

# Notice of Meeting



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

Dear Elected Member

The next Ordinary meeting of the Shire of Pingelly will be held on 13 December 2017 in the Council Chambers, 17 Queen Street, Pingelly commencing at 2.00pm.

Pingelly Community Craft Centre will be providing dinner.

## **Schedule**

2pm Council Meeting

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

Gavin Pollock  
**Chief Executive Officer**

8 December 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  
13 December 2017

## **MISSION STATEMENT**

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

## **DISCLAIMER**

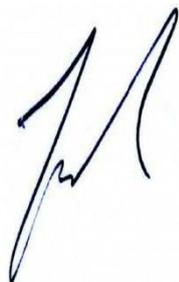
### **INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS**

#### **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: \_\_\_\_\_

\_\_\_\_\_

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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:

13 December 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 13 December 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 Special Meeting of Council held on 1 November 2017 the following was approved:

**12296 Moved: Cr Walton-Hassell Seconded: Cr McBurney  
That Council approve Cr Wood taking leave from 12<sup>th</sup> to 13<sup>th</sup> December 2017 inclusive.  
Carried 7:0**

**5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**6. PUBLIC QUESTION TIME**

**7. APPLICATIONS FOR LEAVE OF ABSENCE**

**8. DISCLOSURES OF INTEREST**

**9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**9.1 Ordinary Meeting – 15 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 15 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 – Shire President  
Member – Deputy President
- Bushfire Advisory Committee Member – Cr Freebairn  
Deputy – Cr Hotham
- 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 – President  
Deputy – Cr McBurney
- Development Assessment Panel Delegate – Cr Mulroney  
Delegate – Cr Freebairn  
  
Deputy – Cr Hodges  
Deputy – Cr Wood
- Pingelly Tourism Group Delegate – Cr McBurney  
Deputy – Cr Freebairn
- Regional Waste Group Delegate – Cr Mulroney  
Deputy – Cr Wood
- Shires of Pingelly and Wandering Joint Local Emergency Management Committee Delegate – Shire President  
Deputy – Cr Hodges
- Aged Care Planning Regional Sub-Group (BBP) Delegate – Shire President  
Delegate – Cr Steel  
Deputy – Cr Freebairn
- Youth Focus Group Delegate – Cr Walton-Hassell  
Delegate – Cr McBurney  
Deputy – Cr Steel
- Pingelly Somerset Alliance Delegate – Shire President  
Deputy – Cr Hotham

### **13. REPORTS FROM COUNCILLORS**

#### **Cr William Mulroney (President)**

##### **November 2017**

10th Sundowner for Jim William, Shire Depot  
11th Auction of 18 Eliot Street, Pingelly  
11th Remembrance Day Ceremony Memorial Park  
15th Council Meeting and Corporate Discussion.  
16th Meeting with CEO  
20th Meeting with CEO re Damage to Building and closure of Parade Street, Pingelly  
21st Meeting with CEO  
21st PRACC Board steering committee set up with Peter Kenyon  
22nd Meeting with Federal Member for O'Connor Rick Wilson and CEO  
28th PRACC Board Steering Committee Meeting re Constitution setup.  
29th Corporate Discussion – meeting with Trevor Moran Town Planner

##### **December 2017**

1st CCZ meeting Wagin  
4th Meeting with CCDO re Presentation night at School and Australia Day events  
4th Somerset Alliance Special Meeting  
6th With Councillors and CEO Inspection of Construction of PAAA Units, Perth  
6th Police Forum, Pingelly  
11th Pingelly Primary School Presentation Night.  
12th LEMC Meeting, Pingelly  
12th PRACC Board Steering Committee Meeting.

#### **Cr David Freebairn (Deputy President)**

Nil

#### **Cr Evan Hodges**

#### **Cr Bryan Hotham**

##### **Meetings attended November:**

17<sup>th</sup> WALGA training for new Councillors at the Perth Convention Centre.

#### **Cr Jackie McBurney**

##### **Meetings attended November:**

17<sup>th</sup> WALGA training for new Councillors at the Perth Convention Centre.

#### **Cr Lee Steel**

Nil

#### **Cr Michelle Walton-Hassell**

Nil

#### **Cr Peter Wood**

Nil

## **14 OFFICE OF THE CHIEF EXECUTIVE OFFICER**

### **14.1 Recreation and Cultural Committee Minutes**

**File Reference:** ADM0523  
**Location:** Shire of Pingelly  
**Applicant:** Gavin Pollock, Chief Executive Officer  
**Author:** Kristel Steel, Community Club Development Officer  
**Date:** 6 December 2017  
**Disclosure of Interest:** Nil  
**Attachments:** Recreation and Cultural Committee Minutes (Attachment 1 after red sheet under separate cover)

#### **Summary:**

Council is requested to adopt the recommendations from the Recreation and Cultural Committee Meeting held on 21 and 28 November 2017.

#### **Background:**

Meetings of the Recreation and Cultural Committee were held on Tuesday 21 and 28 November 2017 in the Council Chambers.

#### **Comment:**

The purpose of the meeting on the 21 November 2017 was to welcome the new committee members to the Recreation and Cultural Committee, elect a Committee Chairperson and discuss the direction the newly elected committee would be heading with regards to developing a management plan for the Pingelly Recreation and Cultural Centre.

The purpose of the meeting on the 28 November 2017 was to go through the draft constitution and make amendments ahead of the committees meeting with Linda Soerianto from Clubs WA on Tuesday 12 December 2017.

#### **Consultation:**

Peter Kenyon, Bank of Ideas

#### **Financial Implications:**

Nil

#### **Strategic Implications:**

Nil

#### **Voting Requirements:**

Simple Majority

#### **Recommendation:**

**That Council**

- **Receive the Minutes of the Recreation and Cultural Committee Meeting of the Shire of Pingelly held in the Council Chambers on 21 and 28 November 2017.**
- **Endorse the Recreation and Cultural Committee recommendation on the 21<sup>st</sup> November 2017 Item 3 appointment of Chairperson Mr Bruce Sewell.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **14.2 Minutes of Audit Committee and Annual Report 2017 & Annual Electors Meeting**

<b>File Reference:</b>	<b>ADM0074</b>
<b>Location:</b>	<b>Shire of Pingelly</b>
<b>Applicant:</b>	<b>Gavin Pollock, Chief Executive Officer</b>
<b>Author:</b>	<b>Gavin Pollock</b>
<b>Date:</b>	<b>4 December 2017</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>Annual Report 2016/17 (Attachment 2 after purple sheet under separate cover)</b>
<b>Previous Reference:</b>	<b>Nil</b>

### **Summary:**

Council to receive the Auditors Report and accept the Annual Report 2017 which contains the Annual Financial Report for the 2016/17 financial year. Also, to set the date of the Annual Electors meeting.

### **Background:**

Section 7.9 of the *Local Government Act 1995* requires an audit to be undertaken and, on its completion, submitted to the Shire President and Chief Executive Officer of the Local Government, and to the Minister for Local Government.

It is a requirement that the Annual Audit be completed by 31 December following the close of the financial year. The audit was commenced on-site by AMD Chartered Accountants on 9<sup>th</sup> October to 10<sup>th</sup> October 2017. The Statutory Report and Management letter has been completed by AMD Chartered Accountants and received by the Shire President, Chief Executive Officer and Director Corporate & Community Services. The Auditor's Management Report was submitted to the Shire of Pingelly Audit Committee.

### **Comment:**

*Local Government Act 1995*, section 5.54 requires that this report be adopted by Council by 31<sup>st</sup> December – or within 2 months of the Auditor's report being received. Under section 5.27 Council is also required to hold the electors meeting within 56 days of the acceptance of the Annual Report for the previous year.

The Annual Report for 2016/2017 has now been completed and is included as an attachment to this document. This Report will be available to the Public and Electors prior to the Annual Electors Meeting, subject to its acceptance by Council.

Two (2) statutory non-compliance matters were raised in the Auditor's Management Report to the Executive team of the Shire of Pingelly.

- a. The Shire was due to have a review completed by 31 December 2016 as required by Local Government (Audit) Regulations 1996, however this timeframe was not met. We have since been engaged to complete a Regulation 17 review for the Shire and our onsite review procedures commenced 20 November 2017; and
- b. In accordance with the requirements of Regulation 33 of the Local Government (Financial Management) Regulations, Council's annual budget is to be submitted to the Department of Local Government within 30 days after Council acceptance. The Shire's budget for 30 June 2017 was adopted by Council on 12 August 2016 however was not submitted to the Department until 28 September 2016;

Refer to Audit Committee minutes for further commentary on these matters raised.

AMD's auditors indicated that procedures and controls in respect to the Shire of Pingelly internal processes, procedures and financial reporting framework are adequately designed and have been maintained to adequate standards throughout the audit period subject to the comments and recommendations within the Management Review Report.

**Consultation:**

AMD Chartered Accountants  
Chief Executive Officer  
Bob Waddell – Local Government Consultant

**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 5.55 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:**

1.4 Audit Management and Specifications

**Financial Implications:**

Nil

**Strategic Implications:**

While there are no direct strategic implications in receiving the Shire of Pingelly Annual Report, the Auditors Management Report raises comment regarding the Shire's financial ratios.

*“A review of Council's financial ratios as included within Note 19 of the financial report indicates that four of the seven ratios were within the recommended guidelines provided by the Department of Local Government and Communities, with the exceptions noted below:*

- *The operating surplus ratio as at 30 June 2017 is calculated at -0.60 (recommended to between 0.01 and 0.15).*
- *The debt service ratio as at 30 June 2017 is calculated at 0.25 (a basic standard is achieved if the ratio is greater than or equal to 2, an advance standard is achieved if the ratio is greater than 5).*
- *The asset renewal funding ratio as at 30 June 2017 is calculated at 0.73 (recommended to be between 0.75 and 0.95).*

*We recommend Council continue to consider the impact on ratios and long term sustainability when making decisions regarding asset renewal, additional borrowings and setting rates for future years.”*

These concerns need to be taken into account when reviewing the Shire's Annual Budget, Integrated Planning Documents including Asset Management Plans, Corporate Business Plan and Long Term Financial Plan.

**Voting Requirements:**

Absolute Majority

**Recommendations:**

**That Council:**

1. **receives the minutes of the Audit Committee dated 13 December 2017.**
2. **accepts the Shire of Pingelly Annual Report for the Financial Year ended 30<sup>th</sup> June 2017;**
3. **receives the Audit Report for 2016/17 from AMD Chartered Accountants;**
4. **advertises and holds its Annual Electors Meeting in the Council Chambers, 17 Queen Street, Pingelly to be held on Tuesday 6 February 2018 at 7:00pm;**
5. **submits a copy of the Shire of Pingelly Statutory Annual Financial Report to the Director General of the Department of Local Government, Sport and Cultural Industries as required by Local Government (Financial Management) Regulations clause 51(2).**
6. **notes the comments on the Audit Management Letter by management with no further actions required to be undertaken by the Chief Executive Officer.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**THAT pursuant to Section 5.23 of the Local Government Act 1995 this item be dealt with, with the public excluded as the item deals information relating to awards to be made prior to the public announcement of the recipients.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**14.3 Confidential Item - Australia Day Awards 2017**

<b>File Reference:</b>	<b>ADM0280</b>
<b>Location:</b>	<b>Shire of Pingelly</b>
<b>Applicant:</b>	<b>Community</b>
<b>Author:</b>	<b>Gavin Pollock, Chief Executive Officer</b>
<b>Date:</b>	<b>13 December 2017</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>To be presented at the meeting</b>

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

Meeting to be open again to the public.

## **15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES**

### **15.1 Monthly Statement of Financial Activity – November 2017**

<b>File Reference:</b>	<b>ADM0075</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>Stuart Billingham, Director Corporate &amp; Community Services</b>
<b>Author:</b>	<b>Stuart Billingham, Director Corporate &amp; Community Services</b>
<b>Date:</b>	<b>4 December 2017</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>Monthly Statements of Financial Activity for the period 1 July 2017 to 30 November 2017 (Attachment 3 Following orange Heading Sheet Under Separate Cover)</b>
<b>Previous Reference:</b>	<b>N/A</b>

#### **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 November 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 30 November 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:** 4 December 2017  
**Disclosure of Interest:** Nil  
**Attachments:** List of Accounts (Attachment 4 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 November 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 November 2017 as presented:**

<b>OCTOBER 2017</b>	
<b>MUNI - 117984856</b>	
EFT 4173 - 4290	\$1,119,575.33
CHEQUE 24499 - 24504	\$ 15,995.47
<b>TRUST ACCOUNTS</b>	
DEPT OF TRANSPORT – DD9357.1- DD93419.1	\$ 25,730.30
TRUST FUND – Nil	\$ 0.00
<b>DIRECT DEBIT -</b>	
DD9374.1 – DD9374.11,DD9407.1- DD9407.11, ET4172 to 4178,4196,4227,4248,4256,4257 – Pay and Super	\$ 23,005.37
<b>CREDIT CARD</b>	
DD9383.1	\$ 3,451.81
<b>GRAND TOTAL</b>	<b>\$1,187,758.28</b>

Notification	Explanation
Nil	

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

### **15.3 Addition to 2017/18 Fees & Charges**

**File Reference:** ADM0067  
**Location:** Shire of Pingelly  
**Applicant:** Bush Fire Advisory Committee  
**Author:** Sheryl Squiers, Administration Officer Technical  
**Date:** 22 November 2017  
**Disclosure of Interest:** Nil  
**Attachments:** Nil

#### **Summary:**

Council to endorse the addition of amended fees charged for private property hazard reduction burns carried out by the Pingelly Volunteer Fire & Rescue Service.

#### **Background:**

A fee is currently charged to property owners who put in a request for the Pingelly Volunteer Fire & Rescue Service to carry out a hazard reduction burn on their property. These hazard reduction burns are carried out in within the Townsite and Pingelly Heights only.

The current fees charged are as follows:

- \$150 for 1,012m<sup>2</sup> block
- \$300 for blocks up to 2.5ha.

Larger block sizes i.e. 5 hectares, 10ha etc by quotation only.

#### **Comment:**

Following the recent BFAC meeting it has been decided that the above costs for the hazard reduction burns being increased due to the amount of volunteer and administration hours taken up to provide this service.

The new fees will be:

- \$300 for 1012m<sup>2</sup> block.
- \$600 for blocks up to 2.5ha

Larger block sizes. i.e. 5 hectares, 10ha etc. by quotation only.

#### **Consultation:**

Bush Fire Advisory Committee  
Pingelly Volunteer Fire & Rescue Service  
Paul Blechynden - DFES

#### **Statutory Environment:**

Section 6.16 of the *Local Government Act* provides that:

- (1) a local government may impose (by absolute majority) and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
- (2) A fee or charge may be imposed for the following:
  - a. Providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government
  - b. Supplying a service or carrying out work at the request of a person
  - c. Subject to section 5.94, providing information from local government records;
  - d. Receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorization or certificate;
  - e. Supplying goods;
  - f. Such other service as may be prescribed.

- (3) Fees and charges are to be imposed when adopting the annual budget but may be –
  - a. Imposed (by absolute majority) during a financial year; and
  - b. Amended (by absolute majority) from time to time during a financial year.

Section 6.17 further provides:

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –
  - a. The cost to the local government of providing the service or goods;
  - b. The importance of the service or goods to the community; and
  - c. The price at which the service or goods could be provided by an alternative provider.
- (2) A high fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service –
  - a. Under section 5.96;
  - b. Under section 6.16 (2) (d); or
  - c. Prescribed under section 6.16 (2) (f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service
- (4) Regulations may –
  - a. Prohibit the imposition of a fee or charge in prescribed circumstances; or
  - b. Limit the amount of a fee or charge in prescribed circumstances.

Regulation 2 of the *Local Government (Financial Management) Regulations* (2) provides that the CEO is to —

- (a) ensure that the resources of the local government are effectively and efficiently managed;
- (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and

Section 6.19 of the *Local Government Act* provides that if a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

**Financial Implications:**

Nil

**Strategic Implications:**

Nil

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That Council:**

- **gives 14 days local public notice of its intention to introduce a new increased fee for private property hazard reduction burns ,which will be applicable from 30 March 2018 and**
- **subject to no submissions being received during the advertising period, endorses the new fees for private property hazard reduction burns in the 2017/18 fees and charges:**
  - **\$300 for 1012m<sup>2</sup> block.**
  - **\$600 for blocks up to 2.5ha**

**Larger block sizes. i.e. 5 hectares, 10ha etc. by quotation only.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **16. DIRECTORATE OF TECHNICAL SERVICES**

### **16.1 Ranger Authorisation**

**File Reference:** ADM0306  
**Location:** Shire of Pingelly  
**Applicant:** Mr Matthew Sharpe, WA Contract Ranger Services  
**Author:** Sheryl Squiers, Administration Officer Technical  
**Date:** 22 November 2017  
**Disclosure of Interest:** Nil  
**Attachments:** Nil  
**Previous Reference:** N/A

#### **Summary:**

Council to endorse the appointment of Mr Kevan Sercombe of WA Contract Ranger Services to be authorised to act under the following legislation on behalf of the Shire of Pingelly.

#### **Background:**

Local Government is bound to enforce certain legislation and as a result is required that officers be authorised to undertake various roles and responsibilities in relation to the legislation. As existing officers roles change and new officers are employed, it is essential that these officers are properly authorised under the appropriate legislation to undertake their duties.

#### **Comment:**

Mr Sercombe has been employed by WA Contract Ranger Services to provide support for Shire of Pingelly Ranger Mr Matthew Sharpe who has been conducting ranger services on behalf of the Shire of Pingelly since January 2014.

Mr Sercombe is currently working as a City Assist Officer for the City of Kwinana and was previously employed in as a ranger for the City of Perth. Mr Sercombe has also worked as an Occupational Health & Safety & Quality Inspector.

Providing delegations to Mr Sercombe will enable Mr Sharpe to carry out his role under the relevant legislation on behalf of the Shire of Pingelly. Council will need to appoint both Mr Sercombe to enforce the following legislation:

- Dog Act 1976
- Cat Act 2011
- Bush Fire Act 1954
- Litter Act 1979
- Caravan and Camping Act 1995
- Control of Vehicles (Off Road Areas) Act 1978
- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Animal Welfare Act 2002

#### **Consultation:**

Gavin Pollock – Chief Executive Officer  
Matthew Sharpe – WA Contract Ranger Services

**Statutory Environment:**

Dog Act 1976  
Cat Act 2011  
Bush Fire Act 1954  
Litter Act 1979  
Caravan and Camping Act 1995  
Control of Vehicles (Off Road Areas) Act 1978  
Local Government Act 1995  
Local Government (Miscellaneous Provisions) Act 1960  
Animal Welfare Act 2002

**Policy Implications:**

Nil

**Financial Implications:**

Cost of service provision – 2017/18 budget

**Strategic Implications:**

Shire of Pingelly Workforce Plan

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That:**

**Council endorse the appointment of Mr Kevan Sercombe as an Authorised Officer for the Shire of Pingelly pursuant to the following Acts:**

- **Dog Act 1976**
- **Cat Act 2011**
- **Bush Fire Act 1954**
- **Litter Act 1979**
- **Caravan and Camping Act 1995**
- **Control of Vehicles (Off Road Areas) Act 1978**
- **Local Government Act 1995**
- **Local Government (Miscellaneous Provisions) Act 1960**
- **Animal Welfare Act 2002**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

## **16.2 Proposed Home Business**

**File Reference:** A4559  
**Location:** Lots 305 & 304 – 40-42 Raglan Street, Pingelly  
**Applicant:** Mrs Beris Read  
**Author:** Sheryl Squiers, Administration Officer Technical  
**Date:** 21 November 2017  
**Disclosure of Interest:** Nil  
**Attachments:** Nil

### **Summary:**

Council to consider an application for development approval for a proposed home business for Bridal and Formal Wear Hire at Lot 305 & 304 – 42-44 Raglan Street, Pingelly.

### **Background:**

The application has submitted an application for a home business at the above property for a Bridal and Formal Wear Hire and retail sale of associated accessories.

### **Comment:**

Lots 304 & 305 – 42-44 Raglan St are zoned “Residential”, under the *Shire of Pingelly’s Local Planning Scheme No.3*.

Under the scheme this proposed home business best fits the definition of “home store”:

“**home store**” – means any shop with a net lettable area not exceeding 100 square metres attached to a dwelling and which is operated by a person resident in the dwelling;

A “home store” is classified as an “A” use in the Residential zone as listed in the Land Use Zoning Table.

“A” means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (formerly clause 9.4 – Advertising of Applications of LPS 3).

In considering an “A” use, the local government will have a regard to the matters set out in clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (formerly clause 10.2 – Matters to be considered by Local Government of LPS3).

Public comment has been sought on the proposed home business and advertised in the Pingelly Times issues 22 November & 29 November 2017 and on the front fence of 42 Raglan Street, with letters sent to 23 property owners within the vicinity of 42 Raglan Street for written comment on or before the 4 December 2017.

Two submissions were received on the proposed home business one from a nearby resident and the other from a resident as a response to the public advertising, both submissions are in favour of the proposed home business.

There is a separate recreational room attached to the existing dwelling which has a separate entrance off the front verandah removing the need to access the main dwelling. The total area of the room to be used for the proposed home store is 23.52m<sup>2</sup>.

An outside toilet and wash basin is at the rear of this recreational room.

There is ample area in the rear of the property for car parking which is accessed by a driveway situated on the southern boundary of the property.

The proposed hours of business will be 9.00 am – 5.00 pm or by appointment. Depending on whether there is a wedding or school ball days of the week operation would be Monday to Saturday for pickup of formal wear before event and drop-offs after the event.

The application already has the stock available at 42 Raglan Street and will pick up any further stock requirements from Perth herself.

At this stage there will be no employees only the applicant working in the proposed home business.

*Town Planning and Development Act 1928*  
*Shire of Pingelly Town Planning Scheme No. 3*  
**SCHEDULE EIGHT**

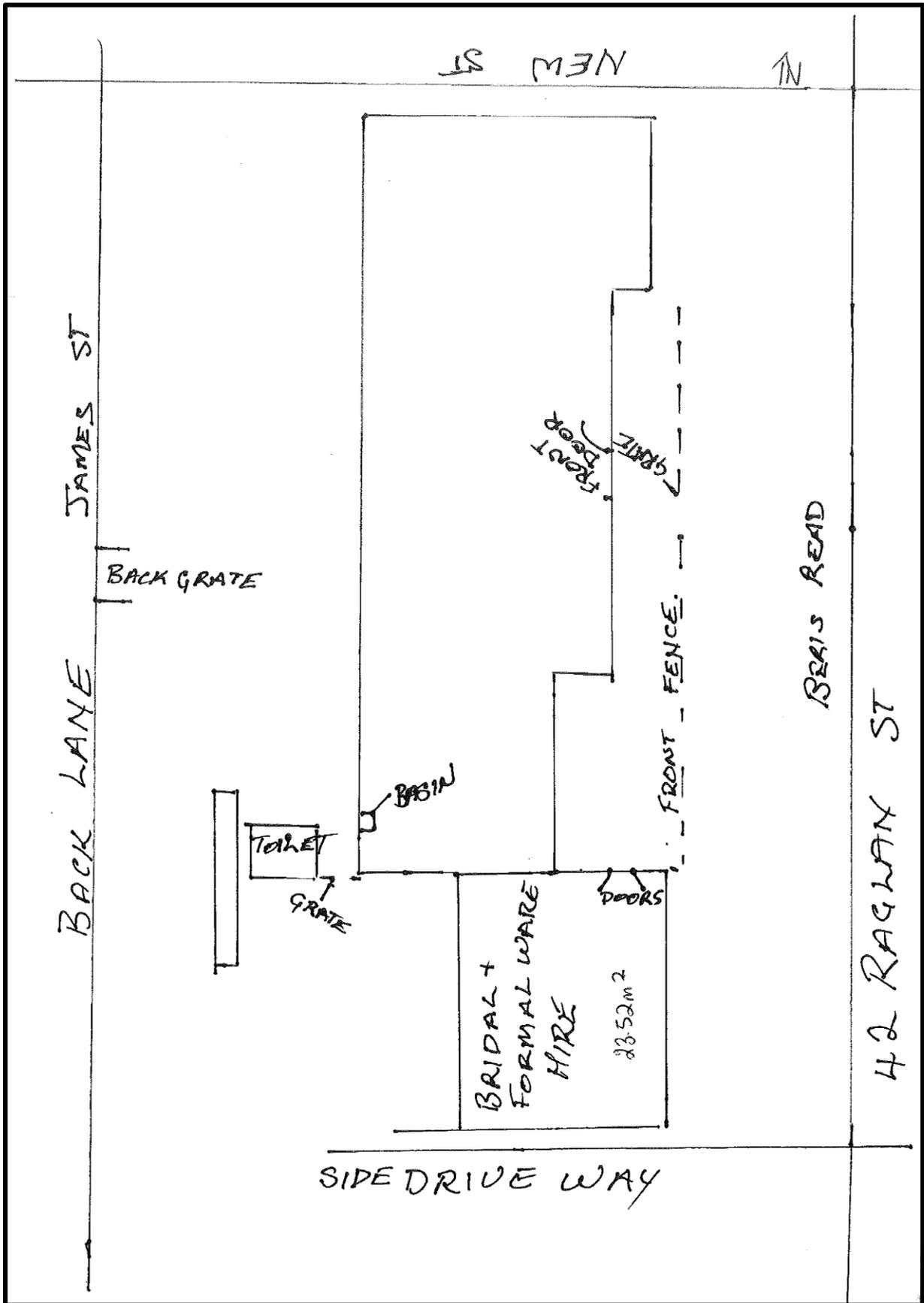
**NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL**

**PROPOSED HOME STORE**

The Shire of Pingelly has received an application from Mrs Beris Read to open a Bridal & Formal Wear Hire Business with associated accessories for sale. The proposed business location is Lots 304 - 305 – 42 - 44 Raglan Street, Pingelly and public comment is hereby invited.

Further details of the proposal are available for at the Shire of Pingelly. Comments on the proposal may be submitted to the Shire of Pingelly in writing on or before the 4th day of December 2017.

**Gavin Pollock**  
Chief Executive Officer





**Consultation:**

Jacky Jurmann - Planner  
Public Consultation

**Statutory Environment:**

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

*Planning and Development (Local Planning Schemes) Regulations 2015*

The introduction of the Deemed Provisions in Schedule 2 of the Regulations in 2015 resulted in many provisions in LPS3 being superseded.

**64. Advertising of applications**

- (1) An application for development approval must be advertised under this clause if the proposed development —
  - (a) relates to the extension of a non-conforming use; or
  - (b) relates to a use if —
    - i. the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; and
    - ii. the local government determines that the use may be consistent with the objective of that zone and that notice of the application should be given;

- or
- (c) does not comply with a requirement of this Scheme; or
  - (d) is a development for which the local government requires a heritage assessment to be carried out under clause 11(1); or
  - (e) is of a type that this Scheme requires to be advertised.
- (2) The local government may waive a requirement for an application to be advertised in the circumstances set out in subclause (1)(c) if the local government is satisfied that the departure from the requirements of this Scheme is of a minor nature.
- (3) The local government may advertise, or require the applicant to advertise, an application for development approval in one or more of the following ways —
- (a) by giving notice of the proposed use or development to owners and occupiers of properties in the vicinity of the development who, in the opinion of the local government, are likely to be affected by the granting of development approval, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is given to the person;
  - (b) by publishing a notice of the proposed use or development in a newspaper circulating in the Scheme area including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is published;
  - (c) by publishing a notice of the proposed use or development by electronic means in a form approved by the local government CEO including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is published;
  - (d) by erecting a sign or signs in a conspicuous place on the land the subject of the application giving notice of the proposed use or development for a period of not less than 14 days from the day on which the sign is erected including on each sign a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the sign is erected.
- (4) Notice referred to in subclause (3) must be in the form of the “Notice of public advertisement of planning proposal” set out in clause 86(3) unless the local government specifies otherwise.
- (5) If an application for development approval is advertised under this clause, the local government —
- (a) must make the application and the material accompanying it available for public inspection during business hours at the offices of the local government; and
  - (b) may publish the application and the material accompanying it on the website of the local government.

#### **67. Matters to be considered by local government**

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;

- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (d) any approved environmental protection policy under the *Environmental Protection Act 1986* section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan, activity centre plan or local development plan that relates to the development;
- (i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- (j) in the case of land reserved under the Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (k) the built heritage conservation of any place that is of cultural significance;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following –
  - (a) environmental impacts of the development;
  - (b) the character of the locality;
  - (c) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;

- (s) the adequacy of —
  - (i) the proposed means of access to and egress from the site; and
  - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following —
  - (i) public transport services;
  - (ii) public utility services;
  - (iii) storage, management and collection of waste;
  - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
  - (v) access by older people and people with disability;
- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (za) the comments or submissions received from any authority consulted under clause 66;
- (zb) any other planning consideration the local government considers appropriate.

**Financial Implications:**

Nil

**Strategic Implications:**

**Voting Requirements:**

Simple Majority

**Recommendation and Council Decision:**

**That Council grant development approval for a home store to hire bridal and formal wear and the retail sale of associated accessories at Lots 304 & 305 – 42-44 Raglan Street, Pingelly subject to the following conditions:**

- **The hours of operation shall be 9.00 – 5.00pm or by appointment, Monday to Saturday,**
- **Owner operator of business,**
- **No significant increase in traffic for a residential street,**
- **Any advertising signage that may be erected to be no more than 0.2m<sup>2</sup>.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

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

**Change of Council delegate for the Pingelly Somerset Alliance.**

At the Ordinary Council Meeting held on 15 November 2017 Cr Hotham nominated to become the Deputy under item 14.1 Council Delegates to Committees. Cr Hotham wishes to revoke his nomination and another Councillor is to be chosen.

**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.