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial – N/A

Health – N/A

Reputation – Operation – N/A

Natural Environment – N/A

COMMENT –

The attached reports are provided for the information of Councillors and will be updated on a monthly basis.

EXECUTIVE SUMMARY –

For Council to be informed of the activities of its Delegates and the progress of various projects and or community activities as previously requested by Council.

**OFFICER RECOMMENDATION**

**RESOLUTION: 94-17/18**

MOVED Cr Haythornthwaite SECONDED Cr McRae

That Council receive the November 2017 Information Bulletin.

**CARRIED 8/0**

## **For Information only – No Recommendations to Council**

### **DELEGATES' REPORTS**

13.1 Shire of Quairading / City of Melville Partnership

13.2 Regional Cooperation

13.3 Delegates' Reports

13.4 Report on Delegated Authority Exercised

### **OTHER MEETINGS**

13.5 Quairading Frail and Aged Lodge Advisory Committee INC AGM Minutes – 24<sup>th</sup> October 2017

13.6 Quairading Frail and Aged Lodge Advisory Committee INC Minutes – 24<sup>th</sup> October 2017

13.7 Reconciliation Action Plan Committee Minutes – 14<sup>th</sup> November 2017

### **OTHER OFFICERS' REPORTS**

13.8 Manager of Health and Building Services

13.9 Grants and Project Officer's Report

13.10 Community Emergency Services Manager's Report

13.11 Community Development Officer's Report

13.12 Manager of Works & Services Report

13.13 Economic Development Project Officer

### **REPORTS**

13.14 Roadswest Progress Reports for Contract No.1-17/18 and Contract No.2-17/18

13.15 Long Service and Annual Leave Report

### **CORRESPONDENCE**

13.16 York-Merredin CRG Minutes - September 2017

13.17 Western Australian Treasury Corporation (WATC)

13.18 Health in all Councils

## ITEM 14 URGENT COUNCILLORS' BUSINESS

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### **RESOLUTION: 95-17/18**

MOVED Cr Haythornthwaite SECONDED Cr Brown  
That Council accept new urgent Councillor's Business.

**CARRIED 8/0**

### **Public Transport Authority (PTA) Site**

Cr Smith raised the issue of the status of possible contaminated soil on the PTA Land, and proposed to Council that the Chief Executive Officer be authorised to write to PTA seeking clarification on the status of the Site prior to any further Consideration by Council.

### **RESOLUTION: 96-17/18**

MOVED Cr Smith SECONDED Cr Brown  
That Council authorise the Chief Executive Officer to seek written clarification from the Public Transport Authority on the status of any contamination on the PTA Land prior to any further consideration by Council.

**CARRIED 8/0**

### **Central Country Zone (CCZ) Nominations**

Cr McGuinness sought Council's Endorsement for his nomination for the position of Deputy President for the Central Country Zone or Zone Executive Committee.

### **RESOLUTION: 97-17/18**

MOVED Cr McRae SECONDED Cr Shenton  
That Council endorse Cr McGuinness' nomination for the position of Deputy President for the Central Country Zone and/or Zone Executive Committee.

**CARRIED 7/0**

### **Committee Terms of Reference**

Cr Haythornthwaite requested that the Terms of Reference for both the Audit & Risk Committee and Strategic Planning Committee be amended to reflect uniformity of the interpretation of "Quorum".

### **RESOLUTION: 98-17/18**

MOVED Cr McRae SECONDED Cr Smith  
That the Terms of Reference for both the Audit & Risk Committee and Strategic Planning Committee be amended to reflect uniformity of the interpretation of "Quorum" as below: -  
*3.1 "The quorum necessary for the transaction of business shall be five (5) members of the...Committee"*

**CARRIED 8/0**

### **Council Dress Standard**

It was noted that in respect to the Ordinary and Special Meetings of Council, that Councillors and Staff are expected to be dressed in appropriate business attire for these Meetings.

ITEM 15 CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)

*No matters for consideration.*

ITEM 16 NEXT MEETING DATE

The next Ordinary Meeting of Council is scheduled to take place on Thursday 21<sup>st</sup> December 2017, commencing at 12 noon at the Council Chambers, 10 Jennaberring Road, Quairading.

ITEM 17 CLOSURE

There being no further business, the Chairman closed the Meeting at 5.06pm.

I certify the Minutes of the Ordinary Meeting of Council held on 30<sup>th</sup> November 2017 were confirmed on 21<sup>st</sup> December 2017 as recorded on Resolution No. \_\_\_\_\_

Confirmed..... 21/12/17