

Notice of Meeting



17 Queen Street, Pingelly
Western Australia 6308
Telephone: 9887 1066
Facsimile: 9887 1453
admin@pingelly.wa.gov.au

Dear Elected Member

The next Ordinary meeting of the Shire of Pingelly will be held on 16 August 2017 in the Council Chambers, 17 Queen Street, Pingelly commencing at 1.30pm.

The Pingelly Community Craft Centre will be providing dinner.

Schedule

1.30pm Council Meeting

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

Gavin Pollock
Chief Executive Officer

11 August 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
16 August 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:

16 August 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 16 August 2017 – commencing at 1.30pm.

Contents

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	10
2.	ACKNOWLEDGEMENT OF COUNTRY	10
3.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	10
3.1	Council Agenda Reports	10
3.2	Reminder	10
4.	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	10
5.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	10
6.	PUBLIC QUESTION TIME	10
7.	APPLICATIONS FOR LEAVE OF ABSENCE	10
8.	DISCLOSURES OF INTEREST	10
9.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	11
9.1	Ordinary Meeting – 19 July 2017	11
10.	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	12
11.	REPORTS OF COMMITTEES OF COUNCIL	12
12.	REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES	13
13.	REPORTS FROM COUNCILLORS	14
14	OFFICE OF THE CHIEF EXECUTIVE OFFICER	15
14.1	Proposed Scheme Amendment No. 5 – Pingelly Recreation & Cultural Centre (PRACC)	15
14.2	Council Meeting Dates for 2018	18
15.	DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES	20
15.1	Monthly Statement of Financial Activity	20
15.2	Accounts Paid by Authority	22
16.	DIRECTORATE OF TECHNICAL SERVICES	24
16.1	Proposed Residential Subdivision	24
16.2	Dual Fire Control Officer Appointment	32
16.3	Dual Fire Control Officer Appointment	33
16.4	Tender 01/2017-2018 – Roadside Vegetation Clearing – CONFIDENTIAL ITEM	35
16.5	Tender 02/2017-2018 – Cartage of Materials for Earthworks – CONFIDENTIAL ITEM	36
17.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	37
18.	NEW BUSINESS OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING	37
19.	CLOSURE OF MEETING	37

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 Council Agenda Reports

Please note that all elected members have been provided with the relevant information pertaining to each Officers reports within today's Agenda and the Officer Recommendations are based on Council Policy and or State Acts and Legislation.

3.2 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 Council Meeting held on 19 July 2017 the following resolution was made:

12228 Moved: Cr Mulroney Seconded: Cr Steel

- **that Council approve Cr Hodges taking leave from the 19th August to 9th September 2017 inclusive.**
- **that Council approve Cr Walton-Hassell taking leave from the 17th to 23rd August 2017 inclusive.**

Carried 6:0

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 – 19 July 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 19 July 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
- 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 Focus Group
Delegate – Cr Steel
Delegate – Cr Walton-Hassell
Deputy – Recreation & Cultural
Committee
- Pingelly Recreation and Cultural Centre Committee
Delegate – Cr Lange
Delegate – Cr Walton-Hassell
Deputy – Cr Hodges
- Pingelly Somerset Alliance
Delegate – Cr Lange
Delegate – Cr Mulroney
Deputy – Cr Walton-Hassell
Deputy – Cr Wood

13. REPORTS FROM COUNCILLORS

Cr Shirley Lange (President)

Meetings attended July

11th LEMC
13th PRACC
18th CEO
19th Corporate Discussion and Council Meeting
19th Audit Committee Meeting
20th PAAA –VC with WACHS and Architects
25th Presentation of initial garden concept.
26th Road Inspection with Office Staff
28th CEO review Committee
28th Mia Davies – National Party

Meetings attended August

1st Mayors and Presidents forum – Auditor General spoke
2nd Parliament Forum
2nd Speed meeting – Lands
2nd WALGA AGM and presentation of award
2nd Dinner with Beverley, Brookton and Wandering
3rd Healthy Wheatbelt – Convention Centre
3rd Meeting with Jenny Law - Dept of Local Government at the Convention Centre
3rd WACHS, Architects, Alzheimer's Australia – Mill St Office
7th Development Association
7th Somerset Alliance
8th LEMC – Pingelly

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 Proposed Scheme Amendment No. 5 – Pingelly Recreation & Cultural Centre (PRACC)

File Reference:	ADM0416
Location:	Shire of Pingelly Recreation & Cultural Centre (PRACC)
Applicant:	Shire of Pingelly
Author:	J Jurmann – Consultant Planner
Authorising Officer	G Pollock – Chief Executive Officer
Date:	21 July 2017
Disclosure of Interest:	Nil
Attachments:	1 – Scheme Amendment document 2 – EPA Assessment 3 – Schedule of Submissions (Attachment 1 after red 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 19th April 2017 reinitiated this amendment by resolving:

“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.”*

The Scheme Amendment document is attached to this Report. It should be noted that the mapping has been amended since initiation to satisfy the Environmental Protection Authority’s mapping requirements for development referrals.

Comment:

An amendment to the planning scheme is required to ensure consistency with the ultimate purpose of the reserve. The Department of Lands are also progressing a request to realign boundaries within the reserve and purposes of the reserve.

Consultation:

Prior to commencing consultation, the amendment was referred to the Environmental Protection Authority in accordance with section 61 of the *Planning and Development Act 2005* for assessment, where it was deemed that no assessment was required. A copy of their response is attached to this Report.

Community consultation was carried out in accordance with the relevant provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a minimum period of 42 days.

Eight (8) submissions were received from government agencies and there were no submissions received from the public regarding the proposal during the consultation period. Refer to the Schedule of Submissions for details of those received.

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. **Rezoning a portion of Lot 524 on Plan 065485 from Reserve – Recreation and Open Space to Reserve – Public Purposes and Local Road.**
 - b. **Rezoning 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. **Rezoning Lot 555 on Plan 408432 from Reserve – Recreation and Open Space to Reserve – Public Purposes (Medical Facilities).**
 - d. **Amending the Scheme maps accordingly.**

- 2. The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):**
 - a. an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;**
 - b. an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;**
 - c. any other amendment that is not a complex or basic amendment.**
- 3. The Amendment is adopted with or without modification.**
- 4. Authorise the Chief Executive Officer to forward the scheme amendment and associated documentation to the Western Australian Planning Commission in accordance with Clause 53 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for consideration by the Minister.**

Moved: _____ Seconded: _____

14.2 Council Meeting Dates for 2018

File Reference: 0000
Location: Council
Applicant: G Pollock, Chief Executive Officer
Author: G Pollock, Chief Executive Officer
Date: 25 July 2017
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Nil

Summary:

Council consider setting the following proposed dates for the Ordinary Meetings of Council in 2018:

21 February 2018
21 March 2018
18 April 2018
16 May 2018
20 June 2018
18 July 2018
15 August 2018
19 September 2018
17 October 2018
21 November 2018
12 December 2018

Background:

Council is required to advertise its meeting dates prior to meetings being held. In order to allow this to occur, it is recommended that Council adopt the 2018 dates for meetings in advance as per policy 4.1 Ordinary Meetings of Council.

Comment:

Normally Council don't hold an ordinary Council meeting in January unless urgent business is required to be addressed.

Consultation:

Shire President and Senior Staff

Statutory Environment:

Local Government Act 1995, Part 5

Division 2 — Council meetings, committees and their meetings and electors' meetings

Subdivision 1 — Council meetings

5.3. Ordinary and special council meetings

- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.
- (3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.

5.4. Calling council meetings

An ordinary or a special meeting of a council is to be held —

- (a) if called for by either —
 - (i) the mayor or president; or
 - (ii) at least $\frac{1}{3}$ of the councillors,in a notice to the CEO setting out the date and purpose of the proposed meeting; or
- (b) if so decided by the council.

Policy Implications:

Policy 4.1 - Ordinary Meetings of Council will need to be amended to reflect the endorsed resolution.

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

That Council endorse setting the following Ordinary Council Meetings dates for 2018:

21 February 2018
21 March 2018
18 April 2018
16 May 2018
20 June 2018
18 July 2018
15 August 2018
19 September 2018
17 October 2018
21 November 2018
12 December 2018

Moved: _____ Seconded: _____

15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

15.1 Monthly Statement of Financial Activity

File Reference: ADM0075
Location: N/A
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 9 August 2017
Disclosure of Interest: Nil
Attachments: Monthly Statements of Financial Activity for the period 1 July 2016 to 30 June 2017 (Attachment 2 behind purple sheet in separate attachments booklet)
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 June 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 30 June 2017 be accepted and material variances be noted.

Moved: _____ Seconded: _____

15.2 Accounts Paid by Authority

File Reference: ADM0066
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Rebecca Billingham, Finance Officer
Date: 9 August 2017
Disclosure of Interest: Nil
Attachments: List of Accounts
(Attachment 3 after blue sheet under separate cover)
Previous Reference: N/A

Summary:

Council endorsement is required for accounts made by authority for the month of July 2017.

Comment:

Unless otherwise identified, all payments have been made in accordance with Council's 2017/18 Budget. NB: Councillor Queries regarding payments can be raised with the Director of Corporate and Community Services before the meeting by email, in writing, telephone or in person to expedite the meeting and permit research of queries raised).

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 July 2017 as presented:

JULY 2017	
MUNI - 117984856	
EFT 3847-3906	\$241,512.86
CHEQUE 24460 - 24468	\$ 17,101.24
DD9059.1-watc Loan 120 repayment	\$13,476.31
TRUST ACCOUNTS	
DEPT OF TRANSPORT – 30417-280417-123395691 DD9077.1-DD9135.1	\$ 22,079.15
TRUST FUND – 1897	\$ 80.00
DIRECT DEBIT -	
DD9067.1 – DD9109.10 EFT 3896-3900 – Pay and Super	\$ 24,092.97
CREDIT CARD	
DD9100.1	\$ 6,864.08
GRAND TOTAL	\$ 325,206.61

Notification	Explanation
Nil	

Moved: _____ Seconded: _____

16. DIRECTORATE OF TECHNICAL SERVICES

16.1 Proposed Residential Subdivision

File Reference: A3414
Location: Lot 511 – 3 Shire Street
Applicant: AJ Marsh Pty Ltd
Author: Sheryl Squiers, Administration Officer Technical
Date: 14 July 2017
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider an application for a proposed residential subdivision of Lot 511 - 3 Shire Street, Pingelly.

Background:

The Department of Planning, Lands and Heritage have submitted an application for a proposed residential subdivision from AJ Marsh Pty Ltd on behalf of the landowner Mrs Prunella Mudd.

Comment:

The property for the proposed residential subdivision is Lot 511 – 3 Shire Street, Pingelly which also abounds Overhue Street to the south.

The proposed subdivision will result in 3 lots 5111, 5112 & 5113, with the existing dwelling and outbuildings to be retained in proposed lot 5113.

A previous application for the same proposed subdivision was presented to Council on 20 May 2009 and was granted approval with the condition that the crossovers to Council approved standard be provided by the developer to the two new lots facing Shire Street.

The area of each proposed lots will be Lot 5111 - 2028m², Lot 5112 – 2032m² and Lot 5113 – 4065m².

In relation to street numbering as proposed Lot 5113 is already 3 Shire Street, it may be considered numbering proposed Lot 5111 as 7 Overhue Street and proposed Lot 5112 as 1 Shire Street. It would be considered too confusing to have proposed Lot 5111 as 1a Shire Street and proposed Lot 5112 as 1b Shire Street as a rule this style of numbering usually pertains to units.



SHIRE OF PINGELLY	
FILE	A3414
DATE	10 JUL 2017
Officer	A07
Copy to	IPA1718

Our Ref : 155403
 Previous Ref :
 Your Ref :
 Enquiries : Rosa Rigali (6551 9306)

7 July 2017

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

Application No: 155403 - Lot No 511 Shire 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 18th August 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 "155403" when responding.**

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

Yours faithfully

Kerrine Blenkinsop
 Secretary
 Western Australian Planning Commission

APPLICATION DETAILS

Application Type	Subdivision	Application No	155403
Applicant(s)	Aj. Marsh Pty Ltd		
Owner(s)	Prunella Chloe Mudd		
Locality	Lot No 511 Shire Street Pingelly		

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



Lot No(s).	511	Purpose	Residential
Location		Local Gov. Zoning	Residential, Local Road
Volume/Folio No.	1122/819	Local Government	As Above
Plan/Diagram No.	P223047	Tax Sheet	
Centroid Coordinates	mE mN		
Other Factors	BUSHFIRE PRONE AREA, UNALLOCATED CROWN LAND, THREATENED ECOLOGICAL COMMUNITY BUFFER, REMNANT VEGETATION (NLWRA)		

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



Department of Planning,
Lands and Heritage

eLodgement



Application for Approval of Freehold or Survey Strata Subdivisions

Lodgement ID: 2017-208551

Submission Date: 29/06/2017 02:39 PM

Your Reference

Location of Subject Property

No. of applicants

Are you applying on your own behalf?

Are you the primary applicant?

Do you have consent to apply from all landowners?

Lodgement Type

Submitted by

Email

Lot 511 Shire Street Pingelly

Lot 511 Shire Street Pingelly

1

No

No

Yes

Subdivision

Cathryn Stafford

cathryn.stafford@planning.wa.gov.au

DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
DATE	FILE
29-Jun-2017	155403

About the land

Number of current lots on the land 1

Drainage Reserves 0

Recreation Reserves 0

Road Reserves 0

Number of fee paying lots 3

Total number of proposed lots on the land including balance lots 3

Public Access Ways 0

Right of Ways 0

Road Widening 0

Number of fee exempt lots 0

What is the proposed use/development?

Proposed Use Lot size

Residential 2000 - 2999 Sqm

Residential 4000 - 4999 Sqm

Local Government Shire Of Pingelly

Is common property proposed No

Number of Lots

2

1

Existing dwellings Yes

Applicants

Primary applicant (1)

Is the applicant a company/organisation?	Yes	Is the applicant a landowner?	No
Name/Company	AJ. Marsh Pty Ltd	ABN / ACN	NA
Email	aj.marsh@westnet.com.au	Phone number	0438582441

Address

Street address	PO Box 355	Town / Suburb or City	Gosnells
State	WA	Post Code	6990
Country	AUSTRALIA	OR Non-Australian Address, P.O. Box, & etc	N/A

Certificate of Title Details

Lots with certificate (1)

Volume	1122	Folio	819
Lot Number	511	Plan Number	223047
Total land area	8125	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	Prunella Chloe Mudd	Company / Agency	N/A
ACN / ABN	N/A	Landowner type	Registered Proprietor/s
Address			
Street address	PO Box 535	Town / Suburb or City	Pingelly
State	WA	Post code	6308
Country	AUSTRALIA	OR Non-Australian Address, P.O. Box, & etc	N/A

Subdivision detail

Number of dwellings	1	Dwelling retained	Yes
Dwelling description	N/A		
Number of outbuildings/structures	1	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 within a Bushfire Prone Area?			Yes
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

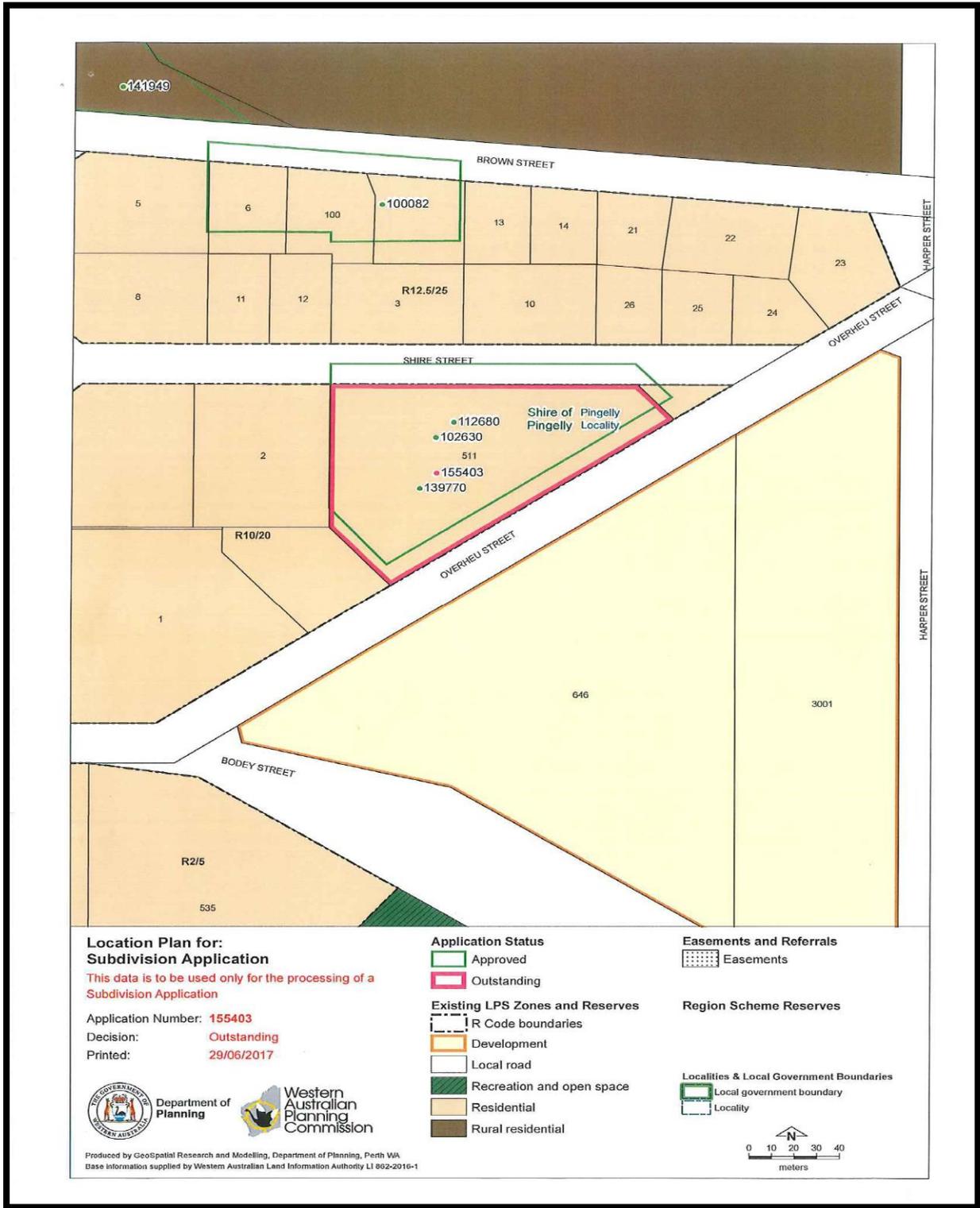
Fee amount	\$3,189.00	Payment Type	By Cheque
------------	------------	--------------	-----------

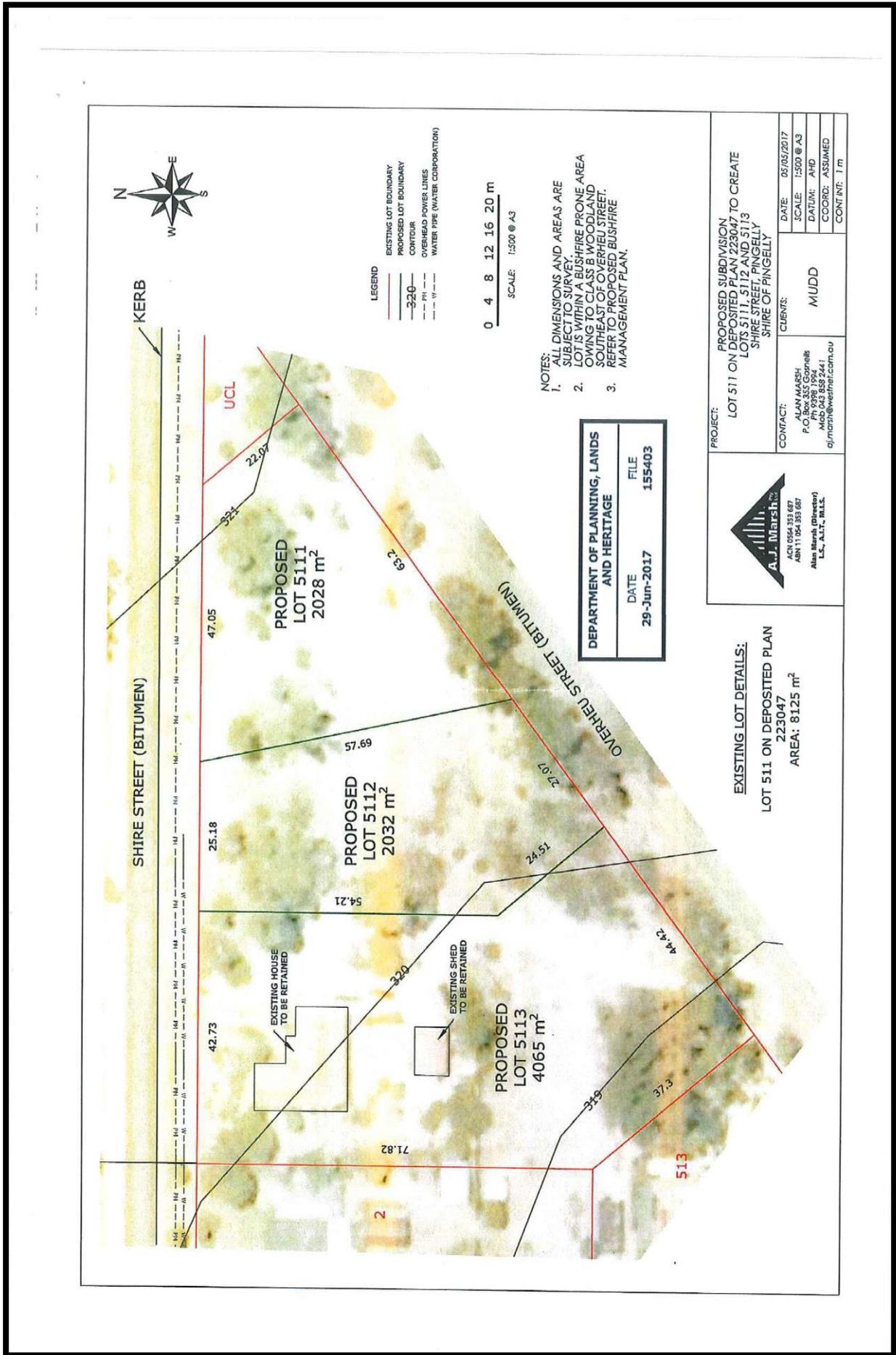
Attachments

Attachment name	Attachment type
-----------------	-----------------

Perth 140 William Street Perth Western Australia, 8000, 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
---	--	---	---	---

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





Consultation:

Barry Gibbs – Director Technical Services
Department of Planning, Lands and Heritage
Previous Council Minutes Item 8.5, 20 May 2009

Statutory Environment:

Shire of Pingelly Local Planning Scheme No.3

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation and Council Decision:

That Council supports the application for a proposed residential subdivision of Lot 511 Shire Street, Pingelly in accordance with the subdivision plan and with the propose Lot 5111 allocated street number 7 Overhue Street and proposed Lot 5112 allocated street number 1 Shire Street.

Moved: _____ Seconded: _____

16.2 Dual Fire Control Officer Appointment

File Reference: ADM0313
Location: Shire of Corrigin
Applicant: Shire of Corrigin
Author: Sheryl Squiers, Administration Officer Technical
Date: 17 July 2017
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider the appointment of dual fire control officer with the Shire of Corrigin.

Background:

The Shire of Corrigin has requested the appointment of:

- Greg Evans
- Braden Grylls

as dual fire control officers for the 2017/18 fire season.

Comment:

The Shire of Corrigin has requested the appointment of the above fire control officers to Dual Fire Control Officers for the Shire of Corrigin and the Shire of Pingelly.

Once approval has been given the appointment of the Dual Fire Control Officers will need to be advertised locally, through a local newspaper.

Consultation:

Nil

Statutory Environment:

Section 40 of the *Bush Fire Act* provides that two or more local governments may by agreement join in the appointment of bush fire control officers and that officers so appointed may exercise their power and authorities in each of the districts so appointed.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

That pursuant to Section 40 of the *Bush Fires Act*, the following Shire of Corrigin fire control officer be appointed as a dual fire control officer in the Shire of Pingelly:

- Greg Evans
- Braden Grylls

Moved: _____ Seconded: _____

16.3 Dual Fire Control Officer Appointment

File Reference: ADM0313
Location: Shire of Brookton
Applicant: Shire of Brookton
Author: Sheryl Squiers, Administration Officer Technical
Date: 2 August 2017
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider the appointment of dual fire control officer with the Shire of Brookton.

Background:

The Shire of Brookton has requested the appointment of:

- Bevan Walters
- Murray Hall
- Dennis Wilkinson
- Tim Evans
- Ross Evans

as dual fire control officers for the 2017/18 fire season.

Comment:

The Shire of Brookton has requested the appointment of the above fire control officers to Dual Fire Control Officers for the Shire of Brookton and the Shire of Pingelly.

Once approval has been given the appointment of the Dual Fire Control Officers will need to be advertised locally, through a local newspaper.

Consultation:

Nil

Statutory Environment:

Section 40 of the *Bush Fire Act* provides that two or more local governments may by agreement join in the appointment of bush fire control officers and that officers so appointed may exercise their power and authorities in each of the districts so appointed.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

That pursuant to Section 40 of the *Bush Fires Act*, the following Shire of Brookton fire control officer be appointed as a dual fire control officer in the Shire of Pingelly:

- **Bevan Walters**
- **Murray Hall**
- **Dennis Wilkinson**
- **Tim Evans**
- **Ross Evans**

Moved: _____ Seconded: _____

Council Decision:

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

Moved: _____ Seconded: _____

16.4 Tender 01/2017-2018 – Roadside Vegetation Clearing – CONFIDENTIAL ITEM

File Reference: ADM0507
Location: Shire of Pingelly
Applicant: Barry Gibbs, Director Technical Services
Author: Barry Gibbs, Director Technical Services
Date: 7 August 2017
Disclosure of Interest: Nil
Attachments: Tender Evaluation Report, 1 August 2017 – (Confidential – under separate cover)
Previous Reference: Nil

Summary:

Council to consider appointing a contractor for vegetation clearing work on selected road reserves as part of the Shire of Pingelly Road Maintenance Program for the 2017/18 financial year.

Recommendation:

That Council:

- 1. Award the Tender to Twinkarri Pty Ltd for the 2017/18 financial year subject to the specification and conditions of Tender RFT01 – 2017/18.**

Moved: _____ Seconded: _____

16.5 Tender 02/2017-2018 – Cartage of Materials for Earthworks – CONFIDENTIAL ITEM

File Reference: ADM0508
Location: Shire of Pingelly
Applicant: Barry Gibbs, Director Technical Services
Author: Barry Gibbs, Director Technical Services
Date: 7 August 2017
Disclosure of Interest: Nil
Attachments: Tender Evaluation Report, 1 August 2017 – (Confidential – under separate cover)
Previous Reference: Nil

Summary:

Council to consider appointing a contractor for the cartage of material for earthworks on selected road works as part of the Shire of Pingelly Road Maintenance and Construction Program for the 2017/18 financial year.

Recommendation:

That Council:

Award the Tender to L.R.A Civil Pty Ltd for the 2017/18 financial year subject to the specification and conditions of Tender RFT02 – 2017/18.

Moved: _____ Seconded: _____

Council Decision:

That the meeting be again open to the public

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.