



# Shire of Pingelly

## Minutes

Ordinary Council Meeting  
15 May 2019

Contents

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS .....	3
2.	ACKNOWLEDGEMENT OF COUNTRY .....	3
3.	ANNOUNCEMENTS BY THE PRESIDING MEMBER .....	3
3.1	Council Agenda Reports.....	3
4.	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE .....	3
5.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
6.	PUBLIC QUESTION TIME .....	3
7.	APPLICATIONS FOR LEAVE OF ABSENCE .....	4
8.	DISCLOSURES OF INTEREST .....	4
9.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	4
9.1	Ordinary Meeting – 17 April 2019 .....	4
9.2	Special Meeting – 1 May 2019 – Appointment of Chief Executive Officer .....	4
10.	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS .....	5
11.	REPORTS OF COMMITTEES OF COUNCIL.....	5
12.	REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES.....	5
13.	REPORTS FROM COUNCILLORS .....	6
14	OFFICE OF THE CHIEF EXECUTIVE OFFICER .....	7
15.	DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES.....	8
15.1	Monthly Statement of Financial Activity April 2019.....	8
15.2	Accounts Paid by Authority – April 2019 .....	11
16.	DIRECTORATE OF TECHNICAL SERVICES .....	14
16.1	Bush Fire Advisory Committee Minutes .....	14
16.2	Dual Fire Control Officer Appointment .....	24
16.3	Reduced Front Setback for Proposed Carports .....	26
16.4	New Ranger Authorisation & Withdrawal of Existing Ranger Authorisation.....	32
17.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	35
18.	NEW BUSINESS OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING	35
19.	CLOSURE OF MEETING .....	35

**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Chairman declared the meeting open at 2pm.

**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 past and present.

**3. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

Nil.

**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**

**MEMBERS PRESENT**

Cr WV Mulroney	President (Chairperson)
Cr DI Freebairn	Deputy President
Cr EJ Hodges	
Cr K Hastings	
Cr PJ Wood	
Cr B Hotham	
Cr JM Walton-Hassell	
Cr J McBurney	

**STAFF IN ATTENDANCE**

Mr M Dacombe	Acting Chief Executive Officer
Mr S Billingham	Director Corporate and Community Services
Mrs L Boddy	Executive Assistant

**APOLOGIES**

Mr B Gibbs	Director Technical Services
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At the Ordinary Council Meeting held on 17 April 2019 the following leave was granted:

**12661 Moved: Cr Walton-Hassell**

**Seconded: Cr Hastings**

**That:**

**Cr McBurney be granted leave for Wednesday 15<sup>th</sup> May 2019.**

**Cr Wood be granted leave from 24<sup>th</sup> June to 27<sup>th</sup> July 2019.**

Carried 8:0

**OBSERVERS & VISITORS**

Mrs Julie Burton

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

Nil.

**6. PUBLIC QUESTION TIME**

No members of the public present.

## **7. APPLICATIONS FOR LEAVE OF ABSENCE**

**12669 Moved: Cr Wood                      Seconded: Cr Hotham**

**That:**

**Cr Walton-Hassell be granted leave from 27<sup>th</sup> May to 4<sup>th</sup> June 2019.**

Carried 8:0

## **8. DISCLOSURES OF INTEREST**

Nil.

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

### **9.1 Ordinary Meeting – 17 April 2019**

#### **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

**12670 Moved: Cr Freebairn                      Seconded: Cr Hastings**

#### **Recommendation and Council Decision:**

**That the Minutes of the Ordinary Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 17 April 2019 be confirmed.**

Carried 8:0

### **9.2 Special Meeting – 1 May 2019 – Appointment of Chief Executive Officer**

#### **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

**12671 Moved: Cr Hodges                      Seconded: Cr Hotham**

#### **Recommendation and Council Decision:**

**That the Minutes of the Special Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 1 May 2019 be confirmed.**

Carried 8:0

## **10. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

### **11. REPORTS OF COMMITTEES OF COUNCIL**

Audit Committee	Full Council
Recreation & Cultural Committee	Member – Shire President Deputy – Deputy President
Bushfire Advisory Committee	Member – Cr Freebairn Deputy – Cr Hotham
Chief Executive Officer Performance Review Committee	Member – Shire President Member – Deputy President Member – Cr Hodges

### **12. REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES**

Central Country Zone of WALGA	Delegate – Shire President Delegate – Deputy President Deputy – Cr Wood
Hotham-Dale Regional Road Sub-Group	Delegate – Shire President Deputy – Cr McBurney
Development Assessment Panel	Delegate – Cr Mulrone Delegate – Cr Freebairn  Deputy – Cr Hodges Deputy – Cr Wood
Pingelly Tourism Group	Delegate – Cr McBurney Deputy – Cr Freebairn
Regional Waste Group	Delegate – Cr Mulrone Deputy – Cr Wood
Shires of Pingelly and Wandering Joint Local Emergency Management Committee	Delegate – Shire President Deputy – Cr Hodges
Youth Focus Group	Delegate – Cr Walton-Hassell Delegate – Cr Hastings Deputy – Cr McBurney
Pingelly Somerset Alliance	Delegate – Shire President Deputy – Cr McBurney
Pingelly Early Years Network	Delegate – Cr Hastings
Pingelly Community Wellbeing Group	Delegate – Cr Walton-Hassell

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

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

##### **Meetings attended April:**

18<sup>th</sup> Auditor General Dept. with A/CEO & DCCS re telephone conference regarding the impending Audit by the Auditor General Department  
25<sup>th</sup> ANZAC Day Address - Laying of Wreath  
29<sup>th</sup> ANZAC Service at Pingelly Primary School

##### **Meetings attended May:**

1<sup>st</sup> Special Council Meeting- Appointment of CEO  
1<sup>st</sup> Corporate Discussion  
3<sup>rd</sup> CCZ Teleconference meeting- State Council Agenda  
6<sup>th</sup> Meeting with SIHI- Building Maintenance Works and A/CEO re Demolition of Old Hospital Building  
8<sup>th</sup> Council Agenda Briefing  
15<sup>th</sup> Council Meeting

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

Nil

#### **Cr Evan Hodges**

Nil

#### **Cr Bryan Hotham**

Nil

#### **Cr Jackie McBurney**

Nil

#### **Cr Kacey Hastings**

6 May 2019 Pingelly Early Years Network Meeting.

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

Nil

#### **Cr Peter Wood**

Nil

***Note: Standing Orders Apply***

**14 OFFICE OF THE CHIEF EXECUTIVE OFFICER**

Nil

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

### **15.1 Monthly Statement of Financial Activity April 2019**

**File Reference:** ADM0075  
**Location:** N/A  
**Applicant:** Stuart Billingham, Director Corporate & Community Services  
**Author:** Stuart Billingham, Director Corporate & Community Services  
**Date:** 6 May 2019  
**Disclosure of Interest:** Nil  
**Attachments:** Monthly Statements of Financial Activity for the period 1 July 2018 to 30 April 2019  
(Attachment 1 following red 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 April 2019 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:**

Acting 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 2018/2019.

**Strategic Implications:**

There are no known significant strategic implications.

**Risk Implications:**

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority

**12672 Moved: Cr Hastings                      Seconded: Cr Hotham**

**Recommendation and Council Decision:**

**That with respect to the Monthly Statements of Financial Activity for the month ending 30 April 2019 be accepted and material variances be noted.**

Carried 8:0

## **15.2 Accounts Paid by Authority – April 2019**

**File Reference:** ADM0066  
**Location:** Shire of Pingelly  
**Applicant:** Stuart Billingham, Director Corporate & Community Services  
**Author:** Rebecca Billingham, Senior Finance Officer  
**Date:** 6 May 2019  
**Disclosure of Interest:** Nil  
**Attachments:** List of Accounts  
(Attachment 2 following orange sheet in separate attachments booklet)  
**Previous Reference:** N/A

### **Summary:**

Council endorsement is required for accounts made by authority for the month of April 2019.

### **Comment:**

Unless otherwise identified, all payments have been made in accordance with Council's 2018/19 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.

**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority

**12673 Moved: Cr Wood**

**Seconded: Cr Hodges**

**Recommendation and Council Decision:**

**That Council endorse the Accounts for Payments for April 2019 as presented:**

APRIL 2019	
<b>MUNI - 117984856</b>	
EFT 5920 - 5985	\$205,323.69
CHEQUE 24660 - 24663	\$10,623.54
<b>TRUST ACCOUNTS</b>	
DEPT OF TRANSPORT – DD10482.1 – DD10532.1	\$44,324.40
TRUST FUND –	\$0
<b>DIRECT DEBIT -</b>	
DD10475.1 – 10526.6 & EFT 5917 – EFT 5958 – Pay and Super	\$27,057.91

<b>CREDIT CARD</b>	
DD10500.1	\$8
<b>GRAND TOTAL</b>	<b>\$287,337.54</b>

<b>Notification</b>	<b>Explanation</b>
Nil	

Carried 8:0

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

### **16.1 Bush Fire Advisory Committee Minutes**

**File Reference:** ADM0057  
**Location:** Shire of Pingelly  
**Applicant:** Chief Bush Fire Control Officer, Rod Shaddick  
**Author:** Sheryl Squiers, Administration Officer Technical  
**Date:** 16 April 2019  
**Disclosure of Interest:** Nil  
**Attachments:** Copy of Minutes (Attachment 3 following yellow sheet in separate attachments booklet)

#### **Summary:**

Council is requested to adopt the recommendations from the Bush Fire Advisory Committee Meeting held on 9 April 2019.

#### **Background:**

Each year the Shire of Pingelly appoints persons to undertake statutory and representative rolls to perform the obligations under the Bush Fires Act 1954. Nominations are forwarded from the individual Brigades via the Shire of Pingelly Bush Fire Advisory Committee, who make recommendation to the Council

#### **Comment:**

The Bush Fire Advisory Committee have recommended to the Council that the following people be appointed to the respective Bush Fire Control positions, as indicated:

<b>Chief Fire Control Officer</b>	<b>Rodney Leonard Shaddick</b>
<b>Deputy Chief Fire Control Officer</b>	<b>Robert Alexander Kirk</b>
<b>Training Officer/Organization</b>	<b>Shire of Pingelly</b>
<b>Fire Control Officers</b>	
<b>East Pingelly Brigade</b>	<b>Jeffrey Bernard Edwards</b> <b>Victor Arthur Lee</b> <b>Andrew Augustin Marshall</b> <b>Sam MacNamara</b>
<b>Moorumbine - Noonebin Brigade</b>	<b>Rodney Leonard Shaddick (CBFCO)</b> <b>Brodie Cunningham</b> <b>Scott Cunningham (FCO training required)</b>
<b>West Pingelly Brigade</b>	<b>Simon Parsons</b> <b>Anthony Turton</b> <b>Adam Lindsay Watts</b> <b>Malcolm Leslie Cunningham</b>
<b>Pingelly Central/VFRS</b>	<b>Robert Alexander Kirk (DCBFCO &amp; Captain)</b> <b>Peter Narducci</b> <b>Barry Gibbs (DTS)</b> <b>Stuart Billingham (DCCS)</b> <b>Russell Dyer (Works Supervisor)</b> <b>Sheryl Frances Squiers (Shire Administration)</b>
<b>Fire Weather Officers (Harvest &amp; Vehicle movement ban)</b>	<b>Rodney Leonard Shaddick</b> <b>Robert Alexander Kirk</b> <b>Graeme Alex Watts</b> <b>Sam MacNamara</b>

**Dual Fire Control Officers**

**Brookton:**

**Rodney Leonard Shaddick  
Robert Alexander Kirk  
Jeffrey Bernard Edwards  
Victor Arthur Lee  
Malcolm Leslie Cunningham  
Adam Lindsay Watts**

**Wickepin:**

**Rodney Leonard Shaddick  
Robert Alexander Kirk  
Victor Arthur Lee  
Andrew Augustin Marshall  
Sam MacNamara**

**Cuballing:**

**Rodney Leonard Shaddick  
Simon Parsons Anthony Turton  
Robert Alexander Kirk  
Andrew Augustin Marshall**

**Corrigin:**

**Rodney Leonard Shaddick  
Robert Alexander Kirk  
Jeffrey Bernard Edwards  
Victor Arthur Lee  
Sam MacNamara**

**Wandering:**

**Rodney Leonard Shaddick  
Robert Alexander Kirk  
Simon Parsons  
Anthony Turton  
Adam Lindsay Watts  
Malcolm Leslie Cunningham**

**Be recommended for appointment to the various Offices.**

**Consultation:**

Consultation has occurred with the Brigades following a call for nominations and consideration at individual Brigade AGM's.

BFAC committee decision to alter wording in Fire Control Order

**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.

Section 38 of the *Bush Fires Act* provides that:

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

- (2) (a) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
- (c) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the Authority may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.
- (d) Where a local government that has been served with a notice pursuant to paragraph (c) fails or neglects to comply with the requirements of that notice, the Authority may appoint a person who is not a member of staff (as defined in the DFES Act) to the vacant office.
- (e) A bush fire control officer appointed by a local government under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the Authority, by the Authority.
- (3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.
- (4) A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government, and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for —
  - (a) carrying out normal brigade activities;
  - (d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;
  - (e) procuring the due observance by all persons of the provision of Part III.
- (5) (a) A local government may issue directions to a bush fire control officer appointed by the local government, or to an officer of a bush fire brigade registered by the local government to burn, subject to the provisions of this Act, bush on, or at the margins of, streets, roads, and ways, under the care, control and management of the local government.
- (b) The bush fire control officer, or officer of the bush fire brigade, may by authority of any directions so issued carry out the directions but subject to the provisions of this Act.
- (c) The provisions of this subsection are not in derogation of those of subsection (4).
- (6) (a) In this section —

**approved local government** means a local government approved under paragraph (b) by the Authority.
- (b) If it appears to the Authority that the standard of efficiency of a local government in fire prevention and control justifies the Authority doing so, the Authority, by notice published in the *Government Gazette* —
  - (i) may approve the local government as one to which this subsection applies; and
  - (ii) may from time to time cancel or vary any previous approval given under this paragraph.
- (c) An approved local government may appoint to the office of fire weather officer such number of senior bush fire control officers as it thinks necessary.
- (ca) Where more than one fire weather officer is appointed by a local government the local government shall define a part of its district in which each fire weather officer shall have the exclusive right to exercise the power conferred by paragraph (h).
- (cb) An approved local government may appoint one or more persons, as it thinks necessary, to be the deputy or deputies, as the case may be, of a fire weather officer appointed by the local government and where 2 or more deputies are so appointed they shall have seniority in the order determined by the local government.
- (cc) Where the office of a fire weather officer is vacant or whilst the occupant is absent or unable to act in the discharge of the duties of the office, any deputy appointed in respect of that office under paragraph (cb) is, subject to paragraph (cd), entitled to act in the discharge of the duties of that office.
- (cd) A deputy who is one of 2 or more deputies of a fire weather officer is not entitled to act in the discharge of the duties of the office of that fire weather officer if a deputy who has precedence over him in the order of seniority determined under paragraph (cb) is available and able to discharge those duties.



- (d) The local government shall give notice of an appointment made under paragraph (c) or (cb) to the Authority and cause notice of the appointment to be published at least once in a newspaper circulating in its district and the Authority shall cause notice of the appointment to be published once in the Government Gazette.
- (e) An approved local government may appoint a committee for the purpose of advising and assisting a fire weather officer or any deputy of a fire weather officer acting in the place of that officer under this subsection.
- (f) Where a committee is appointed, a fire weather officer, or, as the case may be, a deputy of a fire weather officer while acting in the place of that officer, may exercise the authority conferred on him by paragraph (h), notwithstanding the advice and assistance tendered to him by the committee.
- (g) The provisions of this subsection are not in derogation of those of any other subsection of this section.
- (h) A fire weather officer of an approved local government, or a deputy of that fire weather officer while acting in the place of that officer, may authorise a person who has received a permit under section 18(6)(a), to burn the bush in the district of the local government notwithstanding that for any day, or any period of a day, specified in the notice the fire danger forecast issued by the Bureau of Meteorology in Perth, in respect to the locality where the bush proposed to be burnt is situated, is “catastrophic”, “extreme”, “severe” or “very high”, and upon the authority being given the person, if he has otherwise complied with the conditions prescribed for the purposes of section 18, may burn the bush.
- (i) This subsection does not authorise the burning of bush —
  - (i) during the prohibited burning times; or
  - (ii) during the period in which, and in the area of the State in respect of which, a total fire ban is declared under section 22A to have effect.

Section 38A of the *Bush Fires Act* provides that:

- (1) At the request of a local government the Authority may appoint a member of staff (as defined in the DFES Act) to be the Chief Bush Fire Control Officer for the district of that local government.
- (2) Where a Chief Bush Fire Control Officer has been appointed under subsection (1) for a district the local government is not to appoint a Chief Bush Fire Control Officer under section 38(1).
- (3) The provisions of this Act, other than section 38(3), (4) and (5) apply to and in relation to the Chief Bush Fire Control Officer appointed under this section as if he or she were a Chief Bush Fire Control Officer appointed under section 38 by the local government.
- (4) Section 38(3), (4) and (5) apply to and in relation to the Chief Bush Fire Control Officer appointed under this section as if —
  - (a) he or she were a Chief Bush Fire Control Officer appointed under section 38 by the local government; and
  - (b) the references in those subsections to the local government were references to the Authority.

Section 40 of the *Bush Fires Act* provides that:

- (1) Two or more local governments may by agreement join in appointing, employing and remunerating bush fire control officers for the purposes of this Act.
- (2) Bush fire control officers so appointed may exercise their powers and authorities and shall perform their duties under this Act in each and every one of the districts of the local governments which have joined in appointing them.

**Policy Implications:**

Council's Policy provides that:

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

**Financial Implications:**

There are no known financial implications.

**Strategic Implications:**

There are no known significant strategic implications.

**Risk Implications:**

Risk	Medium (8)
Risk Likelihood (based on history and with existing controls)	Medium (8)
Risk Impact / Consequence	Medium (9)
Risk Rating (Prior to Treatment or Control)	Medium (9)
Principal Risk Theme	Medium (9)
Risk Action Plan (Controls or Treatment Proposed)	Medium (9)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 9 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority

12674 Moved: Cr Freebairn

Seconded: Cr Hotham

**Recommendation and Council Decision:**

**That the Council:**

1. Receive the minutes of the Pingelly Bushfire Advisory Committee meeting held in the Council Chambers on 9 April 2019,
2. Endorse the following Bush Fire Control Order for the 2019/20 season:

**FIRE CONTROL ORDER 2019/20**

***Bush Fires Act 1954***

Pursuant to the powers contained in section 33 of the *Bush Fires Act 1954*, all owners and occupiers of land within the Shire of Pingelly are hereby required to take, provide and/or maintain fire control measures during the firebreak period as follows:

**“Excluded Area”** means an area of rural land not exceeding 30ha, where it is physically impossible to install firebreaks, or where in the owner’s or occupier’s opinion, the installation of firebreaks would be detrimental to the conservation of remnant or natural vegetation or the establishment of re-afforested areas.

**“Farming Land”** means all land within the Shire of Pingelly zoned ‘Farming’ under the *Local Planning Scheme No. 3*.

**“Firebreak Period”** means the time between 1 November and 15 April in the following year.

**“Firebreak”** means ground from which all flammable material has been removed and on which no flammable material is permitted during the firebreak period.

**“Flammable Material”** means bush (as defined by the *Bush Fires Act 1954*), timber boxes, cartons, paper and the like flammable materials, rubbish and any combustible matter, but does not include buildings, standing trees or growing bushes or plants in gardens or lawns.

**“Rural Residential Land”** means all land within the Shire of Pingelly zoned ‘Rural Residential’ under the *Local Planning Scheme No. 3*.

**“Townsite Land”** means all land within the townsite of Pingelly not zoned as ‘Rural Residential’ under the *Local Planning Scheme No. 3*.

**“Very High Fire Danger”** means on days forecast by the Bureau of Meteorology. On days forecast as *Very High Fire Danger* or above, permits are to be automatically suspended.

**Farming Land**

On farming land other than excluded areas, the owner or occupier shall:-

- a) Clear firebreaks not less than 3m wide:
  - i. inside all external boundaries of the land,
  - ii. within 15m of the perimeter of all buildings and remove all flammable material from within the 3m of all such buildings, and
  - iii. so as to divide the land into areas not exceeding 400ha.
- b) remove all flammable material for a continuous distance of 5m immediately surrounding every haystack, hayshed, stationary pump or engine, and
- c) remove all flammable material for a continuous distance of 15m or to the external boundary of the land whichever is nearer, from around fuel depots.

**Note:** Landowners may use a single firebreak on a neighbour's common fenced boundary as long as both parties agree in writing and a copy of the agreement is delivered to the Shire of Pingelly. *All agreements to be submitted to the Shire of Pingelly by 1 October of each year for the Chief Executive Officer to acknowledge agreement.*

All excluded areas remain the owner's or occupier's responsibility and any variation as permitted by the Order does not render null and void any duty otherwise required by law.

#### **Townsite Land**

On townsite land, where a property or adjoining properties having the same ownership or control and are used as a single holding, the owner or occupier, shall:-

- a) where the holding is under 2024m<sup>2</sup> in area have all flammable material likely to be conducive to the outbreak, spread or extension of fire removed, and the grass maintained to a height not greater than 10cm and all slashed material removed or
- b) where the holding is under 2024m<sup>2</sup> in area clear by burning all flammable material likely to be conducive to the outbreak, spread or extensions of a fire from the whole of the land subject to prior approval from the Shire of Pingelly.
- c) All townsite properties over 2,024m<sup>2</sup> in area are required to be fire hazard reduced by:
  - i). Construction and maintenance of a 3 metre wide bare mineral earth unobstructed trafficable firebreak within 10 metres of the boundary; and
  - ii). Reduction of the vegetation fire hazard to a maximum height of 100mm including the removal of slashed material, unless an exemption is granted by the Chief Executive Officer in consultation with the Chief Bush Fire Control Officer/VFRS Captain and Ranger Services.
  - iii). Firebreak must be constructed on and contained within the property: footpaths and roads or road verges will not be accepted as firebreaks.
- d) Trees, bushes, shrubs are to be trimmed back over driveways and access ways to all buildings to three (3) metres width with a clear vertical axis over it of four (4) metres. This is to afford access for emergency services to all structures and points of the property.

#### **RURAL RESIDENTIAL LAND (including Moorumbine, Dattening, Pingelly Heights & Pingelly Townsite)**

On rural residential land, where a property or adjoining properties having the same ownership or control and are used as a single holding, the owner or occupier shall:

- a) Comply with the requirements of townsite land, where the holding does not exceed 2024m<sup>2</sup> in area; or
- b) where the holding is over 2,024m<sup>2</sup> in area and not greater than 10ha in area is required to be fire hazard reduced by:
  - i). Construction and maintenance of a 3 metre wide bare mineral earth unobstructed trafficable firebreak within 10 metres of the boundary; and
  - ii). Reduction of the vegetation fire hazard to a maximum height of 100mm including the removal of slashed material, unless an exemption is granted by the Chief Executive Officer in consultation with the Chief Bush Fire Control Officer/VFRS Captain and Ranger Services.
  - iii). Firebreak must be constructed on and contained within the property: footpaths and roads or road verges will not be accepted as firebreaks.

- c) **Trees, bushes, shrubs are to be trimmed back over driveways and access ways to all buildings to three (3) metres width with a clear vertical axis over it of four (4) metres. This is to afford access for emergency services to all structures and points of the property.**

#### **Application to Vary Firebreak Requirements**

If it is considered impracticable to clear firebreaks or remove flammable material from the land as required, application may be made in writing to the Council or its duly authorised officer *by 1 October prior to the upcoming season* for permission to put in place alternative fire hazard reduction measures. If permission is not granted, the requirements of this Order shall be complied with.

The penalty for failing to comply with this notice is a fine not exceeding \$250 and a person in default is also liable whether prosecuted or not to pay the costs of performing the work directed in this notice if it is not carried out by the owner and/or occupier by the date required by this notice.

By Order of Council

#### **Use of Mowers & Whipper Snippers/Slashers During The Prohibited Burning Period**

- a) **not to be used during Harvest Bans, Vehicle Movement Bans or Total Fire Bans on any area**
- b) **not to be used between 6.00am to 6.00pm from 1 November and during the rest of the prohibited burning period unless on a reticulated area. (This means the grass is “green” and non-combustible).**
- c) **vegetation that is not green and flammable and that can be reticulated, can be slashed between 6.00am and 6.00pm must be well watered prior to mowing, whipper snipping or slashing (that is within the hour of watering) so that there is no chance of “sparking” and must remain damp during the operation.**
- d) **the area in an orchard that is not watered between rows if the trees are reticulated by drippers is not considered to be reticulated.**
- e) **as an added precaution have a “watcher” on hand with a hose.**
- f) **the use of disk or slashing type machines for agricultural purposes during the Prohibited Burning Period is to be by specific permit from the Chief Bushfire Control Officer or the Deputy CBFCO.**

#### **Control of Operations Likely to Cause a Fire**

Property owners should take care to prevent bush fires. The operation of welding equipment and angle grinders are activities likely to create a fire danger when used in the open air. A person shall provide at least one fire extinguisher at the place where welding or cutting operations are carried out and surround this place with a firebreak which is at least five (5) metres wide.

For updates on Hot Works, Harvest and Movement of Machinery Bans please ring the information line on 9887 1265 (recorded message) or register with the SMS warning system with the Shire to receive a text when a ban is implemented.

#### **Firebreaks on Road Reserves**

Firebreaks are not permitted on a road reserve.

**Primary Fire Fighting Units**

During any period when harvesting operations are being conducted there shall be provided in the same paddock or within close proximity of that paddock, an operational independent mobile primary firefighting unit having an engine driven pump and a water capacity of not less than 600 litres; the tank of the unit shall be kept full of water at all times during harvesting, and the responsibility to supply the unit is that of the landholder. Harvesting operations include the use of mobile augers and seed cleaning units.

Firefighting trailers for fire suppression are regarded as out dated and dangerous — both to their operators and to other fire fighters on a fire ground. Their use at wild fires is not encouraged.

**Clover Harvesting**

Harvesting bans include the harvesting of clover.

**Boyagin Rock Picnic Area**

No wood fires are permitted in the Boyagin Rock Picnic Area (Reserve No. 29413) between 1 October each year and 30 April following.

3. Appoint Rodney Leonard Shaddick to the position of Chief Fire Control Officer and Robert Alexander Kirk to the position of Deputy Chief Bush Fire Officer and Captain of the district of the Shire of Pingelly pursuant to Section 38(1) of the Bush Fires Act 1954,
4. Appoint the following people to the respective Bush Fire Control positions of the Shire of Pingelly pursuant to Section 38(1) of the Bush Fires Act 1954:

Chief Fire Control Officer	Rodney Leonard Shaddick
Deputy Chief Fire Control Officer	Robert Alexander Kirk
Training Officer/Organization	Shire of Pingelly

Fire Control Officers East Pingelly Brigade	Jeffrey Bernard Edwards Victor Arthur Lee Andrew Augustin Marshall Sam MacNamara
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Moorumbine - Noonebin Brigade	Rodney Leonard Shaddick (CBFCO) Brodie Cunningham Scott Cunningham (FCO training required)
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West Pingelly Brigade	Simon Parsons Anthony Turton Adam Lindsay Watts Malcolm Leslie Cunningham
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Pingelly Central/VFRS	Robert Alexander Kirk (DCBFCO & Captain) Peter Narducci Barry Gibbs (DTS) Stuart Billingham (DCCS) Russell Dyer (Works Supervisor) Sheryl Frances Squiers (Shire Administration)
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**Fire Weather Officers  
(Harvest & Vehicle movement ban)**      **Rodney Leonard Shaddick  
Robert Alexander Kirk  
Graeme Alex Watts  
Sam MacNamara**

- 5. Appoint the following people to the respective Dual Bush Fire Control positions of the Shire of Pingelly and the Shires of Brookton, Corrigin, Cuballing, Wandering and Wickepin pursuant to Section 40 of the Bush Fires Act 1954:**

**Dual Fire Control Officers**

**Brookton:**

**Rodney Leonard Shaddick  
Robert Alexander Kirk  
Jeffrey Bernard Edwards  
Victor Arthur Lee  
Malcolm Leslie Cunningham  
Adam Lindsay Watts**

**Wickepin:**

**Rodney Leonard Shaddick  
Robert Alexander Kirk  
Victor Arthur Lee  
Andrew Augustin Marshall  
Sam MacNamara**

**Cuballing:**

**Rodney Leonard Shaddick  
Simon Parsons    Anthony Turton  
Robert Alexander Kirk  
Andrew Augustin Marshall**

**Corrigin:**

**Rodney Leonard Shaddick  
Robert Alexander Kirk  
Jeffrey Bernard Edwards  
Victor Arthur Lee  
Sam MacNamara**

**Wandering:**

**Rodney Leonard Shaddick  
Robert Alexander Kirk  
Simon Parsons  
Anthony Turton  
Adam Lindsay Watts  
Malcolm Leslie Cunningham**

Carried 8:0

## **16.2 Dual Fire Control Officer Appointment**

**File Reference:** ADM0313  
**Location:** Shire of Cuballing  
**Applicant:** Shire of Cuballing  
**Author:** Sheryl Squiers, Administration Officer Technical  
**Date:** 2 May 2019  
**Disclosure of Interest:** Nil  
**Attachments:** Nil

### **Summary:**

Council to consider the appointment of the dual fire control officer with the Shire of Cuballing for the 2019/20 season.

### **Background:**

The Shire of Cuballing has requested the appointment of:

- Graeme Dent

as a dual fire control officer for the 2019/20 fire season.

### **Comment:**

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

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

### **Consultation:**

Mark Dacombe, Acting Chief Executive Officer

### **Statutory Environment:**

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

### **Policy Implications:**

There are no policy implications.

### **Financial Implications:**

There are no known significant financial implications.

### **Strategic Implications:**

There are no known significant strategic implications.

### **Risk Implications:**

Risk	
Risk Likelihood (based on history and with existing controls)	Low (4)
Risk Impact / Consequence	Low (4)
Risk Rating (Prior to Treatment or Control)	Low (4)
Principal Risk Theme	Low (4)
Risk Action Plan (Controls or Treatment Proposed)	Low (4)



Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 4 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority

**12675 Moved: Cr Hodges**

**Seconded: Cr McBurney**

**Recommendation and Council Decision:**

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

- **Graeme Dent**

Carried 8:0

### **16.3 Reduced Front Setback for Proposed Carports**

**File Reference:** A2759  
**Location:** Lot 667 – 31 Review Street Pingelly  
**Applicant:** Ms E Tetlow  
**Author:** Sheryl Squiers, Administration Officer Technical  
**Date:** 26 April 2019  
**Disclosure of Interest:** Nil  
**Attachments:** Nil  
**Previous Reference:** Nil

#### **Summary:**

Council to consider an application for a reduced front setback for two carports at Lot 667 -31 Review Street, Pingelly.

#### **Background:**

An application for planning consent has been received from Ms E Tetlow for a reduced setback for two carports at Lot 661 – 31 Review Street, Pingelly.

#### **Comment:**

Lot 667 – 31 Review Street is within the gazetted townsite and is zoned Rural Residential, the lot size is 1.8112ha and is located on the eastern town boundary.

The applicant wishes to erect two carports on the lot within the front boundary setback of the dwelling on either side of the dwelling for the purposes of cover for existing vehicles and a caravan.

The existing dwelling is setback 7.2m from the road reserve and the applicant wishes to reduce this setback to 1m. On the building application the original reduced setback is 3m.

This portion of Review Street ends at the eastern boundary of Lot 667 and the street culminates in a dead end and apart from a farmer accessing his land and the golf club using this end of Review Street there is no other public traffic that will impact on the request for the reduced setback.

Within the Rural Residential areas of the Shire of Pingelly the boundary setbacks are Front 15m rear and side boundaries 10m. The side boundary setback is 15.60 for the carport on the western side of the dwelling. The other carport on the eastern side is some distance from that boundary.

Clause 5.5 of the Scheme enables Council to vary the development standards, such as the variation of the front setback as proposed in this application where:

- the proposal has been advertised to potentially affected neighbouring property owners and their views have been considered in the assessment of the application; and
- the criteria in clause 10.2 has been considered; and
- the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

The proposal has not been advertised to neighbouring properties as three sides of the property are bounded by the golf course one side by agricultural land.





**Consultation:**

*Residential Design Codes 2018*

Jacky Jurmann – Consultant Planner

**Statutory Environment:**

*Shire of Pingelly Local Planning Scheme No.3*

**10.1 Matters to be considered by local government**

The local government in considering an application for planning approval is to have due regard to such of the following matters as are in the opinion of the local government relevant to the use or development the subject of the application –

- (a) the aims and provisions of the Scheme and any other relevant local planning schemes operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any relevant proposed new local planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;
- (c) any approved statement of planning policy of the Commission;
- (d) any approved environmental protection policy under the *Environmental Protection Act 1986*;

- (e) any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;
- (f) any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;
- (g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
- (h) the conservation of any place that has been entered in the Register within the meaning of the *Heritage of Western Australia Act 1990*, or which is included in the Heritage list under clause 7.1, and the effect of the proposal on the character or appearance of a heritage area;
- (i) the compatibility of a use or development with its setting;
- (j) any social issues that have an effect on the amenity of the locality;
- (k) the cultural significance of any place or area affected by the development;
- (l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;
- (m) whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;
- (n) the preservation of the amenity of the locality;
- (o) the relationship of the proposal 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 proposal;
- (p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;
- (q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (r) whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
- (s) whether public utility services are available and adequate for the proposal;
- (t) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (u) whether adequate provision has been made for access by disabled persons;

- (v) 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;
- (w) whether the proposal is likely to cause soil erosion or land degradation;
- (x) the potential loss of any community service or benefit resulting from the planning approval;
- (y) any relevant submissions received on the application;
- (z) the comments or submissions received from any authority consulted under clause 10.1.1;
- (za) any other planning consideration the local government considers relevant.

**Policy Implications:**

No known Policy Implications.

**Financial Implications:**

No known financial implications.

**Strategic Implications:**

No known strategic implications

**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority

**12676 Moved: Cr Hodges                      Seconded: Cr Hotham**

**Recommendation and Council Decision:**

**Council grant planning approval for the reduced setback of 1m from front boundary for the two proposed carports at Lot 667 – 31 Review Street.**

Carried 8:0

## **16.4 New Ranger Authorisation & Withdrawal of Existing Ranger Authorisation**

**File Reference:** ADM0306  
**Location:** Shire of Pingelly  
**Applicant:** Mr Matthew Sharpe, WA Contract Ranger Services  
**Author:** Sheryl Squiers, Administration Officer Technical  
**Date:** 2 May 2019  
**Disclosure of Interest:** Nil  
**Attachments:** Nil  
**Previous Reference:** N/A

### **Summary:**

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

Council to withdraw all delegations to act as an authorised officer from Ms Jodie Taylor from WA Contract Ranger Services.

### **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.

Ms Jodie Taylor was endorsed by Council as an authorised officer while employed by WA Contract Ranger Services.

**11742 - Moved: Cr Steel**

**Seconded: Cr Marshall**

### **Recommendation and Council Decision:**

**That:**

**Council appoint Ms Jodie Patricia Taylor 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: 6:0**

### **Comment:**

Mr Cockburn 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 Cockburn has previously worked as a Ranger for the City of Armadale, City of Belmont, City of Perth and Town of Bassendean and possesses all the training and skills to perform the role as a Ranger.

Mr Cockburn has also worked as a Security Officer and Parking Inspector for the City of Cockburn and as a Security Officer for Global Security Management and Rio Tinto.



Providing delegations to Mr Cockburn 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 Mr Cockburn 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

Ms Taylor no longer works for or is employed by WA Contract Ranger Services.

**Consultation:**

Mark Dacombe – Acting 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:**

No known policy implications.

**Financial Implications:**

Cost of service provision – 2018/19 budget

**Strategic Implications:**

Shire of Pingelly Workforce Plan

**Risk Implications:**

Risk	Low (3)
Risk Likelihood (based on history and with existing controls)	Low (3)
Risk Impact / Consequence	Low (3)
Risk Rating (Prior to Treatment or Control)	Low (3)
Principal Risk Theme	Low (3)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

## Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority

**12677 Moved: Cr Hodges****Seconded: Cr Hastings****Recommendation and Council Decision:****That:**

**Council endorse the appointment of Mr Chris Cockburn 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**

**Council endorse Ms Jodie Taylor 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**

Carried 8:0

**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 declared the meeting closed at 2.56pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 19 June 2019.

Signed.....  
Presiding Person at the meeting at which the minutes were confirmed.