

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 21 March 2018 in the Council Chambers, 17 Queen Street, Pingelly commencing at 2.00pm.

Pingelly 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

16 March 2018

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
21 March 2018

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:

21 March 2018

(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 21 March 2018 – commencing at 2.00pm.

Contents

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	10
2.	ACKNOWLEDGEMENT OF COUNTRY	10
3.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	10
3.1	Council Agenda Reports	10
4.	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	10
5.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	10
6.	PUBLIC QUESTION TIME	10
7.	APPLICATIONS FOR LEAVE OF ABSENCE	10
8.	DISCLOSURES OF INTEREST	10
9.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	11
9.1	Ordinary Meeting – 21 February 2018	11
10.	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	12
11.	REPORTS OF COMMITTEES OF COUNCIL.....	12
12.	REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES.....	13
13.	REPORTS FROM COUNCILLORS	14
14	OFFICE OF THE CHIEF EXECUTIVE OFFICER	15
14.1	Shire of Pingelly Council Awards Policy 7.2.....	15
14.2	Confidential Item - Additional Business or Employment.....	18
15.	DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES.....	19
15.1	Monthly Statement of Financial Activity – February 2018.....	19
15.2	Accounts Paid by Authority – February 2018	21
15.3	2017/2018 Annual Budget Review.....	23
16.	DIRECTORATE OF TECHNICAL SERVICES	25
16.1	Withdraw Ranger Authorisation	25
16.2	Proposed Oversized Industrial Shed – Lot 853 - 2 Paragon Street, Pingelly.....	27
17.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	34
18.	NEW BUSINESS OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING.....	34
19.	CLOSURE OF MEETING	34

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 Council Meeting held on 13 December 2017 the following leave was granted:

12327 Moved Cr McBurney Seconded Cr Hodges
That Council approve Cr Freebairn taking leave from 21st June to 28th July 2018
inclusive.

Carried 7:0

At the Ordinary Meeting of Council held on 21 February 2018 the following leave was granted:

12358 Moved Cr Steel Seconded Cr Hotham
That Michelle Walton-Hassell be granted leave from Wednesday 14th March to Tuesday
3rd April 2018 inclusive.

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 – 21 February 2018

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 21 February 2018 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 McBurney

13. REPORTS FROM COUNCILLORS

Cr William Mulroney (President)

February 2018

19th BBP (Beverley, Brookton, Pingelly) Re Aged Care accommodation application for funding.
19th Narrogin – One Use Plastic Bag Worksop.
21st Presentation of 25 years Volunteer Award to P Narducci, Morning Tea with Guests and Councillors. Corporate Discussion/Council Meeting. Presentation by Sergeant D Whitney and Council dinner.
26th Meeting with Pingelly Primary School Principal Mr R McArdle, Introduction and way forward with relationship with education and Council.
26th President and CEO Meeting. Current Council issues.
27th Radio Interview with ABC Breakfast Program. PRAAC Building and its concept and building Materials.
27th Somerset Alliance Workshop with Peter Kenyon. Forward planning.
27th PRAAC Committee meeting- Selection of Colours for internal fittings and flooring.
28th Somerset Alliance Worksop concludes.

March 2018

2nd Pingelly Primary School Faction Swimming Carnival and presentation of Medals.
7th Corporate Discussion.
9th Councillors Retreat. York.
10th Councillors Retreat York concludes.
13th President, Deputy President and CEO Meeting re Council Issues.
13th LEMC Meeting and desk top exercise- Focus on Communications within emergency services and stakeholders at an Incident.
13th PRAAC Board Meeting setting up of Board Structure and sample of colours of floor coverings and fittings. Peter Kenyon in attendance.
14th Review Council Agenda.
16th Meeting with President, CEO and Dr OJO from Agape Ventures re location to new Health Centre.

Cr David Freebairn (Deputy President)

Nil.

Cr Evan Hodges

Nil.

Cr Bryan Hotham

Nil.

Cr Jackie McBurney

Nil.

Cr Lee Steel

Nil.

Cr Michelle Walton-Hassell

Nil.

Cr Peter Wood

Nil.

Note: Standing Orders Apply

14 OFFICE OF THE CHIEF EXECUTIVE OFFICER

14.1 Shire of Pingelly Council Awards Policy 7.2

File Reference: ADM0487
Location: N/A
Applicant: G Pollock, Chief Executive Officer
Author: G Pollock, Chief Executive Officer
Date: 13 March 2018
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: N/A

Summary:

Council to adopt a change to the Shire of Pingelly Council Awards Policy 7.2.

Background:

The Shire of Pingelly currently has a Council Awards Policy which states that the Chief Executive Officer will issue invitations to the Australia Day Breakfast.

Comment:

The proposed policy alters the wording to allow the Shire President to issue invitations to the nominees of the Australia Day Awards rather than the Chief Executive Officer.

The current policy is shown below:

7.2 Council Awards

Each year, Council may present the following awards:

- (a) Community Service Award*
- (b) Sportsperson of the Year Award*

- 1. Nominations are to be advertised from October and close the first Friday of December.*
- 2. The nominee must accept the nomination prior to it being submitted.*
- 3. Presentations to the award winners shall be made as part of the Australia Day celebrations.*
- 4. Invitations to the Award winners are to be issued by the Chief Executive Officer to the Australia Day breakfast.*

Adopted: 19 January 2005
Reviewed/Amended: 21 April 2010
Reviewed/Amended: 16 March 2011
Amended: 20 March 2013
Reviewed: 17 June 2015, 17 May 2017

The proposed new policy will read:

7.2 Council Awards

Each year, Council may present the following awards:

(c) *Community Service Award*

(d) *Sportsperson of the Year Award*

1. *Nominations are to be advertised from October and close the first Friday of December each year.*
2. *The nominee must accept the nomination prior to it being submitted for consideration.*
3. *Presentations to the award winners shall be made as part of the Australia Day celebrations.*
4. *Invitations to the Award ~~nominees~~winners are to be issued by the Shire President ~~Chief Executive Officer~~ to the Australia Day breakfast each year.*

Consultation:

Shire of Pingelly Executive Staff
Shire of Pingelly Councillors

Statutory Environment:

Shire of Pingelly Policy Manual

Policy Implications:

Policy 2.1 Policy Manual

Council shall maintain a manual and up to date recording of the various policies of Council.

1. Additions, deletions and amendments to Council policy shall only be effected by an absolute majority of Council.
2. Biannual reviews of the Policy Manual shall be conducted in November immediately following the biannual elections, but nevertheless updated as and when a policy is varied by Council.
3. The Policy Manual shall be available for public inspection and comment free of charge at the Shire Administration Office. Copies will be made available for sale at a cost set by the Shire of Pingelly's current fees and charges.

Adopted:	19 January 2005
Reviewed/Amended:	21 April 2010
	19 October 2011
	21 December 2011

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:
Absolute Majority

Recommendation:
That
Council adopt the changes within the report to the Shire of Pingelly Council Awards Policy 7.2.

Moved: _____ Seconded: _____

14.2 Confidential Item - Additional Business or Employment

File Reference: 0000
Location: Shire of Pingelly
Applicant: Chief Executive Officer
Author: Chief Executive Officer
Date: 16 March 2018
Disclosure of Interest: Nil
Attachments: Nil
Previous References: Nil

**Recommendation:
That Council**

- 1. receive the Chief Executive Officer report on additional Business or Employment.**
- 2. endorse the Chief Executive Officer request to engage in additional Business or Employment.**

Moved: _____

Seconded: _____

15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

15.1 Monthly Statement of Financial Activity – February 2018

File Reference: ADM0075
Location: N/A
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 14 March 2018
Disclosure of Interest: Nil
Attachments: Monthly Statements of Financial Activity for the period 1 July 2017 to 28 February 2018
(Attachment 1 following orange sheet in separate attachments booklet)
Previous Reference: N/A

Summary:

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

The Monthly Statements of Financial Activity for the month of February 2018 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 28 February 2018 be accepted and material variances be noted.

Moved: _____ Seconded: _____

15.2 Accounts Paid by Authority – February 2018

File Reference: ADM0066
Location: Shire of Pingelly
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Rebecca Billingham, Senior Finance Officer
Date: 14 March 2018
Disclosure of Interest: Nil
Attachments: List of Accounts
(Attachment 2 following yellow sheet in separate attachments booklet)
Previous Reference: N/A

Summary:

Council endorsement is required for accounts made by authority for the month of February 2018.

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 February 2018 as presented:

JANUARY 2018	
MUNI - 117984856	
EFT4515 – 4613	\$892,514.47
CHEQUE 24522 – 24526	\$17,376.48
TRUST ACCOUNTS	
DEPT OF TRANSPORT – DD9549.1 – DD9597.1	\$27,906.20
TRUST FUND – 1920 – 1921	\$250.00
DIRECT DEBIT -	
DD9543.1 – DD9563.10 & EFT 4543 - 4612 – Pay and Super	\$24,518.01
CREDIT CARD	
DD	\$0.00
GRAND TOTAL	\$962,565.16

Notification	Explanation
Nil	

Moved: _____ Seconded: _____

15.3 2017/2018 Annual Budget Review

File Reference: ADM0067
Location: Shire of Pingelly
Applicant: N/A
Author: Stuart Billingham, Director Corporate & Community Services
Authorising Officer: Gavin Pollock, Chief Executive Officer
Date: 12 March 2018
Disclosure of Interest: Nil
Attachments: 2017/18 Budget Review
(Attachment 3 after green sheet in attachments book)

Summary:

To consider and adopt the Budget Review as presented for the period 1 July 2017 to 28 February 2018, as presented in the Budget Review (as attached).

Background:

Council adopted its 2017/2018 Municipal Budget at its Special Council meeting held 23 August 2017. It is now appropriate that a review of the Budget be put before Council for consideration and indeed this is required by Legislation.

Nature of Councils Role in the Matter

Council is to consider the review submitted to it and is to determine whether or not to adopt the review, any parts of the review or any recommendations made in the review.

Comment:

The purpose of the budget review is to ensure that that Council is informed of the like financial position of the Shire at 30 June 2018 in terms of its adopted budget. For purposes of annual reporting, Council is required to report against the adopted budget.

In reviewing the 2017/18 Budget and incorporating the amendments and the audited surplus for the 2016/17 financial year, the changes made to the various accounts has resulted in a change in the revised estimated closing balance of \$200,000 to 30 June 2018.

A copy of the 2017/18 Budget Review report and associated attachments include details of the individual amendments and a commentary.

Consultation:

Direct consultation has occurred with the Chief Executive Officer, Directors and input from the Projects Officer.

Statutory Environment:

Local Government Act 1995 Section 6.2 Municipal Budget

Local Government (Financial Management) Regulations 1996 as amended, Regulation 33A, requires local governments conduct a budget review between 1 January and 31 March in each financial year. A copy of the review and determination is to be provided to the Department of Local Government & Communities within 30 days of the adoption of the review.

Regulation 33A Review of Budget

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine whether or not to adopt the review, any parts of the review or any recommendations made in the review.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department of Local Government, Sport & Cultural Industries.

Policy Implications:

There are no policy implications

Financial Implications:

Variances in revenue and expenditure from adopted 2017/18 Budget.

Assuming Council accepts the officer's recommendation to amend the budget as per attached summary, the net impact on the end of year position would result in the end of year estimated Surplus \$200,000. Therefore, is seen that the proposed budget is prudent given that we have a number of large capital expenditure items in the remaining four months of the financial year.

Strategic Implications:

There are no known significant implications relating to the report or the Officer recommendation

Voting Requirements:

Absolute Majority

Recommendation:

That:

- 1. Council, in accordance with Local Government (Financial Management) Regulation 33A and the Local Government Act, Council adopts the 2017/18 Budget Review for the period ending 28th February 2018, as attached to the Agenda.**
- 2. a copy of the Budget Review and determination be submitted to the Department of Local Government, Sport & Cultural Industries Portal within 30 days of determination.**

Moved: _____ Seconded: _____

16. DIRECTORATE OF TECHNICAL SERVICES

16.1 Withdraw Ranger Authorisation

File Reference: ADM0306
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: Sheryl Squiers
Date: 7 March 2018
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Ranger Authorisation, 13 December 2017 Ordinary Meeting of Council

Summary:

Council to withdraw all delegations to act as an authorised officer from Mr Kevan Sercombe from WA Contract Ranger Services.

Background:

Mr Kevan Sercombe was endorsed by Council as an authorised officer while employed by WA Contract Ranger Services.

12340 Moved: Cr Hodges Seconded: Cr Hotham

Recommendation and Council Decision:

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***

Carried 7:0

Comment:

Mr Sercombe no longer works for or is employed by WA Contract Ranger Services.

Consultation:

WA Contract Ranger Services
Director Technical Services

Statutory Environment:

Section 39 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

That Council:

Endorse Mr Kevan Sercombe being withdrawn as an Authorised Officer for the Shire of Pingelly relating 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 Oversized Industrial Shed – Lot 853 - 2 Paragon Street, Pingelly

File Reference: A7634
Location: Lot 853 – 2 Paragon Street, Pingelly
Applicant: N & T Shepherd Investments Pty Ltd
Author: Sheryl Squiers, Administration Officer Technical
Date: 8 March 2018
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider an application for planning approval for a proposed second oversized industrial shed on Lot 853- 2 Paragon Street, Pingelly.

Background:

An application for planning consent for a proposed second oversized industrial shed adjoining the existing storage shed on a Mixed Use Zoned property for the purposes of storage for commercial use only.

Comment:

The applicants are seeking planning consent to construct a second oversized industrial shed on Lot 853 – 2 Paragon Street, by the current owners Noel and Tash Shepherd trading as Pingelly Trading Co - Landmark.

There is currently a 475m² Zinalume enclosed shed, and transportable office at Lot 853 – 2 Paragon Street, with the area of the proposed second oversized industrial shed to be 785m² giving a total outbuilding area of 1260m² with a wall height of 5 metres and gable height of 7.0 metres.

The proposed second oversized industrial shed will be located in the southern side of lot 853 – 2 Paragon Street, and will be jointed to the existing shed with access where existing roller doors are located on the northern and western sides of the shed, these roller doors will be removed when the new shed is built. The new shed will have a setback of 5m from the southern property boundary and 23m from the western property boundary.

The proposed oversized industrial shed will have a total area of 785m², Lot 853 – 2 Paragon Street is zoned Mixed Use and is within the Gazetted Town Site. The area of the lot is 5564m², with two street frontages the primary street being Review Street facing north with the secondary street being Paragon Street to the west. The southern boundary of the property joins onto Lots 9 – 10, 8 & 6 Quiver Street which is part of the Late Estate of I R Williams. Lot 854 on the eastern boundary is managed by the Shire of Pingelly as part of our Road Reserve for Quadrant Street.

Lot 853 – 2 Paragon Street is in the Mixed Use Zone of the *Shire of Pingelly's Planning Scheme No.3*:

Mixed Use Zone

To provide for a range of commercial activities including showrooms and other forms of bulk retailing/display in strategically located areas.

To ensure an orderly transition from and compatibility with existing residential uses.

5.18 DEVELOPMENT IN THE MIXED USE ZONE

- 5.18.1** Development in the Mixed Use Zone shall be in accordance with the standards indicated in the Development Table - General unless varied by the provisions of the Scheme.
- 5.18.2** Where residential development is proposed in the Mixed Use Zone, and an R Code is not indicated on the Scheme Map and where other provisions of the Scheme do not prevail, the R20 Code will apply for a single residential dwelling and the R30 Code will apply for duplexes or other attached houses which Council may approve subject to conditions and at its discretion.
- 5.18.3** For mixed use development comprising a combination of residential and non-residential uses, the provisions of Part 4.2 of the Residential Design Codes will apply to the residential component of the development (at R25 code), and the provisions of this Scheme to the non-residential component of the development. Council will not support commercial or industrial uses in the Mixed Use Zone where the predominant established use is for residential purposes unless their impacts can be adequately buffered.
- 5.18.4** Change of Use to Existing Premises
Within the Mixed Use Zone, the Council at its discretion may vary the application of the relevant development standards in respect of any development involving a change of land use of an existing building.

The proposed oversized industrial shed is for a storage shed for products relating to the current Landmark retail business operating from Lot 853 – 2 Parade Street. In the Zoning Table for Land Use under the Mixed Use Zone of the *Shire of Pingelly's Local Planning Scheme No.3* the proposed shed fits the description of warehouse which is a 'D' use in the Mixed Use Zone.

'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval;

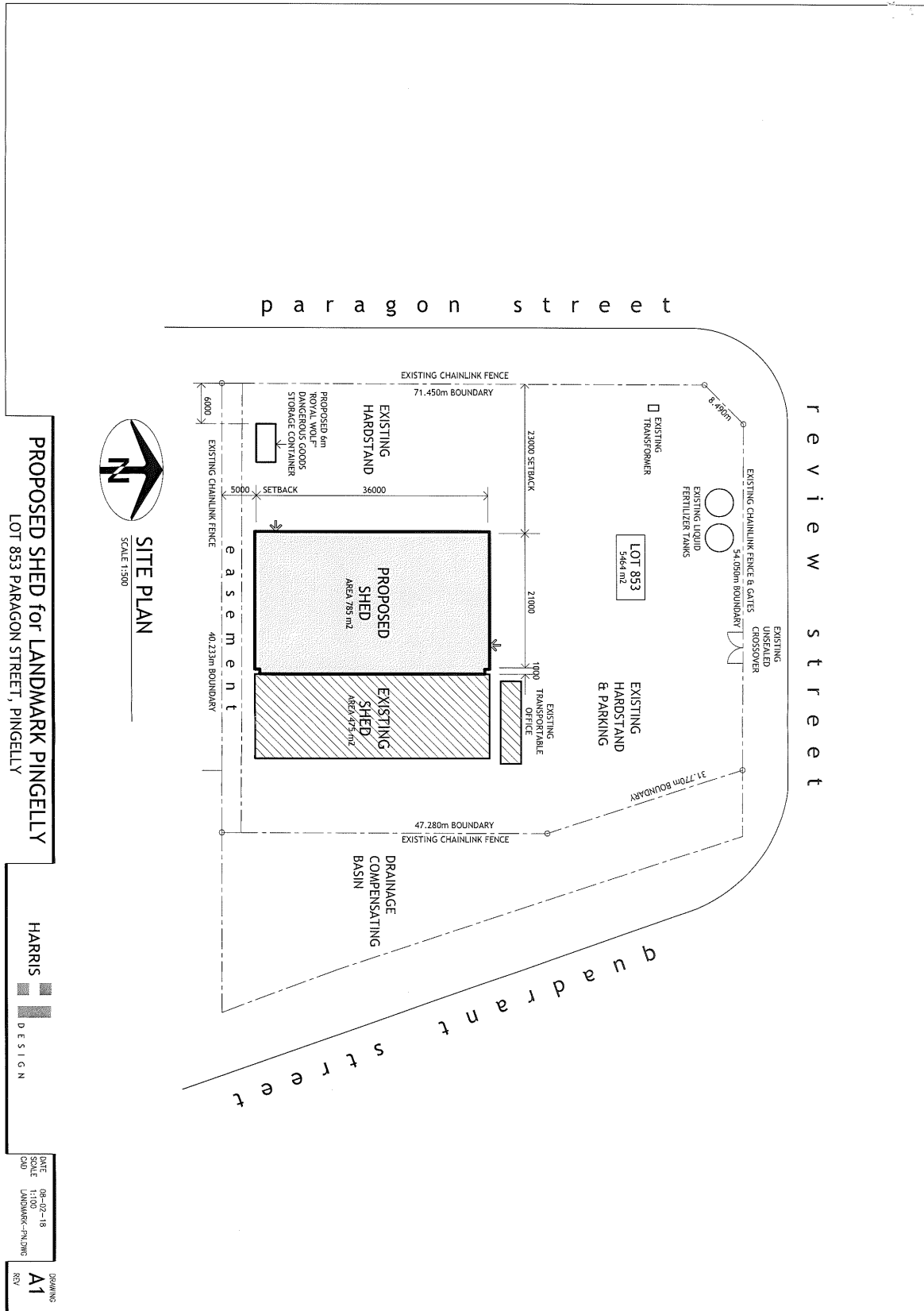
The proposed oversized shed was advertised in the Shire News via the Pingelly Times, the Shire of Pingelly Website and the Shire of Pingelly's Facebook page for public comment with any submissions to be submitted by 1 March 2018.

A letter was sent to the Executor of the Estate of IR Williams Lots 10 & 9 Quiver Street as the adjoining property owner and a notice placed at Lot 853 – 2 Paragon Street for community feedback. The Shire of Pingelly has not received any feedback regarding this proposed new shed on Lot 853 – 2 Paragon Street.

Barry Gibbs – Director Technical Services spoke to the Executor of the Estate of the Late IR Williams who has no objections to the proposed oversized shed.

There will be an over shadowing issue with neighbouring properties because of the height of the new shed which will cast a shadow over the northern portion of Lots 10 & 9 Quiver Street but will not affect the dwelling fronting Quiver street.





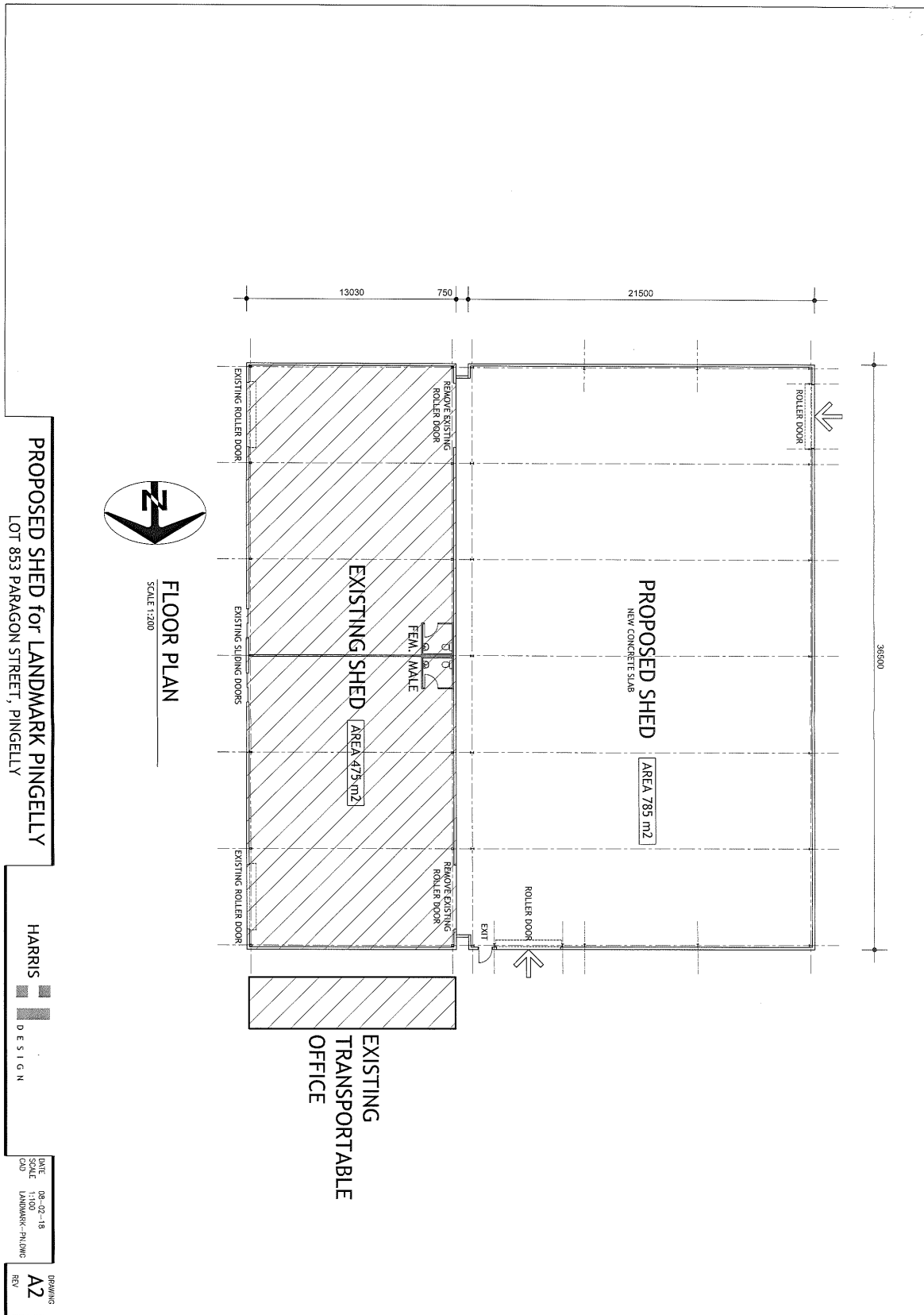
SITE PLAN
SCALE 1:500

PROPOSED SHED FOR LANDMARK PINGELLY
LOT 853 PARAGON STREET, PINGELLY

HARRIS DESIGN

DATE: 08-02-18
SCALE: 1:100
LANDMARK-PINGELLY

DRAWING: **A1**
REV:

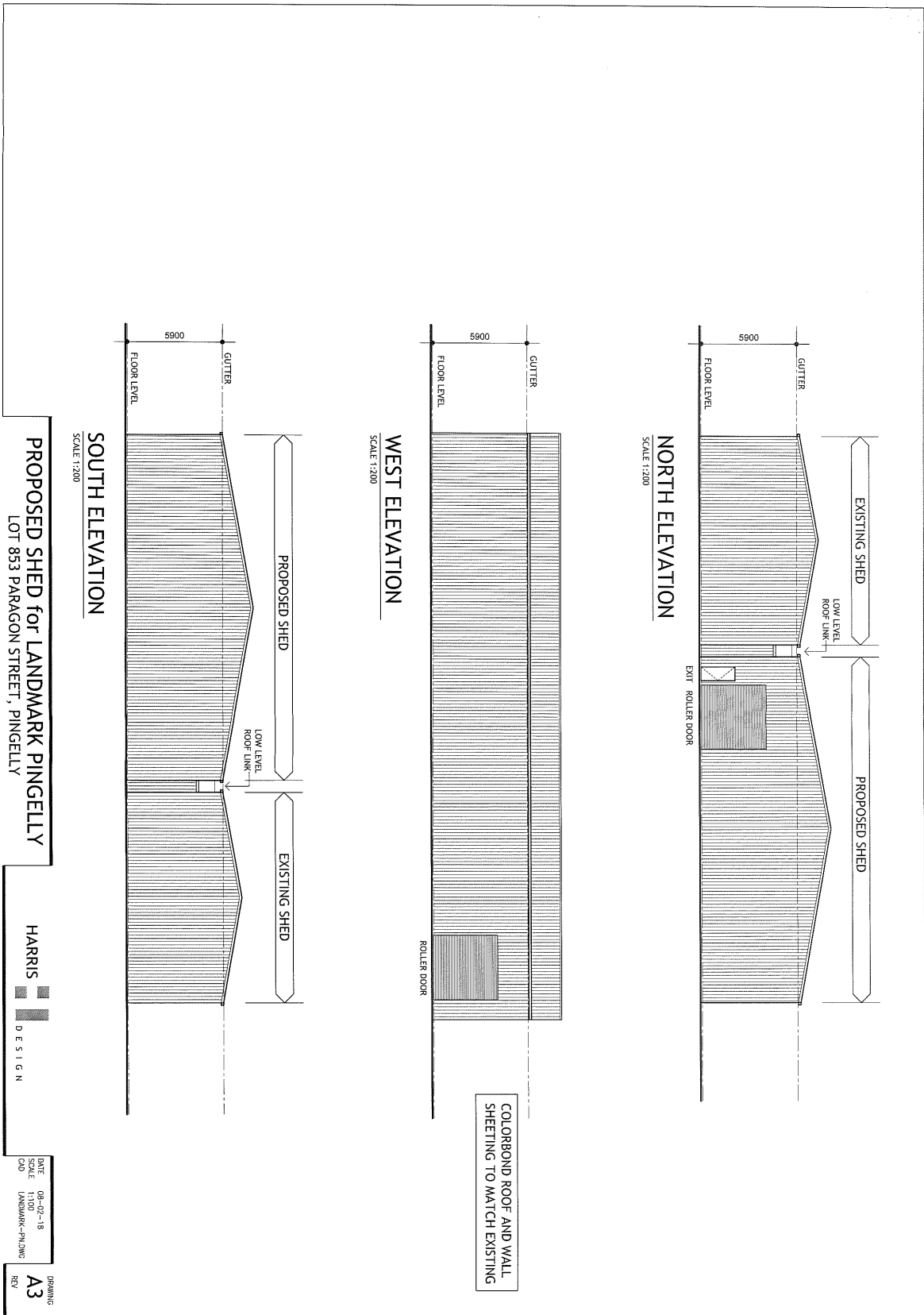


PROPOSED SHED for LANDMARK PINGELLY
 LOT 853 PARAGON STREET, PINGELLY

HARRIS
 DESIGN

DATE: 08-02-18
 SCALE: 1:100
 C/D: LANDMARK-PINGELLY

DRAWING
A2
 REV



Consultation:

Gavin Pollock, Chief Executive Officer
Executor of Estate IR Williams
Advertised for Public Consultation
Tim Jurmann, Building Surveyor
Barry Gibbs, Director Technical Services
Jacky Jurmann, Planner

Statutory Environment:

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

Policy Implications:

Shire of Pingelly's Policy 13.2 Outbuildings.

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

Council to grant planning approval for the erection of the proposed oversized industrial shed at Lot 853 – 2 Paragon, Pingelly which is to be used for commercial purposes.

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.