

Notice of Meeting



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Dear Councillor

The next Ordinary meeting of Council will be held on Wednesday, 16 November 2011 in the Council Chambers, 17 Queen Street, Pingelly commencing at 2.00pm.

Pumphreys Bridge CWA will be providing dinner.

Schedule

12.00 noon	Lunch / Corporate Discussion
2.00pm	Council Meeting
6.30pm	Dinner – with invitations extended to past Councillors and partners

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

M.G. (Mick) Oliver
Chief Executive Officer

10 November 2011

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Pingelly for any act, omission or statement or intimation occurring during Council/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/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.

MISSION STATEMENT

To grow, develop and improve while maintaining our caring rural community

Evaluation Thought Starters

- What do we want to do?
- Why do we want to do it?
- Is there are clear justifications for the project:
 - Is there a need
 - Is there an expectation
 - Is there a long term goal
- When do we want to do it?
- How will we cover the cost of doing it?
 - Is there funding?
 - Do we have cash to pay for it?
 - Who can we ask for assistance?
- Will there be any internal and external impacts on the centre? Risk assessment – is there a need for a risk management plan?
- If we decide to go ahead with the project:
 - Who will oversee it - manage it?
 - Will we delegate it to anyone or a group to do to do?
 - Who will do the budget?
 - Are there stakeholders to consider? If so how will we communicate with them?
- Step by step - time line
 - When
 - Where
 - How
 - Who
- Completion of the project.
 - How will we know we have achieved our goal?
 - How will we measure success of the project?
 - Will it need acquitting?

SHIRE OF PINGELLY

Agenda for the Ordinary Meeting of Council to be held in the Council Chambers, 17 Queen Street, Pingelly on Wednesday, 16 November 2011– commencing at 2.00pm.

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1. OPENING & ANNOUNCEMENTS

The Chairman to declare the meeting open.

2. APOLOGIES & APPROVED LEAVE OF ABSENCE

2.1 Cr Price

Leave of absence for Cr Price for this meeting was approved by Council on 19 October 2011.

3. DISCLOSURES OF INTEREST

The *Local Government Act* (Section 5.60 – 5.62) provides that it is the Councillor's obligation to declare an interest if they believe that they have a financial interest, proximity interest, closely associated persons interest or an interest affecting impartiality in a matter being discussed by Council.

The Act provides that the interest may be declared in writing to the CEO prior to the meeting or declared prior to discussion of the agenda item at the meeting. Forms for this purpose are available to Councillors.

The Act further provides that the extent of the interest needs to be declared if the Councillor seeks to remain in the Chamber during the discussion, debate or voting on the item.

A Councillor declaring a financial or proximity interest must leave the meeting prior to the matter being discussed or voted on (including the question as to whether they are permitted to remain in the Chamber). Councillors remaining in the Chamber may resolve to allow the member to return to the meeting to participate in the proceedings.

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. CONFIRMATION OF MINUTES AND REPORTS

6.1 Ordinary Meeting – 19 October 2011

Comment

There has been some discussion in relation to resolution 10768 (Item 10.4) as to the ownership of the old printing press – referred to in the unconfirmed minutes as belonging to the Pingelly Men's Shed.

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 October 2011 be confirmed subject to the clarification of the ownership of the old printing press.

7. TECHNICAL SERVICES

7.1 Road Train Routes

File Reference: 05.03.08
Location: Review Street / Vinicombe Street
Applicant: Fuel Distributors WA
Author: M.G. Oliver, Chief Executive Officer
Date: 27 October 2011
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider extending the road train route to a section of a section of Vinicombe Street.

Background:

Application is for concessional load permits for their Main Roads WA accredited 27.5m pocket road trains with both 5 and 6 axle dogs on Vinicombe Street from Review Street to the fuel depot.

The applicant notes that the advantages of the extra volume would mean less frequency of loads particularly during seeding and harvest and to be cost effective which will help with a competitive price with our opposition for people in the district. They are currently delivering about 2 loads a week which of course increases during the seeding and harvest.

Comment:

The existing Policy seems to be incorrectly worded by making reference to Harper Street and should be:

- Review Street should be from Paragon Street to Parker Street; and
- Parker Street from Brown Street to Yenellin Road.

The existing Policy will need amendment to allow the request to be approved. There would seem to be no reason to decline to amend the Policy.

Consultation: Nil

Statutory Environment:

Policy Implications:

Council's Policy 7.10 – Permit Vehicle Movement Approval provides that Main Roads WA is authorised to permit oversize vehicles up to 27.5m in length on all roads outside the Pingelly townsite and within the Shire of Pingelly except:

- Walwalling Road SLK 2.00 to 6.18
- Tutanning Road SLK 0 to 4.29 and 4.94 to 15.37
- Dwarlaking Road SLK 2.0 to 6.0 and 10.12 to 12.90

Main Roads WA is authorised to permit oversize vehicles up to 27.5m on the townsite streets of:

- Park Street from Naylor Street to Paragon Street
- Paragon Street from Park Street to Review Street
- Review Street from Paragon Street to Harper Street
- Harper Street from Brown Street to Yenellin Road

Information to be passed onto Main Road WA for inclusion in the Central Register.

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendations:

That Council's Policy 7.10 – Permit Vehicle Movement Approval be amended to:

That Main Roads WA is authorised to permit oversize vehicles up to 27.5m in length on all roads outside the Pingelly townsite and within the Shire of Pingelly except:

- Walwalling Road SLK 2.00 to 6.18
- Tutanning Road SLK 0 to 4.29 and 4.94 to 15.37
- Dwarlaking Road SLK 2.0 to 6.0 and 10.12 to 12.90

Main Roads WA is authorised to permit oversize vehicles up to 27.5m on the townsite streets of:

- Park Street from Naylor Street to Paragon Street
- Paragon Street from Park Street to Review Street
- Review Street from Paragon Street to **Parker Street**
- **Parker Street** from Brown Street to Yenellin Road
- **Vinicombe Street from Review Street to the fuel depot.**

7.2 Plant Purchase

File Reference: 06.30 & 11.01.05
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: M.G. Oliver, Chief Executive Officer
Date: 1 November 2011
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider the purchase of a rubber multi-tyred roller.

Background:

The Plant Replacement Program adopted by Council in July 2011 provided for the replacement of the multi-tyred roller in 2011/12 – funded by the Plant Replacement Program. This decision was incorporated into the 2011/12 Budget – with a provision of \$160,000 purchase and nil trade.

The 1993 Pacific PAC 16 roller should have been replaced after 15 years – 2008.

The multi-tyred roller is an essential part of the roadworks fleet – certainly for road construction. The works on the Bulyee Road require a roller and a machine will likely be hired in to allow works to continue.

The existing Pacific Pac 16 roller is in the depot with a blown motor. The motor was rebuilt a few years back. A decision was taken, due to its age and other priorities not to spend further money stripping the motor down at this stage but to leave it for a rainy day job. If repairs can be economically completed it may provide a good backup machine.

Using the WALGA Preferred Supplier arrangements (which negate the need for the formal tender process) quotations were sought from:

- BT Equipment
- CJD
- Conplant
- Komatsu
- Westrac

with the specifications:

- approximately 20 tonne (ballast options to be specified)
- approximately 100 HP
- fully enclosed ROPS cab, airconditioned, AM radio
- multi-adjustable seat
- multi- adjustable steering
- tinted windows
- Cab mounted LED flashing light
- fire extinguisher
- sign written – Shire of Pingelly
- operator, service, workshop and parts manuals
- delivery

Comment:

Details of quotes received will be provided to the meeting.

Consultation:

Shire of Brookton, Corrigin and Merredin.

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications:

2011/12 Budget provision of \$160,000 (from the Plant Reserve Fund).

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That Council indicate its interest in being involved in the purchase of this item of plant.

7.3 Parade Street Footpath

File Reference: 05.03.03
Location: Parade Street
Applicant: JH & VJ Timms
Author: M.G. Oliver, Chief Executive Officer
Date: 9 November 2011
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider a request for the installation of spoon-drain along the frontage of 12 Parade Street.

Background:

In May 2010 Mr Timms expressed concern, amongst other things, that the new brick paving that was laid adjacent to his building would increase the run-off into his building.

Mr Timms now suggests that there is pooling of water against the building. Further, he indicates he has checked the ground under the sub-floor annually after the winter for the last 15 years and now finds the soil to be so moist that it has raised his concerns regarding long-term effects on the building. Mr Timms claims to have further evidence of damage in that he replaced the skirting boards earlier this year and the ones on the Parade Street wall have swollen.

Mr Timms believes the solution to this situation is to run a spoon-drain along the building to at least get some run-off for the bulk of the water.

Comment:

There is no dispute with the change in the levels from the kerb line back to the building line. However, storm water does not pool against the building but shed either way along the building and back to the table drain across the kerb.

Given that the pavers are well laid and there is no pooling, there is minimal surface water able to soak in at this location. Further, it is not considered that a spoon drain would cause the water to shed any faster – again given the existing fall and the existing paving.

It is considered more likely that any moisture under the building is ground water orientated – in a similar source to that under the Town Hall.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That Mr Timms be advised that the installation of a spoon drain in the brick paving in Parade Street will not assist in resolving any ground water issues under his building.

8. COMMUNITY SERVICES

Nil

9. FINANCIAL SERVICES

9.1 Monthly Statement of Financial Activity

File Reference: 06.15.01
Location: N/A
Applicant: N/A
Author: Simon Marshall, Deputy Chief Executive Officer
Date: 8 November 2011
Disclosure of Interest: Nil
Attachments: Statements

Summary:

Council to consider accepting the Monthly Statement of Financial Activity.

Background:

The Monthly Statement of Financial Activity is attached for Council consideration.

Comment:

The Monthly Statement of Financial Activity represents Council's financial activities and status for the period ending 31 October 2011.

Consultation: N/A

Statutory Environment:

Section 6.4(1) of the *Local Government Act* provides that a local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

Regulation 34 of the *Local Government (Financial Management) Regulations* requires a Statement of Financial Activity to be prepared each month which is to contain the following details:

- (a) annual budget estimates;
- (b) budget estimates to the end of the month;
- (c) actual amount of expenditure and revenue;
- (d) material variances between comparable amounts in (b) and (c) above; and
- (e) the net current assets at the end of the month to which the statement relates (i.e. surplus / (deficit) position).

The Statement is to be accompanied by:

- (a) explanation of the composition of net current assets, less committed assets and restricted assets;
- (b) explanation of the material variances; and
- (c) such other information considered relevant by the local government.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That the Monthly Statement of Financial Activity for the period ending 31 October 2011 be accepted and material variances be noted.

SHIRE OF PINGELLY NET CURRENT FUNDING POSITION FOR THE PERIOD ENDING 31 October 2011			
	ACTUAL 2011/12	BUDGET 2011/12	ACTUAL 2010/11
CURRENT ASSETS			
Cash - Unrestricted			
- Municipal Fund Bank	1,851,104.64	150,983	412,221.64
- Petty Cash & Till Floats	450.00	450	450.00
Cash - Restricted	0.00		0.00
- Restricted Municipal Fund Bank	0.00	0	0.00
- Restricted Reserves	811,279.80	1,492,013	787,842.58
Receivables			
Sundry Debtor Rates	364,742.39	0	69,892.05
Sundry Debtor Rubbish	12,070.61		
Sundry Debtor Recycling	759.99		
Sundry Debtor SSL	39,739.14		
Sundry Debtor Other	132,543.97	72,559	101,225.45
Pensioner Rebate (to be claimed)	1,446.57		
GST (to be claimed)	0.00		
Investments	5,000.00	5,000	5,000.00
Inventories	6,510.06	8,154	8,153.62
TOTAL CURRENT ASSETS	3,225,647.17	1,729,159	1,384,785.34
LESS CURRENT LIABILITIES			
Creditors	11,149.42	(135,408)	(127,286.63)
Borrowings	(39,739.14)	(52,312)	0.00
Provisions	(146,318.00)	(146,318)	(146,318.00)
NET CURRENT POSITION	3,050,739.45	1,395,121	1,111,180.71
Less Cash Restricted	(811,279.80)	(1,492,013)	(787,842.58)
SURPLUS/(DEFICIT)	2,239,459.65	(96,892)	323,338.13

SHIRE OF PINGELLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 October 2011							
	SCHED#	YTD ACTUAL 2011/12	YTD BUDGET 2011/12	VARIANCE		BUDGET 2011/12	NOTE#
				>10%	>\$5000		
OPERATING REVENUE							
Governance	4	395,360.81	393,122			2,336,240	
General Purpose Funding	3	1,532,384.17	1,529,126			2,148,450	
Law, Order & Public Safety	5	775,527.43	776,767			828,190	
Health	7	5,886.42	864	681%	5,022	2,200	1
Welfare & Education	8	1,206.37	1,200			18,749	
Community Amenities	10	132,499.85	136,254			150,360	
Recreation & Culture	11	27,358.59	26,998			47,620	
Transport	12	634,370.60	635,712			2,354,540	
Economic Services	13	19,786.12	20,624			52,900	
Other Property & Services	14	10,600.50	11,504			37,570	
Sub Total		3,534,980.86	3,532,171			7,976,819	
OPERATING EXPENDITURE							
Governance	4	(215,873.78)	(214,336)			(628,506)	
General Purpose Funding	3	(22,579.25)	(22,376)			(67,160)	
Law, Order & Public Safety	5	(57,117.96)	(59,548)			(905,361)	
Health	7	(23,725.30)	(14,680)	162%	(9,045)	(153,045)	2
Welfare & Education	8	(5,210.14)	(6,766)	77%		(33,587)	
Community Amenities	10	(68,912.00)	(71,651)			(206,416)	
Recreation & Culture	11	(159,478.28)	(163,135)			(550,252)	
Transport	12	(627,568.12)	(632,300)			(1,390,540)	
Economic Services	13	(50,653.06)	(48,836)			(153,870)	
Other Property & Services	14	(65,596.88)	(38,763)	169%	(11,834)	(90)	3
Sub Total		(1,296,714.77)	(1,272,391)			(4,088,827)	
NET OPERATING		2,238,266.09	2,259,780			3,887,992	

SHIRE OF PINGELLY							
STATEMENT OF FINANCIAL ACTIVITY Continued.							
FOR THE PERIOD ENDING							
31 October 2011							
	SCHED#	YTD ACTUAL 2011/12	YTD BUDGET 2011/12	VARIANCE		BUDGET 2011/12	NOTE#
				>10%	>\$5000		
CAPITAL REVENUE							
Governance	4	29,500.00	27,000			828,215	
General Purpose Funding	3	0.00	0			0	
Law, Order & Public Safety	5	0.00	0			27,209	
Health	7	0.00	0			20,000	
Education & Welfare	8	0.00	0			9,888	
Community Amenities	10	0.00	0			0	
Recreation & Culture	11	0.00	0			0	
Transport	12	0.00	0			33,000	
Economic Services	13	0.00	0			0	
Other Property & Services	14	0.00	0			0	
Sub Total		29,500.00	27,000			918,312	
CAPITAL EXPENDITURE							
Governance	4	(160,374.52)	(161,184)			(1,078,223)	
General Purpose Funding	3	0.00	0			0	
Law, Order & Public Safety	5	(1,899.00)	(2,100)			(29,309)	
Health	7	0.00	0			(30,000)	
Education & Welfare	8	0.00	0			(9,888)	
Community Amenities	10	0.00	0			(578,453)	
Recreation & Culture	11	0.00	0			(210,000)	
Transport	12	(270,693.79)	(266,982)			(2,438,442)	
Economic Services	13	(4,720.00)	0			0	
Other Property & Services	14	0.00	0			0	
Sub Total		(437,687.31)	(430,266)			(4,374,315)	
TOTAL CAPITAL		(408,187.31)	(403,266)			(3,456,003)	
TOTAL Net Operating & Capital		1,830,078.78	1,856,514			431,989	
ADJUSTMENT FOR NON-CASH ITEMS							
Add Depreciation		106,839.20	106,000			439,468	
Transfer from/(to) Reserves		(23,437.22)	(23,440)			(704,170)	
Adjust Provisions/Accruals		0.00	0			0	
Asset Disposal (Profit)/Loss		2,640.76	0			(602,200)	
Total Adjustment for Non-Cash		86,042.74	82,560			(866,902)	
Opening Surplus/(Deficit)		323,338.13	338,021			338,021	
Closing Surplus/(Deficit)		2,239,459.65	2,277,095			(96,892)	

SHIRE OF PINGELLY NOTES TO MATERIAL VARIANCE FOR THE PERIOD ENDING 31 October 2011			
Note #			Variation
	OPERATING REVENUE		
	Governance		
	Primary Reason	N/A	
	Budget Impact	N/A	
	General Purpose Funding		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Law, Order & Public Safety		
	Primary Reason	N/A	
	Budget Impact	N/A	
1	Health		Over
	Primary Reason	Insurance reimbursement for repairs to Doctors Car - Offset by Repair expense.	5,022
	Budget Impact	Revenue over Budget	
	Welfare & Education		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Community Amenities		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Recreation & Culture		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Transport		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Economic Services		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Other Property and Services		
	Primary Reason	N/A	
	Budget Impact	N/A	

SHIRE OF PINGELLY
NOTES TO MATERIAL VARIANCE Continued.
FOR THE PERIOD ENDING
31 October 2011

Note #			Variation
	OPERATING EXPENDITURE		
	Governance		
	Primary Reason	N/A	
	Budget Impact	N/A	
	General Purpose Funding		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Law, Order & Public Safety		
	Primary Reason	N/A	
	Budget Impact	N/A	
2	Health		Over (9,045)
	Primary Reason	Repairs to Doctor's Car - Offset by Insurance reimbursement.	
	Budget Impact	Expenditure over Budget	
	Welfare & Education		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Community Amenities		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Recreation & Culture		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Transport		
	Primary Reason	N/A	
	Budget Impact	N/A	
	Economic Services		
	Primary Reason	N/A	
	Budget Impact	N/A	
3	Other Property & Services		Over (11,834)
	Primary Reason	Long Service Leave termination payout - to be recouped from Leave Reserve.	
	Budget Impact	Expenditure over Budget	

SHIRE OF PINGELLY
NOTES TO MATERIAL VARIANCE Continued.
FOR THE PERIOD ENDING
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Note #	Variation
CAPITAL REVENUE	
Governance	
Primary Reason	N/A
Budget Impact	N/A
General Purpose Funding	
Primary Reason	N/A
Budget Impact	N/A
Law, Order & Public Safety	
Primary Reason	N/A
Budget Impact	N/A
Health	
Primary Reason	N/A
Budget Impact	N/A
Welfare & Education	
Primary Reason	N/A
Budget Impact	N/A
Community Amenities	
Primary Reason	N/A
Budget Impact	N/A
Recreation & Culture	
Primary Reason	N/A
Budget Impact	N/A
Transport	
Primary Reason	N/A
Budget Impact	N/A
Economic Services	
Primary Reason	N/A
Budget Impact	N/A
Other Property & Services	
Primary Reason	N/A
Budget Impact	N/A

SHIRE OF PINGELLY
NOTES TO MATERIAL VARIANCE Continued.
FOR THE PERIOD ENDING
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Note #	Variation
CAPITAL EXPENDITURE	
Governance	
Primary Reason	N/A
Budget Impact	N/A
General Purpose Funding	
Primary Reason	N/A
Budget Impact	N/A
Law, Order & Public Safety	
Primary Reason	N/A
Budget Impact	N/A
Health	
Primary Reason	N/A
Budget Impact	N/A
Welfare & Education	
Primary Reason	N/A
Budget Impact	N/A
Community Amenities	
Primary Reason	N/A
Budget Impact	N/A
Recreation & Culture	
Primary Reason	N/A
Budget Impact	N/A
Transport	
Primary Reason	N/A
Budget Impact	N/A
Economic Services	
Primary Reason	N/A
Budget Impact	N/A
Other Property & Services	
Primary Reason	N/A
Budget Impact	N/A

SHIRE OF PINGELLY INVESTMENT SUMMARY FOR THE PERIOD ENDING 31 October 2011				
Investment Description	Balance @ 31 October 2011	Investment Term	Investment Maturation	Interest Rate PA
Municipal Bank	\$851,104.64	Rolling	Rolling	Varying
Municipal Term Deposit 1	\$1,000,000.00	3 Months	12-Dec-11	5.75%
Reserves Term Deposit	\$811,279.80	6 Months	27-Jan-12	5.90%
<i>All Investments are held with the Bendigo Bank.</i>				

Significant Expenditure Items for the month of October 2011		
Supplier	Description	Expenditure
Shire Of Pingelly	2 x Ordinary Pay Run	\$98,031.95
Page Truck Hire	January 2011 Storm Clean-Up	\$91,077.60
Brian Williams	Side Tipper Hire - Bulyee Road	\$67,856.25
LGIS	Workcare Insurance	\$39,998.19
AVP Valuers	Asset Revaluation Report	\$19,157.60
Mandurah Holden	Trade-in of CEO Vehicle	\$18,645.88
Tankswest	2 x 60,000L tanks - Bulyee Road	\$16,720.00
Contract Aquatic Services	Management Fee for November 2011	\$10,712.24
	Total	\$362,199.71

9.2 Accounts Paid by Authority

File Reference: 06.15.03
Location: N/A
Applicant: N/A
Author: Simon Marshall, Deputy Chief Executive Officer
Date: 8 October 2011
Disclosure of Interest: Nil
Attachments: List of Accounts

Summary:

Council to consider authorising the payment of accounts.

Background:

The following list represents accounts paid by authority for the month of October 2011.

Comment:

Unless otherwise identified, all payments have been made in accordance with Council's 2011/12 Budget.

Consultation: N/A

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: Nil

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That the List of Accounts as presented:

- (1) Municipal Fund – Account 117984856
vouchers 19482 – 19692 - 19805 inclusive totalling \$483,371.44 - previously paid.
 - (2) Trust Fund – Account 117984872
vouchers 1622 - 1624 inclusive totalling \$520.00 - previously paid.
 - (3) Trust Fund Department of Transport – 123395691
totalling \$50,304.85; and
 - (4) Direct Debit Payments
totalling \$2,517.27 – previously paid
 - (5) Credit Card Payments
totalling \$197.79 – previously paid
- be authorised.

ACCOUNTS PAID PRESENTED FOR ENDORSEMENT: OCTOBER 2011

19692	04/10/2011	Telstra	Various phone charges CEO, MOW and EHO	148.12
19693	04/10/2011	Sunny Sign Company Pty Ltd	Risk mitigation signage – scramble track	90.99
19694	04/10/2011	Pingelly Quality Meats	Meat for LEMC exercise 29 September 2011	223.80
19695	04/10/2011	Avon Waste	Fortnightly bulk recycling bin service week ending 20 September 2011	100.00
19696	04/10/2011	LGISWA	LGIS workcare, liability & property policies	39,998.19
19697	04/10/2011	Midalia Steel (Wagin)	Material for water cartage tank cradle.	1,399.19
19698	04/10/2011	Orica Australia Pty Ltd	2 x chlorine bottle service fees 1 September 2011 - 30 September 2011	75.24
19699	04/10/2011	Fuel Distributors of WA Pty Ltd	5,600L of bulk diesel for underground and over head stock	7,916.16
19700	04/10/2011	Tassie's Plumbing	Repairs to damaged water meter and clear blockage central drains at caravan park	264.00
19701	04/10/2011	Star Track Express	Freight for goods from the Stihl Shop Redcliffe 27 September 2011	49.70
19702	04/10/2011	Pingelly Community Craft Centre	8 x dinners September 2011 Council meeting	200.00
19703	06/10/2011	AVP Valuers	2011 Property Valuation Project	19,157.60
19704	12/10/2011	Shire of Pingelly	Ordinary pay run for week ending 11 October 2011	54,950.70
19705	12/10/2011	Shire of Pingelly	Payroll deductions	200.00
19706	12/10/2011	Child Support Agency	Payroll deductions	14.18
19707	12/10/2011	Prime Super	Superannuation contributions	150.32
19708	12/10/2011	WA Local Government Superannuation Plan	Superannuation contributions	7,803.48
19709	12/10/2011	LGRCEU	Payroll deductions	139.20
19710	13/10/2011	Boyagin Valley Farm	2 x Hours loader work and 4 x hours for labour cleaning up after January 2011 storm	396.00
19711	13/10/2011	Arivdale Garden Centre	Caravan Park commission September 2011	1,079.23
19712	13/10/2011	Total Farming Services	2 x Dynabolt hex head gal 12x100mm for diesel pump, 1 x Kingcrome pressure sprayer 5l for road spraying, 5 x blade and bolt set for Honda push mower and 1 x whipper snipper cord and 8 x nipple BSP 1x3/4" sprinkler bases for swimming pool	135.36
19713	13/10/2011	Sunny Sign Company Pty Ltd	Signs - grader ahead & sign brackets	137.28
19714	13/10/2011	Pingelly Trading Co	General monthly goods, newspapers, dry cleaning, Stay on your feet goods and get well card	312.55
19715	13/10/2011	Pingelly Times	Advertising lead up Kambarang changing of the seasons	100.00
19716	13/10/2011	Pingelly Transport	Cartage of 24 head walls and 35 culvert pipes for grain freight route	1,100.00
19717	13/10/2011	Echelon Australia Pty Ltd	Peel Central Wheatbelt Regional Co-ordinator fees for 1 July 2011 - 31 December 2011	2,787.40

19718	13/10/2011	Sullivan Logistics Pty Ltd	Freight charges September 2011	392.78
19719	13/10/2011	Office of Shared Services	16 x Better Beginnings books 2011/2012 for Pingelly Community Resource Centre	88.00
19720	13/10/2011	Australia Post	Normal postage, rates final notice postage and envelopes	301.16
19721	13/10/2011	Landvision	Preparations of amendment report and document, rezoning for Town Planning Scheme 3	935.00
19722	13/10/2011	Great Southern Fuel Supplies	September 2011 fuel purchases and a fuel pump for depot	3,353.70
19723	13/10/2011	Pingelly Quality Meats	41 x BBQ packs for Kambarang day 8 October 2011	127.10
19724	13/10/2011	Stihl Shop Redcliffe	Diamond wheel and TS700 quick cut blades	1,799.00
19725	13/10/2011	Benjamin O'Brien	Entertainment Kambarang changing of the seasons community event 8 October 2011	550.00
19726	13/10/2011	Synergy	Streetlight charges 25 August 2011 - 23 September 2011	2,437.75
19727	13/10/2011	McIntosh & Son WA	Front, rear rollers and pin for ride on mower PROM4	523.64
19728	13/10/2011	WA Country Health Service - Wheatbelt Region	Dr Surgery rent for August 2011	476.66
19729	13/10/2011	Great Southern Waste Disposal	Rubbish charges 30 August 2011 to 27 September 2011	5,902.98
19730	13/10/2011	Corporate Express	Various goods for Kambarang day, stationary and cleaning goods for caravan park	637.23
19731	13/10/2011	Pingelly Community Resource Centre	Library services October, November and December 2011 and 100 colouring in books for Kambarang day 8 October 2011	5,237.50
19732	13/10/2011	Pingelly Tyres Pty Ltd	Supply & fit 11R22.5 steelmark AHD drive truck tyre for PT16	470.00
19733	13/10/2011	Wheatbelt Electrics	Supply and install sensor light for 50 Raglan Street	232.10
19734	13/10/2011	PC Machinery Pty Ltd	Box marking paint & bianco diamond blade for Bulyee Road	402.60
19735	13/10/2011	We Print It	20 x Purchase order books and art work	508.00
19736	13/10/2011	Tanks West Pty Ltd	2 x 60KL water tanks for Bulyee Road & SES building	16,720.00
19737	13/10/2011	Rural Traffic Services	Traffic control, signs for Bulyee Road, grain freight route construction. 5 x 2 traffic controllers, 1 vehicle and signs, 3 x 1 traffic controller, 1 x vehicle and signs and 70.5 x weekly hire of signs	2,299.00
19738	13/10/2011	Brian Williams	105 hrs hire of side tipper, 105 hrs side tipper for Bulyee Road	28,875.00
19739	13/10/2011	Lauren Thompson	Face painting for Kambarang 8 October 2011 and supplies	185.00
19740	13/10/2011	Malcolm Jetta	Hunting and preparation of roo for Kambarang 8 October 2011, 2 x people for 5 hours, fuel, 2 x boxes bullets	424.00
19741	13/10/2011	Landmark	2 x Audi UHF radio UH7700NB and antenna AT770 for PC13 and PG6	888.80

19742	13/10/2011	Fire & Emergency Services Authority of WA	2011/12 ESL payment	1,302.20
19743	13/10/2011	Stewart & Heaton Clothing Co Pty Ltd	2 x bush fire trousers Milton Fire Brigade	154.62
19744	13/10/2011	Skipper Trucks	80,000km service & repair gear box PT13	6,690.90
19745	13/10/2011	Fuel Distributors of WA Pty Ltd	Delvac MX engine oil for all plant	919.78
19746	13/10/2011	Landgate	Schedule G2011/6 and schedule R2011/5	58.00
19747	14/10/2011	William Narrier	Bushfire band for Kambarang 8 October 2011	3,000.00
19748	19/10/2011	Cary John Hathaway	1 x Honda pump GX160, 1 x jet pump A80 for Grain Freight Route	1,459.70
19749	19/10/2011	Echelon Australia Pty Ltd	20 x Risk assessment booklets	187.00
19750	19/10/2011	Westrac Equipment Pty Ltd	20 Litres coolant	68.62
19751	19/10/2011	Major Motors Pty Ltd	Filter kit, outer air filter and inner air filter for Pingelly Volunteer Bush Fire Brigade truck	193.65
19752	19/10/2011	Water Dynamics Quinti & Co	Various pipe fittings for pump at rec ground	598.79
19753	19/10/2011	Flinn Health and Fitness	Boxing for fitness 26 September 2011 and low impact 28 September 2011	160.00
19754	19/10/2011	Gill Rural Traders	1 x 1 brass fitting for depot, 1 x door for town hall, 1 x welding electrodes for swimming pool, 3 x storm water pipe, 1 x plastic soak well, 1 x 90° bend for town streets	199.30
19755	19/10/2011	Greenline Ag Pty Ltd	2 x bags, 2 x chute, 2 x mower blade and 1 x mower deck for John Deere ride on	1,445.57
19756	19/10/2011	Stihl Shop Redcliffe	1 x hedge trimmer	449.00
19757	19/10/2011	Bron's Kitchen	Council meeting lunch 21 September 2011	86.40
19758	19/10/2011	Water Corporation	Headworks cost for lot 604 Webb Street	1,204.00
19759	19/10/2011	Avon Waste	Fortnightly bulk recycling ending 4 October 2011	100.00
19760	19/10/2011	Richard Jas	Annual inspection of community bus for licensing	144.60
19761	19/10/2011	Covs Parts Pty Ltd	2 x tail lights for Pingelly Volunteer Bush Fire Brigade truck	239.80
19762	19/10/2011	Environmental Monitoring Systems Pty Ltd	EHO Maurice Walsh to do septic tank inspection for Avon Loc 27274 Aldersyde Pingelly Road	718.30
19763	19/10/2011	Midalia Steel (Wagin)	4 x 50x50x2 supagal RHS yellow end 8m for swimming pool balance tank cover	245.87
19764	19/10/2011	Pingelly Trading Co Hardware	28 x BGC fast setting cement for townscape, 6 x BGC fast cement for traffic signs, 8.5kg gas bottle for depot, 45kg gas bottle for caravan park, Dingo 12G x 35mm for townscape, 3 x cans of spray paint for PMR4 & junction DWV plain for Webb street units	471.50

19765	19/10/2011	Page Truck Hire	Storm clearing after January, Aldersyde road 19 September 2011 - 30 September 2011 and truck hire on 13 and 14 September 2011 for grain freight route	37,850.00
19766	19/10/2011	Pingelly General Practice	Pre employment medical Anthony Kirk	121.00
19767	20/10/2011	Landgate	Transfer of land fee for Lot 596 Queen Street, Pingelly	160.00
19768		Cancelled		
19769	24/10/2011	Courier Australia	Freight charges 10 and 11 October 2011 McIntosh and Son and Stewart Heaton	18.19
19770	24/10/2011	Gov Quip	Epson projector, projector flush mount, beacon wall screen	2,700.50
19771	24/10/2011	Jo Bolton	Suitcase circus skills workshop 8 October 2011	1,360.00
19772	24/10/2011	DR & EC Parsons	Winner of early payment of rates competition donated by Matthews Realty A21628	200.00
19773	24/10/2011	K J Hughes	Transporting 69 loads of yellow sand from M Hughes to Webb Street units	7,590.00
19774	24/10/2011	LGIS Insurance Broking Services of WA	Motor vehicle insurance 2010 - 2011 MV premium adjustment additional premium as at June 2011	1,620.28
19775	24/10/2011	Structerre Consulting Engineers	Lot 604 Webb street, compaction test	713.90
19776	26/10/2011	Shire of Pingelly	Ordinary pay run for week ending 25 October 2011	43,081.25
19777	26/10/2011	Fuel Distributors of WA Pty Ltd	Bulk fuel purchase, 2,300 underground, 4,000 above ground	8,859.06
19778	26/10/2011	Shire of Pingelly	Payroll deductions	200.00
19779	26/10/2011	Child Support Agency	Payroll deductions	14.18
19780	26/10/2011	Prime Super	Superannuation contributions	71.21
19781	26/10/2011	WA Local Government Superannuation Plan	Superannuation contributions	7,707.70
19782	26/10/2011	Budget Cash Register Co	Cash register for swimming pool	440.00
19783	26/10/2011	LGRCEU	Payroll deductions	139.20
19784		Cancelled		
19785	27/10/2011	Mandurah Holden	Replace CEO car PCEO8	18,645.88
19786	31/10/2011	Telstra	Various telephone accounts	675.17
19787	31/10/2011	Shire of Wagin	Contribution to Regional Refuse Group Operating expenses 2011/2012	5,500.00
19788	31/10/2011	J R & A Hersey	25 x 25 1000/.900 Survey pegs for grain freight route	1,045.00
19789	31/10/2011	The Churches' Commission on Education (Inc)	10 x dinners Council meeting 19 October 2011	250.00
19790	31/10/2011	Total Eden Pty Ltd	PVC fittings to repair oval pump and sprinkler joiners	34.61
19791	31/10/2011	T & A Glassworks	Reglaze timber putty window at town hall and reglaze trophy cabinet at community centre	243.00
19792	31/10/2011	WALGA	Advertisement for bitumen tender The West Australian 14 September 2011	254.04

19793	31/10/2011	Pingelly Pony & Riding Club	Supply of 3 ponies for 3 hours Kambarang 8 October 2011	300.00
19794	31/10/2011	Stihl Shop Redcliffe	Bar and cutter lube 20 litres	130.00
19795	31/10/2011	LGIS Insurance Broking Services of WA	Bush fire insurance 31 October 2011 - 30 June 2012	2,486.14
19796	31/10/2011	Contract Aquatic Services	Contract management fees instalment no 7 (1 November 2011)	10,712.24
19797	31/10/2011	Corporate Express	Filing cabinet for property files	352.00
19798	31/10/2011	Avon Waste	Fortnightly bulk recycling bin week ending 18 October 2011	100.00
19799	31/10/2011	Brian Williams	3 x hire of side tippers 94.5 hours each	38,981.25
19800	31/10/2011	State Records NSW	Licence for Keyword for Councils	363.00
19801	31/10/2011	Digital Document Solutions	Excess black toner, 500ci	140.65
19802	31/10/2011	Page Truck Hire	Tree clearing after January 2011 storm, 3 - 14 October 2011 Aldersyde Pingelly Road and complete site works Webb Street units	53,227.60
19803	31/10/2011	Brooks Hire Service Pty Ltd	Dry hire of Komatsu WA380-5H wheel loader 26 - 30 September 2011	4,365.90
19804	31/10/2011	Shire of Pingelly	BRB commission October 2011, three transactions	16.50
19805	31/10/2011	Builders Registration Board of WA	BRB takings October 2011, three transactions	108.00
Total Municipal Fund				483,371.44
1622	18/10/2011	Flinn Health & Fitness	Refund of key and cleaning bond from exercise classes	140.00
1623	18/10/2011	Marie Abraham	Refund of key, liquor and cleaning bonds from hire of community centre 15 October 2011	240.00
1624	18/10/2011	Jillian Lee Dodge	Refund of key and cleaning bonds hire of pavilion showers 15 October 2011	140.00
Total Trust Fund				520.00
10102011	10/10/2011	Department of Transport	Reconciliation of Transport Licensing 29 September to 5 October 2011	18,196.40
17102011	17/10/2011	Department of Transport	Reconciliation of Transport Licensing 6 October to 12 October 2011	7,152.25
18102011	17/10/2011	Department of Transport	Reconciliation of Transport Licensing 13 October 2011	1,316.30
24102011	24/10/2011	Department of Transport	Reconciliation of Transport Licensing 14 October to 19 October 2011	3,761.65
25102011	25/10/2011	Department of Transport	Reconciliation of Transport Licensing 20 October to 21 October 2011	11,205.50
31102011	31/10/2011	Department of Transport	Reconciliation of Transport Licensing 24 October to 25 October 2011	8,672.75
Total Trust Licensing				50,304.85
01.10111		Bendigo Bank	EFT fee	8.58
01.10112		Bendigo Bank	Bank fees	50.00
09.1011		Bendigo Bank	Merchant bank fees	1319.04
03.10111		Westnet	Internet fees	134.89

03.10112	Westnet	Internet fees governance	39.95
05.1011	Gecca	Photocopier rental agreement	946.00
11.1011	Centrelink	Processing Fees	18.81
Total Direct Debit Payments			2,517.27

DD4404.1	07/10/2011	Dri Driver Easy	Computer driver finder	34.90
DD4404.2	07/10/2011	Dan Murphy's	Refreshments for Council	158.89
DD4404.3	07/10/2011	Bendigo Bank Credit Cards	Card fee	4.00
Total Credit Card Payments				197.79

9.3 Pingelly Swimming Club

File Reference: 03.03.05
Location: Pingelly Swimming Pool
Applicant: Pingelly Swimming Club
Author: S.K. Marshall, Deputy Chief Executive Officer
Date: 26 October 2011
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: 15 December 2010 – Item 9.6

Summary:

Council to consider the request from the Pingelly Swimming Club to waive the hire fee of the Pingelly Swimming Pool.

Background:

The Pingelly Swimming Club is organising to hold its annual Swimming Carnival at the Pingelly Swimming Pool on 4 December 2011 and has requested that Council show the same generous support as they did in the previous year.

The plan for this year's event is to invite clubs from surrounding towns to compete. This will allow club members to test their skills against other competitors.

The Club would again like to have use of the pool for two hours prior to the opening of the pool complex to the general public.

Comment:

The Shire of Pingelly's Schedule of Fees and Charges outlines that private hire of the pool is to be charged at \$100 per hour.

The Club's request for the waiving of hire fees was supported in December 2010.

Contract Aquatic Services (Swimming Pool Managers) charge \$35 per hour for any additional time outside of their contract obligations (Tuesday to Sunday 11.30am to 6.30pm).

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications:
\$200 in hire fee revenue.

Estimated \$105 additional hour charge from Contract Aquatic Services.

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That the Swimming Club's request for the waiving of the hire fee for the Pingelly Swimming Pool be approved.

10. ADMINISTRATION SERVICES

10.1 Annual Report & General Electors Meeting

File Reference:	06.02.01
Location:	Location
Applicant:	Applicant
Author:	M.G. Oliver, Chief Executive Officer
Date:	8 November 2011
Disclosure of Interest:	Nil
Attachments:	Nil

Summary:

Council to receive the Auditors Report and accept the Annual Report and Annual Financial Report for the financial year 2010/11. Also, to set the date of the General Electors meeting.

Background:

The final audit of the 2010/11 financial year was undertaken on 31 October 2010 to 2 November 2011 by AMD Chartered Accountants.

A copy of the draft Annual Report has been provided to Councillors.

It is anticipated that a copy of the Financial Report, AMD's Audit Report, AMD's Audit Management Report will be available to Councillors prior to the meeting and the Management Report is to be considered by the Shire of Pingelly Audit Committee at 3.00pm on 16 November 2011.

Comment:

It is noted that the *Local Government Act* requires the Annual Report to be adopted by Council by 31 December – or within 2 months of the Auditor's Report being received.

Consultation: Nil

Statutory Environment:

Section 7.9(1) of the *Local Government Act* provides that an auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —

- (a) the mayor or president;
- (b) the CEO of the local government; and
- (c) the Minister.

Section 5.27 of the *Local Government Act* provides that:

- (1) a general meeting of the electors of a district is to be held once every financial year.
- (2) a general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) the matters to be discussed at general electors' meetings are to be those prescribed.

Section 5.29 provides that the CEO is to convene an electors' meeting by giving —

- (a) at least 14 days' local public notice; and
- (b) each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.

The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

Section 5.53 requires a local government to prepare an annual report containing:

- (a) a report from the mayor or president;
- (b) a report from the CEO;
- (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
- (f) the financial report for the financial year;
- (g) such information as may be prescribed in relation to the payments made to employees;
- (h) the auditor's report for the financial year;
- (ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*; and
- (i) such other information as may be prescribed.

Section 5.54 requires the annual report to be accepted by the local government no later than 31 December after that financial year subject to that if the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Section 5.55 requires the CEO to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

Section 1.7 (local public notice) provides that:

- (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —
 - (a) published in a newspaper circulating generally throughout the district;
 - (b) exhibited to the public on a notice board at the local government's offices; and
 - (c) exhibited to the public on a notice board at every local government library in the district.
- (2) Unless expressly stated otherwise it is sufficient if the notice is —
 - (a) published under subsection (1)(a) on at least one occasion; and
 - (b) exhibited under subsection (1)(b) and (c) for a reasonable time, being not less than —
 - (i) the time prescribed for the purposes of this paragraph; or
 - (ii) if no time is prescribed, 7 days.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Absolute Majority & Simple Majority

Recommendation:

That:

- the Annual Financial Report for 2010/11 be accepted;
- the Audit Report and Management Report for 2010/11 from AMD Chartered Accountants be received;
- pursuant to section 5.54 of the Local Government Act, the draft 2010/11 Annual Report be adopted.

(Absolute Majority)

That the General Electors meeting be held in the Community Centre on a date on or after Tuesday, 29 November, 2011 at a time commencing at 7.30pm.

10.2 Dual Fire Control Officer

File Reference: 03.02.05
Location: Shire of Pingelly
Applicant: Shire of Wickepin
Author: M.G. Oliver, Chief Executive Officer
Date: 26 September 2011
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider the appointment of Shire of Wickepin FCO Roger Butler as dual fire control officer to the Shire of Pingelly.

Background:

The Shire of Wickepin has sought the appointment of FCO Roger Butler as dual fire control officer to the Shire of Pingelly.

Comment:

The Shire of Wickepin has previously appointed Shire of Pingelly FCOs Victor Lee, Neville Giles and Rodney Shaddick as dual fire control officers in the Shire of Wickepin.

FCO Roger Butler completed FCO training in July 2007.

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

Council's Policy provides that:

1. Council will not appoint or reappoint a person as a Fire Control Officer unless they have completed a Fire Control Officer's training course certified by FESA within the previous five years. Proof of satisfactory completion of the course is required.
2. It is desirable that Dual Fire Control Officers nominated by neighbouring Shires have completed a Fire Control Officer's training course certified by FESA within the previous five years. The Chief Executive Officer is to seek training status details from the nominating Shire.

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That Shire of Wickepin FCO Roger Butler be appointed as dual fire control officer to the Shire of Pingelly

10.3 Police Housing

File Reference: A965
Location: 27A Queen Street
Applicant: Department of Housing
Author: M.G. Oliver, Chief Executive Officer
Date: 31 October 2011
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider changed arrangements for the provision of housing for the Police.

Background:

As part of the draft 2010/11 Budget submissions, a request was considered by Council for the provision of two new houses for the Police staff. This led to discussions between the Shire of Pingelly and GROH and ultimately a request to build one house on a full cost recovery lease back arrangement over 10 years.

It was reported to Council in September 2011 (Information Bulletin) that GROH has indicated that the lease back option for the provision of a dwelling for the Police (costed via a self-supporting loan over the 10 year lease term) is too expensive and suggested the project being funded via the *Affordable Housing and Social Housing Program*.

A funding application was submitted on the basis of an agreement for the dwelling to be purchased by GROH once completed.

GROH has now indicated that that it's preferred option would be spot purchasing a dwelling proposed for construction via a standard Offer and Acceptance with a deposit paid and settlement occurring when the dwelling has reached practical completion.

Comment:

The negatives that exist with this alternative arrangement is that the Shire of Pingelly will be the *owner* and *funder* of the construction until practical completion. Being the owner will not be an issue however the construction will need to be funded from surplus funds. On the basis of full cost recovery after 9-12 months this will not impact on the Shire of Pingelly's cash situation – the Reserve funds will accommodate this.

However, full cost recovery means interest and this will need to be factored into the arrangement.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That GROH be advised that the Shire of Pingelly is prepared to construct the house for the Police staff at 27A Queen Street, Pingelly via a standard Offer and Acceptance with a deposit paid and settlement occurring when the dwelling has reached practical completion – with the purchase price including the provision of interest.

10.4 Draft Sport and Recreation Plan

File Reference: 14.08.00
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: M.G. Oliver, Chief Executive Officer
Date: 2 November 2011
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Item 6.2 – 21 September 2011

Summary:

Council to consider the release of the draft Shire of Pingelly Sport and Recreation Plan to the community for comment prior to Council's consideration of adoption.

Background:

The Sport and Recreation Committee's recommendation:

That the draft Shire of Pingelly Sport and Recreation Plan be received and put out for public consultation prior to consideration of adoption remains in limbo.

Council resolved in September 2011:

That the draft Shire of Pingelly Sport and Recreation Plan be received and representatives from the Department of Sport & Recreation be invited to review the plan with the Sport and Recreation Committee prior to Council releasing the document for public consultation.

A copy of the draft was provided to the Department in August 2011 and comments were made in relation to:

- Sports Hall seating
- Tennis Club not likely to receive further funding whilst they remain at their current site; and
- Bowling Club not likely to receive further funding whilst they remain at their current site.

The Department's comments were incorporated into the final draft.

Cr Lange has met with the Department on 5 October 2011 and reported to Corporate Discussion on 19 October 2011:

- the focus on the financial figures provided in the Sport & Recreation plan.
- Shire qualifies for 1/3 funding from the Department.
- the Department would require a viability study (to determine whether the Shire could service the required loan) to be completed.
- Cr Lange will call a meeting of the Sport & Recreation Committee upon the return of the CEO.

Comment:

To enable the process to be completed, there are a few significant steps:

- Draft Plan needs to be adopted by Council. At the Sport & Recreation Committee level there was concern that effectively the draft plan is the same as provided in the Jill Powell Report minus \$1,645,700 being:
 - crèche \$152,200
 - operable wall to gymnasium/crèche \$20,000
 - therapy pool \$1,175,400
 - external water allowance \$5,000
 - external electrical allowance \$50,000
 - Water Corporation headworks \$20,000

- | | |
|-------------------------|-----------|
| • Western Power charges | \$20,000 |
| • Low fence to crèche | \$3,100 |
| • new bowling green | \$200,000 |

The current Draft has an estimated cost of \$5,786,990 with an additional provision of \$80,000 for lighting and \$15,000 for car park lighting.

Given that the costings of the Jill Powell Report were not accepted and that the costings in the draft Plan are similar to that provided by Peter Hunt (based on square meters) then the square meters need to be adjusted. The Committee had mixed feelings as to whether the cost of all of the various components of the draft Plan, and in particular the proposals for the Pavilion, would be accepted by the community and or the Council. The consensus of the Committee was to continue on with the Draft Plan and have the Council provide direction (adopt or reject) before proceeding with the expense of the concept plans.

- Consultant to be appointed to prepare concept plans for each of the proposed projects. The 2011/12 Budget provided for \$20,000 for a design/quantity surveyor to prepare costings of the Plan. Obviously, some direction will need to be given to the consultant – assumably by the Committee.
- Concept plans to be costed by quantity surveyors. Once a concept has been determined, costing estimates need to be calculated – which will put the project into perspective.
- Final plan to be adopted by Council (with or without further community consultation).

Once a final Plan has been adopted, funding for the individual components of the Plan can then be sought.

A further issue within the draft Plan is cost sharing. The draft Plan suggests that *the starting point for negotiations for any project should be on the one third contribution principal and that the issue of precedence should be carefully considered if varying from this cost sharing arrangement.* This is another issue which needs to be either accepted, rejected or modified by Council before the costings with the final Plan can be fleshed out.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That the draft Shire of Pingelly Sport and Recreation Plan be released to the community for comment prior to Council's consideration of adoption in February 2012 and submitting back to the Sports & Recreation Committee for the development of concept plans and costings.

10.5 Policy Manual

File Reference: 01.00.17
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: M.G. Oliver, Chief Executive Officer
Date: 3 November 2011
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Item 12.3 – 19 October 2011

Summary:

Council to review it's Policy Manual.

Background:

Councillor seating allocation appears to be something that has a process that has not been put into Policy.

Council considered Policy 2.1 – Policy Manual Review at the October 2011 meeting and resolved that it be amended to reflect a review in April 2012. The item was identified as needing review as a result of the change in the election cycle. It is considered important that a new Council have the opportunity of reviewing and determining it's Policies.

Comment:

There are a number of other issues that need addressing – however time has not permitted inclusion in this Agenda item.

Consultation: Nil

Statutory Environment:

Section 2.7(2)(b) of the *Local Government Act* provides that one of the functions of a council is to determine the local government's policies.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That a new Policy be created "That prior to the first meeting following the bi-annual elections the CEO conduct a random ballot to determine the new Council seating allocation for the forthcoming two years. Further, that should an extra-ordinary election result in the change of a Councillor, the new Councillor is to take the vacant seat. Further, that should an extra-ordinary election result in the change of more than one Councillors, the CEO conduct a random ballot between the vacant seats to determine the seating allocation."

That Policy 2.1 – Policy Manual – be amended such that biannual reviews be conducted in November immediately following the biannual elections.

10.6 Code of Conduct

File Reference: 04.02.06
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: M.G. Oliver, Chief Executive Officer
Date: 3 November 2011
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Item 10.15 – 17 March 2010

Summary:

Council to review its Code of Conduct.

Background:

A code of conduct to be observed by Councillors, committee members and employees is required to be adopted by Council. The code is required to be reviewed within 12 months after each ordinary elections day.

Comment:

The Shire of Pingelly Code of Conduct for Elected Members and Staff is based on the March 2008 WALGA Model and was adopted by Council on 17 March 2010.

Consultation: Nil

Statutory Environment:

Section 5.103 of the *Local Government Act* provides that:

- (1) Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.
- (3) Regulations may prescribe codes of conduct or the content of, and matters in relation to, codes of conduct and any code of conduct or provision of a code of conduct applying to a local government under subsection (1) is of effect only to the extent to which it is not inconsistent with regulations.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That the Shire of Pingelly Code of Conduct for Elected Members and Staff be reconfirmed.

10.7 Local Laws Review

File Reference: 01.03.01
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: M.G. Oliver, Chief Executive Officer
Date: 4 November 2011
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Item 12.7 – 19 October 2011 refers.

Summary:

Council to consider approval to commence a review of the Shire's local laws, pursuant to Section 3.16 of the *Local Government Act 1995* and to repeal the By-Law Relating to Fire Control Matters.

Background:

The *Local Government Act* requires local governments to review their local laws every eight years. The Shire's local laws are due for review.

The Shire of Pingelly has the following local laws:

- By-law relating to Fire Control Matters (gazetted 7 November 1995)
- Local Government Property Local Law (gazetted 22 July 2003)
- Activities in Thoroughfares and Public Places and Trading Local Law (gazetted 22 July 2003)
- Dogs Local Law (gazetted 22 July 2003)
- Cemeteries Local Laws (gazetted 22 July 2003)
- Pest Plant Local Laws (gazetted 22 July 2003)
- Health Local Laws (gazetted 22 July 2003)

Comment:

Other than the Fire Control Matters local law, all of the Shire's local laws are based on models developed by WALGA, amended to suit local conditions.

The WALGA models have been amended over time, but not to the degree where the Shire needs to amend its own set. There are no issues or concerns with the current set.

However, it is considered that the matters covered in the Fire Control Matters by-law are dealt with by the *Bush Fires Act 1954* and the *Bush Fires Regulations 1954*, with any remainder being procedural matters that can be more efficiently dealt with by Council resolution or the CEO.

For example:

- Section 12 of the Act provides for the appointment of 'bush fire liaison' officers by the CEO of the Bush Fires Board. Their powers, duties and authority is determined by the Board, including activities in the event of a fire under section 13.
- Section 17 allows the Minister to declare prohibited burning periods, which can be varied by a local government.
- Similarly, under section 18 restricted burned periods may be imposed or varied.
- Permits to burn off areas under section 24 may be issued by a local government
- The requirement to install a firebreak is dealt with under section 33.
- Part IV of the Act allows (amongst other things) local governments to finance bush fire brigades and acquire equipment for fire fighting, to insure bush fire brigades, appoint a Chief and Deputy Chief Bush Fire Control Officer, and section 39 sets out the powers of bush fire control officers.

Accordingly, the Fire Control Matters by-law should be repealed.

The processes prescribed by the Local Government Act to undertake the 8 year review and the process to repeal or amend a local law are different – any changes that are required as a result of the 8 year review process must be undertaken in accordance with the procedure outlined in section 3.12 which sets out how local laws are to be made and/or amended.

Consultation:

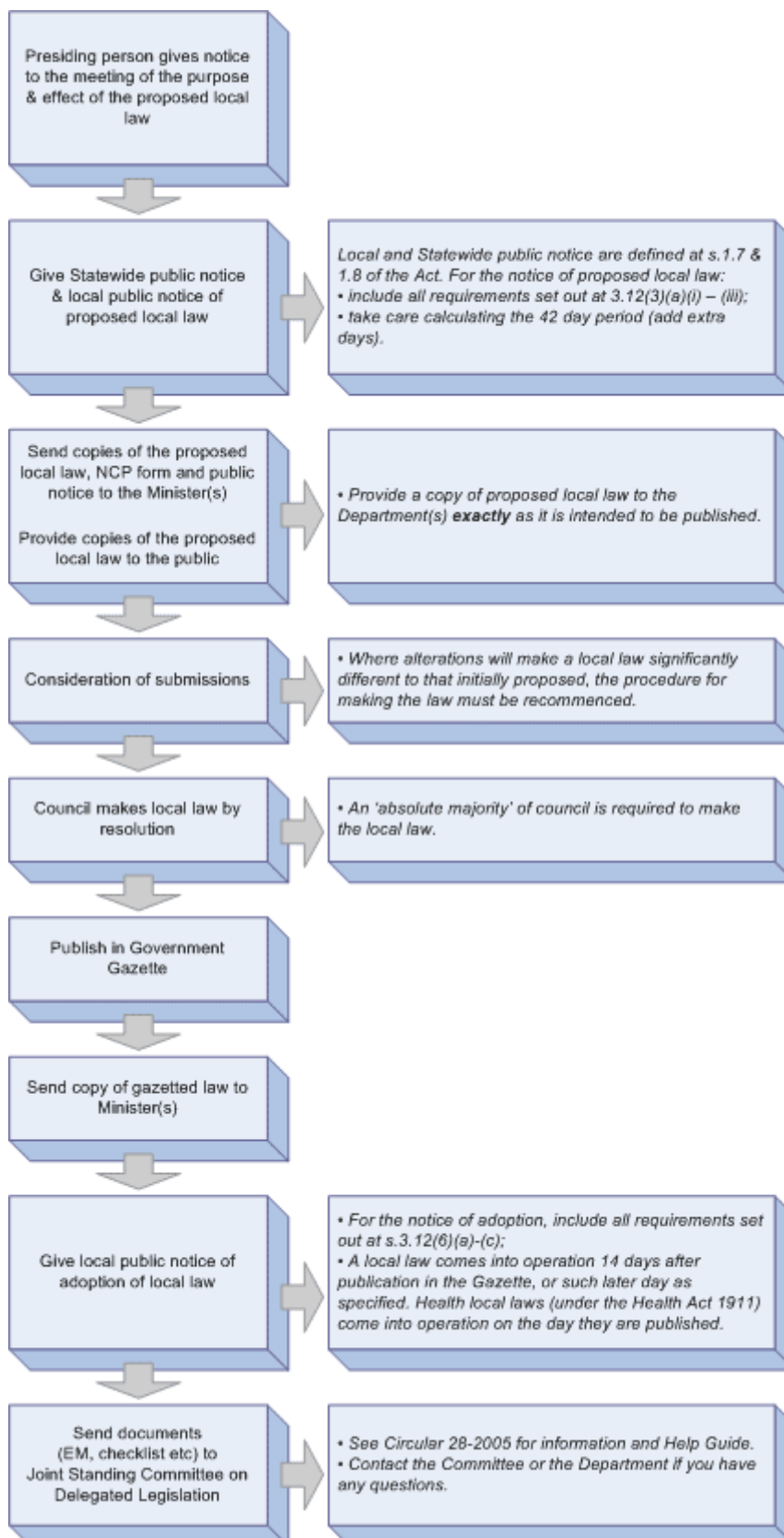
Nil

Statutory Environment:

Section 3.16 of the *Local Government Act 1995* (Periodic review of local laws) provides that:

- (1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.
- (2) The local government is to give Statewide public notice stating that —
 - (a) the local government proposes to review the local law;
 - (b) a copy of the local law may be inspected or obtained at any place specified in the notice; and
 - (c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.
- (2a) A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.
- (3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.
- (4) When its council has considered the report, the local government may determine whether or not it considers that the local law should be repealed or amended.

The process to make a repeal local law is set out in section 3.12 but is somewhat more drawn out:



In addition, Regulation 3 of the *Local Government (Functions and general) Regulations 1996* stipulates that for the purposes of s3.12 of the Act, the purpose and effect of any proposed local law is to be included in the agenda and minutes of a meeting, and which are as follows:

Purpose:

The purpose of this local law is to repeal the Shire of Pingelly By-Law Relating to Fire Control Matters 1995.

Effect:

The effect of the local law is that this local law is repealed.

Policy Implications:

Nil

Financial Implications:

Expenditure of \$1,500 was authorised on 19 October 2011.

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That:

1. In accordance with section 3.16 of the *Local Government Act 1995*, State wide public notice be given stating that the Shire of Pingelly proposes to review the following local laws:
 - Local Government Property Local Law
 - Activities in Thoroughfares and Public Places and Trading Local Law
 - Dogs Local Law
 - Cemeteries Local Laws
 - Pest Plant Local Laws
 - Health Local Laws
2. A copy of the local laws may be inspected or obtained at the Shire offices;
3. Submissions about the local laws may be made to the Shire before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
4. In accordance with section 3.12(3)(a)(b) and (3a) of the *Local Government Act 1995*, Council gives State wide and local public notice stating that:
 - It proposes to make a Repeal Local Law, and a summary of its purpose and effect;
 - Copies of the proposed local law may be inspected at the Shire's offices;
 - Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
5. In accordance with section 3.12(4) of the *Local Government Act 1995*, as soon as the notice is given, a copy be supplied to the Minister for Local Government and the Minister for Emergency Services;
6. In accordance with s3.12(3)(c) of the *Local Government Act 1995*, a copy of the proposed local law be supplied to any person requesting it; and
7. The results of the above advertising be presented to Council for consideration of any submissions received.

10.8 Duplex Units Sewer

File Reference: A22634
Location: Webb Street
Applicant: Shire of Pingelly
Author: M.G. Oliver, Chief Executive Officer
Date: 10 November 2011
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council determine quotes for the provision of deep sewer extension to the Duplex units.

Background:

Structerre Consulting Engineers were engaged to prepare the design for the extension of the sewer to the new duplex units and to seek contractors for its installation.

Two contractors have expressed an interest:

- Ian Atkins Civil P/L
- T & A Civil

Comment:

Whilst similar, each quote has its own twist.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications:

The 2011/12 Budget provided for:

- | | |
|--|-----------|
| • WA Country Builders | \$552,508 |
| • Retaining Wall - WA Country Builders | |
| • Fencing - WA Country Builders | |
| • Driveway - WA Country Builders | |
| • Sewer Extension/Connection | \$20,000 |
| • Water Connection | \$1,500 |
| • Power Connection | \$10,000 |
| • Telephone Connection | \$1,000 |
| • Site Fill | \$2,000 |
| • Landscaping | \$10,000 |

Funding is from Royalties for Regions (CLGF 2010/11) Local grant - \$335,769 with the balance funded from Land & Building Reserve \$261,239 to be reimbursed by the sale of 16 Eliot St, 42 Queen St & 50 Raglan St.

Strategic Implications: Nil

Voting Requirements: Simple Majority

Recommendation:

That Council determine the quotes for the provision of for the extension of the sewer to the new duplex units

11. MEMBERS MOTIONS

Nil

12. NEW BUSINESS

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).

13. MEMBERS REPORTS

Cr SJ Lange

- 17 October – Induction for new councillors
- 26 October – met with Cr Mulroney and CEO
- 31 October – Pingelly Development Association – AGM and ordinary meeting
- 8 November – met with Cr Mulroney and CEO
- 8 November – Southern Inland Health Initiative

14. CLOSURE

The Chairman to declare the meeting closed.