



Shire of Pingelly

Minutes

Ordinary Council Meeting
20 April 2016

SHIRE OF PINGELLY

Minutes of the Ordinary Council Meeting of the Shire of Pingelly held in the Council Chambers, 17 Queen Street, Pingelly on 20 April 2016.

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6. PUBLIC QUESTION TIME

The Presiding Person opened question time at 2.06pm. As there were no questions from the public question time closed at 2.06pm.

7. APPLICATIONS FOR LEAVE OF ABSENCE

Moved Cr Mulroney Seconded Cr Marshall
that Council approve Cr Hodges taking leave from the 28th of April to the 23rd May 2016.

Carried 7:0

8. DISCLOSURES OF INTEREST

The CEO disclosed an interest in confidential item 16.3.

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Meeting – 16 March 2016

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

11980 - Moved: Cr Hodges Seconded: Cr Mulroney

Council Decision:

That the Minutes of the Ordinary Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 16 March 2016 be confirmed.

Carried 7:0

9.2 Special Meeting – 1 April 2016

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

11981 - Moved: Cr Marshall Seconded: Cr Steel

Council Decision:

That the Minutes of the Special Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 1 April 2016 be confirmed.

Carried 7:0

10. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11. REPORTS OF COMMITTEES OF COUNCIL

Audit Committee

Full Council

Recreation & Cultural Committee

*Member – Cr Lange
Member – Cr Walton-Hassell
Member – Cr Morton
Member – Cr Marshall*

Bushfire Advisory Committee

*Member – Cr Freebairn
Deputy – Cr Morton*

Medical and Aged Care Services Committee

*Member – Cr Freebairn
Member – Cr Hodges
Member – Cr Lange
Member – Cr Mulroney
Member – Cr Steel*

CEO Performance Review Committee

*Member – President
Member – Deputy President
Member – Councillor to be
determined*

12. REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES

- *Central Country Zone of WALGA* Delegate – President
Delegate – Deputy President
Deputy – Cr Walton-Hassell

Next meeting is on 28 April – Cr Mulroney and Cr Walton-Hassell to attend.

- *Hotham-Dale Regional Road Sub-Group* Delegate – Cr Lange
Deputy - Cr Marshall

- *Pingelly Cottage Homes Committee* Delegate – Cr Freebairn
Deputy – Cr Mulroney

- *Development Assessment Panel* Delegate – Cr Lange
Delegate – Cr Mulroney
Deputy – Cr Freebairn
Deputy – Cr Morton

- *Dryandra Country Visitors Centre* Delegate – Cr Marshall
Deputy – Cr Freebairn

Item 12.1 over the page

Mrs Deb Hopper entered the room at 2.12pm.

- *Regional Waste Group* Delegate – Cr Mulroney
Deputy – Cr Marshall

Gavin Pollock left the room at 2.12pm

- *Shires of Pingelly and Wandering Joint Local Emergency Management Committee* Delegate – Cr Lange
Deputy – Cr Hodges

Lisa Boddy left the room at 2.13pm and returned at 2.15pm.

- *Youth Working Group* Delegate – Cr Morton
Delegate – Cr Walton-Hassell
Deputy – Recreation & Cultural Committee

- *Project User Group (PUG)* Delegate – Cr Lange
Deputy – Members of Medical & Aged Services Committee

- *Sport and Recreation Focus Group* Delegate – Cr Lange
Delegate – Cr Walton-Hassell
Deputy – Cr Marshall

- *Aged Care Planning Regional Sub-Group (BBP)* Delegate – Cr Lange
Delegate – Cr Steel
Deputy – Members of Medical & Aged Care Committee

12.1 Dryandra Country Visitor Centre Meeting – Report from Cr Ray Marshall

DRYANDRA COUNTRY VISITORS CENTRE.

MEETING REPORT. 24th March at Narrogin.

Please find the following report -:

1.The issue of volunteer executive officers continues as a problem. The secretary could not attend the meeting and the treasurer is doubtful whether she can continue. It was also mentioned shop volunteers were difficult to recruit and it was left to only a few. I suggested this was an increasing problem in most rural towns, including Pingelly.

2.It was agreed a letter outlining DCVC's budget requirements be sent to stakeholder Shires ASAP as Shires were now preparing their 16/17 budgets.

3.Pingelly's and Cuballing's contributions are still outstanding. Pingelly's \$3000.00 March, \$3000.00 June. It was noted most of Shire financial contributions are towards the Manager's salary. There was some discussion as to the Manager being directly employed by the Town of Narrogin and her salary be reimbursed by the DCVC. Less bookwork etc!! The financial situation to the end of June with prudent budgeting will be O.K.

4.The March Manager's Report is available online.

5. On the 11th April a contingent of DCVC members will visit Pingelly for a fact finding tour of Pingelly Town & District's tourism precincts. The Community Bus has been booked for this event.

6. The next meeting of the DCVC will be Thurs. April 28th @1.30 p.m.

Ray Marshall,
Delegate for Pingelly Shire

13. REPORTS FROM THE SHIRE PRESIDENT

Meetings attended March 2016:

9th AGM of the Arts and Crafts Association (*very happy with the Shire maintenance*)
10th CEO – Agenda Briefing
10th Cuppa with a Copper - CRC (*well attended and informative*)
10th Commissioner for Children and Young People
11/12th Team Building and Strategic Planning –York
13th Opening of Corrigin Sport Centre (*very impressive and well attended by neighbouring Shires*)

Gavin Pollock returned to the meeting at 2.24pm

15th BBP ILU Housing Design and Discussion - Brookton
15th CEO, Men's' Shed Representatives – Office (*discussion on future direction of facility and PRACC*)
15th Ratepayer and CEO to discuss donation - Office
17th Council Meeting
23rd Meeting with SIHI team for the ILUs – Chambers
23rd Strategic Planning - Chambers
24th PUG meeting – Hospital (*At the end of the meeting WACHS announced it was the last meeting which was a surprise. There are a lot of issues up in the air e.g. Future of the hospital is of concern*)
29th PRACC Architects and Council
30th BBP Meeting – WDC - Pingelly
31st Training – Land Use Planning – Beverley (*well worth going to – was the heaviest of the 4 days*)

Meetings attended April 2016:

1st Special Meeting of Council re ILU
1st Training – Risk Management and Strategic Planning – Beverley
4th Strategic Planning – Community Groups - A Dalziel - Chambers
4th Strategic Planning – Sporting Bodies - A Dalziel – Chambers
6th CEO and President
6th Aged Care Planning Group
6th Council – Corporate Discussion and planning.
7th Wheatbelt Conference – Narrogin (*Speakers: Innovation, NBN, Change, RDA, the Elephant, Garage Trail*)
8th Wheatbelt Conference – Narrogin (*Speakers: NRM, education – science; men's health; rate setting; agriculture new crops, what are you going to do Monday?*)
11th Cottage Homes – CRC
12th LEMC – Wandering (*desk top exercise was excellent*)
13th RRG – Narrogin
13th Agenda Briefing

14. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

14.1 Monthly Statement of Financial Activity

File Reference: 00271
Location: N/A
Applicant: Grace French, Director Corporate & Community Services
Author: Grace French, Director Corporate & Community Services
Date: 11 April 2016
Disclosure of Interest: Nil
Attachments: Monthly Statements of Financial Activity for the period 1 July 2015 to 31 March 2016 (Attachment 1 after blue sheet in attachments book)
Previous Reference: N/A

Summary:

In Accordance with the Local Government Act 1995 Section 5.25 (1) and Local Government (Financial Management) Regulations 1996, Monthly Financial Statements are required to be presented to Council, in order to ensure that income and expenditure is in keeping with budget forecasts.

The Monthly Statements of Financial Activity for the month of March 2016 are attached for Council consideration and adoption.

Background:

In order to prepare the monthly statements, the following reconciliations have been completed and verified:

- Reconciliation of assets, payroll and taxation services;
- Reconciliation of all shire's bank accounts, including term deposits;
- Reconciliation of Rates, including outstanding debtors;
- Reconciliation of Sundry Creditors and Debtors;

Consultation:

Chief Executive Officer

Statutory Environment:

Local Government Act 1995;

Local Government (Financial Management) Regulations 1996

Section 34: Financial Reports to be Prepared

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

- (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
- (b) Budget estimates to the end of the month to which the statement relates;
- (c) Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) Material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) The net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing -

- (a) An explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- (b) An explanation of each of the material variances referred to in sub regulation (1) (d); and
- (c) Such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity may be shown -

- (a) According to nature and type classification;
- (b) By program; or
- (c) By business unit.

(4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), is to be -

- (a) Presented to the council -
 - (i) At the next ordinary meeting of the council following the end of the month to which the statement relates; or
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
- (b) Recorded in the minutes of the meeting at which it is presented.

(5) 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:

There are no policy implications.

Financial Implications:

There are no significant trends or issues to be reported. The report and officer recommendation is consistent with Council's adopted Budget 2015/2016.

Strategic Implications:

There are no known significant strategic implications.

Voting Requirements:

Absolute Majority

11982 - Moved: Cr Hodges

Seconded: Cr Freebairn

Council Decision:

That with respect to the Monthly Statements of Financial Activity for the month ending 31 March 2016 be accepted and material variances be noted.

Carried: 7:0

14.2 Accounts Paid by Authority

Applicant: Grace French, Director Corporate & Community Services
Author: Raewyn Street, Senior Finance Officer
Date: 12 April 2016
Disclosure of Interest: Nil
Attachments: List of Accounts Following
Previous Reference: N/A

Summary:

Council endorsement is required for accounts made by authority for the month of March 2016.

Comment:

Unless otherwise identified, all payments have been made in accordance with Council's 2015/16 Budget.

Consultation:

Nil

Statutory Environment:

Regulation 12 of the *Local Government (Financial Management) Regulations* provides that:

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

Regulation 13 of the *Local Government (Financial Management) Regulations* provides that:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the Council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
 - (a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Policy Implications:

There are no policy implications arising from this amendment.

Financial Implications:

There are no known financial implications upon either the Council’s current budget or long term financial plan.

Strategic Implications:

There are no known significant strategic implications relating to the report.

Voting Requirements:

Absolute Majority

11983 - Moved: Cr Mulroney

Seconded: Cr Hodges

Council Decision:

That Council endorse the Accounts for Payments for March 2016 as presented:

Carried 7:0

MARCH 2016	
MUNI - 117984856	
EFT 2074 - 2151	\$ 171,017.39
CHEQUE 24214 - 24233	\$ 42,227.75
TRUST ACCOUNTS	
DEPT OF TRANSPORT – 123395691	\$ 52,672.80
TRUST FUND – 1823 - 1827	\$ 850.00
DIRECT DEBIT -	
DD7992.1 – DD8016.10 - Including Bank and Loan fees	\$ 18,776.72
CREDIT CARD	
DD8028.1 – DD8028.16	\$ 3,758.34
GRAND TOTAL	\$ 289,303.00

Notification	Explanation
EFT 2081	Cancelled, Creditor requested a cheque instead. Cheque 24214 issued
Cheque 24216	Cancelled, Cheque issued to incorrect creditor
Cheque 1826	Cancelled, printer malfunctioned

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT MARCH 2016

Chq/EFT	Date	Name	Description	Amount
EFT2074	01/03/2016	BEST OFFICE SYSTEMS	PHOTOCOPY EXPENSES MPC5503 MAIN BLACK, PHOTOCOPY EXPENSES MPC5503 MAIN COLOUR, PHOTOCOPY EXPENSES MPC4500 RECEPTION - BLACK, PHOTOCOPY EXPENSES MPC4500 RECEPTION - COLOUR	\$1,598.83
EFT2075	01/03/2016	PINGELLY COMMUNITY RESOURCE CENTRE	LIBRARY SERVICES JANUARY, FEBRUARY, MARCH 2016	\$5,398.03
EFT2076	01/03/2016	WA CONTRACT RANGER SERVICES	RANGER SERVICES ON 02/02 AND 16/02 2016	\$607.75
EFT2077	01/03/2016	GRANTS EMPIRE	PRACC DEVELOPMENT OF WHEATBELT DEVELOPMENT COMMISSION REGIONAL GRANTS SCHEME APPLICATION	\$990.00
EFT2078	01/03/2016	PINGELLY RURAL SUPPLIES	JOINER 3G METRIC 25X25	\$5.16
EFT2079	01/03/2016	JOHN PHILLIPS CONSULTING	CEO PERFORMANCE REVIEW FEBRUARY 2016	\$2,750.00
EFT2080	01/03/2016	SIRONA DENTAL SYSTEMS PTY LTD	AUTOCLAVE FOR DENTIST ROOM	\$7,500.00
EFT2081	01/03/2016	CANCELLED		\$0.00
EFT2082	01/03/2016	NARROGIN PUMPS SOLAR & SPRAYING	3G M 16 X 16 1/2 TEE MET PLUG 1/2" MUSEUM	\$15.84
EFT2083	01/03/2016	PINGELLY COMMUNITY CRAFT CENTRE	CATERING FOR COUNCIL DINNER	\$225.00
EFT2084	04/03/2016	NARROGIN CARPET COURT	SUPPLY & INSTALL ROLLER SHUTTER - 7A WEBB STREET & 38B SHAROW STREET	\$2,714.00
EFT2085	04/03/2016	SHIRE OF WAGIN	REGIONAL REFUSE GROUP PROJECT INCOME 15/16	\$5,500.00
EFT2086	04/03/2016	SHERIDAN'S FOR BADGES	2 PLAQUES FOR OPENING OF SIX COURTS ON 4/03/16	\$1,010.90
EFT2087	04/03/2016	KOMATSU PTY LTD	REPAIRS TO JOHN DEER BACKHOE	\$2,087.59
EFT2088	04/03/2016	WALGA	2016 WA TRANSPORT AND ROADS FORUM - 12 FEBRUARY 2016 REGISTRATIONS FOR 2 COUNCILLORS	\$100.00
EFT2089	04/03/2016	LANDVISION PTY LTD	PLANNING SERVICES JANUARY/FEBRUARY 2016	\$412.50
EFT2090	04/03/2016	SECURITY & KEY DISTRIBUTORS	BILOCK NIGHTLATCH RIM CYLINDER, BILOCK KEY CUT, FREIGHT, CREDIT BILOCK CYLINDER - SINGLE DEADBOLT	\$103.27
EFT2091	04/03/2016	GREAT SOUTHERN WASTE DISPOSAL	MANAGING & OPERATING \$7,614.00 613 HOUSEHOLD (26/1/16 – 23/02/16) \$3,454.87 458 RECYCLE (2/2/16 & 16/2/16) \$3,062.19	\$14,131.06

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT MARCH 2016

Chq/EFT	Date	Name	Description	Amount
EFT2092	04/03/2016	J MAC ENGINEERING PINGELLY	MODIFY EXISTING CARDBOARD AND WASTE RECYCLING BINS TO SUIT SOUTHERN WASTE TRUCKS.	\$2,385.83
EFT2093	04/03/2016	COATES HIRE OPERATIONS PTY LTD	HIRE OF PORTABLE BUILDING AND 10KVA GENERATOR FOR 42 DAYS.	\$2,369.58
EFT2094	04/03/2016	JOHN G BAYLY	TENDER ASSESSMENT	\$1,215.00
EFT2095	04/03/2016	SJR CIVIL CONSULTING PTY LTD	DESIGN AND DRAFTING WORK FOR BULLARING & MILTON ROAD INTERSECTION, QUADRANT & PIT STREET INTERSECTION AND SHADDICK STREET.	\$1,100.00
EFT2096	04/03/2016	SAFEMASTER SAFETY PRODUCTS PTY LTD	ROUTINE INSPECTION OF THE FALL PREVENTION SYSTEM INCLUDING TEST AND TAGGING OF THE ITEMS AND CERTIFICATION	\$767.80
EFT2097	04/03/2016	PINGELLY PLAYGROUP & TOY LIBRARY	5 X BOOGIE ROOS SESSIONS	\$1,130.00
EFT2098	04/03/2016	LANDMARK	ROUNDUP, TRYCLOPYENXL, TRYCLOPYER, TAP & FITTINGS FOR SWIMMING BALLAST TANK	\$2,224.20
EFT2099	04/03/2016	FUEL DISTRIBUTORS OF WA PTY LTD	DELIVER 10,000L DIESEL TO SHIRE DEPOT	\$9,446.60
EFT2100	04/03/2016	JIM 'S PEST CONTROL PTY LTD	SPRAY HORNET NEST AT CARAVAN PARK BUILDING VIADUCT	\$132.00
EFT2101	04/03/2016	MARKETFORCE PTY LTD	ADVERTISING TENDER FOR ARCHITECTURAL SERVICES FOR PRACC.	\$1,255.02
EFT2102	04/03/2016	PINGELLY RURAL SUPPLIES	9M MODULAR LEACH DRAIN, PROFAB MONOWEAVE FOR LEACH DRAIN	\$776.50
EFT2103	04/03/2016	C & D CUTRI	MAINTENANCE WORK ON BRIDGES 4839, 3112, 3117, 3101	\$12,699.00
EFT2104	04/03/2016	PINGELLY COMMUNITY CRAFT CENTRE	COMMISSION FOR THE MONTH OF JANUARY 2016	\$392.47
EFT2105	09/03/2016	WEST AUSTRALIAN SHIRE COUNCILS & MUNICIPLE ROAD BOARDS AND PARKS LGRCEU	PAYROLL DEDUCTIONS	\$205.00
EFT2106	10/03/2016	WESTRAC EQUIPMENT PTY LTD	FIND FAULTS ON GRADER 120M PG6; 1X 217-4154 SPRING AS GAS PN430	\$3,095.45
EFT2107	10/03/2016	BOB WADDELL	ASSISTANCE WITH THE 2015/16 BUDGET REVIEW AND GENERAL ACCOUNTING ASSISTANCE	\$1,353.00
EFT2108	10/03/2016	BT EQUIPMENT PTY LTD	BONNET HANDLE PN5965	\$127.90
EFT2109	10/03/2016	LANDMARK	FENCE DROPPERS; FITTINGS FOR SPRAY TANK EQUIPMENT; 5L FUEL CONTAINER	\$172.66

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT MARCH 2016

Chq/EFT	Date	Name	Description	Amount
EFT2110	10/03/2016	PINGELLY TRADING CO HARDWARE	250MM PVC PIPE - 6M LONG - PARADE STREET PARKING BAYS, 250MM PVC TEE JUNCTION, 250MM PVC ELBOW 90 DEGREE; STORMWATER PIPE AND FITTINGS - MUSEUM; 6X 12MX70 DYNABOLTS - DEPOT, 1X 13M MASONRY BIT; 45KG GAS; 1X 1/2 CORDLESS DRILL; RAPID FIX; 1 PALLET OF CEMENT - YEALERING/PINGELLY ROAD; 1X DIAMOND BLADE FOR CUT OF SAW - PARADE STREET; 6M X 8MM CHAIN - REFUSE SITE	\$4,746.15
EFT2111	10/03/2016	LANDGATE	GROSS RENTAL VALUATION SCHEDULE NO: G2015/1 24/10/2015 TO 29/01/2016	\$64.00
EFT2112	11/03/2016	JASON SIGNMAKERS	RURAL ADDRESS PLATE	\$21.78
EFT2113	11/03/2016	YOUTHCARE	DINNER FOR COUNCIL MEETING 16/03/16	\$300.00
EFT2114	11/03/2016	WHEATBELT ELECTRICS	YOUTH CENTRE - INSTALL LIGHTING FOR TOILETS & COURTYARD, CHECK & REPAIR FRONT ENTRANCE SENSOR SECURITY LIGHT; REPAIR SPARKING FAN SWITCH.	\$647.35
EFT2115	11/03/2016	SOUTHERN WIRE PTY LTD	SUPPLY AND INSTALL 3.6 HIGH PVC BLACK CHAIN WIRE FENCE, 5.0M HIGH PVC BLACK CHAIN WIRE FENCE, 4000 X 2200MM DOUBLE CHAIN WIRE GATE, 1000 X 2200MM SINGLE PA CHAIN WIRE GATE AS PER SPECIFICATIONS, COREDRILL LABOUR AND MACHINERY; MODIFY FENCE ON EXISTING NETBALL/BASKETBALL COURTS	\$31,048.60
EFT2116	11/03/2016	SHIRLEY LANGE	REIMBURSEMENT OF INTERNET FOR FEBRUARY 2016	\$49.95
EFT2117	11/03/2016	MARY'S FACE PAINTING	FACEPAINTING SHIRE CHRISTMAS PARTY DECEMBER 2015	\$215.00
EFT2118	11/03/2016	SKILLHIRE	CASUAL STAFF FOR TRAFFIC CONTROL WORK	\$470.67
EFT2119	17/03/2016	RAYMOND JOHN MARSHALL	SITTING FEES JANUARY - MARCH 2016	\$875.00
EFT2120	17/03/2016	LEE NORA STEEL	SITTING FEES JANUARY - MARCH 2016	\$875.00
EFT2121	17/03/2016	EVAN HODGES	SITTING FEES JANUARY - MARCH 2016	\$875.00
EFT2122	17/03/2016	AARON JAMES MORTON	SITTING FEES JANUARY - MARCH 2016	\$875.00
EFT2123	17/03/2016	SHIRLEY LANGE	PRESIDENTIAL ALLOWANCE AND SITTING FEES JANUARY - MARCH 2016	\$2,300.00
EFT2124	17/03/2016	WILLIAM VINCENT MULRONEY	SITTING FEES JANUARY - MARCH 2016	\$950.00

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT MARCH 2016

Chq/EFT	Date	Name	Description	Amount
EFT2125	18/03/2016	WESTRAC EQUIPMENT PTY LTD	COVERS AND WEAR STRIPS FOR GRADER	\$662.95
EFT2126	18/03/2016	WALGA	ROMAN II TRAINING FOR RAM101 & RAM202 ON THE 7 & 8 APRIL 2016	\$880.00
EFT2127	18/03/2016	GREENLINE AG PTY LTD	HAVE HOSE MADE FOR GRADER	\$130.16
EFT2128	18/03/2016	NARROGIN AUTO ELECTRICS	REWIRE PORTABLE TRAFFIC LIGHT AND SUPPLY 2X 120 BATTERY PN3256; FIND PROBLEM WITH AIRCON AND FIT NEW COMPRESSOR PN398	\$1,552.00
EFT2129	18/03/2016	GREAT SOUTHERN TOWING	PICK UP ABANDONED CAR AT CORNER OF BALFOUR AND PITT STREET TAKE TO TIP	\$242.00
EFT2130	18/03/2016	AVROLANDSCAPING	SUPPLY OF LABOUR AND EQUIPMENT FOR PAVING REPAIRS IN PARADE STREET AFTER KERBING WORK	\$1,760.00
EFT2131	18/03/2016	COMMERCIAL NETMAKERS PTY LTD	DRAW NET FOR TENNIS COURTS	\$17,435.00
EFT2132	23/03/2016	WEST AUSTRALIAN SHIRE COUNCILS & MUNICIPLE ROAD BOARDS AND PARKS LGRCEU	PAYROLL DEDUCTIONS	\$205.00
EFT2133	24/03/2016	PINGELLY HOTEL	MEALS ONLY FOR CONTRACTORS - LUNCHEES AND DINNERS; FOR 3 PEOPLE 16/02/16; ACCOMMODATION AND MEALS FOR 2 CONTRACTORS FOR THE 4 MARCH 2016; LUNCH FOR 10 PEOPLE 16/09/15; SANDWICHES FOR 6 PEOPLE 3/03/16; SANDWICHES FOR 7 PEOPLE 29/02/16; CATERING FOR PRACC MEETING 12/02/16 FOR 15 PEOPLE; CATERING FOR COUNCIL MEETING LUNCH 17/02/2016 FOR 12 PEOPLE; REFRESHMENTS FOR THANK A VOLUNTEER DAY; CUSTOMER SERVICE TRAINING CATERING 08/03/2016 FOR 12 PEOPLE	\$1,974.50
EFT2134	24/03/2016	H RUSHTON & CO	2 X 235 /75R 15 TYRES PN172	\$434.50
EFT2135	24/03/2016	AUSTRALIA POST	BLACK TONER FOR LICENSING PRINTER, POSTAGE FOR FEBRUARY 2016, RATES INSTALMENT NOTICES	\$488.00
EFT2136	24/03/2016	GREAT SOUTHERN FUEL SUPPLIES	FUEL CARD PURCHASES FEBRUARY 2016	\$1,915.11
EFT2137	24/03/2016	B.W. JAMES TRANSPORT	FREIGHT CULVERT LIDS FROM HUME IN PERTH TO PINGELLY FOR MOORUMBINE ROAD DRAINAGE WORKS	\$1,169.17
EFT2138	24/03/2016	CHEFMASTER AUSTRALIA	RUBBISH BIN LINERS	\$124.35

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT MARCH 2016

Chq/EFT	Date	Name	Description	Amount
EFT2139	24/03/2016	KEITH THE MAINTENANCE MAN PTY LTD	MODIFY FENCE TO INCREASE SIGHT DISTANCE AS SHOWN ON SITE	\$803.00
EFT2140	24/03/2016	STAPLES AUSTRALIA PTY LIMITED	STATIONERY FOR DEPOT AND ADMIN OFFICES	\$586.90
EFT2141	24/03/2016	PINGELLY COMMUNITY RESOURCE CENTRE	THANK A VOLUNTEER DAY P/O 2247	\$875.00
EFT2142	24/03/2016	STEVE DAVIS BUILDER	INSTALL RUBBER AROUND TENNIS HIT UP BOARD	\$220.00
EFT2143	24/03/2016	CTI SECURITY SERVICES PTY LTD	ALARM MONITORING CHARGES FROM 01 APRIL 2016 TO 30 JUNE 2016	\$103.61
EFT2144	24/03/2016	WA CONTRACT RANGER SERVICES	RANGER SERVICES PERFORMED 1/3/16, 10/3/16	\$841.50
EFT2145	24/03/2016	RURAL PC	LAPTOP FOR CHAMBERS	\$1,559.00
EFT2146	24/03/2016	WALLIS COMPUTER SOLUTIONS	MONTHLY ITS & BKP GOLD BILLING FOR MARCH 2016	\$2,135.84
EFT2147	24/03/2016	SKIPPER TRUCKS	PARTS FOR GEARSTICK	\$488.25
EFT2148	24/03/2016	ABCO PRODUCTS PTY LTD	2 X BOXES PAPER TOWELS - ADMIN	\$61.79
EFT2149	24/03/2016	SKILLHIRE	CASUAL STAFF FOR TRAFFIC CONTROL WORK - WEEK ENDING 15/3/16	\$2,353.32
EFT2150	24/03/2016	WANDERING SMASH REPAIRS	EXCESS CLAIM FOR REPAIRS TO PN272	\$300.00
EFT2151	24/03/2016	SUPALUX PTY LTD	WICKEPIN PINGELLY - 0.0SLK SEPARATION LINES - 45 METRE P/O 2287, WICKEPIN PINGELLY - 7.890SLK SEPARATION LINES - 947 METRE, WICKEPIN PINGELLY - 8.840SLK BARRIER LINE ONE DIRECTION AND SEPARATION LINE - 241 METRE, WICKEPIN PINGELLY - 8.910SLK BARRIER LINE BOTH DIRECTIONS - 72 METRE, WICKEPIN PINGELLY - 23.60SLK SEPARATION LINES - 100 METRE	\$1,405.00
			TOTAL EFT FROM MUNICIPAL FUND	\$171,017.39
24214	01/03/2016	THE YORK PALACE HOTEL	STRATEGIC DEVELOPMENT DAY 11 - 12 MARCH 2016 - ACCOMMODATION, MEALS AND VENUES FOR COUNCILLORS AND EXECUTIVE STAFF	\$3,685.00
24215	04/03/2016	TELSTRA	VARIOUS PHONE ACCOUNTS	\$389.92
24216	04/03/2016	CANCELLED		\$0.00
24217	04/03/2016	RYLAN PTY LTD	KERBING JOHNSON STREET PINGELLY	\$8,932.00
24218	04/03/2016	RAELENE MAY STEVENS	MILEAGE RE-YOUTH CARE GRANT	\$240.24
24219	04/03/2016	PINGELLY BOWLING CLUB INC.	COMMUNITY REQUEST (GRANT)	\$200.00
24220	09/03/2016	PINGELLY IGA SUPERMARKET	PAYROLL DEDUCTIONS	\$54.81

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT MARCH 2016

Chq/EFT	Date	Name	Description	Amount
24221	11/03/2016	TELSTRA	SMS EMERGENCY HOTLINE 02 MARCH 16 - 01 APRIL 2016	\$350.00
24222	11/03/2016	SYNERGY	STREETLIGHT CHARGES 25 JANUARY 2016 - 24 FEBRUARY 2016	\$2,955.90
24223	11/03/2016	HUMES WEMBLEY CEMENT	SOLID CONCRETE SLAB	\$9,801.00
24224	14/03/2016	PLEASE PAY CASH - PINGELLY SHIRE	REIMBURSEMENT OF MEALS FOR INSIDE STAFF MEMBER FOR TRAINING, PINGELLY IGA - PLASTIC FORKS FOR TOOLBOX MEETING, PINGELLY IGA - REFRESHMENTS, BISHOP STREET NEWSAGENCY - CASH RECEIPT BOOKS FOR CARAVAN PARK, PINGELLY IGA - MR SHEEN, BATTERIES, COLES - CAKES FOR OPENING OF THE TENNIS COURTS, REX HALLET - PINGELLY IGA - BLEACH, PINGELLY IGA - SERVIETTES, BISCUITS, MILK & WATER FOR TENNIS COURT OPENING, PINGELLY IGA - REFRESHMENTS FOR COUNCIL	\$328.15
24225	17/03/2016	DAVID INNES FREEBAIRN	SITTING FEES JANUARY - MARCH 2016	\$875.00
24226	17/03/2016	JACQUELINE MICHELLE WALTON-HASSELL	SITTING FEES JANUARY - MARCH 2016	\$875.00
24227	18/03/2016	PLEASE PAY CASH - PINGELLY SHIRE	PINGELLY IGA - REFRESHMENTS, PINGELLY RURAL SUPPLIES - RECHARGEABLE BATTERIES, PINGELLY POST OFFICE - SYMPATHY CARD FOR STAFF MEMBER, MOP HEAD	\$329.55
24228	18/03/2016	SYNERGY	ELECTRICITY CHARGES 07 JANUARY 2016 - 08 MARCH 2016	\$12,570.80
24229	23/03/2016	SHIRE OF PINGELLY	PAYROLL DEDUCTIONS	\$93.71
24230	23/03/2016	PINGELLY IGA SUPERMARKET	PAYROLL DEDUCTIONS	\$60.90
24231	24/03/2016	WATER CORPORATION	WATER USE CHARGES 14 JANUARY 2016 - 10 MARCH 2016, SERVICE CHARGES 01 MARCH 2016 - 30 APRIL 2016	\$39.77
24232	24/03/2016	RENDEZVOUS OBSERVATION CITY HOTEL	ACCOMMODATION PARKING & BREAKFAST FOR 1 PERSON FOR 2 NIGHTS 17 & 18 MARCH 2016 CCAWA SEMINAR FOR STAFF MEMBER	\$446.00
24233	24/03/2016	CANCELLED CHEQUE	CANCELLED CHEQUE	\$0.00
			TOTAL CHEQUE FROM MUNICIPAL FUND	\$42,227.75
			TOTAL ALL MUNICIPAL	\$213,245.14
1823	03/03/2016	RHEANNON FRANCES TURTON	REFUND OF KEY BOND FOR THE TENNIS COURTS	\$40.00

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT MARCH 2016

Chq/EFT	Date	Name	Description	Amount
1824	03/03/2016	THE DEPARTMENT OF FINANCE	REFUND OF CROCKERY, CLEANING AND 2 X KEY BONDS FOR HIRE OF COMMUNITY CENTRE	\$430.00
1825	03/03/2016	DEPARTMENT OF FIRE & EMERGENCY SERVICE	REFUND OF CLEANING AND KEY BOND FOR HIRE OF COMMUNITY CENTRE	\$190.00
1826	11/03/2016	CANCELLED		\$0.00
1827	11/03/2016	ROBYN PACKER	REFUND OF KEY AND CLEANING BONDS FOR HIRE OF COMMUNITY CENTRE	\$190.00
			TOTAL TRUST PAYMENTS	\$850.00
80316	08/03/2016	DEPARTMENT OF TRANSPORT	RECONCILING TRANSPORT LICENSING 1/3/16 TO 05/03/16	\$5,442.45
140316	14/03/2016	DEPARTMENT OF TRANSPORT	RECONCILING TRANSPORT LICENSING 06/03/15 TO 12/03/16	\$23,056.55
210316	21/03/2016	DEPARTMENT OF TRANSPORT	RECONCILING TRANSPORT LICENSING 13/3/16 TO 19/03/16	\$15,909.55
290316	29/03/2016	DEPARTMENT OF TRANSPORT	RECONCILING TRANSPORT LICENSING 20/03/16 TO 26/03/16	\$4,261.05
310316	31/03/2016	DEPARTMENT OF TRANSPORT	RECONCILING TRANSPORT LICENSING 27/03/16 TO 31/03/16	\$4,003.20
			TRANSPORT LICENSING	\$52,672.80
DD7992.1	08/03/2016	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	PAYROLL DEDUCTIONS & SUPERANNUATION CONTRIBUTIONS	\$5,516.54
DD7992.2	08/03/2016	BT FUNDS MANAGEMENT LIMITED	SUPERANNUATION CONTRIBUTIONS	\$9.10
DD7992.3	08/03/2016	THE TRUSTEE FOR THE DYER SUPER FUND	PAYROLL DEDUCTIONS & SUPERANNUATION CONTRIBUTIONS	\$615.00
DD7992.4	08/03/2016	AMP FLEXIBLE SUPER	PAYROLL DEDUCTIONS & SUPERANNUATION CONTRIBUTIONS	\$366.95
DD7992.5	08/03/2016	LUCRF SUPER	SUPERANNUATION CONTRIBUTIONS	\$269.88
DD7992.6	08/03/2016	AUSTRALIAN SUPER ADMINISTRATION	SUPERANNUATION CONTRIBUTIONS	\$615.53
DD7992.7	08/03/2016	CBUS	SUPERANNUATION CONTRIBUTIONS	\$390.96
DD7992.8	08/03/2016	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	\$376.34
DD7992.9	08/03/2016	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	\$188.17
DD8016.1	22/03/2016	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	PAYROLL DEDUCTIONS & SUPERANNUATION CONTRIBUTIONS	\$5,836.85
DD8016.2	22/03/2016	BT FUNDS MANAGEMENT LIMITED	SUPERANNUATION CONTRIBUTIONS	\$20.03
DD8016.3	22/03/2016	THE TRUSTEE FOR THE DYER SUPER FUND	PAYROLL DEDUCTIONS & SUPERANNUATION CONTRIBUTIONS	\$615.00
DD8016.4	22/03/2016	LUCRF SUPER	SUPERANNUATION CONTRIBUTIONS	\$269.88
DD8016.5	22/03/2016	AMP FLEXIBLE SUPER	PAYROLL DEDUCTIONS & SUPERANNUATION CONTRIBUTIONS	\$366.95

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT MARCH 2016

Chq/EFT	Date	Name	Description	Amount
DD8016.6	22/03/2016	AUSTRALIAN SUPER ADMINISTRATION	SUPERANNUATION CONTRIBUTIONS	\$421.51
DD8016.7	22/03/2016	CBUS	SUPERANNUATION CONTRIBUTIONS	\$390.96
DD8016.8	22/03/2016	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	\$376.34
DD8016.9	22/03/2016	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	\$188.17
DD7992.10	08/03/2016	AMP LIFE LIMITED	SUPERANNUATION CONTRIBUTIONS	\$317.37
DD8016.10	22/03/2016	AMP LIFE LIMITED	SUPERANNUATION CONTRIBUTIONS	\$274.73
	31/03/2016	BANK FEES	BANK FEES	\$66.17
	31/03/2016	CENTRELINK FEES	CENTRELINK FEES	\$31.68
	31/03/2016`	MERCHANT BANK FEES	MERCHANT BANK FEES	\$350.61
160331	24/03/2016	14 - FINANCED EQUIPMENT - PHOTOCOPIER LEASE	FINANCED EQUIPMENT - PHOTOCOPIER LEASE	\$902.00
			TOTAL DIRECT DEBIT PAYMENTS	\$18,776.72
DD8028.1	01/03/2016	BENDIGO BANK CREDIT CARDS	PINGELLY RURAL SUPPLIES - RETIC FITTINGS	\$403.87
DD8028.2	17/03/2016	BENDIGO BANK CREDIT CARDS	HEARTLANDS WA - WHEATBELT CONFERENCE FOR COUNCILLOR	\$330.00
DD8028.3	20/03/2016	BENDIGO BANK CREDIT CARDS	ENVIRONMENTAL HEALTH - REGISTRATION FOR DENTAL EQUIPMENT	\$160.00
DD8028.4	22/03/2016	BENDIGO BANK CREDIT CARDS	PINGELLY RURAL SUPPLIES - MINOR HOME MAINTENANCE	\$85.64
DD8028.5	26/03/2016	BENDIGO BANK CREDIT CARDS	STUMPYS BROOKTON - FUEL	\$28.16
DD8028.6	30/03/2016	BENDIGO BANK CREDIT CARDS	BENDIGO BANK - CREDIT CARD FEE	\$4.00
DD8028.7	26/03/2016	BENDIGO BANK CREDIT CARDS	GREAT SOUTHERN FUELS - FUEL	\$26.54
DD8028.8	29/03/2016	BENDIGO BANK CREDIT CARDS	PINGELLY HOTEL - START UP LUNCH FOR NEW COMMUNITY CENTRE WITH ARCHITECT	\$50.00
DD8028.9	01/03/2016	BENDIGO BANK CREDIT CARDS	PINGELLY RURAL SUPPLIES - PAINTING MATERIALS	\$130.00
DD8028.10	02/03/2016	BENDIGO BANK CREDIT CARDS	PINGELLY RURAL SUPPLES - GIFT VOUCHER FOR STAFF MEMBER LEAVING	\$200.00
DD8028.11	02/03/2016	BENDIGO BANK CREDIT CARDS	PINGELLY QUALITY MEATS - GIFT VOUCHER FOR STAFF MEMBER LEAVING	\$100.00
DD8028.12	06/03/2016	BENDIGO BANK CREDIT CARDS	MEETING MASTERS - ASSOCIATION CLUB WA CONFERENCE 2016 - COUNCILLOR ATTENDING	\$399.00
DD8028.13	12/03/2016	BENDIGO BANK CREDIT CARDS	DIGADOO GARDEN TOOLS - SHOVELS FOR TURNING OF SOD (PRACC)	\$607.00

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT MARCH 2016

Chq/EFT	Date	Name	Description	Amount
DD8028.14	12/03/2016	BENDIGO BANK CREDIT CARDS	THE YORK HOTEL – REFRESHMENTS - STRATEGIC DEVELOPMENT DAY FOR COUNCILLORS AND EXECUTIVE STAFF	\$764.50
DD8028.15	15/03/2016	BENDIGO BANK CREDIT CARDS	INDUSTRIAL RUBBER- RUBBER FOR TENNIS COURTS	\$229.68
DD8028.16	17/03/2016	BENDIGO BANK CREDIT CARDS	TREND MICRO - PREMIUM SECURITY 10 RENEWAL, 5 DEVICE 24 MTH	\$239.95
			TOTAL CREDIT CARD PAYMENTS	\$3,758.34

15 DIRECTORATE OF TECHNICAL SERVICES

15.1 Application to Keep Large Animals in Gazetted Townsite with Exemptions

File Reference: A11384
Location: Lot 801 – 7 Marconi Street
Applicant: Mr P Borg & Mrs J Borg
Author: Sheryl Squiers, Administration Officer Technical
Date: 23 March 2016
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider granting approval for the keeping of large animals namely alpacas on a Rural Residential lot in the Gazetted Townsite at Lot 801 – 7 Marconi St, Pingelly.

Background:

An application to keep large animals namely alpacas at Lot 801 – 7 Marconi Street, Pingelly has been received from Peter & Jenny Borg.

Lot 801 – 7 Marconi St is zoned Rural Residential but is within the Gazetted Town Site.

Comment:

The applicants are requesting permission to keep alpacas on their property at Lot 801 – 7 Marconi Street.

The property is zoned “*Rural Residential*” and situated within the Gazetted Townsite with an area of 3.942ha.

Public comment from the nearby residents was sought by way of letter on 8 February 2016, with submissions requested by 29 February 2016.

Response was received from two nearby residents (two households) to the request for comment on the keeping of alpacas at Lot 801 – 7 Marconi Street, with both responses in favour of the keeping of the alpacas.

Alpacas are a flock animal used for protection of sheep or lambs against foxes and not normally stabled.

The applicants have requested the following exemptions:

- Requirements for stables to be waived as the alpacas do not require stabling.
- Reduce the requirement of 15m boundary from applicants own dwelling to 13.4m as fencing already in place. The requirement for 15m from to neighbours dwelling would be adhered to.
- Requirement for manure receptacle to be waived as alpacas will not be housed in stables.

This application would be for alpacas only to be kept at the property.

Division 3—Keeping of Large Animals

5.15. Interpretation

In this Division, unless the context otherwise requires—

“**approved animal**” means a horse, cow or large animal the subject of an approval by Local Government under Section 5.16;

“**cow**” includes an ox, calf or bull;

“**horse**” includes an ass, mule, donkey or pony; and “large animal” includes a pig, sheep or goat.

5.16. Stables

- (1) An owner or occupier of premises within any gazetted Townsite, shall not keep a horse, cow or large animal on those premises without the written approval of the Local Government.
- (2) An owner or occupier of premises who has approval to keep a horse, cow or large animal shall provide for its use a stable which shall—
 - (a) not be situated within 15 metres of a house or other premises;
 - (b) have a proper separate stall—
 - (i) for each horse or cow; and
 - (ii) the floor area of which shall be a minimum of 6 square metres;
 - (c) have each wall and roof constructed of an impervious material;
 - (d) have on all sides of the building between the wall and the roof, a clear opening of at least 150 millimetres in height;
 - (e) subject to subsection (3), have a floor, the upper surface of which shall—
 - (i) be raised at least 75 millimetres above the surface of the ground;
 - (ii) be constructed of cement, concrete or other similar impervious material; and
 - (iii) have a fall of 1 in 100 to a drain, which shall empty, into a trapped gully situated outside the stable and shall discharge in a manner approved by the Principal Environmental Health Officer.
- (3) A stable constructed with a sand floor may be permitted by the Local Government, subject to the following—
 - (a) the site must be well drained with the highest known water table at least 1.5 metres below the sand floor level, which may be achieved artificially;
 - (b) sand, whether natural or imported, must be clean, coarse and free from dust;
 - (c) footings to each stable shall be a minimum of 450mm below ground level;
 - (d) the stable design must allow for the access of small earth moving machinery, such as a skid steer loader, into each individual stall, to maintain the correct floor height;
 - (e) the minimum floor area of each stall shall not be less than 28 square metres and walls shall not be less than 3 metres vertically or 4 metres horizontally;
 - (f) the roofed area of each stall shall not be less than 50 percent of the floor area of the stall.
- (4) The owner or occupier of premises on which a stable is located shall—
 - (a) maintain the stable in a clean condition and clean, wash and disinfect it when so directed by an Environmental Health Officer;
 - (b) keep all parts of the stable so far as possible free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and
 - (c) when so ordered by the Principal Environmental Health Officer, spray the stable, or such parts as may be directed, with a residual insecticide.

5.17. Proximity of Animals to a Dwelling House

The owner or occupier of premises shall not permit an approved animal to approach within 15 metres of a dwelling house.

5.18. Manure Receptacle

An owner or occupier of premises on which an approved animal is kept shall—

- (a) provide in a position convenient to the stable, a receptacle for manure, constructed of smooth, impervious and durable materials, provided with a tight-fitting hinged cover, and with no part of the floor lower than the surface of the adjoining ground;
- (b) keep the lid of the receptacle closed except when manure is being deposited or removed;
- (c) cause the receptacle to be emptied at least once a week and as often as may be necessary to prevent it becoming offensive or a breeding place for flies or other vectors of disease;
- (d) keep the receptacle so far as possible free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and
- (e) cause all manure produced on the premises to be collected daily and placed in the receptacle.

SHIRE OF PINGELLY	
FILE	A11384
DATE	02 FEB 2016
Officer	DTS
Copy to	

Barry Gibbs
Shire of Pingelly
Queen St
Pingelly 308

Re your letter date 19th January 2016
"Keeping of large animals within gazetted town site"

To Mr Gibbs

I would firstly like to apologise for not being aware of the need to apply for a permit to keep alpacas on our property.

We would like to formally apply to council to keep large animals on our property (not horses)- Lot 801 Marconi St Pingelly.

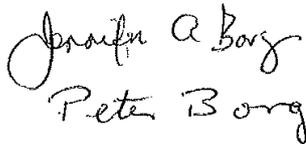
We wish to also apply for exemption to the following local laws in regard to keeping these large animals

1. Requirement for stables – can this be waived as our large animals they do not require stables.
2. Reduce the requirement of a 15m boundary to our own home to 13.4m as our fencing is already in place and we are happy with the reduction in boundary. We note that the requirement of 15m to the neighbour's dwellings will be adhered to.
3. Requirement manure receptacle - can this be waived as we will not be housing them in stables.

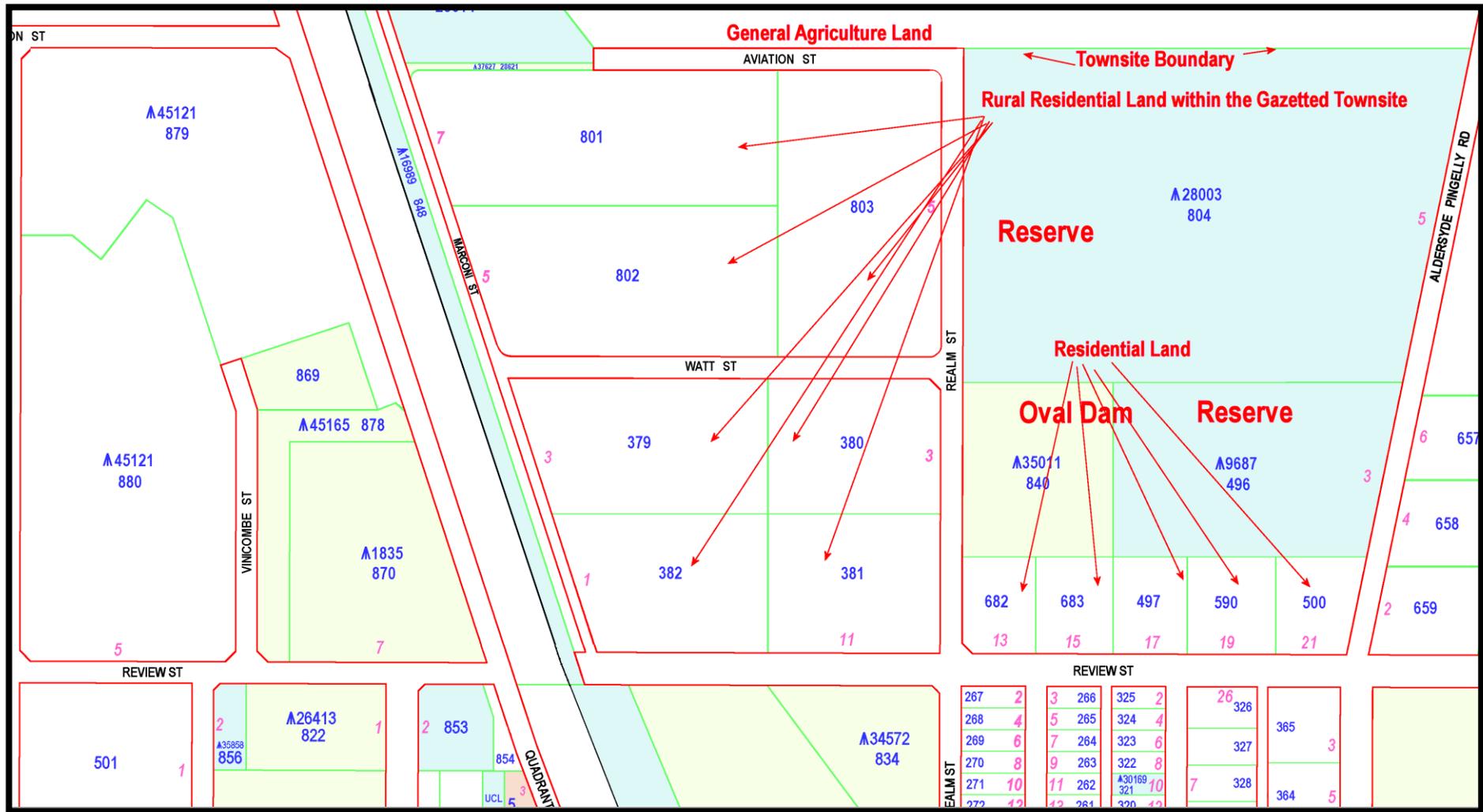
Please advise if you require any further details to consider our application for keeping of large animals (not horses) on our property at Lot 801 Marconi St Pingelly.

Kind regards

Peter Borg
Jennifer Borg



Peter Borg





Consultation:

Shire of Pingelly's Health Local Law
Barry Gibbs – Director Technical Services

Statutory Environment:

Shire of Pingelly Local Planning Scheme No3

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority

11984 - Moved: Cr Hodges

Seconded: Cr Walton-Hassell

Council Decision:

Council grant planning consent for the keeping of 2 alpacas only at Lot 801 – 7 Marconi Street with the following conditions applied:

- **Exemption for stables as alpacas are flock animals not requiring stabling**
- **Exemption to reduce the requirement of 15m boundary from applicants own dwelling to 13.4m as fencing already in place. The requirement for 15m from to neighbours dwelling would be adhered to.**
- **Exemption for the requirement for manure receptacle to be waived as alpacas will not be housed in stables.**
- **Ensure boundary fencing is adequate to keep for the alpacas.**

Cr Marshall Cr Mulroney

Lay on the table for further clarification

Lost 3:4

Council Decision

Council grant planning consent for the keeping of 2 alpacas only at Lot 801 – 7 Marconi Street with the following conditions applied:

- **Exemption for stables as alpacas are flock animals not requiring stabling**
- **Exemption to reduce the requirement of 15m boundary from applicants own dwelling to 13.4m as fencing already in place. The requirement for 15m from to neighbours dwelling would be adhered to.**
- **Exemption for the requirement for manure receptacle to be waived as alpacas will not be housed in stables.**
- **Ensure boundary fencing is adequate to keep for the alpacas.**

Carried 6:1

15.2 Proposed Non Commercial Motorcycle Activity

File Reference: A3692
Location: Various Locations – Moorumbine Road
Applicant: Willie Thomson of Dirt High Promotions
Author: Sheryl Squiers, Administration Officer Technical
Date: 29 March 2016
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider granting approval for a proposed Non Commercial Motorcycle Activity on 16 & 17 July 2016 on the following locations 21192, 2399, 2740, 16311, 4631, 1048, 16310 & 8588.

Background:

An application has been received from Willie Thomson of Dirt High Promotions for planning consent for a proposed Non Commercial Motorcycle Activity in the Shire of Pingelly.

The proposed activity is to be on the weekend of 16 & 17 July 2016 on property owned by Jeff Overington of D Overington & Co.

Comment:

An application has been received from Willie Thomson of Dirt High Promotions for planning consent for a proposed Non Commercial Motorcycle Activity on property owned by Jeff Overington of D Overington & Co.

The land is zoned General Agriculture and with the subject lots to be used for the event fronting Moorumbine Road in the Shire of Pingelly.

The type of event is a Pony Express Motorcycle Event to be held on 16 & 17 July 2016, the owner of the property Jeff Overington of D Overington & Co has given written consent for this event to be held on his property.

The event will be run under permit from Motorcycling Australian and run in accordance with the Australian Rules of Competition, Public Liability Cover of \$50,000,000 through AON Insurance & Motorcycling Australia.

A copy of the application letter and other documentation is inserted below.

The proposed land use is a *use not listed* under the *Shire of Pingelly's Local Planning Scheme No.3* (LPS 3) Table 1 – Zoning Table and cannot be reasonably determined as falling within the interpretation of one of the existing uses. Therefore the provisions contained in Clause 4.4.2 of LPS 3 must be followed:

- 4.4.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –
- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
 - (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or

- (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

There will be between 15-20 people setting up the track on Friday 15 July 2016 and tidying up on Monday 18 July 2016.

All parking for the event will be within the property and controlled by voluntary marshalls. A minimum of 6 portable toilets will be provided. No dogs or pets allowed. There will be alcohol sales and food catering provided by the Pingelly Hockey Club.

Event promotion will be through Local Community News & Peel Region Sept Sport will be advised and event promotion through local businesses and motorcycle shops between Peth & Bunbury.

Given the temporary nature of the proposal it is unlikely there will be any substantial negative impact on rural character, amenity or agricultural production in the surrounding area.

The main potential disturbance to amenity would be from noise and traffic. To ensure such amenity disturbance is minimised, should Council grant planning consent for the application, hours of operation could be restricted as a condition of approval.

It would also be suggested an Emergency and Risk Management Plan for the event addressing possible identified risks and proposed mitigation measures be submitted to include:

- Emergency Evacuation
- Fire Management
- First Aid and Ambulance Services
- Toilet Facilities etc

Previous similar events have been approved and operated in the Shire of Brookton including events run by the applicant.

On consultation with Trevor Moran – Planner at Landvision

That issuing a temporary planning approval under clause 10.6 of the LPS No.3, approvals would be required for permits under other Acts, Local Laws and Council Policies. If these are in place to Council's satisfaction then a temporary approval could be issued subject to any conditions Council deems necessary.

10.6 Temporary planning approval

Where the local government grants planning approval, the local government may impose conditions limiting the period of time for which the approval is granted.

Note: A temporary planning approval is where the local government grants approval for a limited period, for example, where the land may be required for some other purpose in the future, and is different to the term of the planning approval which is the period within which the development must commence.

DIRT HIGH PROMOTIONS

1/17 Canvale Road
CANNING VALE 6155
Tel: 08 9455 2359
Mob: 0438 360 570

willie@williethomson.com
www.williethomson.com

ABN 90 063 103 560

17 March 2016

Shire of Pingelly
17 Queen Street
PINGELLY WA 6308

Att: Sheryl Squires
Administration Officer Technical

**Re: Proposed Non Commercial Motorcycle Activity
Ashfield, Kulyaing Road
16/17th July 2016
Property Owned by Jeff Overington**

SHIRE OF PINGELLY	
FILE	
DATE	18 MAR 2016
Officer	A01
Copy to	

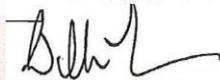
Hi Sheryl,

We are looking at running a Motorbike event in July in your locality.

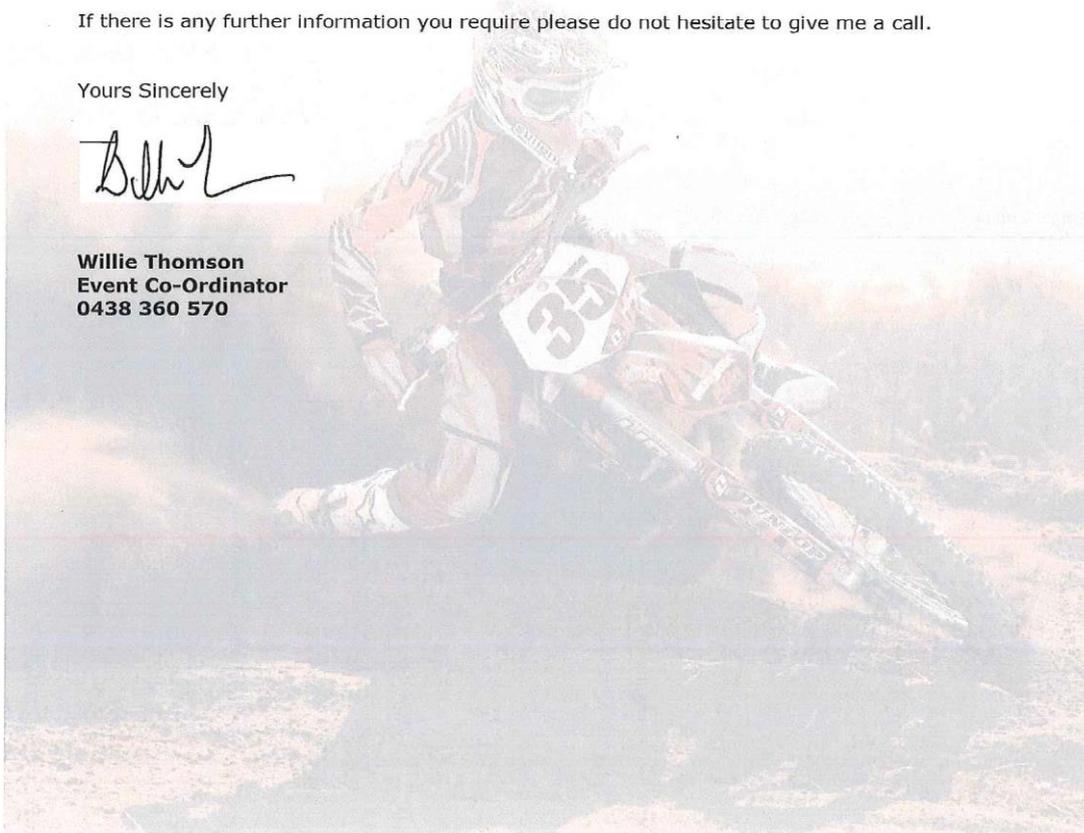
I have enclosed some general information on how the event works.

If there is any further information you require please do not hesitate to give me a call.

Yours Sincerely



Willie Thomson
Event Co-Ordinator
0438 360 570



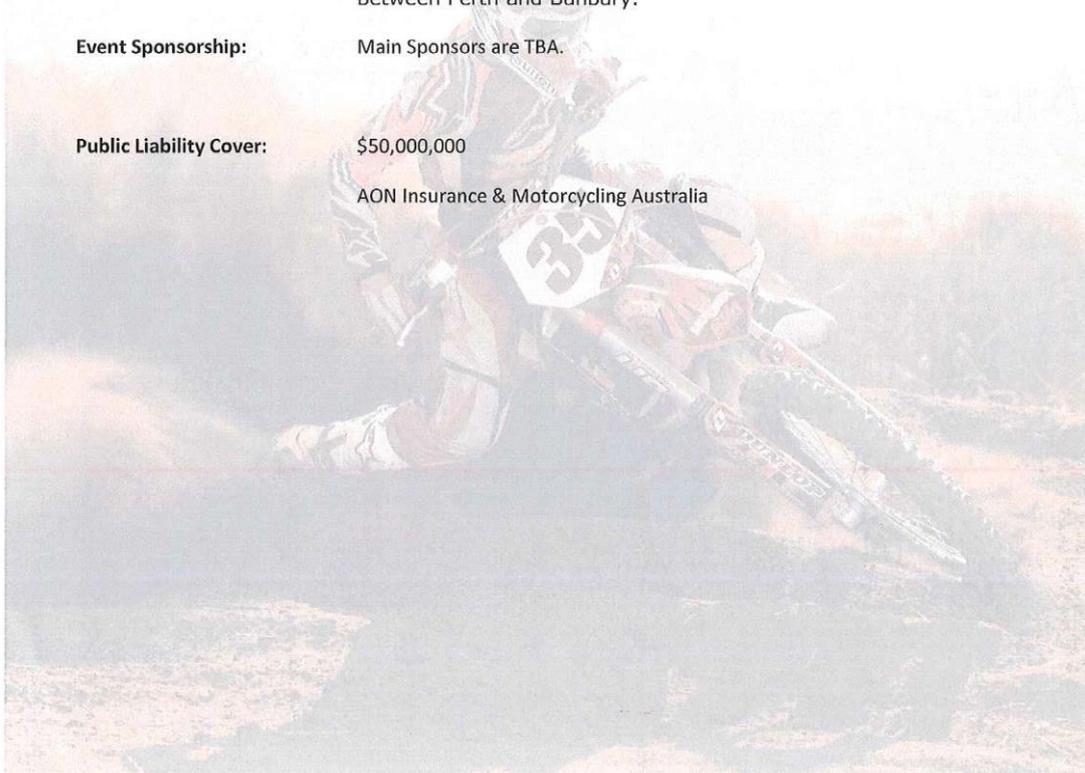
DIRT HIGH PROMOTIONS

1/17 Canvale Road
CANNING VALE 6155
Tel: 08 9455 2359
Mob: 0438 360 570

willie@williethomson.com
www.williethomson.com

ABN 90 063 103 560

Type of event:	Pony Express Motorcycle Event
Date of event:	16-17 th July 2016
Area Required:	Lot's 21192,2399,2740,16311,4631,1048,16310 and 8588
Access Required:	Friday 15 th (10-20 people) to mark out track and set up area. Monday, Finish tidying up and Inspection by owner of farm.
Parking:	All parking will be within the property and controlled by voluntary marshalls.
Toilets:	A minimum of 6 portable toilets will be provided.
Animals:	No dogs or pets will be allowed.
Alcohol:	By Sale from the Pingelly Hockey Club
Food Catering:	By Sale from the Pingelly Hockey Club
Event Guidelines:	The event will be run under permit from Motorcycling Australia and run in accordance with the Australian Rules of Competition.
Event Promotion:	Local Community news & Peel Region Sport will be advised. The event will be promoted through local businesses and motorcycle shops between Perth and Bunbury.
Event Sponsorship:	Main Sponsors are TBA.
Public Liability Cover:	\$50,000,000 AON Insurance & Motorcycling Australia





SCHEDULE 6 FORM OF APPLICATION FOR PLANNING APPROVAL

**Shire of Pingelly
Local Planning Scheme No. 3**

Application for Planning Approval

OWNER DETAILS:	
Name:	WILLIE THOMSON
Address:	1/17 CANVALE ROAD, CANNING VALE
Postcode:	6155
Phone:	08 9455 2359
Work:	" " Email: manager@thautoservices.com
Mobile:	0438 360 570
Contact Person:	WILLIE THOMSON
Signature:	<i>[Handwritten Signature]</i> Date: 17/03/2016
Signature:	Date:
The signature of the owner(s) is required on all applications. This application will not proceed without that signature.	

APPLICANT DETAILS:	
Name:	DECIMA JOHNS
Address:	1/17 CANVALE ROAD, CANNING VALE
Postcode:	6155
Phone:	08 9455 2359
Work:	" " Email: secretary@williethomson.com
Mobile:	0403 863 622
Contact Person for Correspondence:	DECIMA JOHNS

Signature: 	Date: 17/03/2016
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Part 2

PROPERTY DETAILS:		
Lot No. SEE ATTACHED	House/Street No:	Location No:
Diagram or Plan No:	Certificate of Title Vol. No:	Folio:
Diagram or Plan No:	Certificate of Title Vol. No:	Folio:
Title encumbrances (e.g. easements, restrictive covenants):		
Street name:		Suburb:
Nearest Street Intersection:		

EXISTING BUILDING/LAND USE:
Description of proposed development and/or use:
Nature of any existing buildings and/or use:
Approximate cost of proposed development:
Estimated time of completion:

Office Use Only	
<i>Acceptance Officer's initials:</i>	<i>Date Received:</i>
<i>Local Government Reference No:</i>	

D Overington and Co

PO Box 41

Pingelly WA 6308

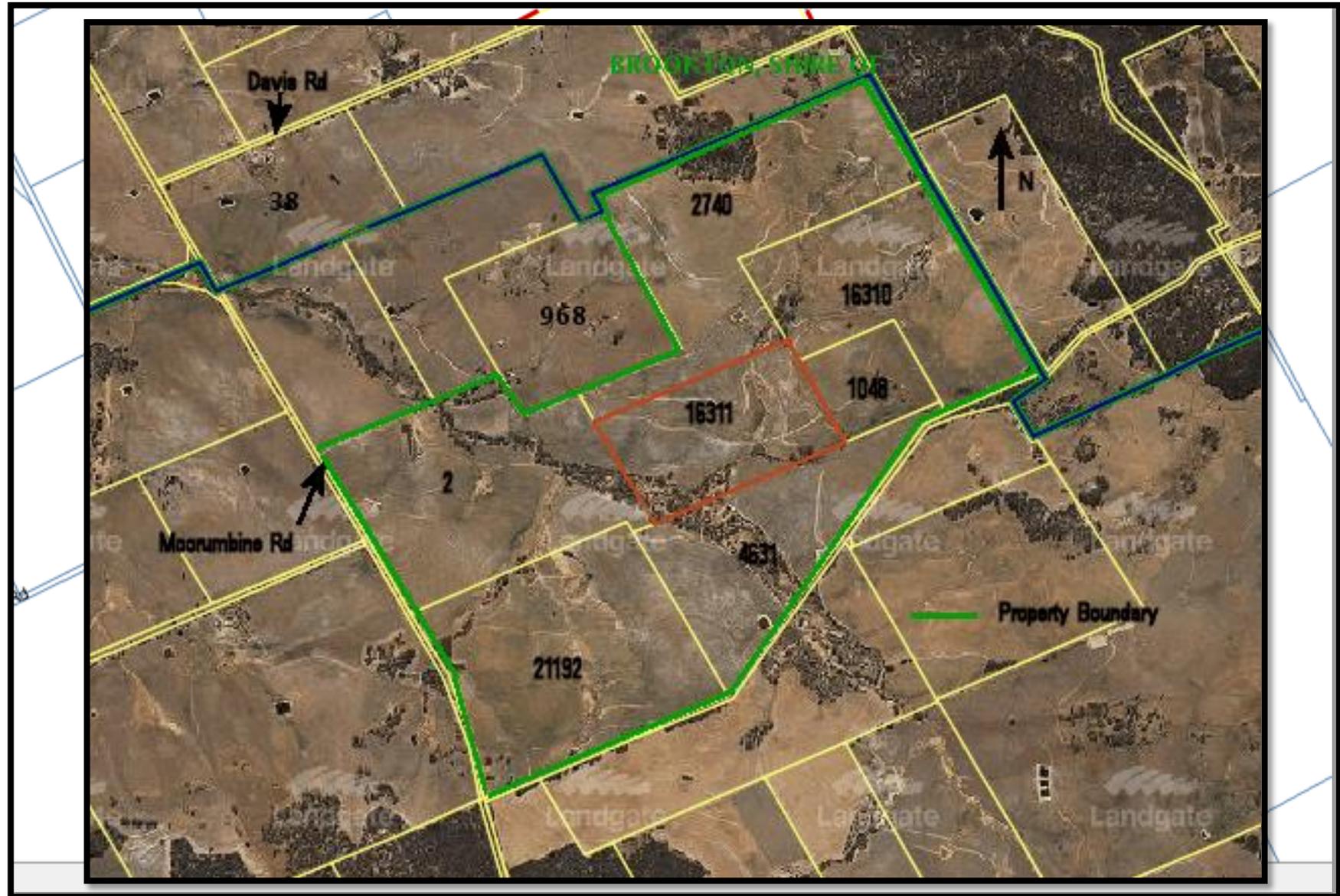
To whom it may concern

I, Jeff Overington of D Overington and Co, give permission to Willie Thomson and Dirt High Promotions to host a pony express off-road motorcycle event on our property on the weekend of the 16th/17th July 2016. The location numbers the event will be used are 21192, 2399, 2740, 16311, 4631, 1048, 16310, and 8588

Yours Sincerely

Jeff Overington

A handwritten signature in black ink, appearing to read 'Jeff Overington', written in a cursive style.



Consultation:

Trevor Moran – Planner Landvision
Shire of Brookton - Minutes of Similar Event

Statutory Environment:

Shire of Pingelly Local Planning Scheme No.3

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority

11985 - Moved: Cr Mulroney

Seconded: Cr Walton-Hassell

Recommendation:

That Council grant planning consent for the proposed Motorcycle Event at the following locations 21192, 2399, 2740, 16311, 4631, 1048, 16310 & 8588, off Moorumbine Road, subject to the following conditions:

- 1. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.**
- 2. This approval is for activities occurring between and including 15 – 18 July 2016, as described in the application.**
- 3. Ablution facilities that comply with the Shire of Pingelly’s Environmental Health requirements shall be available on site at all times during the event.**
- 4. Motorcycle activity shall occur only between the hours of 9.00am and 4.00pm on the 16 & 17 July 2016.**
- 5. The risk mitigation, control and responsibilities as prescribed in an Emergency and Risk Management Plan (ERMP) to be provided to the Shire of Pingelly, to be complied with at all times during the event.**
- 6. A person appropriately qualified in first aid shall be on site at all times during the event.**
- 7. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the event.**

11986 Moved: Cr Steel Seconded: Cr Marshall an amendment to change recommendation.

Carried 7:0

Council Decision:

That Council grant planning consent for the proposed Motorcycle Event at the following locations 21192, 2399, 2740, 16311, 4631, 1048, 16310 & 8588, off Moorumbine Road, subject to the following conditions:

- 1. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.**
- 2. This approval is for activities occurring between and including 15 – 18 July 2016, as described in the application.**
- 3. Ablution facilities that comply with the Shire of Pingelly’s Environmental Health requirements shall be available on site at all times during the event.**
- 4. Motorcycle activity shall occur only between the hours of 9.00am and 4.00pm on the 16 & 17 July 2016.**
- 5. The risk mitigation, control and responsibilities as prescribed in an Emergency and Risk Management Plan (ERMP) to be provided to the Shire of Pingelly, to be complied with at all times during the event.**
- 6. Appropriately qualified first aid personnel be on site at all times during the event.**
- 7. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the event.**

Note: Wording changed in item 6 for clarification.

Carried 7:0

15.3 Proposed Shed

File Reference: A7381
Location: Lot 297 - 58 Raglan Street
Applicant: Mr M McDonald & Ms J Hammond
Author: Sheryl Squiers, Administration Officer Technical
Date: 23 March 2016
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider granting planning approval for the erection of a shed at Lot 297 – 58 Raglan Street, Pingelly.

Background:

An application for planning consent has been received from M McDonald & J Hammond for a proposed shed at Lot 297 – 58 Raglan Street, Pingelly.

The proposed shed is engineered designed with an area of 67.5m², the walls and roof to be in colorbond with a concrete floor.

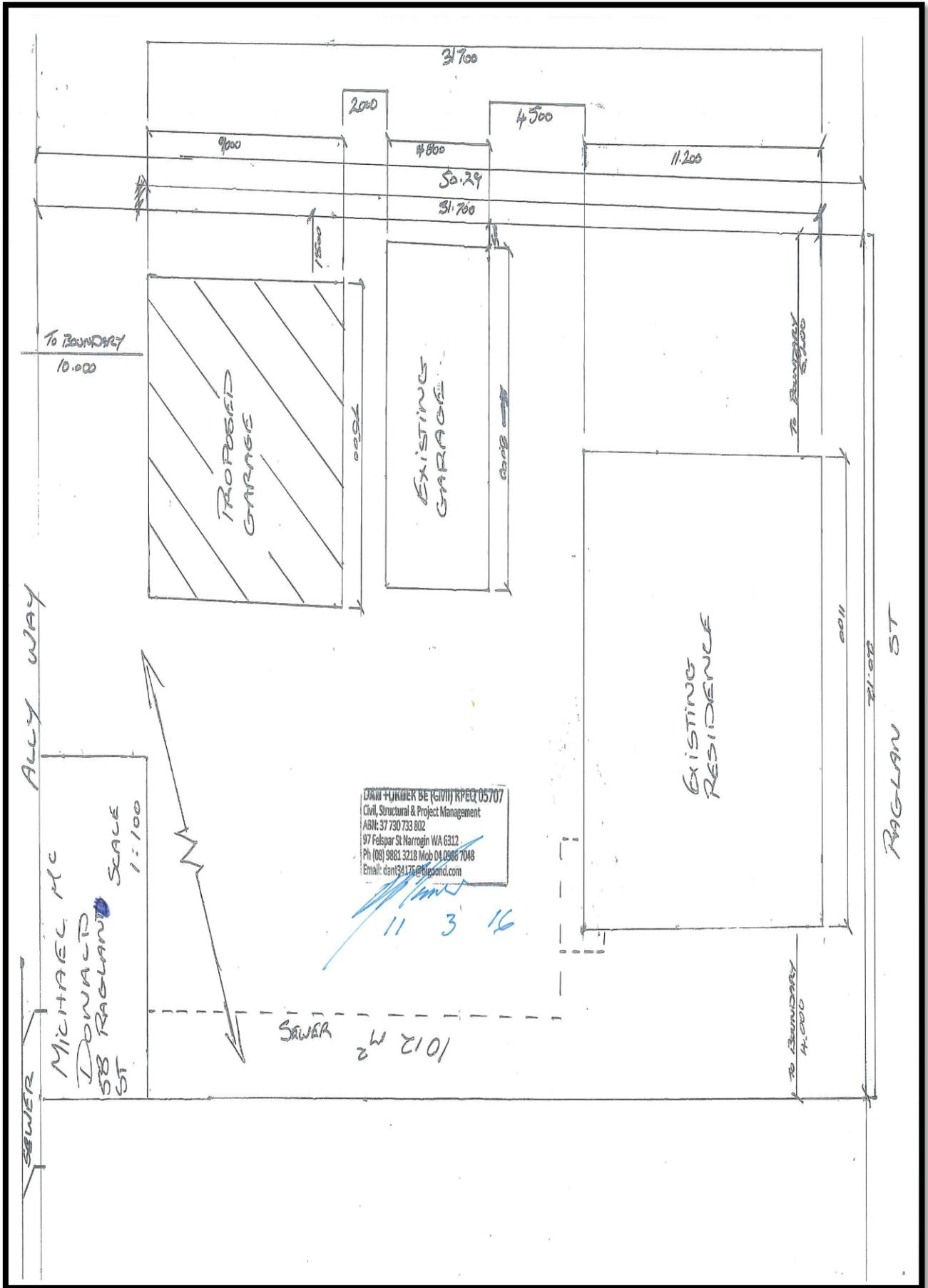
Comment:

The area of the proposed shed exceeds the maximum area of 60m² set out in the Residential Design Codes for outbuildings on Residential land. The area of the proposed shed is 67.5m², an existing garage has an area of 38.4m² giving a total outbuilding area for the lot to 105.9m².

The area of Lot 297 – 58 Raglan Street is 1012m² with the total area of the existing buildings (including dwelling) and the proposed shed to be 331.25m² out of the total lot area leaving more than the recommended 50% open space area for a lot.

The rear of Lot 297 – 58 Raglan Street has access off James Street and the proposed shed will be situated on the north western boundary of the property with a setback of 10m from the James St, 1.5m from the northern boundary and 2m from an the existing garage which is situated 4.5m from the rear of the dwelling.





Consultation:

Residential Design Codes 2015

Statutory Environment:

Shire of Pingelly Local Planning Scheme No3

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority

11987 - Moved: Cr Marshall

Seconded: Cr Hodges

Council Decision:

Council grant planning consent for the proposed new shed at Lot 297 – 58 Raglan Street with an area of 67.5m².

Carried: 7:0

15.4 Tender of Surplus Plant and Equipment

File Reference: A7381
Location: Lot 822 & 827 – 1 & 3 Paragon Street
Applicant: Barry Gibbs, Director Technical Service
Author: Barry Gibbs, Director Technical Services
Date: 4 April 2016
Disclosure of Interest: Nil
Attachments: List of Assets Sold and for Sale (Attachment 2 after green sheet in attachments book)

Summary:

Council to acknowledge the sale and disposal of surplus plant and equipment.

Background:

The Shire had accumulated an assortment of surplus plant and equipment over period of time. Some of this plant and equipment has already been tendered and sold in February a future tender is scheduled for April or May 2016.

Comment:

Any plant and equipment not sold by this tender will be assessed for either retendering, sold as scrap or disposal at the Pingelly Refuse site.

Consultation:

Chief Executive Officer – Gavin Pollock
Work Supervisor – Russell Dyer

Statutory Environment:

Local Government Act 1995 - 3.58. Disposing of property

Policy Implications:

Nil

Financial Implications:

Income from the sale of surplus plant and equipment will be placed in the General Ledger Account 1272. The total income for 2015/16 from the sale of surplus plant and equipment is \$1725.00 inc. GST

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority

11988 - Moved: Cr Mulroney

Seconded: Cr Hodges

Council Decision:

Council to acknowledge the following

- the sale and disposal of surplus plant and equipment as completed on the 10 February 2016 as per Delegated Authority *Section 5.42 of the Local Government Act 1995*; and
- the sale and disposal of surplus plant and equipment as listed in Attachments for April to May 2016.

Carried: 7:0

15.5 Proposed Local Planning Policy - Street Walls & Front Fences in Residential Areas

File Reference: 00000
Location: Shire of Pingelly Gazetted Townsite
Applicant: Barry Gibbs, Director Technical Services
Author: Sheryl Squiers, Administration Officer Technical
Date: 12 April 2016
Disclosure of Interest: Nil
Attachments: Draft Local Planning Scheme Policy on Street Walls & Front Fences in Residential Areas (Attachment 3 after yellow sheet in attachments book)

Summary:

Council to consider adopting a proposed Local Planning Scheme Policy on Street Walls & Front Fences in Residential Areas.

Background:

To adopt a Policy for Street Walls & Front Fences in Residential Areas, to reflect the guidelines on Street Walls & Front Fences in the State Planning Policy 3.1 – Residential Design Codes (or R-Codes).

Comment:

The adoption of a Local Planning Policy – Street Walls & Front Fences in Residential Areas would help to clarify the guidelines set out in the State Planning Policy 3.1 – Residential Design Codes (or R-Codes).

The objectives of this Policy is to provide a clear direction as to circumstances under which the Local Government may approve street walls and fences in accordance with the Performance Criteria P4 of Clause 5.2.4 of the Residential Design Codes.

There have been issues where front fences have been erected within the Townsite that are outside the guidelines set out in the R-Codes and where an application for planning consent is required to be submitted to approve the fence heights.

Inserted is a draft Policy on Street Walls & Front Fences in Residential Areas as created by Planner Jacky Jurmann:

Consultation:

Jacky Jurmann - Planner
Barry Gibbs – Director Technical Services

Statutory Environment:

Shire of Pingelly Local Planning Scheme No.3

Policy Implications:

New Policy

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority

11989 - Moved: Insert Councillor Name

Seconded: Insert Councillor Name

Recommendation:

Council endorse and adopt the recommended Local Planning Policy on Street Walls & Fences in Residential Areas.

11990 Moved Cr Steel Seconded Cr Walton Hassell an amendment as below:

Amendment:

Council endorse and adopt the recommended Local Planning Policy on Street Walls & Fences in Residential Areas subject to the change in the policy under exempt development that the second dot point read “like for like repairs and maintenance to existing street walls and fencing”.

Council Decision:

Council endorse and adopt the recommended Local Planning Policy on Street Walls & Fences in Residential Areas subject to the change in the policy under exempt development that the second dot point read “like for like repairs and maintenance to existing street walls and fencing”.

Carried 7:0

Note: Amendment made to provide more clarification around existing fencing.

15.6 Realignment of Bettison Road, East Pingelly

File Reference: 00307
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: Jacky Jurmann – Consultant Planner
Authorising Officer Barry Gibbs – Director Technical Services
Date: 30 March 2016
Disclosure of Interest: Nil
Attachments: Blank LAA Approved Form (Attachment 4 after purple sheet in attachments book)

Summary:

The purpose of this Report is to outline the options available to Council to expedite the resolution of the formal realignment of Bettison Road, East Pingelly.

After due consideration of the history of this matter and preliminary consultation with the Department of Lands, it is recommended that Council resolve to commence the processes to compulsorily acquire the affected portion of Lot 5541 Bettison Road under the provisions of the *Land Administration Act 1997*, Section 56 to enable the constructed alignment of Bettison Road to be gazetted.

Background:

The 'as constructed' alignment of Bettison Road, East Pingelly near the intersection of Wickepin-Pingelly Road is not congruent with the gazetted alignment and intersects Lot 5541 Bettison Road, a lot privately owned by the estate of the late Patricia Brain.

In March 2010, PH & KE Gow (Licensed Surveyors) were employed to commence concurrent subdivision and road closure processes under the provisions of the *Planning and Development Act 2005* (P&D Act) and the *Land Administration Act 1997* (LAA) to close the unmade portion of the gazetted road alignment and to gazette the constructed portion.

The former landowner, Mrs Patricia Brain (now deceased), agreed to the proposal and provided owner's consent on the subdivision application form. Subdivision approval was granted by the Western Australian Planning Commission (WAPC) on 10 December 2012.

Concurrently, the proposal was advertised to the nearby landowners, the community and relevant service/utility providers in October 2012 to fulfil the road closure requirements of the LAA. No objections being received and accordingly, the Department of Lands were requested to formally close the gazetted unmade portion of Bettison Road.

The Geographic Names Committee was also requested to apply the current road name (i.e. Bettison Road) to the new portion of the road to be gazetted and was approved on 16 January 2013.

Combined Property Settlements were then appointed on 4 January 2013 to prepare the necessary documentation to finalise the subdivision process. Documents were sent to Mrs Brain on 25 February 2013 for signing and as at 17 January 2014, the Settlement Agent was still waiting for Mrs Brain to sign the documents, including verification of identification. Mrs Brain passed away in 2014 and the Settlement Agent is unable to further pursue the issue until such time probate is granted and the property is transferred according to her Will.

Mr Brain, the Executor of the Estate and Mrs Brain's son, was contacted by letter on 1 May 2015 in regards to finalising the matter, however no response was received. After a number of attempts by telephone, contact was finally made with Mr Brain on 26 June 2015 and a meeting was organised on 1 July 2015. Council's Consultant Planner met with Mr Brain to discuss the situation with a view of expediting finalising of the subdivision. Mr Brain advised at the meeting that he was yet to apply for probate but was keen to assist in finalising the realignment and land transfer. Council's Settlement Agent advised that they could assist Mr Brain and he was given this advice at the meeting. Mr Brain has not made any contact with either party or to date, and to the Shire's knowledge the land titles are still in the name of the Estate.

Comment:

The subdivision approval has now lapsed on 10 December 2015 and the Planning and Development Act does not enable the Western Australian Planning Commission to extend subdivision approvals. Therefore, the process would need to be commenced from the beginning, including payment of the application fees that have increased substantially since the time of the original application.

Consultation:

- Extensive consultation was carried out with the landowners as shown in the timeline summarised in the Background section of this Report.
- Community, landowner and service/utility consultation has been conducted as a part of both (road closure and subdivision) processes.
-
- Most recently preliminary consultation has begun with the Department of Lands regarding the Shire's options to finalise this matter who have advised that:
-

“Based on the information provided, it appears the Shire will be required to undertake a Section 52 Compulsory Acquisition under the *Land Administration Act 1997* (LAA) and therefore a Notice of Intention to Take will be required. The subject land could then be dedicated under the provisions of Section 56 of the LAA.”

Statutory Environment:

Land Administration Act 1997

The LAA provides for local governments to acquire land in one of two ways:

1. By agreement with the owner/s or
2. By taking without the agreement of the owner.

The first option, as outlined in the Background section of this Report, has been unsuccessful and it is therefore now proposed to acquire the land by using the second option in accordance with procedures set out in in Parts 9 and 10 of *Land Administration Act 1997* (LAA).

A Notice of Intention to Take must be first prepared and lodged with a coversheet in an Approved Form acceptable for registration at Landgate under the *Transfer of Lands Act* (TLA). The Order giving notice of the intention to take is made by the Minister for Lands or acquiring authority and commits the issuing authority to the taking of land and assessment for compensation under Parts 9 and 10 of the LAA.

Preliminary advice from the Department of Lands suggests that prior to Council preparing a Notice, a full proposal should be submitted to them for assessment as a first step to ensure that all other avenues have been considered and to confirm that this is the appropriate way of resolving the issue.

Policy Implications:

It is acknowledged that compulsory acquisition is not the desired first action when resolving road alignment issues and should only be used when all other avenues have been exhausted, such as this case.

Financial Implications:

Part 10 of the LAA does provide for assessment of compensation as a result of the compulsory acquisition. Correspondence on the Shire file to the Settlement Agent indicates that when the process was commenced it was the Shire's position that because Mrs Brain would receive additional land, no compensation or payment was proposed as part of the agreement.

Strategic Implications:

The goals of the Pingelly Strategic Community Plan are:

- A Healthy and Cohesive Community
- Enhanced Natural and Built Environment
- Prosperous and Sustainable Local Economy
- Effective Governance and Organisation

Realignment of Bettison Road commenced as a 'Blackspot' project to improve safety for the community and road users. Formalising the realignment using the methodology recommended is consistent with the strategic goals of SCP by ensuring the asset meets the needs of the community and will reduce the risk and public liability.

Voting Requirements:

Absolute Majority

11991 - Moved: Cr Mulroney

Seconded: Cr Steel

Council Decision:

That Council:

- 1. Submit a full proposal to the Department of Lands to confirm that Part 9 of the Land Administration Act 1997 can be utilised to compulsorily acquire the subject portion of land and to gazette the new alignment.**
- 2. Authorise the Chief Executive Officer to prepare and submit a Notice of Intention to Take, subject to the Department of Lands recommendation, and request the Minister for Lands to issue an Order to Take under Part 9 of the Land Administration Act 1997.**
- 3. Authorise the Chief Executive Officer to enter into any preliminary discussions with the landowner regarding compensation required under Part 10 of the Land Administration Act 1997.**
- 4. Receive further reports providing updates on the progress of the matter.**

Carried 6:1

16. OFFICE OF THE CHIEF EXECUTIVE OFFICER

16.1 Vacant Elected Members Position

File Reference:	0000
Location:	Shire of Pingelly
Applicant:	Gavin Pollock – Chief Executive Officer
Author:	Gavin Pollock – Chief Executive Officer
Date:	15 April 2016
Disclosure of Interest:	Nil
Attachments:	Email of Resignation – Cr Morton (Attachment 5 after grey sheet in attachments book)
Previous Reference:	Nil

Summary:

Following the resignation of Cr Morton Council needs to notify the Electoral Commissioner of its intention to hold an extraordinary election for the vacated position and appoint the Chief Executive Officer as the returning officer.

Background:

On the 11 April 2016 Cr Aaron Morton forwarded an email of resignation to the Shire President. Cr Morton's resignation has today been tabled and read out by the Shire President at the Ordinary Meeting of Council held on the 20 April 2016. Cr Morton's resignation was effective as on the 11 April 2016.

Comment:

Council needs to nominate the date to hold the extraordinary election for the vacated position and appoint the Chief Executive Officer as the returning officer.

Cr Morton also thanked all councillors and staff for their support and effort during his time as a Councillor.

Consultation:

Shire President – Cr Lange

Statutory Environment:

Section 39 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

2015/16 Budget will have to be amended to run the extraordinary election as it's an unbudgeted expense.

Strategic Implications:

Council will be operating with 7 councillors until the extraordinary election is conducted.

Voting Requirements:

Absolute Majority

11992 - Moved: Cr Marshall

Seconded: Cr Walton-Hassell

Council Decision:

That Council:

- 1. thank Cr Morton for his service as a Councillor since October 2013.**
- 2. approve the Chief Executive Officer advising the Electoral Commissioner of Cr Morton's resignation and to request approval to conduct an extraordinary election.**
- 3. request the Chief Executive Officer to report back to Council at the May 2016 meeting of Council on the required budget amendment and extraordinary election date and time line.**

Carried 7:0

11993 Moved: Cr Mulroney Seconded: Cr Marshall

That the meeting be adjourned for a short break from 2.54pm.

Carried 7:0

The meeting reconvened at 3.13pm with all those present before the adjournment present with the exception of Mrs Jenny Borg, Mrs Deb Webber and Mr Barry Gibbs.

11994 Moved: Cr Mulroney Seconded: Cr Hodges

That the meeting be closed to members of the public to allow Council to discuss two confidential items.

Carried 7:0

Craig McLennan entered the room at 3.14pm.

16.2 Confidential Item – Transfer of Land at 2 Paragon Street, Pingelly

11995 Moved: Cr Marshall Seconded: Cr Mulroney

Carried 7:0

Council Decision:

That Council:

- 1. Advise the Chief Executive Officer of the sale price required for lot 2 Paragon Street Pingelly;**
- 2. Authorise the Chief Executive Officer to negotiate a sale price as advised by Council and to undertake the advertising requirements of the Local Government Act S 3.58;**
- 3. Considers all submissions made to it before the date specified in the Notice and prior to Council's making a resolution to sell the land; and**
- 4. Council's decision and any reasons for the decision must be recorded of the Council meeting at which the decision in respect of the sale is made (section 3.58(3)(b)).**

Carried 7:0

Barry Gibbs, Grace French, Lisa Boddy, Gavin Pollock and Craig McLennan left the room at 3.51pm.

Prior to consideration of item 16.3 Mr Gavin Pollock disclosed an interest due to financial reasons.

16.3 Confidential Item – Chief Executives Officers Contract Variation

11996 Moved: Cr Steel Seconded: Cr Mulroney

Carried 7:0

Council Decision:

- 1. endorses the Chief Executive Officer requests to adjust section 6.2 of the current contract remuneration package components effective from the 20 April 2016.**

- 2. **endorse the Chief Executive Officer new remuneration package that meets the maximum Band 4 Classification as set by SAT in June 2015. The new remuneration package is effective from the 1 July 2016.**

- 3. **endorse the new wording and additional days for section 7.6 of the employment contract**

11997 Moved: Cr Walton Hassell Seconded: Cr Mulroney

That the meeting be again open to the public at 4.45pm.

Carried 7:0

Gavin Pollock, Grace French and Lisa Boddy entered the room at 4.45pm.

17. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

18. NEW BUSINESS OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

19. CLOSURE OF MEETING

The Chairman declared the meeting closed at 4.46pm.

These minutes were confirmed by Council at the Ordinary Meeting held on 18 May 2016.

Signed.....
Presiding Person at the meeting at which the minutes were confirmed.