

Notice of Meeting



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Dear Elected Member

The next Ordinary meeting of the Shire of Pingelly will be held on 19 April 2017 in the Council Chambers, 17 Queen Street, Pingelly commencing at 2.00pm.

Friends of the Pingelly Railway will be providing dinner.

Schedule

2pm Council Meeting

A handwritten signature in black ink, appearing to read 'G. Pollock'.

Gavin Pollock
Chief Executive Officer

13 April 2017

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Pingelly for any act, omission or statement or intimation occurring during Council or Committee meetings or during formal/informal conversations with staff. The Shire of Pingelly disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at the person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Pingelly during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Pingelly. The Shire of Pingelly warns that anyone who has an application lodged with the Shire of Pingelly must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Pingelly in respect of the application.

AGENDA

Shire of Pingelly
Ordinary Council Meeting
19 April 2017

MISSION STATEMENT

To enhance the quality of life for the people of Pingelly through the provision of leadership, services and infrastructure.

DISCLAIMER

INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

PLEASE NOTE:

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils decision.

A handwritten signature in blue ink, appearing to be 'G. Pollock', written in a cursive style.

**GAVIN POLLOCK
CHIEF EXECUTIVE OFFICER**

COUNCIL MEETING INFORMATION NOTES

Your Council generally handles all business at Ordinary or Special Council Meetings.

From time to time Council may form a Committee to examine subjects and then report to Council.

Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.

Public Question Time. It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Chairman.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and response is included in the Minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.

Councillors may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter trivial, insignificant or in common with a significant number of electors or ratepayers. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Chairman of the meeting will advise the Officer if he/she is to leave the meeting.

Agendas, including an Information Bulletin, are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item, including a recommendation, will then be submitted to Council for consideration. The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

Agendas for Ordinary Meetings are available in the Shire of Pingelly Office, on the website and the Pingelly Library seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.

Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).

Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection from the Shire of Pingelly Office and the Shire of Pingelly website within ten (10) working days after the Meeting.

NOTE:

Unopposed Business

Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.

If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it.

A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.

If a member signifies opposition to a motion the motion is to be dealt with according to this Part.

This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

Question Time

This Policy provides guidance to the Presiding Member (noting the provisions of the *Local Government (Administration) Regulation 7*).

Question time is for the asking of questions. General comments, issues for debate etc. are to be progressed through the normal procedure for submitting Agenda items for Council's consideration. Tabled correspondence will not be accepted.

Unless the person is known to all other persons in the Chamber, the Questioner is to state their name and address prior to asking the question.

The Questioner is to stand to address the Presiding Member, unless illness or a physical or other disability prevents him/her from doing so. All questions are to be addressed to the Presiding Member.

The question must be immediately put and may be followed by a brief statement related to the question.

The Presiding Member may respond to the question or may nominate a Councillor or an Officer to respond.

Debate between the Questioner or public and a Councillor or Officer is not permitted.

Questions may not be put by Councillors to the Questioner or other members of the public except for the purpose of clarification.

If the Presiding Member determines that a full and complete answer is unable to be given at that time, the question may be taken on notice. In that case, an answer will be given in writing to the Questioner within 7 days and the response tabled at the next Ordinary Council meeting.

A summary of the question and the response only is to be recorded in the minutes of the meeting.

QUESTION TIME FOR THE PUBLIC

(Please write clearly)

DATE: _____

NAME: _____

TELEPHONE : _____

ADDRESS: _____

QUESTIONS TO THE PRESIDENT:

GENERAL QUESTION / QUESTION RELATED TO THE AGENDA *(strike out which is not applicable)*

ITEM NO	PAGE NO	QUESTION

PLEASE PASS TO THE CHIEF EXECUTIVE OFFICER FOR REFERRAL TO THE PRESIDENT BY 2.00 PM AT THE MEETING, OR BY 1.45PM ON THE DAY OF THE MEETING AT THE SHIRE OF PINGELLY OFFICE, 17 QUEEN STREET, PINGELLY.

Public Question Time – Statutory Provisions – Local Government Act 1995

Time is to be allocated for questions to be raised by members of the public and responded to at every ordinary meeting of a council; and

Such other meetings of councils or committees as may be prescribed.

Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

9A. Question Time for the Public at Certain Meetings – s5.24 (1) (b) Local Government (Administration) Regulations 1996.

Reg 5 For the purpose of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are:

every special meeting of a council; and

every meeting of a committee to which the local government has delegated a power or duty.

Minimum Question Time for the Public – s5.24 (2)

Reg 6 (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is fifteen (15) minutes.

(2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Procedures for Question Time for the Public – s5.24 (2)

Local Government (Administration) Regulations 1996

Reg 7 (1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6 (1) are to be determined:

by the person presiding at the meeting; or

in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of members, having regard to the requirements of sub regulations (2) and (3).

The time allocated to the asking and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.

Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.

Nothing in sub regulation (3) requires:

A council to answer a question that does not relate to a matter affecting the local government;

A council at a special meeting to answer a question that does not relate to the purpose of the meeting;

or

A committee to answer a question that does not relate to a function of the committee.

SHIRE OF PINGELLY

DISCLOSURE OF INTERESTS

TO THE CHIEF EXECUTIVE OFFICER:

Under the Provisions of Division 6 of Part 5 of the Local Government Act 1995, I hereby disclose a Financial Interest/s in the matter/s listed on this form, which is/are scheduled for consideration at the meeting of Council to be held on:

19 April 2017

(Print Name)

(Signature)

(Date)

NOTE: Members of Council are asked to deliver this completed form to the Chief Executive Officer on the day of the Council Meeting as required by the Act. Where this is not practicable the Disclosure/s may be telephoned to the Council Office on 9887 1066 and/or the form subsequently passed to the Chief Executive Officer prior to the meeting.

ITEM NO	PAGE NO	TYPE	REASON

DISCLOSURE OF FINANCIAL INTEREST, PROXIMITY INTEREST AND/OR INTEREST AFFECTING IMPARTIALITY

Chief Executive Officer, Shire of Pingelly

In accordance with Section 5.60-5.65 of the *Local Government Act* and Regulation 34(B) and 34(C) of the *Local Government (Administration) Regulations* and Regulation 11 of the *Local Government (Rules of Conduct) Regulations*, I advise you that I declare a appropriate box):

financial interest (Section 5.60A)

A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

proximity interest (Section 5.60B)

A person has a proximity interest in a matter if the matter concerns a proposed —
(a) change to a planning scheme affecting land that adjoins the person's land;
(b) change to the zoning or use of land that adjoins the person's land; or
(c) development (as defined in section 5.63(5)) of land that adjoins the person's land.

interest affecting impartiality (Regulation 11). I disclose that I have an association with the applicant. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.

An interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association but does not include a financial or proximity interest as referred to in section 5.60.

SHIRE OF PINGELLY

Agenda for the Ordinary Meeting of Council to be held in the Council Chambers, 17 Queen Street, Pingelly on Wednesday 19 April 2017 – commencing at 2.00pm.

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman to declare the meeting open.

2. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Noongar people of this area and recognise their continuing connection to land, waters and community. We pay respect to both the Aboriginal and non-Aboriginal people and past and present.

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER

3.1 Reminder

It is the province of knowledge to speak and it is the privilege of wisdom to listen. **Oliver Wendell Holmes**

There are people who, instead of listening to what is being said to them, are already listening to what they are going to say themselves. **Alfred North Whitehead (1861 - 1947)**

4. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

At the Ordinary Meeting of Council held on 15 March 2017 the following was approved:

12158 Moved Cr Walton-Hassell Seconded Cr Hodges

That Council approve the following leave being taken:

Cr Mulroneu away on Wednesday 19th April 2017.

Cr Freebairn away from 13th April to 21st April 2017

Carried 7:0

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6. PUBLIC QUESTION TIME

7. APPLICATIONS FOR LEAVE OF ABSENCE

8. DISCLOSURES OF INTEREST

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Meeting – 15 March 2017

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

Recommendation:

That the Minutes of the Ordinary Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 15 March 2017 be confirmed.

Moved: _____ Seconded: _____

10. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

11. REPORTS OF COMMITTEES OF COUNCIL

- Audit Committee Full Council
- Recreation & Cultural Committee Member – Cr Lange
Member – Cr Walton-Hassell
Member – Cr Wood
Member – Cr Marshall
- Bushfire Advisory Committee Member – Cr Freebairn
Deputy – Cr Marshall
- 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 – Cr Hodges

12. REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES

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

- 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 Mulroney
Delegate – Cr Freebairn
Deputy – Cr Hodges
Deputy – Cr Wood

Deputy – Cr Freebairn

- Pingelly Tourism Group
Delegate – Cr Freebairn
Deputy – Cr Lange

- Regional Waste Group
Delegate – Cr Mulroney
Deputy – Cr Wood

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

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

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

- Project User Group (PUG)
Delegate– Cr Lange
Deputy – Cr Hodges

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

13. REPORTS FROM COUNCILLORS

Cr Shirley Lange (President)

March:

- 13th Leadership Training – Beverley
- 14th CEO Performance Training – Beverley
- 15th Corporate Discussion and Council Meeting
- 15th Audit and Compliance Meeting
- 15th Quarterly Budget review
- 22nd Thank a Volunteer.
- 23rd PUG – Hospital
- 23rd Somerset Alliance
- 27th AGO Tourism Board – Perth
- 27th BBP – Brookton
- 28th Healthy Wheatbelt – Northam

April:

- 3rd PDA – CRC
- 3rd Cottage Homes
- 4th Team development – York
- 5th Team development – York
- 11th LEMC – Pingelly
- 11th Turning the Sod – PRACC

Cr William Mulroney (Deputy President)

Nil

Cr David Freebairn

Nil

Cr Evan Hodges

Nil

Cr Ray Marshall

Nil

Cr Lee Steel

Nil

Cr Michelle Walton-Hassell

Nil

Cr Peter Wood

Nil

14 OFFICE OF THE CHIEF EXECUTIVE OFFICER

14.1 Draft 2017/18 Public Submissions – Central Ag Care Inc

File Reference: 00376
Location: N/A
Applicant: Central Ag Care Inc
Author: Gavin Pollock, Chief Executive Officer
Date: 4 April 2017
Disclosure of Interest: Nil
Attachments: Letter from Central Agcare Inc (Attachment 1 following blue sheet under separate cover)
Previous Reference: 9.4 – 19 June 2013, 9.6 – 15 May 2013, 11.2.1 - 16 April 2014

Summary:

Council to consider Central Ag Care Inc request for the draft 2017/18 Budget.

Background:

Submissions for the draft 2017/18 budget were invited via the 'Pingelly Times' on 7 February 2017.

From: Central Agcare

To provide leverage with government agencies to assist with the provision of relief.

Community Benefit:

Assist with the employment of two family counsellors and part time office manager for the provision of relief.

Estimate of Cost:

\$2,000 (Inc)

Budget Provision:

Nil - Last contribution was \$2000 in 2012/13.

Funding Use:

Assist with the provision of relief.

Comment:

Submissions have been produced using information received in the grant submissions.

Consultation:

Community via *Pingelly Times*.

Statutory Environment:

Section 6.7(2) (Municipal fund) of the *Local Government Act* provides that money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government.

Policy Implications:

Policy 5.5 (Donations) provides that Council may sponsor members of the community or provide financial assistance to community organisations for the provision of services that are of benefit to the community. Requests for financial assistance will be invited in March and are to be in writing for consideration by Council at the April meeting.

Financial Implications:

Draft 2017/18 budget.

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

That the public submission from Central Agcare be included in the draft 2017/18 Budget for further consideration with the 2017/18 Budget adoption.

Moved: _____ Seconded: _____

14.2 Delegations and Authorised Officer Appointment

File Reference: 00043
Location: N/A
Applicant: Gavin Pollock, Chief Executive Officer
Author: Sheryl Squiers, Administration Officer Technical
Date: 10 April 2017
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: N/A

Summary:

That Council endorse the appointment of Mr Andrew Marshall, Team Leader Civil Maintenance as an authorised officer under the *Dog Act 1976* and the *Cat Act 2011* legislation and approve the delegation of various powers from the Chief Executive Officer to enable Mr Andrew Marshall to carry out his role.

Background:

Mr Marshall commenced work with the Shire of Pingelly on 3 February 2010 in the position of Plant Operator/Labourer.

Comment:

Section 5.44(1) of the *Local Government Act 1995* provides that the Chief Executive Officer may delegate any of the Chief Executive Officers' powers or the discharge of any of the CEO's duties under the Act other than the power of delegation. Section 5.44(2) states that the delegations are to be in writing and may be general or as otherwise provided for in the instrument of delegation. Section 5.46(2) provides that delegations should be reviewed at least once in every financial year.

Section 5.46(3) of the *Local Government Act 1995* requires records to be kept in relation to the exercise of the power in the discharge of duties in accordance with delegations.

It is recommended that the following delegations be assigned to Mr Marshall:

Authorised Officers are required to be appointed to administer various acts on the Shire of Pingelly's behalf. It is recommended that Mr Marshall be appointed as an authorised officer for the purposes of administering the following acts and their associated regulations:

- *Dog Act 1976*
- *Cat Act 2011*

Consultation:

Chief Executive Officer and Director Technical Services

Statutory Environment:

Section 5.44(1) of the *Local Government Act 1995*

5.46(3) of the *Local Government Act 1995*

Dog Act 1976

Cat Act 2011

Policy Implications:

Shire of Pingelly Delegation Register

Local Government Act 1995

Section 5.44 provides that:

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) "conditions" includes qualifications, limitations or exceptions.

Section 5.45 provides that:

- (1) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.

Financial Implications:

Nil

Strategic Implications:

Section 5.44(1) of the *Local Government Act 1995*

Voting Requirements:

Simple Majority

Recommendation:

That Council endorse the appointment of Mr Andrew Marshall as an Authorised Officer for the Shire of Pingelly pursuant to the following Acts:

- ***Dog Act 1976***
- ***Cat Act 2011***

Moved: _____ Seconded: _____

14.3 Proposed Scheme Amendment No. 5 – Pingelly Recreation & Cultural Centre

File Reference: 00661
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: J Jurmann – Consultant Planner
Authorising Officer: G Pollock – Chief Executive Officer
Date: 5 April 2017
Disclosure of Interest: Nil
Attachments: Scheme Amendment document (Attachment 2 following green sheet under separate cover)

Summary:

It is proposed to rezone three areas within the Pingelly Recreation and Cultural Centre Precinct to facilitate the development of the Pingelly Health Centre, Pingelly Aged Appropriate Accommodation and future short-term tourist accommodation.

Background:

Council at its Ordinary Meeting held on 14 December 2016 resolved as follows:

“That Council:

1. *RESOLVE, in pursuance of Section 75 of the Planning and Development Act 2005, to initiate a Standard amendment to the Shire of Pingelly’s Local Planning Scheme No. 3 to amend the planning scheme by:*
 - a. *Rezoning Reserve 23983 consisting of Lots 350, 482-484, 492-491 and 524 on Plan 223046 from Reserve – Recreation and Open Space to Reserve – Recreation and Open Space and Civic and Community.*
 - b. *Inserting Clause 3.5 into the Scheme as follows:*
 - *3.5 Additional uses for local reserves*
 - (1) *The Table sets out —*
 - (a) *classes of use for specified land located in local reserves that are additional to classes of use determined in accordance with the objectives of the reserve; and*
 - (b) *the conditions that apply to that additional use.*
 - *Table*
 - *Specified additional uses for land in local reserves in Scheme area*

No.	Description of land	Additional use	Conditions
1.	Reserve 23983, Somerset Street, Pingelly	<ol style="list-style-type: none"> 1. <i>Holiday accommodation</i> 2. <i>Workers’ accommodation</i> 	<ol style="list-style-type: none"> 1. <i>Additional uses are incidental uses.</i> 2. <i>Accommodation is for short-term only.</i> 3. <i>Additional uses require prior development approval.</i>

 - (2) *Despite anything contained in clause 3.4, land that is specified in the Table to subclause (1) may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.*
 - c. *Amending the Scheme maps accordingly.*
2. *Refer Amendment No. 5 to the Shire of Pingelly’s Local Planning Scheme No. 3 to the Environmental Protection Authority in accordance with the provisions of Section 81 of the Planning and Development Act 2005.*
3. *Advise the Western Australian Planning Commission of Council’s decision to initiate Amendment No. 5 to the Shire of Pingelly’s Local Planning Scheme No. 3.*

4. *Advertise Amendment No. 5 to the Shire of Pingelly's Local Planning Scheme No. 3 in accordance with the provisions of the Planning and Development (Local Planning Scheme) Regulations 2014.*"

However, since Council's resolution the approach to the amendment has been reviewed and accordingly the proposal has been modified to a simpler proposal resulting in the majority of the reserve purpose remaining as recreation (now known as public open space in the new Model Scheme Text).

As a result of the modifications, a new Council resolution is required to reinitiate Scheme Amendment No. 5.

Comment:

An amendment to the planning scheme is required to ensure consistency.

Consultation:

The amendment is a 'standard' amendment and in accordance with Division 4 of the Regulations will require advertising.

Statutory Environment:

The amendment is a standard amendment, in accordance with part (b) of the standard amendment definition contained in Regulation 34.

Policy Implications:

There are no policy implications associated with this proposal. The proposal is consistent with the Master Plan for the PRACC.

Financial Implications:

There are minor costs associated with the advertising requirements.

Strategic Implications:

The initiation of the amendment will ensure that the planning scheme is consistent with relevant Shire documents.

Voting Requirements:

Simple Majority

Recommendation:

"That Council:

1. **RESOLVE**, in pursuance of Section 75 of the Planning and Development Act 2005, to initiate a Standard amendment to the Shire of Pingelly's Local Planning Scheme No. 3 to amend the planning scheme by:
 - a. **Rezone a portion of Lot 524 on Plan 065485 from Reserve – Recreation and Open Space to Reserve – Public Purposes and Local Road.**
 - b. **Rezone Lots 491 and 492 on Plan 223046 and Lot 556 on Plan 408432 from Reserve – Recreation and Open Space to Reserve – Civic and Community (Social Care Facilities).**
 - c. **Rezone Lot 555 on Plan 408432 from Reserve – Recreation and Open Space to Reserve – Public Purposes (Medical Facilities).**
 - d. **Amending the Scheme maps accordingly.**

- 2. Refer Amendment No. 5 to the Shire of Pingelly’s Local Planning Scheme No. 3 to the Environmental Protection Authority in accordance with the provisions of Section 81 of the *Planning and Development Act 2005*.**
- 3. Advise the Western Australian Planning Commission of Council’s decision to initiate Amendment No. 5 to the Shire of Pingelly’s Local Planning Scheme No. 3.**
- 4. Advertise Amendment No. 5 to the Shire of Pingelly’s Local Planning Scheme No. 3 in accordance with the provisions of the *Planning and Development (Local Planning Scheme) Regulations 2014*.”**

Moved: _____ Seconded: _____

15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

15.1 Monthly Statement of Financial Activity

File Reference: 00271
Location: N/A
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 11 April 2017
Disclosure of Interest: Nil
Attachments: Monthly Statements of Financial Activity for the period 1 July 2016 to 31 March 2017 (Attachment 3 following grey sheet under separate cover)
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 2017 is 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 2016/2017.

Strategic Implications:

There are no known significant strategic implications.

Voting Requirements:

Simple Majority

Recommendation:

That with respect to the Monthly Statements of Financial Activity for the month ending 31 March 2017 be accepted and material variances be noted.

Moved: _____ Seconded: _____

15.2 Accounts Paid by Authority

Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Rebecca Billingham, Finance Officer
Date: 12 April 2017
Disclosure of Interest: Nil
Attachments: List of Accounts (Attachment 4 after yellow sheet under separate cover)
Previous Reference: N/A

Summary:

Council endorsement is required for accounts made by authority for the month of March 2017. Please note list of cheques and payments is now submitted as a separate attachment as per Councils resolution in February 2017 to reduce the risk of fraud and scams, the list to no longer appearing on the Shires website.

Comment:

Unless otherwise identified, all payments have been made in accordance with Council's 2016/17 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:

Simple Majority

Recommendation:

That Council endorse the Accounts for Payments for March 2017 as presented:

FEBRUARY 2017	
MUNI - 117984856	
EFT 3306 - 3410	\$ 244,726.38
CHEQUE 24412 - 24424	\$ 28,210.22
TRUST ACCOUNTS	
DEPT OF TRANSPORT – 10317-310317	\$ 59,493.20
TRUST FUND – 1872 - 1877	\$ 5,994.80
DIRECT DEBIT -	
DD8738.1 – DD8770.12 – Pay and Super	\$ 23,025.84
CREDIT CARD	
DD8758.1	\$ 2,412.04
GRAND TOTAL	\$ 363,862.48

Notification	Explanation
Nil	

Moved: _____ Seconded: _____

15.3 Shire of Pingelly Proposed Standing Orders Local Law 2017

Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 12 April 2017
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: N/A

Summary:

To request Council to resolve to authorise the CEO and Shire President to sign and Seal the new Shire of Pingelly '*Standing Orders Local Law 2017*'. As presented and created at the 15 March 2017 Council Meeting Item 15.4.

Background:

The Shire of Pingelly published in the Government Gazette the Local Laws relating to Standing Orders on the 16th April 1999 GG No 63 page 1597.

The DLGC has advised the first time the local law was advertised, it was one day short of the required statutory 42 days and was readvertised on Saturday the 21st January 2017 and closed on Friday 10th of March 2017 at 4.00pm. No Submissions were received from the Public and only one email submission was received from the DLGC. See copy of email submitted as a separate attachment.

The Department of Local Government and Communities email has advised the Shire of suggested changes to the Draft Standing Orders Local Law 2017 which have now been made.

Appendix 1 sets out the steps for creating a local law.

Step 1 is for the Council Shire President to read aloud at a Council meeting the purpose and effect of the proposed local law. **Completed**

Step 2 is to advertise by Local and Statewide public notice in the West Australian newspaper and local paper and notice boards for 42 days calling for submissions on the proposed local law. **Completed**

Step 3 once advertised in the West Australian the National Competition Policy review form, copy of proposed local law and copy of the Advert to be sent to the Minister for Local Government & Communities. **Completed**

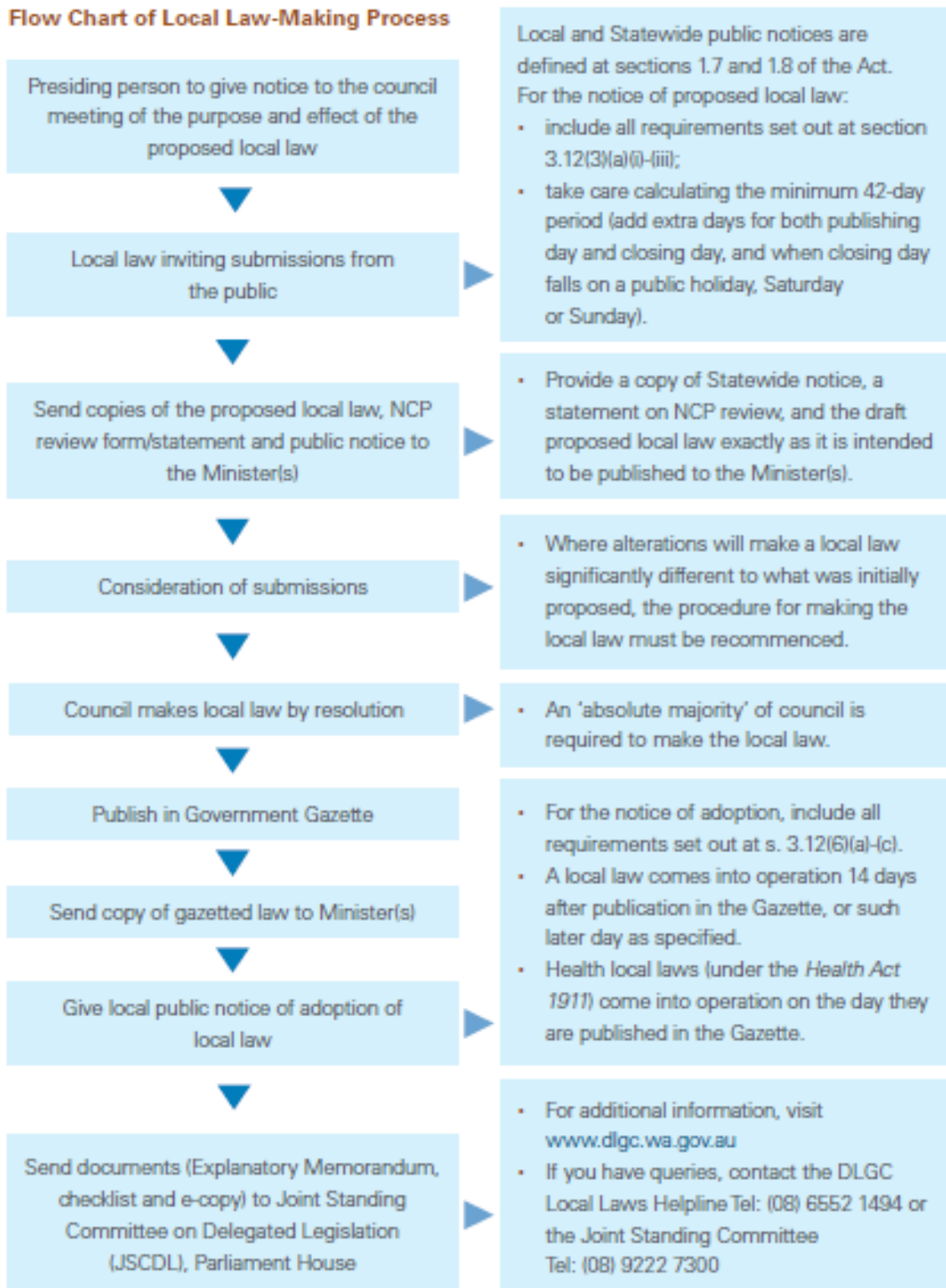
Step 4 at the end of the submissions advertising period Local Law item to come back to Council to consider submissions if any and resolve to make Local Law. **Completed**

Step 5 Publish in Gazette once Shire President and Chief Executive Officer sign and seal Local Law. **(Currently Processing)**

Appendix 1

Local Government Act 1995 – Section 3.12 and NCP review requirements

Flow Chart of Local Law-Making Process



Consultation:

Chief Executive Officer, Council

Statutory Environment:

Local Government Act 1995 3.12(3)(a)(i)-(iii)

Policy Implications:

Nil.

Financial Implications:

Advertising costs and Gazettal fees allowed for in Council's adopted 2016/17 Budget.

Strategic Implications:

Creation of new Shire of Pingelly - *Standing Orders Local Law 2017*.

Voting Requirements:

Absolute Majority Vote Required

Recommendation:

That Council resolves to authorise the CEO and Shire President Sign and Seal the new Shire of Pingelly Standing Orders Local Law 2017 as presented at the 15 March 2017 Council Meeting item 15.4 .

Moved: _____ Seconded: _____

16. DIRECTORATE OF TECHNICAL SERVICES

16.1 Proposed Subdivision for Road Widening

File Reference: A1323/00636
Location: Lot 18497 Shaddick Road, East Pingelly
Applicant: Mr P Gow
Author: Sheryl Squiers, Administration Officer Technical
Date: 27 March 2017
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider an application for a proposed subdivision of Lot 18497 Shaddick Road, East Pingelly.

Background:

An application for a subdivision of Lot 18497 Shaddick Road, East Pingelly, has been submitted to the Western Australian Planning Commission by PH Gow (Licensed Surveyors), on behalf of Glenalestair Nominees Pty Ltd, for the purpose of land resumption for road widening.

Comment:

The lot is in the General Agriculture Zone of the Shire of Pingelly. The current existing lot size is 27.822ha.

The proposed lot size will be 27.540ha with the area for land resumption for road widening to be 0.282ha.

This road widening is part of the Shire of Pingelly's Capital Works Program for 2016-17 as approved in the 2016-17 Budget.

The road widening is on the 3km section of Shaddick Road between Aldersyde Road & Hastings Road.

The Western Australian Planning Commission require any information, comment or recommended conditions pertinent to this application by the 4th May 2017.





Our Ref : 154959
Previous Ref :
Your Ref :
Enquiries : Sean O'Connor (6551 9545)

23 March 2017

Chief Executive Officer
Shire Of Pingelly
17 Queen Street
PINGELLY WA 6308

Application No: 154959 - Lot No 18497 Street Address Available Pingelly

The Western Australian Planning Commission has received an application for planning approval as detailed below. Plans and documentation relating to the proposal are attached. The Commission intends to determine this application within 90 days from the date of lodgement.

Please provide any information, comment or recommended conditions pertinent to this application by the 4th May 2017 being 42 days from the date of this letter. The Commission will not determine the application until the expiry of this time unless all responses have been received from referral agencies. If your response cannot be provided within that period, please provide an interim reply advising of the reasons for the delay and the date by which a completed response will be made or if you have no comments to offer.

Referral agencies are to use the Model Subdivision Conditions Schedule in providing a recommendation to the Commission. Non-standard conditions are discouraged, however, if a non-standard condition is recommended additional information will need to be provided to justify the condition. The condition will need to be assessed for consistency against the validity test for conditions. A copy of the Model Subdivision Conditions Schedule can be accessed: www.planning.wa.gov.au

Send responses via email to referrals@planning.wa.gov.au. **Always quote reference number "154959" when responding.**

This proposal has also been referred to the following organisations for their comments:
Department Of Mines And Petroleum, Water Corporation, Western Power and LG As Above.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Kerrine Blenkinsop'.

Kerrine Blenkinsop
Secretary
Western Australian Planning Commission

APPLICATION DETAILS

Application Type	Subdivision	Application No	154959
Applicant(s)	Mr Peter Gow		
Owner(s)	Glenalestair Nominees Pty Ltd		

e-mail: referrals@planning.wa.gov.au; web address: <http://www.planning.wa.gov.au>



Locality	Lot No 18497 Street Address Available Pingelly		
Lot No(s)	18497	Purpose	Road Widening
Location		Local Gov. Zoning	General Agriculture
Volume/Folio No.	1259/447	Local Government	As Above
Plan/Diagram No.	Deposited Plan 84364	Tax Sheet	
Centroid Coordinates	mE mN		
Other Factors	BUSHFIRE PRONE AREA, DMP		

e-mail: referrals@planning.wa.gov.au; web address: <http://www.planning.wa.gov.au>



Department of Planning

eLodgement



Application for Approval of Freehold or Survey Strata Subdivisions

Lodgement ID: 2017-207507

Submission Date: 21/03/2017 10:34 AM

Your Reference	Moullton
Location of Subject Property	Shaddick Rd, East Pingelly
No. of applicants	1
Are you applying on your own behalf?	No
Are you the primary applicant?	Yes
Do you have consent to apply from all landowners?	Yes
Lodgement Type	Subdivision
Submitted by	Peter Gow
Email	peter-gow@bigpond.com

About the land

Number of current lots on the land	1	Total number of proposed lots on the land including balance lots	1
Drainage Reserves	0	Public Access Ways	0
Recreation Reserves	0	Right of Ways	0
Road Reserves	0	Road Widening	1
Number of fee paying lots	0	Number of fee exempt lots	1
Local Government	Shire Of Pingelly	Existing dwellings	No
Is common property proposed	No		

Applicants

Primary applicant (1)

Is the applicant a company/organisation?	No	Is the applicant a landowner?	No
Name/Company	Mr Peter Gow	ABN / ACN	N/A
Email	peter-gow@bigpond.com	Phone number	0428250962
Address		Town / Suburb or City	Narrogin
Street address	PO Box 580	Post Code	6312
State	WA	OR Non-Australian Address, P.O. Box, & etc	N/A
Country	AUSTRALIA		

DEPARTMENT OF PLANNING
 DATE 21/03/2017
 FILE 154959

Certificate of Title Details

Lots with certificate (1)

Volume	1259	Folio	447
Lot Number	18497	Plan Number	84364
Total land area	27.54	Land Area Units	Hectares
Reserve number (if applicable)	N/A	No. of landowners	1
Is the Landowners name different to that shown on the Certificate of Title?			No

Landowners

Landowner (1)

Full name	N/A	Company / Agency	Glenalestair Nominees Pty Ltd
ACN / ABN	NA	Landowner type	Company
Address		Town / Suburb or City	East Pingelly
Street address	PO Box 92	Post code	6308
State	WA	OR Non-Australian Address, P.O. Box, & etc	N/A
Country	AUSTRALIA		

Company signatory 1

First name	Last name	Position
Allen	Moullton	Director

Company signatory 2

First name	Last name	Position	
Patricia	Moulton	Director	
Subdivision detail			
Number of dwellings	N/A	Dwelling retained	N/A
Dwelling description	N/A		
Number of outbuildings/structures	N/A	Structure/s retained	N/A
Other description	N/A		
Structure description	N/A		
Is a battleaxe lot/s proposed?			No
Does plan show the width and length of the access leg, the area of the access leg and total area of the rear lot			Not applicable
Has the land ever been used for potentially contaminating activity			No
Does the land contain any sites that have been classified under the Contaminated Sites Act 2003			No
Does the land contain any sites that have been reported or required to be reported under the Contaminated Sites Act 2003			No
Is the land located in an area where site characteristics or local knowledge lead you to form the view that there is a significant risk of acid sulfate soils in this location			No
Is this application to be assessed under the Liveable Neighbourhoods policy and is supporting documentation attached?			No
Is the development with in a Bushfire Prone Area?			No
Are there any dewatering or drainage works proposed to be undertaken			No
Is excavation of 100 cubic metres or more of soil proposed			No
If yes did the Acid Sulfate Soils investigation indicate acid sulfate soils were present			No

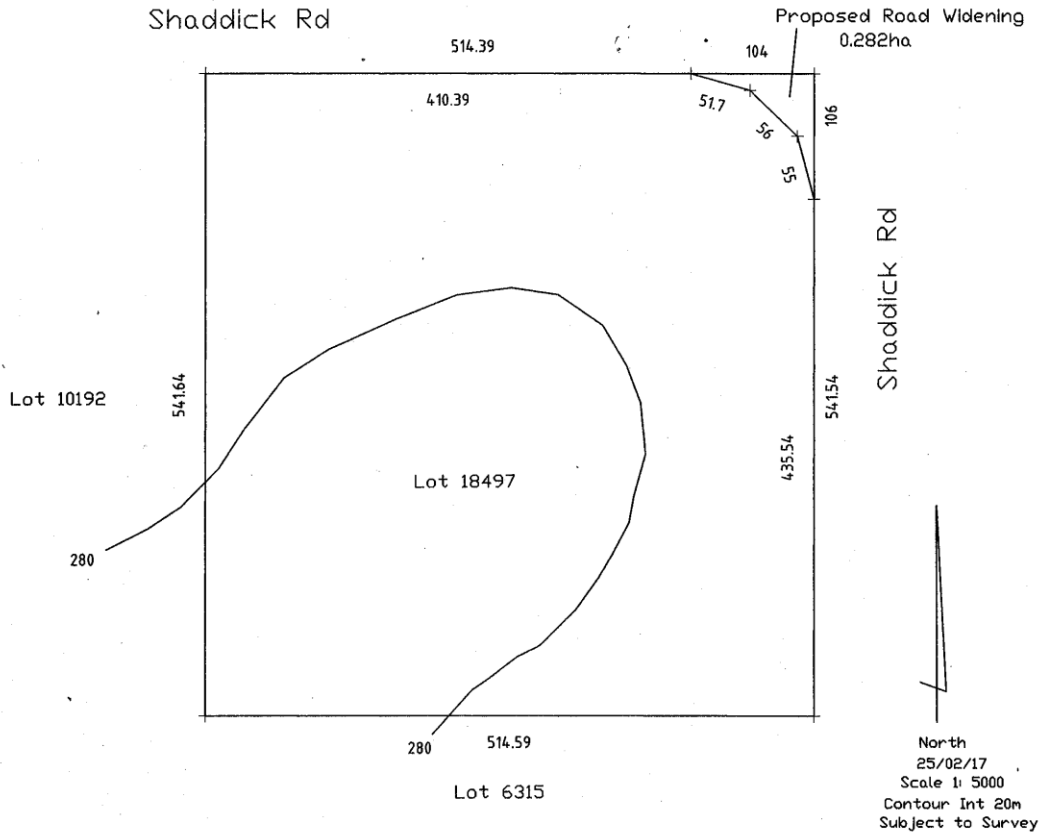
Fee & Payment			
Fee amount		Payment Type	Fee Exempt
\$0.00			Fee Exempt

Attachments	
Attachment name	Attachment type
1. consent signed-2.JPG	Authorised Letter of Consent
2. T 1259-447-1.pdf	Certificate of Title
3. WAPC letter Moulton-4.pdf	Liveable Neighbourhoods Compliance Statement
4. WAPC Sketch-3.pdf	Subdivision Plan

Perth 140 William Street Perth Western Australia, 6000 Locked Bag 2506 Perth, 6001	Albany PO Box 1108 Albany Western Australia, 6330	Bunbury Sixth Floor Bunbury Tower 61 Victoria Street Bunbury Western Australia, 6230	Geraldton Regional Planning and Strategy Unit 2B Office 10 209 Foreshore Drive Geraldton Western Australia, 6530	Mandurah 11-13 Pinjarra Road Mandurah Western Australia, 6210
Tel: (08) 6551 9000 Fax: (08) 6551 9001	Tel: (08) 9892 7333 Fax: (08) 9841 8304	Tel: (08) 9791 0577 Fax: (08) 9791 0576	Tel: (08) 9960 6999 Fax: (08) 9964 2912	Tel: (08) 9586 4680 Fax: (08) 9581 5491

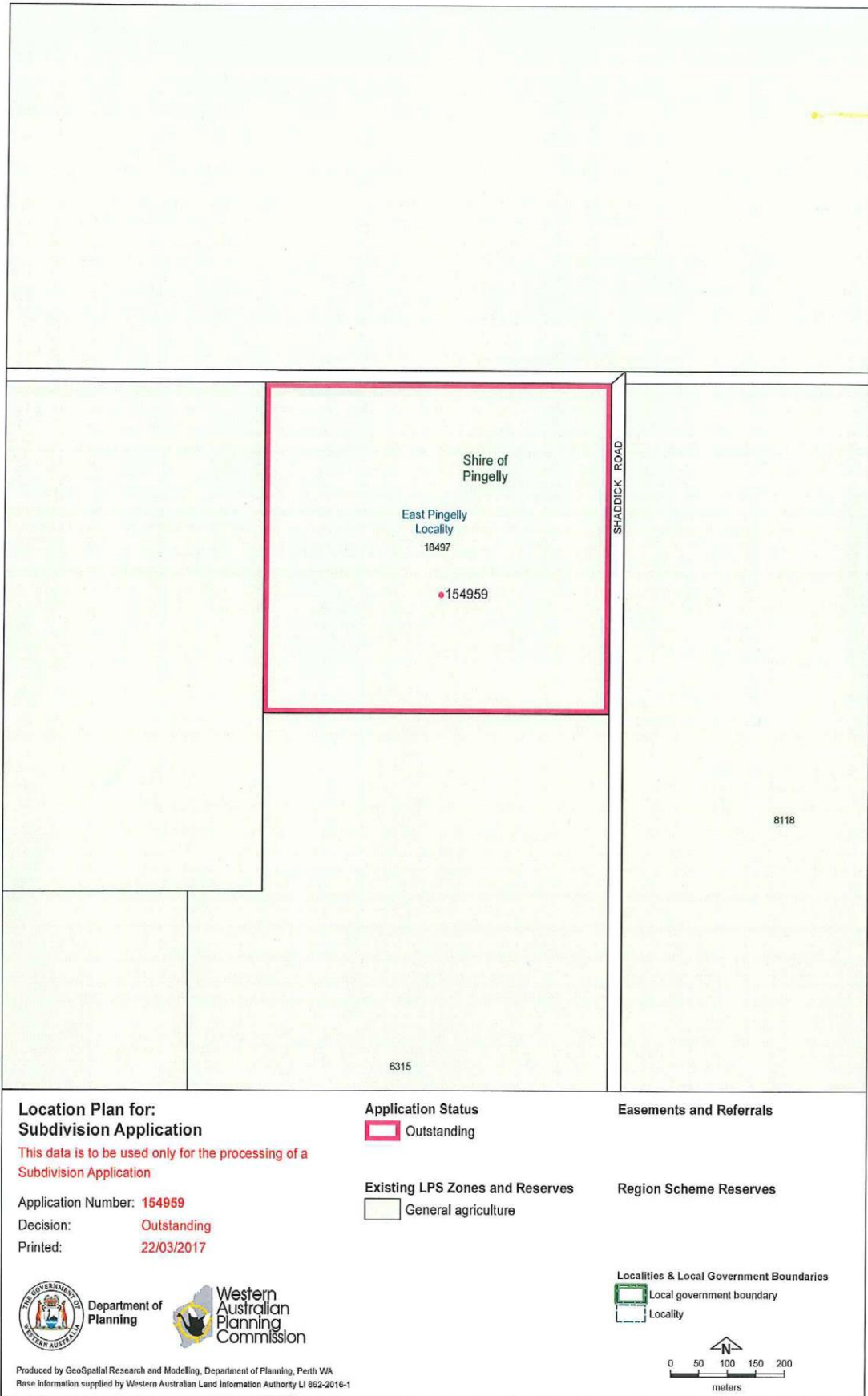
Infoline: 1800 626 477; e-mail: corporate@wapc.wa.gov.au; web address: http://www.planning.wa.gov.au;

Proposed Road Widening ex Lot 18497 on DP84364
Shaddick Rd, East Pingelly, Shire of Pingelly



Existing Lots 1 Lot 18497 27.822ha
Proposed Lots 1 Lot A 27.540ha and Road Widening 0.282ha

PH and KE Gow (Licensed Surveyors) 98815140



Consultation:

Western Australian Planning Commission
P Gow – Surveyor
Barry Gibbs – Director of Technical Services

Statutory Environment:

Shire of Pingelly Local Planning Scheme No.3.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

That Council receive the information from WAPC and support the proposed subdivision of Lot 18497 Shaddick Road, East Pingelly.

Moved: _____ Seconded: _____

16.2 Proposed Road Name Change

File Reference: 00134
Location: Bicker & McDonald Roads, East Pingelly
Applicant: Mr C Walton
Author: Administration Officer Technical
Date: 13 March 2017
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider an application for the proposed road name change for Bicker & McDonald Roads to Woyerling Road.

Background:

An application for the proposed road name change for Bicker & McDonald Roads, East Pingelly to Woyerling Road has been submitted for consideration by Council by the applicant.

Comment:

A previous application for the proposed road name change for Bicker & McDonald Roads to Walton Road along with the extension of Milton Road to take in the existing Kew Road was considered by Council at an Ordinary Meeting of Council in July 2012. The proposal was then submitted to Landgate Geographic Names Committee for consideration. The Walton Family have been requesting a road name change since 2001.

The proposal to change Kew Road as an extension of Milton Road was given Ministerial approval on 7 February 2017.

The previous proposal for the name Walton Road does not meet with Geographic Names Committee Guidelines for the following reasons:

The duplication of the name “Walton” as there is already a Walton Street in Pingelly and Geographic Names Committee guidelines do not allow for duplication of road names within the same Local Government.

Walton would also be unsuitable as the Shires of Corrigin and Cuballing have this name in use less than 50km away (50km is the minimum distance for duplication of roads in adjoining shires).

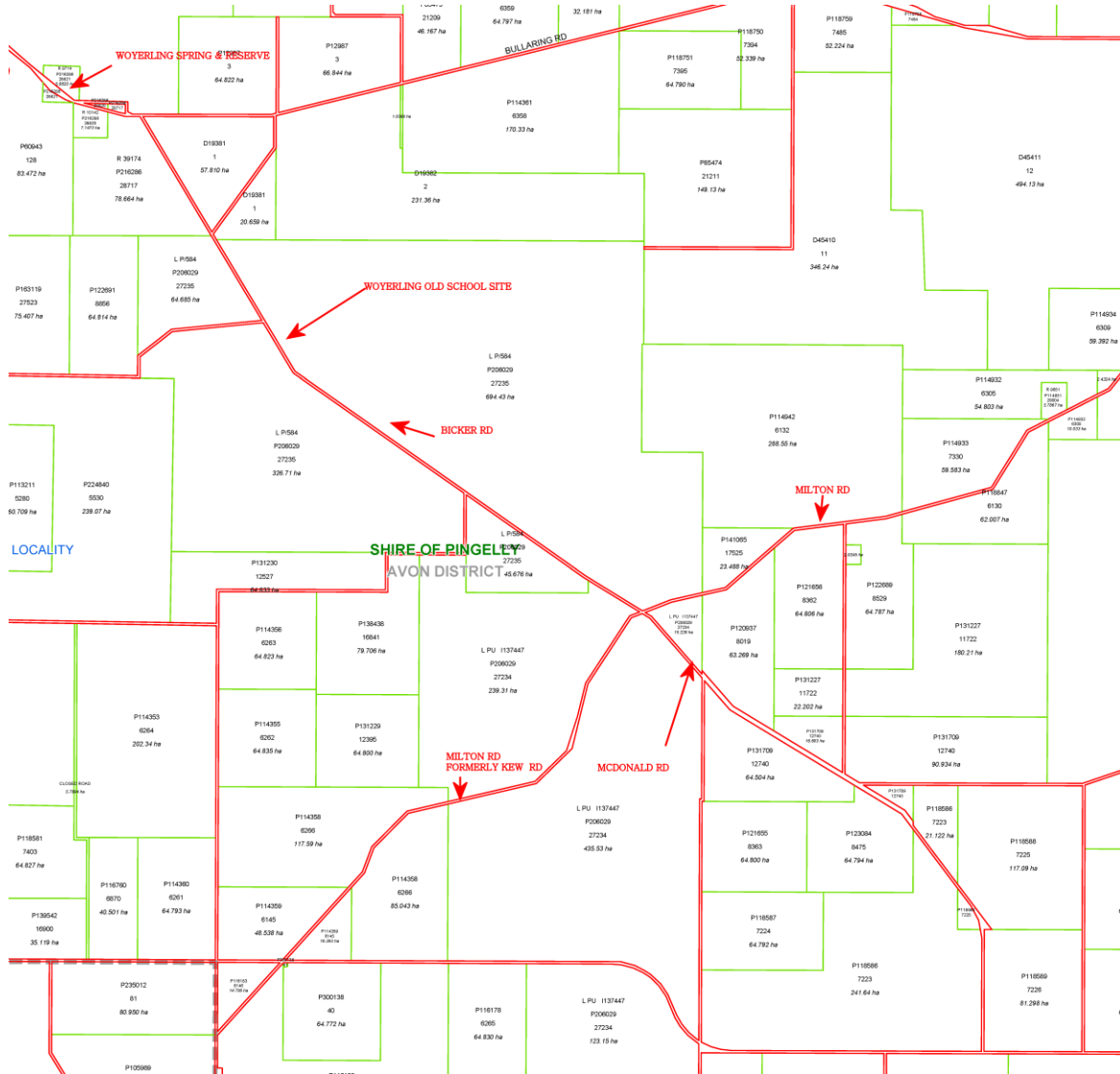
It was also suggested further consultation with the residents on McDonald Road should be considered, the Walton Family own most of the property adjacent to Bicker & McDonald Roads and Michael Walton is the only resident on these roads at 263 McDonald Rd. With small portions owned by the Gent, Gardner and Elson families along with the Department of Parks & Wildlife.

The applicant has submitted a proposed name as the alternative to “Walton” for consideration by Council. This proposed name meets the criteria from Geographic Names Committee Guidelines for road naming.

The proposed name to replace Bicker & McDonald Roads is “Woyerling”, this name has come from the Woyerling Spring Well in the Woyerling Reserve on Bullaring Road and also the old Woyerling School site on Bicker/McDonald Roads. In the pioneering days the Woyerling Spring (well) site was a gathering place for family picnics and after the day’s events had passed everyone seemed to gather at the school site with a bonfire and dance in the school room. The name is also synonymous with the Woyerling Brook and the North Woyerling Reserve on South Kweda Road.

Letters were sent to all Landowners adjacent to Bicker & McDonald Roads for consideration and comment. This road name change will only affect one rural address at 263 McDonald Road, the property being owned by the Walton family.

There have been 4 responses to the letters sent to the related property owners with 3 for the name change and 1 against the name change.



Consultation:

- Barry Gibbs – Director Technical Services
- Therese Hadland - Landgate Geographic Names Committee
- Mr Chris Walton
- Landowners on Bicker & McDonald Roads

Statutory Environment:

Shire of Pingelly Local Planning Scheme No.3

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:
Absolute Majority

Recommendation and Council Decision:
Council to consider the endorsement of the following proposed road name of Woyerling Road and apply to the Landgate Geographic Names Committee for ministerial approval.

Moved: _____ Seconded: _____

16.3 Proposed Subdivision for Road Widening

File Reference: A7134/00651
Location: Lot 164 Taylor Street, Pingelly
Applicant: Mr P Gow
Author: Sheryl Squiers, Administration Officer Technical
Date: 10 April 2017
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider an application for a proposed subdivision of Lot 164 – 1 Taylor Street, Pingelly.

Background:

An application for a subdivision of Lot 164 – 1 Taylor Street, Pingelly, has been submitted to the Western Australian Planning Commission by PH Gow (Licensed Surveyors), on behalf of Shire of Pingelly, for the purpose of land resumption for road widening.

Lot 164 Taylor Street is owned by the State Housing Commission

Comment:

The lot is in the Mixed Use Zone of the Shire of Pingelly. The current existing lot size is 1299sqm.

The proposed lot size will be 1276sqm with the area for land resumption for road widening to be 23sqm.

This road widening is part of the Shire of Pingelly's Capital Works Program for 2016-17 as approved in the 2016-17 Budget.

The road widening is on a section of Lot 164 – 1 Taylor on the corner of Quadrant & Shaddick Streets Pingelly.

The Western Australian Planning Commission require any information, comment or recommended conditions pertinent to this application by the 17th May 2017.



Our Ref : 155007
Previous Ref :
Your Ref :
Enquiries : Thomas Dellavedova (6551 9634)

5 April 2017

Chief Executive Officer
Shire Of Pingelly
17 Queen Street
PINGELLY WA 6308

Application No: 155007 - Lot No 164 Taylor Street Pingelly

The Western Australian Planning Commission has received an application for planning approval as detailed below. Plans and documentation relating to the proposal are attached. The Commission intends to determine this application within 90 days from the date of lodgement.

Please provide any information, comment or recommended conditions pertinent to this application by the 17th May 2017 being 42 days from the date of this letter. The Commission will not determine the application until the expiry of this time unless all responses have been received from referral agencies. If your response cannot be provided within that period, please provide an interim reply advising of the reasons for the delay and the date by which a completed response will be made or if you have no comments to offer.

Referral agencies are to use the Model Subdivision Conditions Schedule in providing a recommendation to the Commission. Non-standard conditions are discouraged, however, if a non-standard condition is recommended additional information will need to be provided to justify the condition. The condition will need to be assessed for consistency against the validity test for conditions. A copy of the Model Subdivision Conditions Schedule can be accessed: www.planning.wa.gov.au

Send responses via email to referrals@planning.wa.gov.au. **Always quote reference number "155007" when responding.**

This proposal has also been referred to the following organisations for their comments:
Department Of Parks And Wildlife, Public Transport Authority, Water Corporation, Western Power and LG As Above.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Kerrine Blenkinsop'.

Kerrine Blenkinsop
Secretary
Western Australian Planning Commission

APPLICATION DETAILS

Application Type	Subdivision	Application No	155007
Applicant(s)	Mr Peter Gow		
Owner(s)	The State Housing Commission		

e-mail: referrals@planning.wa.gov.au; web address: <http://www.planning.wa.gov.au>



Locality	Lot No 164 Taylor Street Pingelly		
Lot No(s).	164	Purpose	Road Widening
Location		Local Gov. Zoning	Local Road, Mixed Use
Volume/Folio No.	1654/215	Local Government	As Above
Plan/Diagram No.	P223045	Tax Sheet	
Centroid Coordinates	mE mN		
Other Factors	BUSHFIRE PRONE AREA, THREATENED ECOLOGICAL COMMUNITY BUFFER, THREATENED FAUNA BUFFER, PTA RAILWAY		

e-mail: referrals@planning.wa.gov.au; web address: <http://www.planning.wa.gov.au>



Application for Approval of Freehold or Survey Strata Subdivisions

Lodgement ID: 2017-207634

Submission Date: 01/04/2017 04:19 PM

Your Reference	1 Taylor St
Location of Subject Property	1 Taylor St, Pingelly
No. of applicants	1
Are you applying on your own behalf?	No
Are you the primary applicant?	Yes
Do you have consent to apply from all landowners?	Yes
Lodgement Type	Subdivision
Submitted by	Peter Gow
Email	peter-gow@bigpond.com

About the land

Number of current lots on the land	1	Total number of proposed lots on the land including balance lots	1
Drainage Reserves	0	Public Access Ways	0
Recreation Reserves	0	Right of Ways	0
Road Reserves	0	Road Widening	1
Number of fee paying lots	0	Number of fee exempt lots	1
Local Government	Shire Of Pingelly	Existing dwellings	Yes
Is common property proposed	No		

DEPARTMENT OF PLANNING	
DATE	FILE
03-Apr-2017	155007

Applicants

Primary applicant (1)

Is the applicant a company/organisation?	No	Is the applicant a landowner?	No
Name/Company	Mr Peter Gow	ABN / ACN	N/A
Email	peter-gow@bigpond.com	Phone number	0428250962
Address			
Street address	PO Box 580	Town / Suburb or City	Narrogin
State	WA	Post Code	6312
Country	AUSTRALIA	OR Non-Australian Address, P.O. Box, & etc	N/A

Certificate of Title Details

Lots with certificate (1)

Volume	1654	Folio	215
Lot Number	164	Plan Number	223045
Total land area	1299	Land Area Units	Square metres
Reserve number (if applicable)	N/A	No. of landowners	1
Is the Landowners name different to that shown on the Certificate of Title?			No

Landowners

Landowner (1)

Full name	N/A	Company / Agency	The State Housing Commission
Name of Authority	The State Housing Commission	ACN / ABN	N/A
Landowner type	Government Agency/Authority	Address	
Street address	99 Plain St	Town / Suburb or City	East Perth
State	WA	Post code	6004
Country	AUSTRALIA	OR Non-Australian Address, P.O. Box, & etc	N/A

Signatory on behalf of agency

First name	Last name	Position
Allan	Pereira	Manager of Securities

Subdivision detail

Number of dwellings	1	Dwelling retained	Yes
Dwelling description	N/A		
Number of outbuildings/structures	0	Structure/s retained	Yes
Other description	N/A		
Structure description	N/A		
Is a battleaxe lot/s proposed?			No
Does plan show the width and length of the access leg, the area of the access leg and total area of the rear lot			Not applicable
Has the land ever been used for potentially contaminating activity			No
Does the land contain any sites that have been classified under the Contaminated Sites Act 2003			No
Does the land contain any sites that have been reported or required to be reported under the Contaminated Sites Act 2003			No
Is the land located in an area where site characteristics or local knowledge lead you to form the view that there is a significant risk of acid sulfate soils in this location			No
Is this application to be assessed under the Liveable Neighbourhoods policy and is supporting documentation attached?			No
Is the development with in a Bushfire Prone Area?			No
Are there any dewatering or drainage works proposed to be undertaken			No
Is excavation of 100 cubic metres or more of soil proposed			No
If yes did the Acid Sulfate Soils investigation indicate acid sulfate soils were present			No

Fee & Payment

Fee amount	\$0.00	Payment Type	Fee Exempt
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Attachments

Attachment name	Attachment type
1. Consent Signed-2.pdf	Authorised Letter of Consent
2. T 1654-215-1.pdf	Certificate of Title
3. WAPC Letter-4.pdf	Liveable Neighbourhoods Compliance Statement
4. WAPC Sketch-3.pdf	Subdivision Plan

Perth 140 William Street Perth Western Australia, 6000, Locked Bag 2506 Perth, 6001 Tel: (08) 6551 9000 Fax: (08) 6551 9001	Albany PO Box 1108 Albany Western Australia, 6330 Tel: (08) 9892 7333 Fax: (08) 9841 8304	Bunbury Sixth Floor Bunbury Tower 61 Victoria Street Bunbury Western Australia, 6230 Tel: (08) 9791 0577 Fax: (08) 9791 0576	Geraldton Regional Planning and Strategy Office 10 209 Foreshore Drive Geraldton Western Australia, 6530 Tel: (08) 9960 6999 Fax: (08) 9964 2912	Mandurah Unit 2B 11-13 Pinjarra Road Mandurah Western Australia, 6210 Tel: (08) 9586 4680 Fax: (08) 9581 5491
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Infoline: 1800 626 477; e-mail: corporate@wapc.wa.gov.au; web address: http://www.planning.wa.gov.au;

PH and KE GOW (Licensed Surveyors)

PO Box 580 Narrogin WA 6312
98815140 0428250962 fax 98815575

The Secretary
Western Australian Planning Commission
140 William St
PERTH WA 6000

24/03/17

RE: Proposed Road Widening ex Lot 164, 1 Taylor St, Pingelly, Shire of Pingelly.

Dear Sir,

I am writing on behalf of the Shire of Pingelly to apply for planning permission for a road widening ex the above lot for the reason of improving the road geometry and drainage.

The proposed lot will create no new building entitlements. The land is being used for residential.

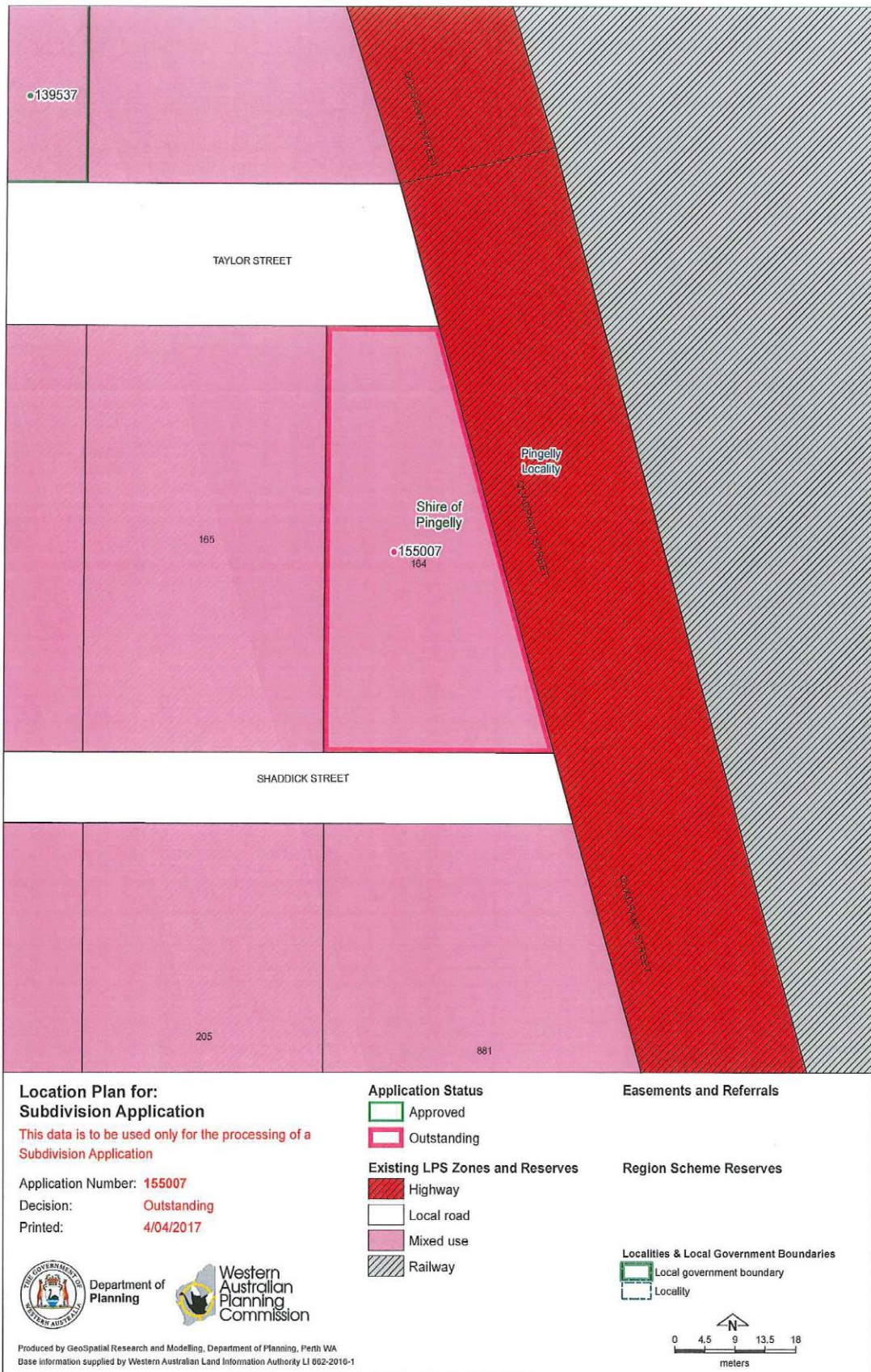
On behalf of our client I request that the commission grant preliminary approval for the subdivision as submitted.

Any questions do not hesitate to contact me.

Regards



Peter Gow





REGISTER NUMBER 164/DP223045	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1654** FOLIO **215**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 164 ON DEPOSITED PLAN 223045

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

THE STATE HOUSING COMMISSION OF 99 PLAIN STREET, EAST PERTH

(XE A000001A) REGISTERED 1/1/0001

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

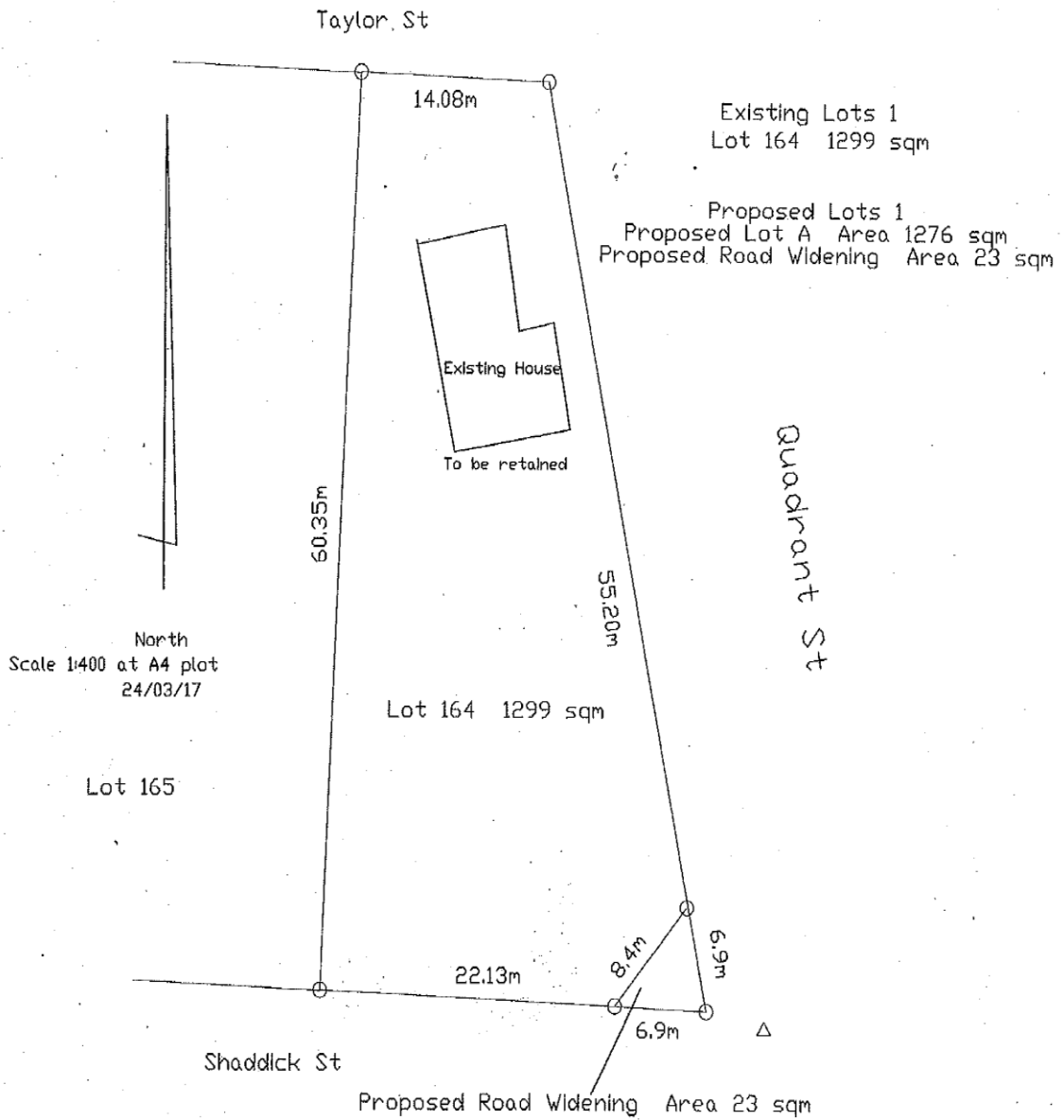
The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1654-215 (164/DP223045)
PREVIOUS TITLE: 1654-215
PROPERTY STREET ADDRESS: 1 TAYLOR ST, PINGELLY.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF PINGELLY
RESPONSIBLE AGENCY: DEPARTMENT OF HOUSING (SSHC)

- NOTE 1: A000001A LAND PARCEL IDENTIFIER OF PINGELLY TOWN LOT/LOT 164 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 164 ON DEPOSITED PLAN 223045 ON 25-JUL-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
- NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.
- NOTE 3: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING L766020

DEPARTMENT OF PLANNING	
DATE	FILE
03-Apr-2017	155007

Proposed Road Widening ex Lot 164 on DP 223045
1 Taylor St Pingelly



PH and KE GDW (Licensed Surveyors) 98815140

Consultation:

Western Australian Planning Commission
P Gow – Surveyor
Barry Gibbs - Director Technical Services

Statutory Environment:

Shire of Pingelly Local Planning Scheme No.3.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

That Council receive the information from WAPC and support the proposed subdivision of Lot 164 – 1 Taylor Street, Pingelly.

Moved: _____ Seconded: _____

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

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 to declare the meeting closed.