

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 15 November 2017 in the Council Chambers, 17 Queen Street, Pingelly commencing at 2.00pm.

Pumphrey's CWA will be providing dinner.

Schedule

2pm Council Meeting

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

Gavin Pollock
Chief Executive Officer

10 November 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
15 November 2017

MISSION STATEMENT

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

DISCLAIMER

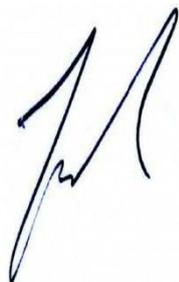
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

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:

15 November 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 15 November 2017 – commencing at 2.00pm.

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman to declare the meeting open.

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER

3.1 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.

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

At the Ordinary Meeting of Council held on 18 October 2017 the following was approved:

12282 Moved: Cr Wood Seconded: Cr Mulroney

**That Council approve Cr Hodges taking leave from 27th October to 21st November 2017.
Carried 8:0**

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 – 18 October 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 18 October 2017 be confirmed.

Moved: _____ Seconded: _____

9.2 Special Meeting – 1 November 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 1 November 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
- 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 Bill Mulronev (President)

October

16th PRAAC meeting

18th CCZ Special meeting

18th Council meeting

19th Bank of Ideas inaugural meeting to set up PRAAC Board.

24th Meeting with CEO

November

1st Special Council Meeting Swearing in of Councillors and Corporate Discussion.

2nd Seniors Morning Tea Town Hall

6th Somerset Alliance

7th Meeting with CEO and Deputy President

7th PR Meeting Pingelly Brookton Bendigo Bank Manager

Cr David Freebairn (Deputy President)

November

1st Special Council Meeting Election President and Deputy plus swearing in

1st Corporate Discussion

6th Somerset Alliance

11th House Auction

11th Remembrance Day

Cr Bryan Hotham

Nil

Cr Evan Hodges

Nil

Cr Ray Marshall

Nil

Cr Lee Steel

Nil

Cr Michelle Walton-Hassell

Nil

Cr Peter Wood

Nil

Cr Jackie McBurney

Nil

14 OFFICE OF THE CHIEF EXECUTIVE OFFICER

14.1 Council Delegates to Committees

File Reference: 0000
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: Gavin Pollock, Chief Executive Officer
Date: 1 November 2017
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Ordinary Meeting held on 21 October 2015 item 11.1.1
Ordinary Meeting held on 17 August 2016 item 14.2

Summary:

Council to consider reviewing and appointing members, delegates and deputies to Committees (internal and external).

Background:

Council has the following Committees:

- Audit Committee Full Council
Charter:
To:
 - assist the auditor and ensure that audits are conducted successfully and timely;
 - meet with the auditor at least once a year;
 - examine the auditor's report and ensure appropriate action is taken; and
 - report on actions taken in respect of any issues raised by the auditor to council.
- Recreation and Cultural Committee
Charter:
 - To provide recommendations to the Shire of Pingelly on sport and recreation matters
- Bushfire Advisory Committee
Charter:
To advise Council on all matters relating to:
 - the prevention, controlling and extinguishing of bush fires;
 - prosecutions for breaches of the Bush Fire Act;
 - the formation and de-formation of bush fire brigades;
 - the co-ordination of the efforts and activities of the bush fire brigades; and
 - any other matter relating to bush fire control
- Medical and Aged Care Services Committee
Charter: To investigate health issues relevant to Pingelly
- CEO Performance Review Committee
- **Charter:** To complete the Annual Performance Review of the Chief Executive Officer

Current committees and their members/delegates are detailed below:

- 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

Council has previously appointed delegates to the following 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
- 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 Mulronev
Deputy – Cr Walton-Hassell
Deputy – Cr Wood

Comment:

With the recent retirement and appointment of two Councillors, it is considered to be an opportune time to review delegations to external committees.

Consultation:

Chief Executive Officer and Councillors.

Statutory Environment:

Section 5.8 of the *Local Government Act* (Establishment of committees) provides that a local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

- *Absolute majority required.

Section 5.9 (Types of committees) provides that:

- (1) In this section **other person** means a person who is not a council member or an employee.
- (2) A committee is to comprise —
 - (a) council members only;
 - (b) council members and employees;
 - (c) council members, employees and other persons;
 - (d) council members and other persons;
 - (e) employees and other persons; or
 - (f) other persons only.

Section 5.10 (Appointment of committee members) provides that:

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

- *Absolute majority required.

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

Section 5.11A (Deputy committee members) provides:

- (1) The local government may appoint a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.
 - **Absolute majority required.*
- (2) A person who is appointed as a deputy of a member of a committee is to be —
 - (a) if the member of the committee is a council member — a council member; or
 - (b) if the member of the committee is an employee — an employee; or
 - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
 - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

Section 5.11 (Tenure of committee membership)

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
 - (b) the person resigns from membership of the committee;
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the term of the person's appointment as a committee member expires;
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,whichever happens first.

Section 5.12 (Election of presiding members and deputies)

- (1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —
 - (a) to "office" were references to "office of presiding member";
 - (b) to "council" were references to "committee"; and
 - (c) to "councillors" were references to "committee members".

- (2) The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —
- (a) to “office” were references to “office of deputy presiding member”;
 - (b) to “council” were references to “committee”;
 - (c) to “councillors” were references to “committee members”; and
 - (d) to “mayor or president” were references to “presiding member”.

Section 5.15 (Reduction of quorum) provides that the local government may reduce* the number of offices of committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.

- **Absolute majority required.*

Section 5.16 (Delegation of some powers and duties to certain committees) provides that:

- (1) Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.

- **Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
- (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.
- (4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

Section 5.17 (Limits on delegation of powers and duties to certain committees)

- (1) A local government can delegate —
- (a) to a committee comprising council members only, any of the council’s powers or duties under this Act except —
 - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
 - (ii) any other power or duty that is prescribed;
 - (b) to a committee comprising council members and employees, any of the local government’s powers or duties that can be delegated to the CEO under Division 4; and
 - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government’s powers or duties that are necessary or convenient for the proper management of —
 - (i) the local government’s property; or
 - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

Section 5.19 (Quorum for meetings) provides that the quorum for a meeting of a council or committee is at least 50% of the number of offices (whether vacant or not) of member of the council or the committee.

Section 7.1A (Audit committee) provides that:

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed * by the local government and at least 3 of the members, and the majority of the members are to be council members.
 - *Absolute majority required.
- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

Section 67 of the *Bush Fires Act* provides that:

- (1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified in this subsection.
- (2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- (3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —
 - (a) make rules for the guidance of the committee;
 - (b) accept the resignation in writing of, or remove, any member of the committee; and
 - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.
- (4) A committee appointed under this section —
 - (a) may from time to time meet and adjourn as the committee thinks fit;
 - (b) shall not transact business at a meeting unless the quorum fixed by the local government is present;
 - (c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

Section 5.8 of the *Local Government Act 1995* and section 38 of the *Emergency Management Act 2005*, establishes the Shires of Pingelly and Wandering Joint Local Emergency Management Committee;

1. In accordance with provisions of Section 5.9 of the *Local Government Act 1995* resolves that the Local Emergency Management Committees are to comprise of Councillors, Staff and Other Persons;

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

N/A

Voting Requirements:

Absolute Majority

Recommendation 1:

That Council discuss the following Committees of Council and Council Delegates to External Committees by appointing elected members of Councillors to the following Committees:

- **Audit Committee** **Full Council**
- **Recreation & Cultural Committee** **Member –
Member –
Member –
Member –**
- **Bushfire Advisory Committee** **Member –
Deputy –**
- **Medical and Aged Care Services Committee** **Member –
Member –
Member –
Member –
Member –**
- **CEO Performance Review Committee** **Member –
Member –
Member –**

That delegates and general deputies be appointed for:

- **Central Country Zone of WALGA** **Delegate –
Delegate –
Deputy –**
- **Hotham-Dale Regional Road Sub-Group** **Delegate –
Deputy -**
- **Development Assessment Panel** **Delegate –
Delegate –

Deputy –
Deputy –**

- **Pingelly Tourism Group** Delegate –
Deputy –

- **Regional Waste Group** Delegate –
Deputy –

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

- **Aged Care Planning Regional Sub-Group (BBP)** Delegate –
Delegate –
Deputy –

- **Youth Working Group** Delegate –
Delegate –
Deputy –

- **Pingelly Recreation and Cultural Centre Committee** Delegate –
Deputy –

- **Pingelly Somerset Alliance** Delegate –
Delegate –
Deputy –
Deputy -

Moved: _____ Seconded: _____

Recommendation 2:

That Council endorse the above appointments of Elected Members of Council to the Committees of Council and Council Delegates to External Committees.

Moved: _____ Seconded: _____

14.2 Better Practice Review 2017 – Shire of Pingelly

File Reference:	ADM0018
Location:	Shire of Pingelly
Applicant:	Gavin Pollock - Chief Executive Officer
Author:	Gavin Pollock - Chief Executive Officer
Date:	31 October 2017
Disclosure of Interest:	Nil
Attachments:	Better Practice Review 2017 – Shire of Pingelly Report and Covering Letter (Attachment 1 Following Green Heading Sheet Under Separate Cover)
Previous Reference:	N/A

Summary:

Council to receive the Shire of Pingelly Better Practice Review 2017 report and consider the implementation of the recommended areas for improvement.

Background:

In 2016 the Shire of Pingelly voluntarily nominated to participate in the Department of Local Government, Sports and Cultural Industries Better Practice Review program for Western Australian Local Governments. In February 2017 the Department of Local Government, Sports and Cultural Industries conducted the Better Practice Review process for the Shire of Pingelly. Once the review was completed it was provided to the Shire for comment that has been included in the final report. The final report was provided to the shire of Pingelly on 19 October 2017.

Comment:

The review found the Shire of Pingelly to be a proactive organisation that functions well, displaying various strengths and examples of good practice, as well as a focus on continuous improvement, across a range of its operations.

Consultation:

Shire of Pingelly Councillors and Executive Staff.

Statutory Environment:

- *Local Government Act 1995 (the Act)*
- *Local Government (Administration) Regulations 1996*
- *Local Government (Audit) Regulations 1996*
- *Local Government (Functions and General) Regulations 1996*
- *Local Government (Rules of Conduct) Regulations 2007*
- *State Records Act 2000*
- *State Emergency Management Act 2005*
- *Freedom of Information Act 1992*
- *Public Interest Disclosure Act 2003*

Policy Implications:

Shire of Pingelly Policy Manual to be reviewed in line with the areas for continued improvement as noted in the Better Practice Review document.

Financial Implications:

Nil.

Strategic Implications:

Shire of Pingelly Integrated Planning Documents be reviewed in line with the areas for continued improvement as noted in the Better Practice Review document.

Voting Requirements:

Simple Majority

Recommendation:

That Council Receive the Shire of Pingelly Better Practice Review 2017 report and support the Chief Executive Officer progressing the implementation of the recommended areas for improvement.

Moved: _____ Seconded: _____

14.3 Pingelly Hospital Site Future – Lot 852, Reserve 23668

File Reference:	A1392
Location:	Shire of Pingelly
Applicant:	Graeme Leverington – Western Australia Country Health Services
Author:	Gavin Pollock - Chief Executive Officer
Date:	6 November 2017
Disclosure of Interest:	Nil
Attachments:	Letter Western Australia Country Health Services and Site Plan (Attachment 2 Following Blue Heading Sheet Under Separate Cover)
Previous Reference:	N/A

Summary:

Council to receive the letter from Western Australia Country Health Services (WACHS) regarding the future options of the existing Pingelly Hospital and Site.

Background:

The Shire of Pingelly has on a number of occasions during the past three years conducted many discussions with WACHS and members of Parliament to investigate future options for the existing Pingelly Hospital Building and Site.

Comment:

The Shire of Pingelly has been advocating the option of the Building being retained and a percentage of the allocated demolition funds to be made available to the Shire or private identity to invest back in to the building supporting a viable venture. To date this option has not been supported by WACHS.

Based on all information provided to the Shire by WACHS it would be unviable for the Shire to take over the Building asset as it is but there would be advantages for the Shire to obtain the cleared site free hold.

Consultation:

- Shire of Pingelly Councillors
- Shire of Pingelly Executive Staff
- Western Australia Country Health Services
- University of Western Australia

Statutory Environment:

- *Local Government Act 1995 (the Act)*

Policy Implications:

Shire of Pingelly Policy Manual -1.1 Fixed Assets Valuation, Capitalisation and Depreciation.

Financial Implications:

Would need to be reviewed depending on Councils decision to acquire the building or just vacant land.

Strategic Implications:

Shire of Pingelly Integrated Planning Documents do not currently reflect acquiring the existing Hospital Building or Land.

Voting Requirements:
Absolute Majority

Recommendation:

That Council receive the letter from Western Australia Country Health Services including the Site Plan and discuss the proposed option and direct the Chief Executive Officer to advise WACHS of the endorsed option.

Moved: _____ Seconded: _____

14.4 Shire of Pingelly – PRACC Sponsorship Package

File Reference: ADM0025
Location: Pingelly Recreation and Cultural Centre (PRACC)
Applicant: Shire of Pingelly
Author: Tara Whitney – Project Administration Officer
Authorising Officer: Gavin Pollock – Chief Executive Officer
Date: 3 November 2017
Disclosure of Interest: Nil
Attachments: PRACC Sponsorship Package (Attachment 3 Following Cream Heading Sheet Under Separate Cover)

Summary:

To present Council with the final draft of the Pingelly Recreation and Cultural Centre (PRACC) Sponsorship Package for consideration of endorsement.

Background:

The Pingelly Recreation and Cultural Centre (PRACC) is expected to be completed and opened in early 2018. To assist in the cost of fit out of the PRACC, the Shire of Pingelly is currently preparing options for sponsorship.

In order to guide the process of offering sponsorship deals for the PRACC and, in accordance with the requirements of the Shire of Pingelly Sponsorship Policy, a Sponsorship Proposal document has been drafted for the PRACC.

Comment:

The content of the PRACC Sponsorship Package is governed by the Shire of Pingelly Sponsorship Policy 5.16 regarding Sponsorship Proposals.

Consultation:

Gavin Pollock – Chief Executive Officer
Shire of Pingelly Councillors

Statutory Environment:

Local Government Act 1995 (the Act)

Policy Implications:

The content of this document is governed by Policy 5.16 Sponsorship Policy - Shire of Pingelly Policy Manual 2017.

Financial Implications:

Nil

Strategic Implications:

Shire of Pingelly Strategic Community Plan

Voting Requirements:

Simple Majority

Recommendation:

That Council;

- 1. endorse the PRACC Sponsorship Package as presented with no changes required, and**
- 2. endorse the Chief Executive Officer commencing discussions with potential Sponsors.**

Moved: _____ Seconded: _____

15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

15.1 Monthly Statement of Financial Activity – October 2017

File Reference: ADM0075
Location: N/A
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 6 November 2017
Disclosure of Interest: Nil
Attachments: Monthly Statements of Financial Activity for the period 1 July 2017 to 31 October 2017 (Attachment 4 Following Red Heading Sheet Under Separate Cover)
Previous Reference: N/A

Summary:

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

The Monthly Statements of Financial Activity for the month of October 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 2017/2018.

Strategic Implications:

There are no known significant strategic implications.

Voting Requirements:

Simple Majority

Recommendation:

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

Moved: _____ Seconded: _____

15.2 Accounts Paid by Authority

File Reference: ADM0066
Location: Shire of Pingelly
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Rebecca Billingham, Senior Finance Officer
Date: 6 November 2017
Disclosure of Interest: Nil
Attachments: List of Accounts (Attachment 5 Following Yellow Heading Sheet Under Separate Cover)
Previous Reference: N/A

Summary:

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

Comment:

Unless otherwise identified, all payments have been made in accordance with Council's 2017/18 Budget.

Consultation:

Nil

Statutory Environment:

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

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

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

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

Policy Implications:

There are no policy implications arising from this amendment.

Financial Implications:

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

Strategic Implications:

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

Voting Requirements:

Simple Majority

Recommendation:

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

OCTOBER 2017	
MUNI - 117984856	
EFT 4078 - 4171	\$770,051.50
CHEQUE 24487 - 24498	\$ 20,806.23
TRUST ACCOUNTS	
DEPT OF TRANSPORT – DD9292.1- DD9347.1	\$ 49,654.80
TRUST FUND – 1902-1912,EFT4137-4139	\$ 780.00
DIRECT DEBIT -	
DD9267.1 – DD9267.11, EFT4127 to 4136 – Pay and Super	\$ 33,258.53
CREDIT CARD	
DD9296.1	\$ 1,189.14
GRAND TOTAL	\$875,740.20

Notification	Explanation
Nil	

Moved: _____ Seconded: _____

15.3 Fixed Assets, Capitalisation and Depreciation Policy

File Reference: ADM
Location: N/A
Applicant: N/A
Author: Stuart Billingham, Director Corporate & Community Services
Date: 25 October 2017
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Nil

Summary:

Council to adopt revised policy 1.1 relating to Fixed Assets, Capitalisation and Depreciation.

Background:

On the 17 June 2015 Council last reviewed and adopted changes to Fixed Asset, Capitalisation and Depreciation Policy 1.1.

A review of policy 1.1 has been undertaken to bring it into line with operational practice and processes adopted with Fair Value accounting and to meet Integrated Planning and Reporting requirements. The only required changes are to add 'Bridges' and 'Drainage' asset categories. (Highlighted in light grey)

The existing policy relating to this is detailed below:

1.1 Fixed Assets Valuation, Capitalisation and Depreciation

Policy Owner: Corporate Services
Person Responsible: Executive Manager Corporate Community Services
Date of Approval: 17 June 2015

Objective:

To meet legislative requirements with regard to valuation, capitalisation and depreciation of fixed assets held by the Shire of Pingelly.

Area of Application:

Corporate Services

Policy:

The current written down values of non-current assets are to be recognised at Fair Value in line with AASB13 on a three year revaluation cycle as per Local Government (Financial Management) Regulations 1996.

Assets with a value of over \$10,000 are to be capitalised and added to the asset register.

Where appropriate, assets valued at less than \$1,000 may be entered into an Inventory register for control purposes.

Asset depreciation rates are set by classification and are as follows:

Classifications:

Land	not depreciated
Buildings	up to 50 years
Furniture and Equipment	up to 10 years
Computer & Electronic Equipment	up to 3 years
Plant and Equipment	
Earthmoving Plant	up to 15 years
Heavy Trucks	up to 10 years
Light and Heavy Trucks	up to 8 years
Sedans & Utilities	up to 5 years
Minor Miscellaneous Plant	up to 3 years
Sealed roads and streets	
clearing and earthworks	not depreciated
construction/road base	up to 40 years
original surfacing and major re-surfacing	up to 50 years
bituminous seals and asphalt surfaces	up to 40 years
Gravel roads	
clearing and earthworks	not depreciated
construction/road base	up to 20 years
gravel sheet	up to 20 years
Formed roads (unsealed)	
clearing and earthworks	not depreciated
construction/road base	up to 50 years
Footpaths - slab	up to 40 years

The assets residual values and useful lives are reviewed and adjusted if appropriate, at the end of each month.

The assets carrying amount is written down immediately to its recoverable amount if the assets carrying amount is greater than its estimated recoverable amount.

When revalued assets are disposed of, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.

Adopted: 19 January 2005
 Reviewed/Amended: 21 April 2010, 17 June 2015

The new policy is as follows:

1.1 Fixed Assets Valuation, Capitalisation and Depreciation

Policy Owner:	Corporate Services
Person Responsible:	Director Corporate & Community Services
Date of Approval:	15 November 2017

Objective:

To meet legislative requirements with regard to valuation, capitalisation and depreciation of fixed assets held by the Shire of Pingelly.

Area of Application:

Corporate Services

Policy:

The current written down values of non-current assets are to be recognised at Fair Value in line with AASB13 on a three year revaluation cycle as per *Local Government (Financial Management) Regulations 1996*.

Assets with a value of over \$10,000 are to be capitalised and added to the asset register.

Where appropriate, assets valued at less than \$1,000 may be entered into an Inventory register for control purposes.

Asset depreciation rates are set by classification and are as follows:

Classifications:

Land	not depreciated	
Buildings	50 years	2.0%
Furniture and Equipment	10 years	10.0%
Computer & Electronic Equipment	3 years	33.0%
Plant and Equipment		
Earthmoving Plant	15 years	7.0%
Heavy Trucks	10 years	10.0%
Light and Heavy Trucks	8 years	12.5%
Sedans & Utilities	5 years	20.0%
Minor Miscellaneous Plant	3 years	33.0%
Sealed roads and streets		
clearing and earthworks (Formation)	not depreciated	
construction/road base (Pavement)	40 years	2.5%
Original surfacing and major re-surfacing (Seal)		
bituminous seals and	40 years	2.5%
asphalt surfaces	40 years	2.5%
Gravel roads		
clearing and earthworks (Formation)	not depreciated	
construction/road base (Pavement)	20 years	5.0%
gravel sheet	20 years	5.0%
Formed roads (unsealed)		
clearing and earthworks (Formation)	not depreciated	
construction/road base (Pavement)	50 years	
Footpaths - slab	40 years	2.5%
Bridges	60 years	1.7%
Drainage (Storm Water Channels)	40 years	2.5%

The assets residual values and useful lives are reviewed and adjusted if appropriate, at the end of each month.

The assets carrying amount is written down immediately to its recoverable amount if the assets carrying amount is greater than its estimated recoverable amount.

When revalued assets are disposed of, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.

Adopted: 15 November 2017

Reviewed/Amended: 21 April 2010, 17 June 2015, 15 November 2017

Consultation:

Shire of Pingelly Policy Manual
Bob Waddell - Consultant
AMD Auditors

Statutory Environment:

Local Government (Financial Management) Regulations 1996 – Section 17a
Australian Accounting Standards – AASB13

Policy Implications:

Policy 1.1 Fixed Assets Valuation, Capitalisation and Depreciation
Policy 2.1 Policy Manual

Financial Implications:

More accurate calculation of sustainability ratios required under *Local Government (Financial Management) Regulations 1996*)

Strategic Implications:

Shire of Pingelly Strategic Community Plan

Strategy 4.5.1: Provide a full range of financial services to support Shire's operations and to meet planning, reporting and accountability requirements.

Voting Requirements:

Absolute Majority

Recommendation:

That Council adopt the revised Policy 1.1 Fixed Assets Valuation, Capitalisation and Depreciation as presented.

Moved: _____

Seconded: _____

16. DIRECTORATE OF TECHNICAL SERVICES

16.1 Exemption to Keep Two Goats in Gazetted Townsite

File Reference: A4484
Location: Lot 201 – 40 Pitt Street
Applicant: Mr KR Maskiell
Author: Sheryl Squiers, Administration Officer Technical
Date: 13 October 2017
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider an application for an exemption to keep two goats at Lot 201 – 40 Pitt Street, Pingelly.

Background:

The applicant has written to Council requesting an exemption to keep two goats at Lot 201 – 40 Pitt Street, Pingelly.

Comment:

It is a requirement of the *Shire of Pingelly's Health Local Law and Policy 13.4 Stock Rating and Keeping of Large Animals* that exemption from Council is required to keep large animals on a cleared area less than 1ha within the gazetted townsite.

Lot 201 – 40 Pitt is zoned mixed use with a total area of 2168m² with the back portion of the lot where the goats will be kept is approximately half this area.

The applicant wishes to keep the goats to maintain the grass on this section of his property as part of his fire hazard reduction program.

The applicant will supplement feed the goats with hay which he will store a few bales at a time in a shed on his property.

The following conditions to be stipulated on the approval:

1. That the exemption be reviewed in twelve months to ensure that no adverse problems have been experienced as a result of the exemption, and
2. That Council reserve the right to withdraw the exemption at any time if any major or substantial problems are experienced prior to the review period.
3. That there is adequate fencing to contain the goats.
4. The exemption applies to two goats only.

Public comment was sort on the matter from the residents living in close proximatey to the above property. Any written or emailed submissions were requested to be submitted by 3 November 2017.

Letters were sent to 6 property owners in the vicinity of Lot 201 – 13 Sharow Street, with one response from a neighbours who was happy for the two goats to be located at 40 Pitt Street.



Consultation:

Barry Gibbs – Director Technical Services
WA Contract Ranger Services
Various Property Owners in the Vicinity of 40 Pitt Street

Statutory Environment:

Shire of Pingelly's Local Planning Scheme No.3

Financial Implications:

Nil

Strategic Implications:

Shire of Pingelly's Policy 13.4 Stocking Rate and Keeping of Large Animals
Shire of Pingelly's Health Local Law (2003)

Voting Requirements:

Simple Majority

Recommendation:

That Council grant an exemption for the keeping of two goats at 40 Pitt Street subject to the following conditions:

- 1 That the exemption be reviewed in twelve months to ensure that no adverse problems have been experienced as a result of the exemption, and**
- 2 That Council reserve the right to withdraw the exemption at any time if any major or substantial problems are experienced prior to the review period.**
- 3 That there is adequate fencing to contain the goats.**
- 4 The exemption applies to only two goats.**

Moved: _____ Seconded: _____

16.2 Reinstatement of Revoked Policy 13.2 Outbuildings

File Reference: 0000
Location: Shire of Pingelly
Applicant: Gavin Pollock, Chief Executive Officer
Author: Sheryl Squiers, Administration Officer Technical
Date: 13 October 2017
Disclosure of Interest: Nil
Attachments: Updated Policy – Outbuildings (Attachment 6 Following Orange Heading Sheet Under Separate Cover)

Summary:

Council to consider the reinstatement of revoked Policy 13.2 - Outbuildings with updated details.

Background:

The applicant has requested for the previously revoked Policy 13.2 – Outbuildings to be reinstated as a Shire of Pingelly policy.

Comment:

The Policy 13.2 – Outbuildings was revoked along with other policies by Council when a policy review was held on 17 June 2015.

With the removal of this policy it has meant that all oversized sheds outside of the guidelines in the *State Planning policy 3.1 - Residential Design Codes 2015* require an application for planning consent in all zones except the General Agriculture Zone.

The deemed to comply requirements in the *Residential Design Codes 2015* Outbuildings 5.4.3: C3 – Outbuildings that:

- i. are not attached to a dwelling;
- ii. are non-habitable;
- iii. collectively do not exceed 60m² or 10 per cent in aggregate of the site area, whichever is lesser;
- iv. do not exceed a wall height of 2.4m;
- v. do not exceed a ridge height of 4.2m;
- vi. are not within the primary or secondary street setback area;
- vii. do not reduce the amount of open space required in Table 1 and
- viii. are not set back in accordance with Tables 2a and 2b.

Inserted below is the previously revoked Policy 13.2 – Outbuildings which references to the Residential Design Codes 2002 which has been superseded by Residential Design Codes 2015, these updates will be required along with the updated clauses quoted in the Policy.

13.2 Outbuildings

This policy provides direction and guidance on the area and height of outbuildings and the like that Council will permit within the Shire boundaries.

Outbuildings and structures that comply with the following requirements may be approved by Council's Building Surveyor without having the need to be submitted to an Ordinary Meeting of Council.

A minor development fee of \$50 as laid down under Council's Fees and Charges Schedule will apply for these applications.

The Objectives of the Policy are:

- To provide some flexibility in the requirements for outbuildings and the like in residential areas.
- To ensure that the provisions of the *Residential Design Codes 2002* are appropriately addressed.
- To improve customer service standards through the timely processing of planning and building applications for outbuildings.

Definitions:

- **Outbuilding** is an enclosed non-habitable structure that is required to meet the standards of the Building Code of Australia and is detached from any dwelling.
- **Carport** is a roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side and being without a door.
- **Garage** is any enclosed and roofed structure, other than a carport, designed to accommodate one or more motor vehicles.
- **Patio** is a roofed shade structure either attached to a dwelling or free standing and is required to be open on fifty percent of its sides.
- **Pergola** is a light weight shade structure that does not have a solid roof. It may be attached to a dwelling or can be free standing.
- **Statutory Powers:** This policy has been prepared in conjunction with the requirements of the *Residential Design Codes of Western Australia 2002*, i.e. The performance criteria relative to outbuildings (Clause 3.10.1) states:
“*Outbuildings that do not detract from the streetscape or the visual amenity of the residents or neighbouring properties.*”

Clause 3.2.7 of the *Residential Design Codes of Western Australian 2002* states that buildings are to comply with any local planning policy made under the Scheme in respect of the design of carports and garages, including the colour, scale, materials and roof pitch of buildings. This policy is made subject to the clause and provides design requirements for carports and garages, however it does not interfere with any other requirement of the Residential Design Codes relating to carports and garages.

This policy does not alter or change in any way the acceptable development criteria of the *Residential Design Codes of Western Australia 2002*.

Within all “Residential” and “Rural Residential” zoned areas of the Shire and on Farming zoned lots with an area of 2ha or less except as otherwise stated, planning consent for all outbuildings is required. If planning consent is granted, building approval will be issued for outbuildings which are appurtenant to a dwelling, provided all boundary setbacks and building separation requirements have been complied with, the building is of single storey construction, located behind any residence on-site and provided the proposed development complies with the following:

1. In any residential zone with an R10 code or above in the Shire:
 - a. Non-masonry construction, where the total non-masonry outbuilding area does not exceed 55m² and the total outbuilding area does not exceed 75m²;
 - b. Masonry or other approved construction, where the total outbuilding area has walls constructed of the same materials and appearance as the house and does not exceed 75m² and no parapet wall is greater in length than 8m;
 - c. Wall height of any outbuildings not to exceed 3m. This height limitation also applies to parapet walls. In the case of gable roof construction, the maximum building height is not to exceed 4m;
 - d. Prior to considering a parapet wall construction over 8m in length, the applicant will present Council with written agreement to the same by any affected adjoining landowner;

- e. No planning consent or building licence approval will be granted or issued for any outbuildings, on any Residential zoned lot, which does not contain a residence;
 - f. The applicant providing the Shire with a written undertaking that the outbuilding constructed, will only be used for the purpose permitted within the zone in which it is located, under the provisions of the Shire's operative Town Planning Scheme;
 - g. Any development application which does not comply with the above, shall be referred to Council for consideration.
2. In any residential zone with an R code below R10, the rural residential zone of the Shire and on farming zoned lots which have an area of 2ha or less
- a. Non-masonry Zincolume construction, where the total Zincolume outbuilding area does not exceed 75m² and the total outbuilding area does not exceed 200m², or
 - b. Non-masonry colorbond construction, where the total colorbond outbuilding area does not exceed 150m² and the total outbuilding area does not exceed 2
 - c. Masonry or other approved construction, where the total outbuilding area has walls constructed of the same materials and appearance as the house and does not exceed 200m²,
 - d. Wall height of any outbuilding not to exceed 4m. In the case of a gable roof construction, the maximum building height is not to exceed 5m;
 - e. No planning consent or building licence approval will be granted or issued, for any outbuildings on a residential or rural residential zoned lot where a building licence has not been issued for a residence and / or where an outbuilding is not located at least 4m from any boundary of the lot;
 - f. The applicant providing the Shire with a written undertaking that the outbuilding constructed, will only be used for purposes permitted within the zone in which it is located under the provisions of the Shire's operative Town Planning Scheme;
 - g. Any development application which does not comply with the above shall be referred to Council for consideration.
3. Distance from boundaries on any residential zoned lot with an R code of 10 or above:
- a. Garages, shed, pergolas and patios - brick construction
 - i. Attached to house - 1m from side boundaries. Eaves not closer than 750mm measured from the outer edge of the gutter.
 - ii. Detached from house - Must be 1.8m clear of house with either parapet wall on boundary or walls 1m from boundary with eaves 750mm clear of boundary.
 - b. Garages, sheds, pergolas, and patios - steel framed construction - Detached from house only - Must be at the rear of the residence 1.8m clear of the residence, leach drains and septic tanks and 1.2m clear of side and rear boundaries.
 - c. Carports - Columns of brick (350mm x 350mm) or steel may be erected on a boundary provided no more than 4 columns are used and roofing including guttering is at least 750mm clear of the boundary. Beams must be of steel within 750mm of a boundary and a dividing fence forming a side wall of the carport must not be higher than 1.8m. Timber framed carports must be sited 1.2m clear of boundaries.
 - d. On corner lots - Where an outbuilding is constructed in brick or clad in colorbond, Council will permit a setback of 3.75m to the minor street. Where an outbuilding is clad in Zincolume a setback of 7.5m to the minor street will apply.
4. Distance from boundaries in any residential zone with an R code below R10 and the rural residential zone of the Shire and on farming zoned lots which have an area of 2 hectares or less
- a. Detached outbuildings - To be at the rear or the residence on-site, at least 1.8m clear of the residence, leach drains and septic tanks. All boundary setbacks to be as laid down in the Shire of Pingelly's operative Town Planning Scheme.

- b. On corner lots - The setback to the minor street to be the same as the frontage setback laid down in the Shire of Pingelly's operative Town Planning Scheme.
- c. Garden sheds - Under this policy, Council will without the need for planning consent or building licence approval, permit the erection of one only garden shed per lot which has a maximum area of up to 4m². The garden shed is to be located on the lot in a position and in a manner agreed to in writing by the Shire's Building Surveyor and such shed is in addition to any other shed permitted under this "Policy".

The updated Policy – Outbuildings is attached.

Consultation:

Gavin Pollock – Chief Executive Officer
Tim Jurmann – Building Surveyor
Residential Design Codes 2015

Statutory Environment:

Shire of Pingelly's Local Planning Scheme No.3

Financial Implications:

Nil

Strategic Implications:

Shire of Pingelly Local Planning Scheme No.3
Shire of Pingelly Policy Manual

Voting Requirements:

Absolute Majority

Recommendation:

Council to endorse the reinstatement of Policy 13.2 – Outbuildings with the updated references to the Residential Design Codes.

Moved: _____ Seconded: _____

Motion: That the following matter be lifted from the table and dealt with

Moved: _____ Seconded: _____

16.3 Application for an Exemption for Four Dogs

File Reference: A4799
Location: Lot 525 – 4 Sharow Street
Applicant: Mr J Ruty
Author: Sheryl Squiers, Administration Officer Technical
Date: 23 October 2017
Disclosure of Interest: Nil
Attachments: Report from Ranger (Attachment 7 Following Grey Heading Sheet Under Separate Cover)

Summary:

Council to consider an application for an exemption to keep four dogs at Lot 525 – 4 Sharow Street, Pingelly.

Background:

The applicant has written to Council requesting an exemption to keep four dogs at Lot 525 – 4 Sharow Street, Pingelly. Two of the four dogs belonged to the applicant's late father and the applicant for this reason would like to keep the two extra dogs.

Comment:

It is a requirement of the Shire of Pingelly's Dogs Local Law (2003) the maximum number of dogs that can be kept on a premise within a town site is two unless an exemption is granted by Council under the provisions of section 26(3) of the Dog Act 1976 (as amended).

Under the Dog act 1976 the maximum number of dogs permitted before constituting a kennel is six and this is where the local government may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only.

The *Shire of Pingelly's Policy 13.12 Dog Kennels/Dog Keeping* covers the General Agriculture Zone only, the townsite and rural residential are not included in this policy.

Council has approved similar applications in the past where all adjoining neighbours have agreed to the request and the Shire Ranger or other Authorised Council Officer has considered that there are no valid reasons for withholding such approval (see Shire Ranger Report in Attachment Relating).

The following conditions to be stipulated on the approval:

1. That the exemption be reviewed in twelve months to ensure that no adverse problems have been experienced as a result of the exemption, and
2. That Council reserve the right to withdraw the exemption at any time if any major or substantial problems are experienced prior to the review period.
3. That the exemption applies only to the dogs nominated by the applicant.
4. Each dog on the property must be micro chipped and registered with the Shire of Pingelly if not already completed.
5. Upon the death or permanent removal of any of the nominated dogs a maximum of two dogs only will be permitted to be kept on this property.
6. That the property has adequate fencing to ensure it is suitable for keeping dogs within the property boundary.

Public comment was sort on the matter from the residents living in close proximatey to the above property. Written of emailed submissions were requested to be submitted by 15 September 2017.

Letters were sent to nine property owners in the vicinity of Lot 525 – 4 Sharow Street, with two responses from the neighbours with the following replies:

- One who had no issues with the four dogs being located at the premises; and
- The other response indicated they were not happy with the idea of four dogs on the premises but would not like the applicant to make a choice of which two dogs to retain so are happy for the four dogs to be located at 4 Sharow Street and when two were sold or passed away that only two dogs be the maximum number for the premises.

The two existing dogs are English Blue Staffies which are a small dog breed growing to a maximum height of 450mm. These two of the dogs are currently registered with the Shire of Pingelly and named Bella and Arman.

The two dogs which the owner is applying for an exemption did belong to the applicant's late father, and are Blue American Staffies. The female dog is named Tazar and the other a male dog named Tapout, both dogs are 7½ years old, sterilized and microchipped.

Ranger Services have not received any complaints of barking issues, dog attack reports or any other complaints and the fence provides adequate security to contain the dogs within the property and see no reason why Council approval should not be granted. *See Shire Rangers Report in Council Attachments*

The applicant had six dogs on moving to Pingelly but has since given two of the English Blue Staffies to his brother who also resides in Pingelly, these dogs are registered with the Shire of Pingelly.

Council has previously approved an exemption for four dogs on 21 January 2004 at Lot 801 – 7 Marconi Street, Pingelly.

A local government may, by way of a local law under the Dog Act 1976 Part V The keeping of dogs, Section 26 – Limitation as to numbers put a limit of the number of dogs kept at a premises in the local government district. Extract of this section inserted in Statutory Environment below.

Extract from the Shire of Pingelly's Dogs Local Law on the limitation on number of dogs which may be kept on a premises:

Shire of Pingelly's Dogs Local Law (2003) Section 3.2

Limitation on the number of dogs

- 3.2 (1) *This clause does not apply to premises which have been—*
- (a) licensed under Part 4 as an approved kennel establishment; or*
 - (b) granted an exemption under section 26 (3) of the Act.*
- (2) *The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26 (4) of the Act—*
- (a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite; or*
 - (b) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside a townsite.*





Consultation:

Barry Gibbs – Director Technical Services

Dog Act (1976)

Matt Sharpe – WA Contract Ranger Services

Various Property Owners in the Vicinity of 4 Sharow Street

Minutes Item 7.4 - 21 January 2004

Statutory Environment:

DOG ACT 1976 - SECT 26

26 Limitation as to numbers

- (1) *A local government may, by a local law under this Act —*
 - (a) *limit the number of dogs that have reached 3 months of age that can be kept in or at premises in the local government's district; or*
 - (b) *limit the number of dogs of a breed specified in the local law that can be kept in or at premises in the local government's district.*
- (2) *A local law mentioned in subsection (1) —*
 - (a) *may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only; and*
 - (b) *cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age; and*
 - (c) *cannot apply to dogs kept at premises that are licensed under section 27 as an approved kennel establishment; and*
 - (d) *cannot apply to dangerous dogs (declared) or dangerous dogs (restricted breed).*
- (3) *Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —*
 - (a) *may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and*
 - (b) *cannot authorise the keeping in or at those premises of —*
 - (i) *more than 6 dogs that have reached 3 months of age; or*

- (ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption;
- and
- (c) may be revoked or varied at any time.
- (4) A person must not keep in or at any premises, not being licensed under section 27 as an approved kennel establishment —
- (a) in the case of dogs that have reached 3 months of age, other than dangerous dogs (declared) or dangerous dogs (restricted breed), more than the number of dogs than the limit imposed under —
 - (i) a local law mentioned in subsection (1); or
 - (ii) an exemption granted under subsection (3);
- or
- (b) more than —
 - (i) 2 dangerous dogs (declared); or
 - (ii) 2 dangerous dogs (restricted breed); or
 - (iii) one of each of those kinds of dangerous dogs, that have reached 3 months of age; or
- (c) any pup, of a dangerous dog (restricted breed), that is under 3 months of age.

Penalty:

- (a) for an offence relating to a dangerous dog —
 - (i) a fine of \$10,000, but the minimum penalty is a fine of \$500;
 - (ii) for each separate and further offence committed by the person under the Interpretation Act 1984 section 71, a fine of \$500;
- (b) for an offence relating to a dog other than a dangerous dog —
 - (i) a fine of \$5,000;
 - (ii) for each separate and further offence committed by the person under the Interpretation Act 1984 section 71, a fine of \$100.
- (5) Any person who is aggrieved —
 - (a) by the conditions imposed in relation to any exemption under subsection (3); or
 - (b) by the refusal of a local government to grant such an exemption, or by the revocation of an exemption,may apply to the State Administrative Tribunal for a review of the decision.
- (6) An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.

[Section 26 amended by No. 23 of 1987 s. 22; No. 14 of 1996 s. 4; No. 24 of 1996 s. 16; No. 55 of 2004 s. 256 and 268; No. 18 of 2013 s. 22.]

Shire of Pingelly's Dogs Local Law (2000) Section 3.2

Limitation on the number of dogs

- 3.2 (1) This clause does not apply to premises which have been—
- (a) licensed under Part 4 as an approved kennel establishment; or
 - (b) granted an exemption under section 26 (3) of the Act.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26 (4) of the Act—
- (a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite; or
 - (b) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside a townsite.

Financial Implications:

Nil

Strategic Implications:

Dog Act 1976 (As Amended)

Shire of Pingelly's Dogs Local Law (2003)

Voting Requirements:

Simple Majority

Recommendation:

That Council grant an exemption for the keeping of four dogs at 4 Sharow Street subject to the following conditions:

1. That the exemption be reviewed in twelve months' time to ensure that no adverse problems have been experienced as a result of the exemption.
2. That Council reserve the right to withdraw the exemption at any time if any major or substantial problems are experienced prior to the review period.
3. The exemption applies only to the dogs nominated by the applicant.
4. Each dog must be microchipped and registered with the Shire of Pingelly within one month of Council approval.
5. Upon the death or permanent removal of the nominated dogs a maximum of two dogs only will be permitted to be kept on this property.
6. That the property has adequate fencing to ensure it is suitable for keeping four dogs.

Moved: _____ Seconded: _____

Motion: That the following matter be lifted from the table and dealt with

Moved: _____ Seconded: _____

16.4 Proposed Garage

File Reference: A3281
Location: Lot 269 – 6 Stratford Street
Applicant: Ms F Stafford
Author: Sheryl Squiers, Administration Officer Technical
Date: 23 October 2017
Disclosure of Interest: Nil
Attachments: Letter of Objection, Letter from Applicant, Extracts from Residential Design Codes 2015 (Attachment 8 Following Lime Green Heading Sheet Under Separate Cover)

Summary:

Council to consider an application for a proposed garage over 60m² at Lot 269 – 6 Stratford Street, Pingelly.

Background:

Ms Frith Stafford has submitted an application for planning consent for a proposed colorbond garage which will take the total outbuilding area for the property over the maximum 60m² as set out in the Residential Design Codes.

Comment:

The proposed garage will be located at Lot 269 – 6 Stratford Street, Pingelly, which is zoned residential with an RCode of R12.5/R25 and a total area of 2428m² consisting of Lot 270 – 8 Stratford Street.

The proposed garage will be located on the southern side of the property, the shed is 10m x 10.5m with a total area of 105m², a wall height of 3.1m with the gable height of 4.16m. There are two existing older sheds at the rear of the property one of which has a total area of 61.25m² and the other will be demolished to make way for the proposed new shed, which will give a total proposed outbuilding area of 166.25m².

The Residential Design Codes deemed to comply requirements for an outbuilding are as follows.

Outbuildings that:

- i. Are not attached to a dwelling;
- ii. Are non-habitable;
- iii. Collectively do not exceed 60m² in area or 10 percent in aggregate of the site area, whichever is the lesser;
- iv. Do not exceed a wall height of 2.4m;
- v. Do not exceed a ridge height of 4.2m;
- vi. Are not within the primary or secondary street setback area;
- vii. Do not reduce that amount of open space required in Table 1; and
- viii. Are set back in accordance with Tables 2a and 2b.

The setbacks comply with the Shire of Pingelly's Local Planning Scheme No3 for outbuildings in residential zones, the proposed garage will be setback 26.270m from Stratford Street, 23.580m from Realm Street, 1.540m from southern boundary and 3.300m from rear of dwelling.

The applicant requires a larger garage as the existing shed is too small to accommodate the caravan and vehicles.

There will be no over shadowing issues with neighbouring properties as Lot 271 – 10 Stratford Street is currently vacant land and the rear of the property abuts Realm Street with Linear Park on the other side of Realm Street.

When varying the R-Codes prescriptive provisions, the performance provisions then must be considered. The R-Codes Explanatory Guidelines will also provide further assistance.

In this instance Section 5.4.2 - P2.2 and Section 5.4.3 - P3 apply.

- Section 5.4.2, P2.2 aims to protect solar access to adjoining properties taking into account overshadowing of outdoor living areas, major openings to habitable rooms and roof mounted solar collectors. On properties coded R25 or lower (R12.5), then the overshadowing should not exceed 25% of the site area. Using the proposed wall length and the recommended 34 degree sun angle specified in the Explanatory Guidelines, the overshadowing will not exceed 25% of the site area if the greater wall height was approved and due to the adjoining site being vacant at the time of the development proposal, there are no outdoor living areas, major openings to habitable rooms or roof mounted solar collectors affected (attachment).
- Section 5.4.3, P3 aims to ensure that outbuildings do not detract the streetscape or visual amenity of residents or neighbouring properties. The Explanatory Guidelines recommends outbuildings should be sited in the rear yard and do not detract from the visual amenity of neighbouring properties and that screening may be appropriate. In this instance, it is recommended that screening be utilised to soften the appearance of the outbuilding from the neighbouring property (attachment).

Whilst it is acknowledged that the objectors propose to construct 2 new dwellings on the neighbouring lot utilising the dual street frontage, the R-Codes do not provide for the assessment of impacts on future development. Future development on neighbouring lots can be designed to take into consideration existing development i.e. increasing the setback or orienting rooms and open space appropriately to take advantage of northern aspects or the like.

It can be concluded that the proposed development meets the performance provisions of the R-Codes and can be approved, subject to standard conditions and a specific condition requiring screening.

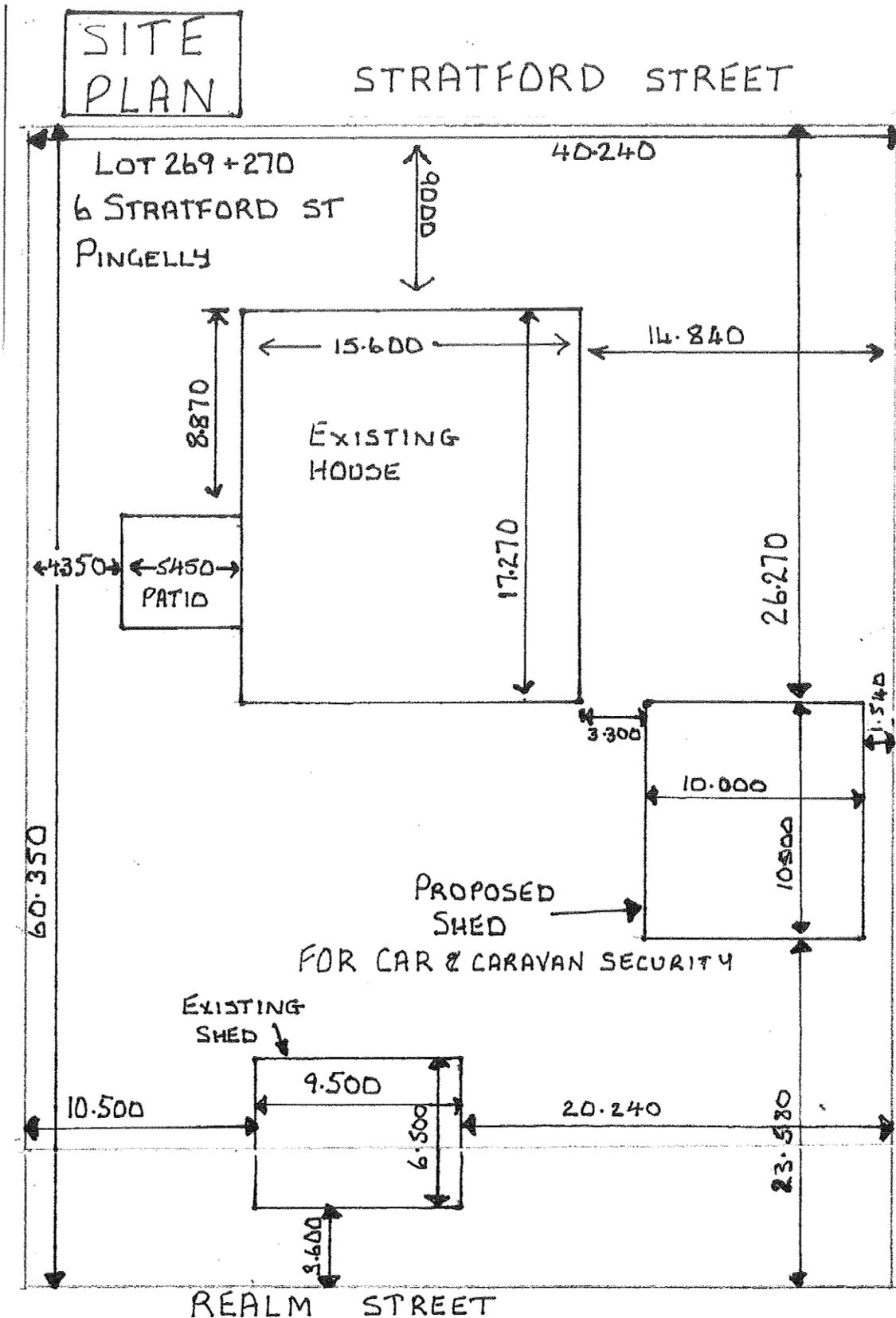
It is also recommended that the applicant put in an application to the Department of Planning, Lands & Heritage for a formal amalgamation of Lots 269 & 270, which will reduce any issues in the future should they wish to carry out additions to the dwelling. Landgate currently has two lot numbers and titles but one street address for the property.

An objection from the owners of the vacant lot at 10 Stratford Street was submitted with a site plan for the proposed future dwellings on that lot (attachment).

A letter received from the applicant in response to questions raised by Council at the Ordinary Meeting of Council held on 18 October 2017 and the letter of objection from the owners of the vacant lot at 10 Stratford Street has been submitted along with photos of over shadowing (attachment).



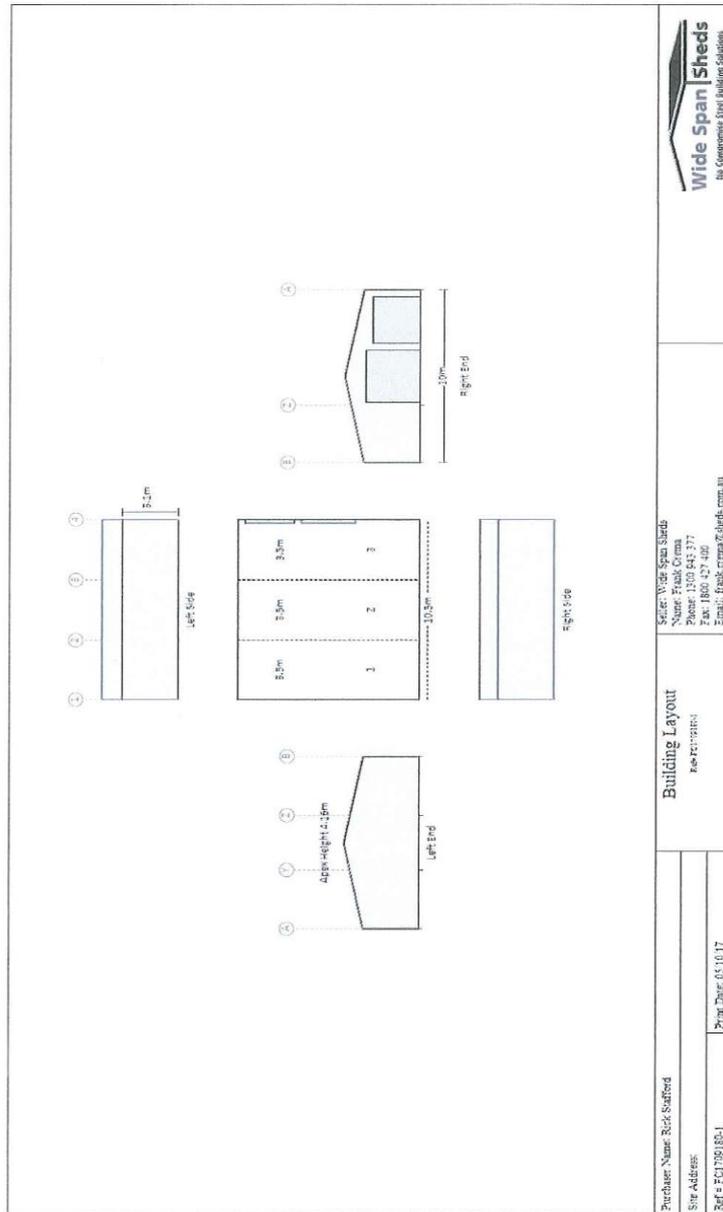
Landgate plan of Lot 269 – 6 Stratford Street.



Site plan for proposed garage.

6 STRATFORD ST, PINGELLY

Building Layout



 <p>Wide span Sheds No Compromise Steel Building Solutions</p>	
Purchaser Name: Rick Stafford Site Address: Ref: FCU709182-1	Building Layout Ref: FCU709182-1 Print Date: 05/10/17
Seller: Wide Span Sheds Name: Paul Cresswell Phone: 1800 137 177 Fax: 1800 137 400 Email: paul.cresswell@sheds.com.au	

Peace of mind Guarantees     ...we've got you covered! www.sheds.com.au

Plan of proposed garage.

Consultation:

Barry Gibbs – Director Technical Services
 Residential Design Codes
 Jacky Jurmann - Planner

Statutory Environment:

Shire of Pingelly Local Planning Scheme No.3

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

Council grant planning consent for the proposed garage at Lot 269 – 6 Stratford Street with increased outbuilding area for the lot.

To grant planning approval for the erection of the shed which is to be used ancillary to the dwelling and not for commercial purposes.

Advice Note: Applicant apply to Department of Planning, Lands & Heritage to have the two lots formerly amalgamated, which will reduce any issues in the future should they wish to carry out additions to the dwelling.

Moved: _____ Seconded: _____

16.5 Bush Fire Advisory Committee Minutes

File Reference: ADM0057
Location: Shire of Pingelly
Applicant: Chief Bush Fire Control Officer Rodney Shaddick
Author: Sheryl Squiers, Administration Officer Technical
Date: 23 October 2017
Disclosure of Interest: Nil
Attachments: Bush Fire Advisory Committee Minutes (Attachment 9 Following Purple Heading Sheet Under Separate Cover)

Summary:

Council is requested to adopt the recommendations from the Bush Fire Advisory Committee Meeting held on 10 October 2017.

Background:

A meeting of the Bush Fire Advisory Committee was held on Tuesday 10 October 2017 in the Council Chambers.

Comment:

The purpose of the meeting was to discuss the up and coming bush fire season and to go over any issues that may need to be dealt with.

Consultation:

Chief Bush Fire Control Officer Rodney Shaddick

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

That Council receive the Minutes of the Bushfire Advisory Committee Meeting of the Shire of Pingelly held in the Council Chambers on 10 October 2017.

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.