



## **MINUTES**

### **ORDINARY MEETING OF COUNCIL**

**WEDNESDAY 24 April 2013  
Commencing at 3pm**

**Council Chambers  
28 Yougenup Road, Gnowangerup WA 6335**

#### **COUNCIL'S VISION**

**Community and Council working together to improve the quality of life for all our people**

PLEASE NOTE:

Meaning and CAUTION concerning Councils “*In Principle*” support:

When Council uses this expression it means that:

Council is generally in favour of the proposal BUT is not yet willing to give its consent; and Importantly, Council reserves the right to (and may well) either decide against the proposal or to formally support it but with restrictive conditions or modifications.

Therefore whilst you can take some comfort from Councils ‘support’ you are clearly at risk if you act upon it before Council makes its actual (and binding) decision and communicates that to you in writing.

Disclaimer

“Warning – Verbal information and Advice:

Given the inherent unreliability and uncertainty that surrounds verbal communication, the Shire strongly recommends that, if a matter is of importance to you, then you should NOT act upon or otherwise rely upon any VERBAL information or advice you receive from the Shire unless it is first confirmed in writing.”

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## **PART A – OPENING PROCEDURES**

### **1. OPENING AND ANNOUNCEMENT OF VISITORS**

Cr Stone Shire President welcomed Councillors, Visitors and Staff and opened the meeting at 3.12pm

### **2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**

#### **2.1 ATTENDANCE**

Cr Stone	Shire President
Cr House JP	Deputy President
Cr Lance	
Cr Savage OAM JP	
Cr Hinkley	
Cr Gaze	
Cr Pech AM JP	
Cr Hmeljak	
S Pike	Chief Executive Officer
V Morris	Executive Manager Corporate Services & Community Development
J Anning	Executive Manager Finance
C Pursey	Consultant Planner
N Browning	Community Development Officer
A Mills	Telstra General Manager Strategic Projects, Networks & Access Technologies, Telstra Operations
B Trezona	Executive Assistant

#### **2.2 APOLOGIES**

R Minitier	Manager Works
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#### **2.3 APPROVED LEAVE OF ABSENCE**

Nil

### **3. RESPONSE TO QUESTIONS TAKEN ON NOTICE**

Nil

### **4. PUBLIC QUESTION TIME**

Nil

**5. APPLICATION FOR LEAVE OF ABSENCE**

Nil

**6. DECLARATION OF FINANCIAL INTERESTS AND INTEREST AFFECTING IMPARTIALITY**

- 1.1 ROAD PROGRAM: Cr Stone, Cr House, Cr Lance, Cr Savage, Cr Hinkley, Cr Pech and Cr Hmeljak declared a Proximity Interest (Interest in Common approved by Director General, Department of Local Government)
- 2.1 STRATEGIC COMMUNITY PLAN 2013 – 2022: Cr House and Cr Hinkley declared a Financial Interest  
Cr Gaze, Cr Lance and Cr Stone declared an Impartiality Interest
- INITIATE SCHEME AMENDMENT 5 AND CHANGE THE PURPOSE OF RESERVE 28654: Cr Lance declared a Proximity Interest

**7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

7.1 PETITIONS

Nil

7.2 DEPUTATIONS

Nil

7.3 PRESENTATIONS

A Mills - Telstra General Manager Strategic Projects, Networks & Access Technologies, Telstra Operations; discussed with Council issues regarding Borden Telecommunications and Telstra Issues across the Shire.

7.4 SUBMISSIONS

Nil

**8. CONFIRMATION OF PREVIOUS MEETING MINUTES**

8.1 ORDINARY MEETING OF COUNCIL WEDNESDAY 27 FEBRUARY 2013

0413.48 Moved Cr Pech

Seconded Cr Savage

***That Council confirms the minutes from Ordinary Council meeting held Wednesday 27 March 2013 as a true and correct record of proceedings.***

**CARRIED 8/0**

*A Mills left the meeting at 3.45pm*

**9. RECEIPT OF MINUTES OF COUNCIL COMMITTEES**

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**9.1 PLANT AND WORKS COMMITTEE MEETING 16 APRIL 2013**

**Date of Report:** 16 APRIL 2013  
**Proponent:** Plant and Works Committee  
Interest In Common

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**ATTACHMENTS**

- Minutes from Plant and Works Committee Meeting 16 April 2013

**COUNCIL RESOLUTION**

0413.49 Moved Cr Hmeljak                      Seconded Cr Hinkley

***That Council receives and notes the minutes from the Plant and Works Committee Meeting held 16 April 2013.***

**CARRIED 8/0**



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**9.2 HEALTH AND DEVELOPMENT COMMITTEE MEETING 10 APRIL 2013**

**Date of Report:** 10 APRIL 2013  
**Proponent:** Audit, Finance and Risk Committee

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**ATTACHMENTS**

- Minutes from Health and Development Committee Meeting 10 April 2013

**COUNCIL RESOLUTION**

0413.50 Moved Cr Gaze                      Seconded Cr Lance

***That Council receives and notes the minutes from the Health and Development Committee Meeting held 10 April 2013.***

**CARRIED 8/0**

**9. CONTINUED RECEIPT OF MINUTES OF COUNCIL COMMITTEES**

9.3 AUDIT, FINANCE AND RISK

Nil

9.4 ANNUAL ELECTORS

Nil

**10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

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**10.1 SHIRE PRESIDENTS ACTIVITY REPORT APRIL 2013**

**Date of Report:** 16 April 2013  
**Officer:** Cr K Stone – Shire President

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**April 5:** ABC Great Southern Morning show radio interview (live) regarding swimming pool location and associated issues

**April 8:** Regional Road Group meeting **Gnowangerup**

Bushfire Advisory Committee AGM & Ordinary Meeting **Borden**

**April 9:** Phone discussion with Shire of Kent councillor regarding the Shadow Cabinet meeting attended by CEO in Narrogin.

**April 10:** Southern Ag Care interviews for new Mental Health Counsellor – position filled

Afternoon catching up on paperwork/information in Shire office **Gnowangerup**

**April 16:** Plant and Works Committee Meeting **Gnowangerup**

**April 19:** WALGA Great Southern Zone Meeting **Woodanilling**

**PART B – MATTERS FOR INFORMATION**

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**1. USE OF COMMON SEAL**

**Location:** Shire of Gnowangerup  
**Proponent:**  
**Date of Report:** 16 April 2013  
**Business Unit:** Strategy and Governance  
**Officer:** S Pike - Chief Executive Officer  
**Disclosure of Interest:** Nil

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The Common Seal was unused during the period 28 March 2013 – 16 April 2013

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**2. PLANT MECHANICS MONTHLY REPORT MARCH/APRIL 2013**

**Date of Report:** 16 April 2013  
**Business Unit:** Infrastructure  
**Officer:** K Tomlinson – Plant Mechanic

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ATTACHMENTS

- March/April AMPRO Report

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**3. WORKS DEPARTMENT MONTHLY REPORT MARCH/APRIL 2013**

**Date of Report:** 4 April 2013  
**Business Unit:** Infrastructure  
**Officer:** R Minter – Works Supervisor

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ATTACHMENTS

- Road Construction Program spread sheet

**ONGOING WORKS**

Priority Construction Works - the construction crew are currently working on the RR40 Boxwood-Ongerup Road construction and seal works.

The base construction works of Gnowangerup's new turf hockey field has now been finalised.

Borden Water Corp project - Works are also continuing on with the clearing of the road catchment works; clearing, grading, minor bitumen repairs.

**Construction Grader GDR8 GN0015**

**Action**

- |                      |                                       |
|----------------------|---------------------------------------|
| ➤ Boxwood-Ongerup Rd | Clearing Construction works RR40, 4km |
| ➤ Borden Bremer Rd   | Clearing and reseal works RG10, 5km   |
| ➤ Magitup Rd         | Construct and re sheet 2km            |

Boxwood Ongerup Rd works will continue to improve, with gravel carting underway, the works crew will be aiming to finish the works by 25 April. The pavement will be constructed to 10 meters, finishing off with a 6.6 meter 40-60 prime tack coat followed by a 6.4 14mm bitumen seal.

**Borden Grader GDR7 GN005**

**Action**

- |                |                                    |
|----------------|------------------------------------|
| ➤ Nightwell Rd | Maintenance grade (shoulder grade) |
| ➤ Highdenup Rd | Maintenance grade                  |
| ➤ Dawson Rd    | Maintenance grade                  |
| ➤ Kybellup Rd  | Maintenance grade                  |

Borden Maintenance Grader will be continuing on with maintenance grading, as well as helping construction crew on the Borden Water Corp works. The crew will take full advantage of the Borden maintenance grader while in the area, aiming for commencement of RC66 Magitup Rd construction formation and gravel pave.

After these works are completed the Borden grader will continue on with its maintenance.

**Ongerup Grader GRD9 GN0021**

	<b>Action</b>
➤ Rabbit Proof Fence Rd	Maintenance grade
➤ O’Neill Rd	Maintenance grade
➤ Hart Rd	Maintenance grade
➤ Gleeson Rd	Maintenance grade
➤ Toompup Rd	Maintenance grade

Ongerup maintenance grader will take advantage of gravel carting while construction works are being carried out in the Ongerup area. Maintenance on all roads will be carried as damage occurs

**Gnowangerup Maintenance Grader**

➤ Old Ongerup Rd	Maintenance grade
➤ Mindarabin Rd	Maintenance grade
➤ Hinkley Rd	Maintenance grade
➤ Jones Rd	Maintenance grade

Gnowangerup Grader will be continuing on with maintenance grading and fixing new bus routes as requested, as well as continuing on with blow out fixing and cleaning out the offshoots

**Maintenance – Drainage Crew**

- Rubbish Tip Maintenance
- Blowout fixing /bitumen roads , Borden Bremer Rd, Ongerup Pingrup Rd
- Magitup Rd installation and widening of culverts on existing works RC66

The drainage crew will also be helping out with construction works on Boxwood-Ongerup Rd as well as culvert installation on the Magitup Rd construction 2km gravel pave roadwork and patching on the Borden Bremer Rd works RG10 reseal.

**Spraying will continue on all roads throughout 2013:**

Strathaven Rd	Sandalwood Rd
Hinkley Rd	Tie Line Rd
Black Rd	Nightwell Rd
Old Ongerup Rd	Kwobrup Nth Rd
Tambellup Rd	Airport Rd
Kwobrup Rd	Borden-Bremer Rd
Gleeson Rd	Ongerup-Pingrup Rd
Boxwood-Ongerup Rd	New country Rd
Salt River Rd	Entrances into GNP, Borden, Ong

**Pruned and Slashed Roads:**

Highdenup Rd	<b>(Completed previous 2012/13 works)</b>
Salt River Rd	Strathaven Rd reseals
Black Rd	Tie Line Rd Failure No 1
Old Ongerup Rd	RC68Toompup Sth 3km gravel sheet
Borden Bremer Rd	Completed All Town Footpaths
Toompup Sth Rd	Tie line Rd Failure No 2
Hinkley Rd	Tambellup Rd RC71 (No 2 Rd Failure)
	Magitup Rd RC58 (clay patches)
	RG11Tie Line Rd full width reseals

Hams St reseals  
Air Strip Enrichment  
Boxwood-Ongerup Rd Reseals  
Vaux St Reseals

Spraying maintenance and slashing of all roads will be recorded as works have been completed. We are aware there is a lot of maintenance to be done in this area; this is due to lack of maintenance staff.

### **Manager of Works Monthly report for Plant and Works Committee meeting 8<sup>th</sup> April 2013**

#### **RR40 - Ongerup Boxwood Road works**

The Boxwood-Ongerup Road (RR40) has been ongoing for some time with works commencing in November of 2012 and rolling on over Christmas into the New Year. With works commencing on the new turf hockey oval (Job 33124) in February has forced the crew to being behind by three weeks. Over this time the crew has completed other works such as the RC69 - Kwobrup Rd floodway and the completion of the base works of the hockey field throughout early March.

#### **RC66 - Magitup 2Km gravel construct**

Works on Magitup Road will commence on the week of the 25<sup>th</sup> April 2013 with 25% of the clearing works being done. Works on Magitup Road should only take approximately two and a half weeks to complete.

#### **Gravel Sheeting**

- RC74 Nightwell Rd
- RC62 North Stirlings Rd

The existing gravel sheeting works will commence in early to middle May, hopefully the weather changes, giving us the advantage of not running a water truck.

#### **Works Completed from our budgeted works**

- RG08 Tie Line Rd Roll over
- RG11 Tie Line Rd reseal widening
- RC71 Tie Line Rd failure number 1
- RC72 Tie Line Rd failure number 2
- RC57 Holden Rd Gravel sheeting clay patches
- RC58 Magitup Rd Gravel sheeting clay patches
- RC63 Boxwood Ongerup Rd 3km Reseal
- RC64 Hams St reseal
- RC65 Strathaven Rd reseal 10mm
- RC67 Toompup South Rd 3km Gravel re-sheeting
- RC73 Vaux St reseal
- RC70 Tambellup Rd road failure
- RC68 McDonald St – Quinn St footpath
- RC75 Aylmore St Footpath



- RC76 Eldridge St Footpath
- RC77 Vaux St Footpath
- RC78 Stone St Footpath
- RC79 Carpenter St Footpath
- RC69 Kwobrup Rd floodway

The works in excess of the annual budget has added pressure on the works crew due to being inexperienced and under manned. Works over the past nine months have been a challenge, having an extended works program along with staff problems, some of them roll out of being work related. Over the past year there have been new faces being introduced into the shire works crew. Some have brought loads of knowledge and some that have made it a challenge for the leading hands and myself.

Over this period I have seen such a green crew with hardly any road building knowledge take up the opportunity of challenging themselves in having a go driving and operating different types of plants to benefit the working crew. For example one of our younger workers has progressed into a confident and helpful employee from being promoted from the drainage maintenance crew showing we all have the potential to grow.

Over the current works in a contracted works environment has given myself the Manager of Works the opportunity to sight the professionalism that our outside works crews brings to our public.

I would also like to acknowledge the commitment the crew gives in the area of safety. Their attitude towards safety throughout our workplace has lifted over the past two years bringing new policies into place to help create a shire that is a safe and happy place to work.

Over the past year I have seen a number of projects throughout the communities of Gnowangerup, Borden and Ongerup grow into a combination of community spirit to make these projects possible. Given the opportunity to work with and alongside such dedicated community members, gives me a strong sense of belonging to and proud to be part of our Shire. Thanks very much.

Robbie Minitier

**MANAGER OF WORKS**

***Cr Lance asked that the staff who sprayed the Gnowangerup Tambellup road verge, be thanked for a great job.***

***Cr Savage queried if a response had been sent to the complainant regarding wild radish on Holden Road.***

**4. BUILDING SURVEYOR REPORTS MARCH 2013**

**Date of Report:** 28 March 2013  
**Business Unit:** Corporate and Community Services  
**Officer:** D Baxter – Building Surveyor

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ATTACHMENTS

- Monthly Service Report March 2013
- Yearly Return of Building Permits

## PART C – MATTERS FOR DECISION

Cr Stone, Cr House, Cr Lance, Cr Savage, Cr Hinkley, Cr Pech and Cr Hmeljak have a Proximity interest in this item due to all residing or owning land which is in proximity to roads listed on the 2013/2014 Road Program.

The Director General for the Department of Local Government has approved the Shire's application under section 5.69(3) of the *Local Government Act 1995* to allow disclosing Councillors Kerry Stone, Keith House, Sue Lance, Janet Savage, Brenton Hinkley, Ken Pech and Shelley Hmeljak to fully participate in the discussion and decision making relating to the 2013/2014 Road Program.

### 1. PLANT AND WORKS

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#### 1.1 2013/2014 ROAD PROGRAM

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	Plant and Works Committee
<b>File Ref:</b>	
<b>Date of Report:</b>	16 April 2013
<b>Business Unit:</b>	Infrastructure
<b>Officer:</b>	R Minitier – Manager Works
<b>Disclosure of Interest:</b>	as above

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#### SUMMARY

Presented to the Committee are the notes from the 2013 road inspection, along with appropriate works costing and staff priority recommendations for inclusion in the 2013/2014 Draft Budget deliberations.

#### BACKGROUND

Below are the minutes from the road inspection, taken by Council's consultant engineer, Paul Robertson, and presented to Council at the March 2013 Council meeting.

### 2013 ROADS INSPECTION RECORD

Wednesday April 17 – left Shire office @ 9.30am

Attendance:

- **RM** Robbie Minitier Jnr, Works Manager/Bus Driver
- **KS** Cr Kerry Stone, Shire President
- **JS** Cr Jan Savage
- **SH** Cr Shelley Hmeljak
- **KH** Cr Keith House

- **BH** Cr Brenton Hinkley
- **SP** Shelley Pike Chief Executive Officer
- **PR** Paul Robertson, Consultant Engineer/Record keeper

**2013/14 approved RRG projects: The Broomehill-Jerramungup/Jackitup Rd Intersection (\$45,000) project, and Broomehill-Jerramungup/Old Ongerup Rd Intersection (\$36,000) project have been approved for 2/3<sup>rd</sup> State Black Spot funding in 2013/14 by the Regional Road Group (GSRRG). RRG funds have also been granted toward Borden-Bremer Bay Rd (\$194,100) and Tambellup Rd (\$48,900) reseals and Kwobrup road repairs (\$75,000) in 2013/14.**

1. Travelled from the Administration Office to inspect town streets resealed or requiring resealing.
2. **Bell Street** 200m west from Hams St to Glengarry St turnouts required crack patch, edge repair and then reseal in 13/14.
3. **Aylmore Street** – Yougenup Rd to McDonald St required crack patch, edge repair and then reseal in 13/14.
4. **Quinn Street** – Yougenup Rd to McDonald St required crack patch, edge repair and then reseal in 13/14.
5. **McDonald Street** - intersection at Allardyce St required Asphalt surfacing to address cracks from turning stresses. The old cracks at Kwobrup Rd (Park) and Yougenup Rd intersection should be crack patched.
6. **Kwobrup Road** approx. 1km section rebuilt ~ 10 years ago required reseal. RRG project for 14/15 (PR).
7. **Footpath on Garnett Rd/Allardyce St was requested to be constructed (SH).**  
Viewed proposed 12/13 footpath works on House St (now deleted) and works done. Paths proposed for 13/14? on Jerramungup Rd Strathaven Rd to Grocock St, **(NO due to pole and low use)** and McDonald St Quinn St to Jerramungup Rd **(NO due to good grassed verges).**

**No Town drainage concerns were discussed.**

**No town site road safety concerns were raised.**

**RM to contact MRWA to ensure bin at east approach to town is emptied more often and to request a replacement bin at the “CRANE” rest area – consider Shire doing these 2 bins under contract to MRWA.**

Observed 12/13 reseal of Strathaven Rd.

Inspected **Tip** and **Airport Rd** to **Gnowangerup-Tambellup Rd**.

**Airport Rd “kink” east of airport access (near gun club) was to be removed before this eastern section was considered for sealing. (RM – fund “KINK” from Tip, road or Airport maintenance? TRAFFIC COUNT)**

8. Observed **Kwobrup Rd** to view proposed repair sections.
9. Travelled to **ONGERUP** via Old Ongerup Rd **2 km of gravel resheeting was agreed for 13/14** immediately east of sealed flood-crossing. Consider future seal. **RM - TRAFFIC COUNT. June 2002 38vpd, Dec 2002 40vpd.**
10. A fingerboard at the intersection of Old Ongerup Rd and M001 showing a distance to Gnowangerup was requested by Cr BH. PR advised against this as the Main Road intersection had sub-standard visibility due to a curve, and the Old Ongerup Rd from M001 to Coromup Rd was a low standard. It was suggested that a similar fingerboard be considered at the recently improved Tie Line Rd intersection with M001 as this would be a better, shorter and safer (sealed) route to encourage motorists from the north to access Gnowangerup.
11. Travelled to **O’Neill Rd** (good condition) and down **Ongerup-Pingrup Rd** to observe future reseal sections. **PR was requested to conduct a Road Safety Audit at the O’Neill Rd/Ongerup-Pingrup Rd intersection to better address the crest to the north. PR was requested to prepare a Draft Works Program for repairs, widening seal from nominal 5.6m seal to 6.4m seal, and further resealing of the Ongerup-Pingrup Rd, including flood-crossing. RM TRAFFIC COUNT. 1993 MRWA count 100vpd south end, May 1995 109vpd, Jan 2000 41vpd, May 2003 100 vpd**
12. **Mindarabin Road** – Gravel sheet 2km south end where slippery, and corrugated (hills). Bus route. RM TRAFFIC COUNTS for Mindarabin Rd and Old Ongerup Rd between Mindarabin Rd and Coromup Rd, and Coromup Rd (MRWA may have Coromup count at M005?).
13. View proposed path works in Eldridge St, Carpenter St (Lamont St to Eldridge St) and Vaux St (Jaekel St to Walker St). View Vaux St 12/13 reseal. **Reseal needs for 13/14: Lamont St (all), Carpenter St (between Eldridge and Vaux Sts), Stone Av were agreed for crack patching and 10mm reseal.**
14. **Morning tea at Ongerup.** Gleeson Rd was not inspected as it was not anticipated that the seal would be extended in 13/14. Dec 2009 count 49 vpd (10 road trains/day)
15. **Toompup South Road** 1.6km proposed seal curves section has just been graded. Proposed to seal 7.5m wide on basis of highest maintenance section. October 1994 count 17 vehicles per day, Dec 2009 count 21 vpd (2 road trains/day), Jan 2003 26 vpd. **RM TRAFFIC COUNT**

16. **Boxwood-Ongerup Road** View 12/13 reseal section. **It was agreed that the first reseal of the section south of Stewart Rd and the flood crossing were warranted.** Holden Rd resheeted clay sections 12/13 were not observed but JS did not anticipate that more work would be needed in 13/14. Viewed the 12/13 seal extension south of Cowalellup Rd, in progress. Future seal extension would be considered based on **TRAFFIC COUNTS – RM.**
17. **Toompup South Road** resheet sections 12/13 and 13/14 (none planned?) were observed.
18. **Nightwell Road** resheet section 12/13 2.0km (10km N of Oakdale Rd) was not viewed.
19. **Borden-Bremer Bay Road / Nightwell South Road** intersection was viewed showing narrow shoulder sloping away from outside of sealed curve on high embankment. PR requested to provide a RSA report to address safety concern.
20. **Borden-Bremer Bay Road** view 12/13 widening, repairs, reseal 5.28-10.14 (\$302,000) and 13/14 reseal western 5.28km (\$194,100). The improvements were appreciated.
21. **BORDEN** viewed Stone St path. **Path requested for Moir St western end south side. STONE St west end (near school) was agreed for crack patch and reseal in 2013/14.**
22. Viewed **Magitup Road** proposed 2km high maintenance 2012/13 gravel section. **Proposed for seal as is acceleration up hill and curve. RM TRAFFIC COUNT.**
23. **North Stirling Road** - viewed 12/13 proposed resheet 2km section 12/13 (\$79,770). Appeared to be in good condition so could be deferred to 13/14 if time was short. RM indicated that some culverts required lengthening.
24. **Returned to Gnowangerup** via South Pallinup Road.
25. PR was requested to re-compile an updated list of previous road traffic counts.
26. RM was requested to ensure counts used Austroads 94 truck classifications and to consider using a contractor to count multiple sites at peak times to give Council a direct comparison of competing road sections for seal. High counts could also assist in with increasing WALGGC road grants.

*Paul G Robertson C P Eng.*

*6 March, 2013.*

Comments

The Works Manager has since costed the works and recommended a “priority” order in which the works will be included in the 2013/2014 **draft** budget.

<b>Job Number (Prioritised)</b>	<b>Job Name</b>	<b>Works to be carried out</b>	<b>Estimated cost of works</b>
Grant Funded	Borden Bremer Bay Road	Reseal 0.00 to 5.28km	\$194,100
Grant Funded	Tie Line Road	Reseal (completed in 12/13 with approval for 13/14 claim)	\$33,000
Grant Funded	Gnowangerup Tambellup Road	Patch and reseal 100mm 0.00 – 0.95slk	\$47,491
Grant Funded	Kwobrup Road	Repair pavement and seal	\$75,035
Grant Funded	Jackitup West Road	Signs, clear, fill to improve visibility	\$66,693
Grant Funded	Old Ongerup Road	Signs, widen approach and lines	\$41,192
1.	Toompup South Road	1600mtrs construct and seal	\$194,283
2.	Old Ongerup Road	2km gravel sheet (slk 0.00 – 2.00)	\$152,712* (Roads to Recovery) Recommended
3.	Boxwood Ongerup Road	3km reseal and shoulder construction (south of Stewart Road)	\$111,994* (Roads to Recovery) Recommended
4.	Boxwood Ongerup Road	3km reseal floodway	\$13,576
5.	North Stirling Road	Gravel Sheet 2km (roll over)	\$83,000
6.	Sandalwood Road	Gravel sheet (slk 0.9 to 2.9)	\$73,828
7.	Ongerup Pingrup Road	Repair shoulders and patching (slk 0.03 – 11.81)	*\$138,246 (Roads to Recovery – part funded) Recommended
8.	Aylmore to McDonald Street	Reseal	\$17,190`
9.	Lamont Street	Reseal	\$39,529
10.	Stone Street	Reseal	\$24,148
11.	Bell St/Hams St to Glengarry	Reseal	\$14,712
12.	Quinn Street to McDonald Street	Reseal	\$9,628
13.	Allardyce Street to Garnett Road	Footpath	\$31,783
14.	Carpenter Street from Eldridge Street	Reseal	\$21,690
15.	McDonald/Allardyce St	Asphalt surfacing	\$20,501
16.	Moir Street	Footpath (west end)	\$34,402

At this point it is helpful for staff to gauge from Council their view on the priority of these jobs as it will determine which jobs are included in the draft budget for Council's deliberation on 17 June 2013. However, at this point no final decisions will be made, and Council will have opportunity to review the program, in the overall context of the budget again in June.



**COUNCIL RESOLUTION**

0413.51 Moved Cr Gaze

Seconded Cr Savage

***That Council for the purposes of the draft budget only, prioritise the 2013/2014 nominated road projects as follows –***

Job Number (Prioritised)	Job Name	Works to be carried out	Estimated cost of works
Grant Funded	Borden Bremer Bay Road	Reseal 0.00 to 5.28km	\$194,100
Grant Funded	Tie Line Road	Reseal (completed in 12/13 with approval for 13/14 claim)	\$33,000
Grant Funded	Gnowangerup Tambellup Road	Patch and reseal 100mm 0.00 – 0.95slk	\$47,491
Grant Funded	Kwobrup Road	Repair pavement and seal	\$75,035
Grant Funded	Jackitup West Road	Signs, clear, fill to improve visibility	\$66,693
Grant Funded	Old Ongerup Road	Signs, widen approach and lines	\$41,192
1.	Toompup South Road	1600mtrs construct and seal	\$194,283
2.	Old Ongerup Road	2km gravel sheet (slk 0.00 – 2.00)	\$152,712* (Roads to Recovery) Recommended
3.	Boxwood Ongerup Road	3km reseal and shoulder construction (south of Stewart Road)	\$111,994* (Roads to Recovery) Recommended
4.	Boxwood Ongerup Road	3km reseal floodway	\$13,576
5.	North Stirling Road	Gravel Sheet 2km (roll over)	\$83,000
6.	Sandalwood Road	Gravel sheet (slk 0.9 to 2.9)	\$73,828
7.	Ongerup Pingrup Road	Repair shoulders and patching (slk 0.03 – 11.81)	*\$138,246 (Roads to Recovery – part funded) Recommended
8.	Aylmore to McDonald Street	Reseal	\$17,190`
9.	Lamont Street	Reseal	\$39,529
10.	Stone Street	Reseal	\$24,148
11.	Bell St/Hams St to Glengarry	Reseal	\$14,712
12.	Quinn Street to McDonald Street	Reseal	\$9,628
13.	Allardyce Street to Garnett Road	Footpath	\$31,783

14.	Carpenter Street from Eldridge Street	Reseal	\$21,690
15.	McDonald/Allardyce St	Asphalt surfacing	\$20,501
16.	Moir Street	Footpath (western end)	\$34,402

**CARRIED 8/0**

**COUNCIL RESOLUTION**

0413.52 Moved Cr Savage                      Seconded Cr Hmeljak

*That Councillors provide staff with a list of location road signs that need to be erected around the Shire and the consolidated list be presented to the May 2013 Council meeting.*

**CARRIED 8/0**

## 2. COMMUNITY PLANNING AND DEVELOPMENT

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### 2.1 STRATEGIC COMMUNITY PLAN 2013 - 2022

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>File Ref:</b>	
<b>Date of Report:</b>	12 April 2013
<b>Business Unit:</b>	Governance
<b>Officer:</b>	S Pike – Chief Executive Officer
<b>Disclosure of Interest:</b>	Cr House & Hinkley declared a Financial Interest, Cr Stone, Cr Lance and Cr Gaze declared an Impartiality Interest

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#### ATTACHMENTS

- Shire of Gnowangerup Strategic Community Plan 2013-2022
- Public comment submission from the North Stirlings Pallinup Natural Resources Group

#### PURPOSE OF THE REPORT

To adopt the Strategic Plan for the Shire of Gnowangerup for the period 2013-2022

#### BACKGROUND

The draft Strategic Community Plan was first presented to Council late in 2012. In February 2013, Council were advised that the Strategic Community Plan would be released for public comment as required by the legislation.

The Strategic Community Plan is as a result of the culmination of the community consultation as detailed below.

The Strategic Community Plan is the first step in the Local Government Integrated Planning Process and provides a broad strategy for council direction over the next ten years.

Special projects and financial commitments are not found in this document but will become clear and receive action once the four year Corporate Business Plan is complete.

It is a requirement of all local government organisations to have a Strategic Community Plan.

#### COMMENTS

The Strategic Community Plan is a key document for Council and will guide the future direction of Council.

### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Council advertised the Strategic Community Plan from the period 19 March 2013 until Tuesday 9 April 2013 and sought public comments on any aspect of the plan.

The advertising included the Borden Bulletin (on 20 & 27 March and 4 April 2013), the Ongerup Grapevine (28 March and 4 April 2013), and the Gnowangerup Roundup (21 March and 4 April 2013).

It was also advertised in the E-news on 26 March 2013 and available on the Shire's website from Tuesday 19 March 2013.

In addition to the formal advertising period, Council also ran a series of community workshops within the communities of Borden, Ongerup and Gnowangerup. Over 160 people attended the workshops held within the Shire. A Councillor workshop and a Council employee workshop were also part of the consultation undertaken to develop the plan.

As a result of the formal public comment period, one submission was received by the North Stirlings Pallinup Natural Resources group. The public comments made by the group do not change the Strategic Community Plan but rather enhances the actions that have been identified and makes suggestions for improving the outcomes in a collaborative partnership role with the group to further encourage the environmental stability and sustainable agriculture areas of the Shire.

### LEGAL AND STATUTORY REQUIREMENTS

The *Local Government (Administration) Regulations 1996* has been amended to require each local government to adopt a Strategic Community Plan and a Corporate Business Plan. Section 5.56(1) and (2) of the Act requires that each local government is 'to plan for the future of the district', by developing plans in accordance with the regulations. The new regulations specify what a 'plan for the future' should involve. Local governments are formally required to develop and adopt two new planning instruments: a Strategic Community Plan, and a Corporate Business Plan.

### POLICY IMPLICATIONS

The Strategic Community Plan is the culmination of the community consultation process described above. The Plan presents the first step in the Integrated Planning Process and provides a broad strategy for council direction over the next ten years.

### FINANCIAL IMPLICATIONS

Special projects and financial commitments are not found in this document but will become clear and receive action once the four year Corporate Business Plan is complete.

The Corporate Business Plan is currently under development.

### STRATEGIC IMPLICATIONS

The Strategic Plan 2013-2022 will guide and direct the future of the Council until 2022.

The Strategic Community Plan is a direct result of the community consultation process undertaken in late 2012 and as such reflects community aspirations, issues and

opportunities across four key areas; economy, natural and built environment, community and governance/organisation. Releasing the draft for public consultation provided for further community engagement and to meets council's statutory requirements.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil

CONCLUSION

The Shire of Gnowangerup Strategic Community Plan has now been through the required statutory consultation and adverting process.

As a result of this, the Council is now formally required to adopt the Strategic Community Plan 2013-2022.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

0413.53 Moved Cr Savage                      Seconded Cr Hmeljak

***That Council:***

***Formally adopts the Strategic Community Plan 2013-2022 as the strategic guiding document for the Shire for the period 2013-2022***

**CARRIED 8/0**

*Cr House and Cr Hinkley left the meeting at 4:09pm*

COUNCIL RESOLUTION

0413.54 Moved Cr Savage                      Seconded Cr Hmeljak

***That Council:***

***Acknowledges and notes the public submission received by the North Stirlings Pallinup Natural Resources Group.***

**CARRIED 6/0**

*Cr House and Cr Hinkley returned to the meeting at 4:12pm*

### 3. STATUTORY PLANNING

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#### 3.1 INITIATE SCHEME AMENDMENT 5 AND CHANGE THE PURPOSE OF RESERVE 28654

**Location:** Reserve 28654, Lot 347 Quinn Street, Gnowangerup  
**Proponent:**  
**File Ref:**  
**Date of Report:** 15 April 2013  
**Business Unit:** Corporate Services and Community Development  
**Officer:** C Pursey - Planning Officer  
**Disclosure of Interest:** Cr Lance declared a Proximity Interest and left the meeting at 4:12pm

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#### ATTACHMENTS

- Attachment A: Plan of industrial options in Gnowangerup.

#### PURPOSE OF THE REPORT

Initiate Scheme Amendment 5 to the Shire of Gnowangerup Local Planning Scheme 2 to change the zoning of Reserve 28654, Lot 347 Quinn Street, Gnowangerup from a reserve for 'Recreation' to the 'Industry' zone.

Amend the Local Planning Strategy to review the current status of industrial land availability in Gnowangerup and to support the rezoning of Reserve 28654, Lot 347 Quinn Street, Gnowangerup.

Request the Department of Regional Development and Lands (RDL) to change the purpose of Reserve 28654 from 'Recreation' to 'Use and Requirements of the Shire of Gnowangerup - Industrial Development'.

#### BACKGROUND

There has been an identified shortage of Industrial zoned land in Gnowangerup to allow for new business to locate and existing business to expand.

Most recently, the Shire has been seeking to assist in finding land to allow Ratten and Slater to expand their business in a location where there is good access for oversized vehicles and where some manufacturing may take place.

There are two usual approaches to develop industrial land:

1. Subdivide and/or develop land zoned Industry; or
2. Rezone land to the 'Industry' zone and then subdivide and develop.

Another less common alternative is to consider the development of reserve land. This option may be faster but require more good will on behalf of Council and the relevant government agencies.

The plan at Attachment A shows the status of the various options available to Council in the Gnowangerup townsite.

### **Zoned Land**

There are several parcels of land zoned "Industry" in Gnowangerup but these are currently unavailable or have known environmental or other constraints that preclude development within the next 3-4 years. These are as follows:

Lot 348 Quinn Street, Gnowangerup - Currently Unallocated Crown Land, an application was lodged with LandCorp for assistance under their RDAP program to develop this site. Informal feedback from LandCorp shows that the site has aboriginal heritage issues that need resolution before the site is developed. In LandCorp's experience this can take up to 3 years and not all of the site may end up developable.

Part of Reserve 12911, Lots 428 & 429 Walsh Street, Gnowangerup - Currently managed by Water Corporation, they are part of the land swap arrangements between the Shire of Gnowangerup and the Water Corporation. However, the land has good quality remnant vegetation and the Local Planning Strategy identifies part of these as reverting to recreation.

There are many properties zoned 'Industry' in Gnowangerup. However, they are privately owned and not on the market at this stage. The lots are also small and ownership is fragmented so compiling a reasonable parcel of land has been very difficult.

### **Reserve Land**

There are other sites in Gnowangerup that are currently reserves under the Scheme for other purposes and there may be a development option that allows their development for Industrial purposes in the short term prior to the completion of a rezoning to Industry.

Reservation of land occurs on two levels:

1. Reservation under the Local Planning Scheme (the Scheme); and
2. Reservation on the 'Title'.

Reservation under the Scheme indicates the Scheme's intentions for the property. Importantly, the Council is not bound by this reservation but must have 'due regard' for the reserve purpose in making any decision.

Reservation on the Title is different. Reserve land is owned by the State and managed by the Shire of Gnowangerup on the State's behalf for an agreed purpose. It is not possible to develop a Reserve for a different purpose than that listed on the Title.

The process to change a reserve purpose is:

- Formally request RDL to change the reserve purpose;
- RDL refer the proposed change of purpose to all relevant government agencies (this may take up to 6months on occasion);
- Acceptance and approval is granted.

There are a number of reserves in the Gnowangerup townsite that may be suitable for industrial development in the long run.

Reserve 28654, Lot 347 Quinn Street, Gnowangerup is reserved for Recreation under the Scheme and on the Title. Preliminary support has been received from RDL to change the purpose of this reserve on the Title to 'Use and Requirements of the Shire of Gnowangerup - Industrial Development'. This advice requires the rezoning of the land prior to RDL agreeing to the change in purpose.

Further investigations with senior staff in RDL and the regional office of the Department of Planning have shown some promise to allow the change of purpose of this reserve prior to the completion of rezoning.

Reserve 22500, Lot 406 Bell Street, Gnowangerup is reserved for Sales Yards under the Scheme and on the Title. Being the former sales yards it may have suitable development potential and location for industrial purposes.

Reserve 22657, Lot 225 Corbett Street, Gnowangerup is reserved for Recreation under the Scheme and on the Title. The former tennis courts are close to CBH but may be too close to existing and proposed residential areas.

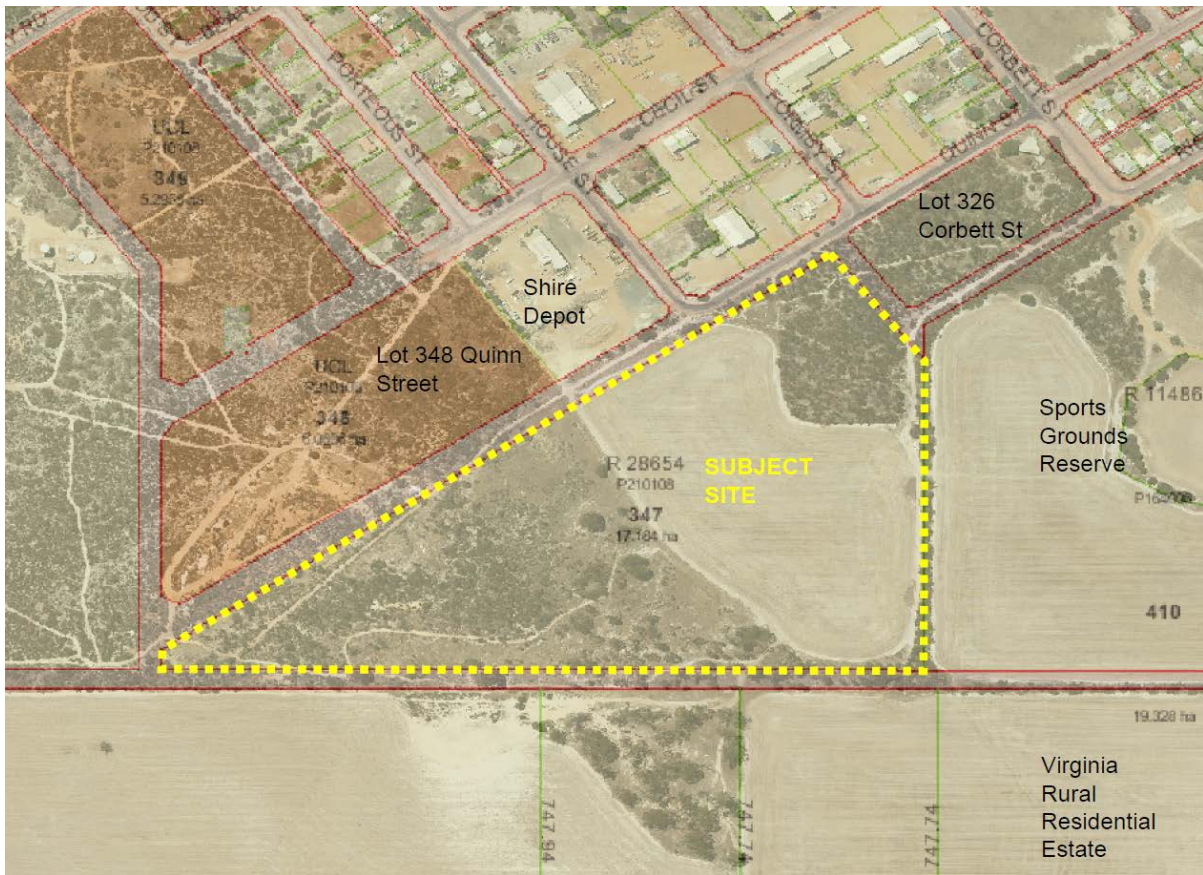


COMMENTS

This report recommends pursuing the rezoning and change of reserve purpose of Reserve 28654, Lot 347 Quinn Street, Gnowangerup to allow for its eventual development for industrial purposes.

The site is adjacent to the existing industrial area, has ample room for expansion, good access to Quinn Street and few readily identifiable site constraints.

However, it is adjacent to the sports grounds, farming land and the Virginia Rural Residential Estate. Suitable buffers would need to be included in any development plan for the site. The plan below shows the site and the surrounding land uses.



*Proposed Industry site and surrounding land uses (LandGate 2013)*

It is proposed to initiate the rezoning of Reserve 28654 to the 'Industry' zone subject to a guide plan being prepared which provides for remnant vegetation protection and waterway protection and where considered appropriate (as required by clause 5.12 of the Scheme).

It is also proposed to request the Department of Regional Development and Lands (RDL) to change the purpose of Reserve 28654 to allow for its development for industrial purposes.

RDL would then refer the proposed change of Reserve purpose to all affected government agencies. The Department of Planning are a critical agency in this change of reserve purpose process. Usually the Department require a reserve to be rezoned prior to the change of reserve purpose. The Department have been approached to consider fast

tracking this request given its importance to the sustainability of the Gnowangerup townsite.

Once the change of reserve purpose has been completed on the Title, the Council has the ability to consider development applications on the site. Land tenure issues would be dealt with a later date but are likely to involve lease in the short term and subdivision in the longer term to expedite the development process..

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Should Council agree to pursue the rezoning and change of reserve purpose for Reserve 28654 both proposals would require consultation with affected government agencies and the Gnowangerup community through statutory processes.

#### LEGAL AND STATUTORY REQUIREMENTS

All scheme amendments (rezoning) undergo a statutory process including referral to the EPA, public advertising and ultimately approval of the amendment is required by the Minister for Planning.

As a first step, should Council agree to initiate the amendment, the amendment is referred to the EPA for assessment.

Public advertising is required and further information from various government agencies is sought during this period to further inform the proposal.

There is no right for review to the State Administrative Tribunal if Council does not initiate an amendment. However, with recent changes to the Planning and Development Act 2005 there may now be an opportunity for the applicant to approach the Minister for Planning to initiate the Amendment.

Any request for a change of reserve purpose will be processed by RDL. They refer these requests to all affected government agencies for comment prior to making a determination.

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

There will be costs to the Shire to prepare scheme amendment documents in either officer time or engaging planning consultants.

#### STRATEGIC IMPLICATIONS

The proposed Scheme Amendment aligns with a variety of goals in the Strategic Plan:

- A built environment and Infrastructure that supports the community and economy; and
- A strong and diverse local economy.

Additionally, the Local Planning Strategy currently states that the Shire has adequate industrial land in Gnowangerup and identifies the rezoning of the 'church land' in Corbett Street and the Industrial land behind the depot. Both of these options are being explored but will not yield industrial land soon enough to satisfy local demand.

The Local Planning Strategy will need amending as part of any rezoning of Reserve 28654 to more accurately describe the status of industrial land in Gnowangerup.

#### ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Do nothing. This would involve either letting the market forces prevail by allowing land prices to reach a point where privately owned land in the townsite becomes available. There would be considerable delays and the likely result of losing business to surrounding towns.

Lot 348 Quinn Street. The Shire has an existing grant application with LandCorp for the eventual development of Lot 348 Quinn Street, located behind the depot. Unfortunately, preliminary feedback, based on experience elsewhere in the state, indicates that aboriginal heritage issues may delay the development of this site by up to 3 years. May still be worth pursuing in the long term but would also increase the risk of losing business to surrounding towns.

Part of Reserve 12911, Lots 428 & 429 Walsh Street, Gnowangerup is part of the land swap with the Water Corporation. However, remnant vegetation and timing issues may delay or prevent the development of this site.

Reserve 22500, Lot 406 Bell Street, Gnowangerup being the former sales yards site would also be a consolidation of an existing industrial area but has limited space and infrastructure may be distant to the site.

Reserve 22657, Lot 225 Corbett Street, Gnowangerup being the former tennis courts at the end of Corbett Street may also be possible. However, proximity to the existing and proposed residential areas may cause delays or prevent the development of this site. It is also dislocated from other industrial areas.

#### CONCLUSION

Reserve 28654 is well located, adjacent to existing industrial areas and would provide adequate space for substantial industrial development over time; provided adequate buffers are included to the sports grounds, adjacent farming land and the Virginia Estate. There is also the possibility of its development in the short term, prior to the completion of the rezoning process.

To progress this matter, Council is requested to consider initiating the rezoning of this site and to request RDL to change the purpose of the reserve.

#### VOTING REQUIREMENTS

Simple Majority

**COUNCIL RESOLUTION**

0413.55 Moved Cr Hmeljak

Seconded Cr Hinkley

***That Council:***

- 1. Initiate Amendment No 5 to the Shire of Gnowangerup Local Planning Scheme No 2 pursuant to Section 75 of the Planning and Development Act 2005 by;***
  - i) Rezoning Reserve 28654, Lot 347 Quinn Street, Gnowangerup from a Reserve for 'Recreation' to the 'Industry' zone; and***
  - ii) Amending the Scheme Map accordingly***
- 2. Amend the Local Planning Strategy to review the current status of industrial land availability in Gnowangerup and to support the rezoning of Reserve 28654, Lot 347 Quinn Street, Gnowangerup.***
- 3. Prepare a Guide Plan that shows the eventual subdivision and development of the site and adequate buffers to nearby land uses in accordance with the requirements of clause 5.12 of Local Planning Scheme No 2.***
- 4. Request the Department of Regional Development and Lands to change the purpose of Reserve 28654 to 'Use and Requirements of the Shire of Gnowangerup - Industrial Development' as soon as possible and prior to the completion of its rezoning to the 'Industry' zone.***

**CARRIED 7/0**

*Cr Lance returned to the meeting at 4:14pm*

## 4. FINANCE

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### 4.1 MARCH 2013 MONTHLY FINANCIAL REPORT

**Location:** Shire of Gnowangerup  
**Proponent:**  
**File Ref:**  
**Date of Report:** 16 April 2013'  
**Business Unit:** Finance  
**Officer:** J A Anning – Executive Manager Finance  
**Disclosure of Interest:**

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#### ATTACHMENTS

- Monthly Financial Statements for period 31 March 2013 including;
- Statement of Financial Activity to 31 March 2013.
- Report on Material Differences
- Capital Budget Report
- Building Maintenance financial and progress report
- Bank Reconciliation Report
- Reserves Cash Balances
- Investment Register

#### PURPOSE OF THE REPORT

For Council to consider adoption of the March 2013 Monthly Financial Report.

#### BACKGROUND

Council reviewed the budget at the March 2013 Ordinary Council meeting. Budget amendments to date (including those resolved as a result of the review) have a total impact of \$6,890.

#### COMMENTS

The attached financial statement is presented to Council detailing financial position up to 31 March 2013.

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Nil

#### LEGAL AND STATUTORY REQUIREMENTS

Local Government Financial Regulations (1996) (as amended) 22, 32 and 34 apply.

#### POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

All expenditure has been approved via adoption of the 2012/2013 Annual Budget, or resulting from a Council motion for a budget amendment.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

**COUNCIL RESOLUTION**

0413.56 Moved Cr Hmeljak                      Seconded Cr Hinkley

***That Council receives and notes the March 2013 Monthly Financial Report***

**CARRIED 8/0**

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**4.2 MARCH 2013 ACCOUNTS FOR PAYMENT AND AUTHORISATION**

**Location:** Shire of Gnowangerup  
**Proponent:**  
**File Ref:**  
**Date of Report:** 11 April 2013  
**Business Unit:** Finance  
**Officer:** C A Shaddick – Senior Finance Officer  
**Disclosure of Interest:**

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ATTACHMENT

- March 2013 Cheque Listing

COMMENTS

The March 2013 cheque list is attached as follows

<b>FUND</b>	<b>AMOUNT</b>
Municipal Fund	\$344,378.01
Trust Fund	\$ 294.50
Credit Card	\$ 1,986.93
<b>TOTAL</b>	<b>\$346,659.44</b>

COUNCIL RESOLUTION

0413.57 Moved Cr Gaze                      Seconded Cr Lance

*That Council approve the Schedule of Accounts: Municipal Fund Cheques 25583–25635, EFT 7341 – EFT 7436 totalling \$344,378.01 Trust Fund cheques 533-536 totalling \$294.50 and Corporate Credit Card totalling \$1,986.93.*

**CARRIED 8/0**

## 5. GOVERNANCE

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### 5.1 CHIEF EXECUTIVE OFFICER LEAVE AND APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

**Location:** Shire of Gnowangerup  
**Proponent:**  
**File Ref:**  
**Date of Report:** 16 April 2013  
**Business Unit:** Governance  
**Officer:** B Trezona – Executive Assistant  
**Disclosure of Interest:**

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#### ATTACHMENTS

Nil

#### PURPOSE OF THE REPORT

The Chief Executive Officer (CEO) is seeking Council's approval to take four weeks annual leave, commencing Monday 20 May 2013 and returning Monday 17 June 2013

#### BACKGROUND

Historically a CEO will seek Councils approval for Annual Leave and endorsement to appoint an Acting Chief Executive Officer.

#### COMMENTS

It is requested that Council approve the CEO's request for four weeks annual leave (being from Monday 20 May 2013 and returning 17 June 2013)

It is proposed that during this period, the Executive Manager of Corporate Services and Community Development (EMCSCD) performs the role of Acting Chief Executive Officer (A/CEO).

#### FINANCIAL IMPLICATIONS

The payment of higher duties to the A/CEO as per normal practice.

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Nil

#### LEGAL AND STATUTORY REQUIREMENTS

*Local Government Act 1995* section 5.36 (1) & (2)

#### POLICY IMPLICATIONS

Nil



STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

0413.58 Moved Cr Gaze                      Seconded Cr Hinkley

***That Council:***

- 1) Approve the leave requested by the Chief Executive Officer for the period from Monday 20 May 2013 to Monday 17 June 2013.***
  
- 2) As per section 5.36 (1) and (2) of the Local Government Act 1995, Council authorise the Executive Manager of Corporate Services and Community Development to perform the role of Chief Executive Officer during the period Monday 20 May 2013 to Monday 17 June 2013.***

**CARRIED 8/0**

*Cr Hmeljak left the meeting at 4:26pm returned at 4:28pm  
The Council meeting adjourned at 4:30pm and reconvened at 4:43pm*

**5.2 GREAT SOUTHERN DEVELOPMENT COMMISSION BOARD  
NOMINATION**

**Location:** Shire of Gnowangerup  
**Proponent:**  
**File Ref:**  
**Date of Report:** 16 April 2013  
**Business Unit:** Governance  
**Officer:** B Trezona – Executive Assistant  
**Disclosure of Interest:** Cr Stone declared an Impartiality Interest

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ATTACHMENTS

Nil

PURPOSE OF THE REPORT

For Council to nominate an Elected Member to join the Great Southern Development Commission's (GSDC) Board of Management.

BACKGROUND

The GSDC Board comprises of elected representatives from Local Governments in the Great Southern Region. Board vacancies will occur on 30 June 2013. The GSDC is therefore seeking a nomination from the Shire of Gnowangerup, and others, to fill the vacant positions. The term of a Board Member is 3 years.

The Board of Management is the governing body of the Commission and meets regularly to set policy direction, make decisions on major budget and expenditure matters and provide advice to the Minister on regional issues.

The Hon Brendon Grylls MLA Minister for Regional Development will make the appointment to the GSDC Board, following consultation with Cabinet.

COMMENTS

Council will need to nominate an Elected Member for the GSDC Board and have the relevant documentation sent to the GSDC office in Albany by close of business Monday 20 May 2013.

CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Nil

LEGAL AND STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gnowangerup Strategic Community Plan 2013 - 2022, Strategy 5.1.4

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

0413.59 Moved Cr Hmeljak                      Seconded Cr Lance

***That Council nominate Cr Gaze to apply for appointment as a member of the Great Southern Development Commission Board, term commencing 30 June 2013.***

**CARRIED 8/0**

COUNCIL RESOLUTION

0413.60 Moved Cr Hinkley                      Seconded Cr Pech

***That Council nominate Cr House to apply for appointment as a member of the Great Southern Development Commission Board, term commencing 30 June 2013.***

**CARRIED 8/0**

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### 5.3 COUNCILLOR RECOGNITION OF SERVICE POLICY

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>File Ref:</b>	
<b>Date of Report:</b>	12 April 2013
<b>Business Unit:</b>	Governance
<b>Officer:</b>	Vicki Morris – Executive Manager Corporate Services & Community Development
<b>Disclosure of Interest:</b>	Nil

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#### ATTACHMENTS

- Councillor Recognition of Service Policy 2013 (Policy no: 3.5)

#### PURPOSE OF THE REPORT

To further clarify the issue of recognising the role and community service contribution of Councillors

#### BACKGROUND

Council considered a report on this matter in September 2011 and adopted a policy on this matter in October 2011. At this point in time, Council had not clarified its official position with respect to what action might be taken if a Councillor retires or is not re-elected to the position.

Since this time, a review of this policy has been undertaken and it has been strengthened further to provide recognition for Councillors who fall outside the current policy.

#### COMMENTS

The current policy does not adequately provide a lasting memento for a Councillor who has served on the Shire of Gnowangerup Council. As part of the review, it was determined that Councillors (for however long they have served on Council) should be recognised with a lasting memento of their years of service to the community.

Some Councillors have elected not to take up the option (as in the current policy) of having a formal function as recognition of their service. Other Councillors have had functions to recognise various milestones for their service on Council (e.g. 25 years, 30 years and so on). Irrespective of whether a function has been held or not, Council has not formally recognised the years of service in a more lasting way.

The current policy states:

“A Councillor that resigns or is not re-elected and has served on Council a formal dinner function (Councillors and partners, Ex Councillors and CEO’s and their partners that served during their tenure and immediate family of the departing Councillor, CEO and Executive Manager Corporate Service) or an informal Cocktail/Sun downer function (Councillors and

partners, Ex Councillors and partners and all staff and immediate family of the departing Councillor) is to be offered, that is to be determined by the Shire President that is held at the Shire Chamber or other appropriate venue and the Shire President is delegated the authority to purchase a gift of up to approximately \$100 per year of service in recognition of their commitment to Council and the Community up to a maximum of \$1000 as per s. 34AC of the Local Government (Administration) Regulations.”

Given this, the current policy has been updated to ensure that the service provided by Councillors is recognised by the issuing of a service certificate as a lasting memorial of their time on Council.

The new policy does not change the previous policy intent but enhances the recognition of Councillors by providing them with a statement of service.

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Nil

#### LEGAL AND STATUTORY REQUIREMENTS

This area is covered by *The Local Government Act 1995* s. 5.100A and the Local Government (Administration) Regulations s. 34AC.

#### POLICY IMPLICATIONS

This policy updates the existing policy by providing for a more formal recognition of Council service.

#### FINANCIAL IMPLICATIONS

There are financial implications as a result of the legislative requirements.

These include:

- The cost of a function is approximately \$50+ per head
- The gift for the retiring Councillor can only be given to a Council member who has served at least one full 4 year term of office to the maximum amount of \$100 per year of service to a maximum of \$1000. (Local Government (Administration) Regulations s34AC.)
- The certificate of service is expected to cost no more than \$100

#### STRATEGIC IMPLICATIONS

Nil

#### ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil

#### CONCLUSION

This policy is to more formally recognise the service of a Councillor who may resign or is not re-elected. It is also to provide a more formal memento of the service that the Councillor has provided to the Shire and its community.

VOTING REQUIREMENTS

Simple Majority

**COUNCIL RESOLUTION**

0413.61 Moved Cr Hmeljak                      Seconded Cr Pech

***That Council amends the Councillor Departure Function and Gift Policy No: 3.4 (as adopted by Council on 26 October 2011, Policy no 3.4) to become the Councillor Recognition of Service Policy (2013)***

**CARRIED 8/0**

## 6. CORPORATE PLANNING AND POLICY

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### 6.1 SHIRE OF GNOWANGERUP WORKFORCE PLAN

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>File Ref:</b>	
<b>Date of Report:</b>	15 April 2013
<b>Business Unit:</b>	Corporate and Community Services
<b>Officer:</b>	V Morris – Executive Manager Corporate Services & Community Services
<b>Disclosure of Interest:</b>	Nil

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#### ATTACHMENTS

- Shire of Gnowangerup Work Force Plan 2013

#### PURPOSE OF THE REPORT

To endorse the Shire of Gnowangerup Workforce Plan 2013

#### BACKGROUND

Workforce planning is one of the core components of the Local Government Integrated Planning and Reporting framework.

The Integrated Planning and Reporting Framework and Guidelines provide the basis for improving the practice of strategic planning in local government.

The guidelines that have been developed by the Department of Local Government are not intended to restrict the planning processes; they simply provide good practice processes that will assist local governments in implementing the Integrated Planning Framework while meeting the outcomes prescribed in the legislation.

#### COMMENTS

The Integrated Planning Framework has 4 basis tenants:

1. Recognising that planning for local government is holistic in nature and driven by the community,
2. Builds organisational and resource capability to meet the community needs
3. Optimises success by understanding the intergta3etion and interdependencies between components and
4. Emphasises performance monitoring so that local government can adapt and respond to changes in community needs and the business environment.

The implementation of Workforce Planning in Western Australia is being supported by a collaborative partnership between a number of organisations.

Workforce planning is a “continuous process of shaping the workforce to ensure that it is capable of delivering organisational objectives now and into the future.” (Australian National Audit Office (2004), ANAO Audit Report no 55 2004-05: Workforce Planning)

Workforce planning will enable the Shire to:

- Respond more quickly and more strategically to change by recognising emerging challenges
- Improve efficiency and effectiveness and productivity by having employees with the right knowledge and skills and who are a good fit for the job they are in
- Facilitate strategic staffing and planning for the future workforce requirements by identifying these in a timely manner, monitoring staff separations and making arrangements to fill key vacancies
- Strengthen the organisations capacity to achieve the outcomes of the Strategic Community Plan and Corporate Business Plan
- Encourage understanding of the organisations workforce profile so that existing workforce capacity can be maximised
- Assist with identifying and managing people with the knowledge critical for efficient and effective business operations and managing corporate memory
- Adapt and integrate management and business processes, technology and systems and adjust organisational structures to use resources most effectively
- Monitor costs and directly link workforce expenditure against business outputs and outcomes and
- Strengthen the local government industry through stronger career paths and staff development

The key objectives of the workforce plan are to identify a number of issues. These issues include, the areas of skills shortage, the issues arising for an ageing workforce, the gaps identified between current and future workforce capability and the areas of workforce growth and shrinkage.

The workforce plan will also develop strategies that address gaps and mitigate risks and plan for the succession of critical positions.

The foreseen changes likely to occur within the next 10+ years include issues such as the increased use and availability of technology, the increasing legislative complexity and compliance, increasing responsibility for environmental sustainability, increasing customer interaction and engagement and the emphasis on longevity and maintenance of infrastructure.

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Nil

#### LEGAL AND STATUTORY REQUIREMENTS

This is a requirement of the Local Government Department Integrated Planning Framework



### POLICY IMPLICATIONS

There is a need for the Shire of Gnowangerup to review and reassess its current human resources policies and procedures in line with the issues addressed as a part of the workforce plan. Council policy and decision making must support the workforce plan and consideration must be included in all strategic community planning, corporate business planning, reports and proposals to Council and structured monitoring and reporting of outcomes must also be identified and measured.

### FINANCIAL IMPLICATIONS

Council will need to consider the financial issues of recruitment, selection, retention and training of all staff as part of its annual budget process.

### STRATEGIC IMPLICATIONS

The Workforce plan, at a strategic level, will take into account the community aspirations, priorities and objectives as identified in Councils Strategic Community Plan 2013-2022. The Strategic Community Plan sets out the longer term vision of the Shire and will highlight the present and future workforce needs of the Shire.

The workforce plan also becomes an important component of the Corporate Business Plan of the Shire, where it identifies workforce requirements and strategies for current and future operations over the next few years.

### ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil

### CONCLUSION

The Shire has a number of key issues that need to be recognised as part of its workforce plan.

Some of these issues include:

1. The Shire has an ageing population significantly higher than the national average and significantly low youth retention
2. The Shire is experiencing difficulty in recruiting staff.
3. The current workforce demographic show that the Shire workforce is ageing and the replacement of younger skilled workers will not meet the skills shortfall
4. The Shire has a number of key critical dependencies
5. The retention and recruitment of staff is a key issue into the future and requires review
6. Training and skilling of staff is important for the professional development of staff as well as demonstrating its commitment to its people and
7. A training plan is required to be developed to assess the skills and competencies of all existing staff and to address future national standard competencies.

The Shire of Gnowangerup workforce plan provides Council with a road map to assess the needs both now and into the future for its workforce.

VOTING REQUIREMENTS

Simple Majority

**COUNCIL RESOLUTION**

0413.62 Moved Cr Hmeljak                      Seconded Cr Gaze

***That Council endorse the Shire of Gnowangerup Workforce Plan 2013.***

**CARRIED 8/0**

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**6.2 SHIRE OF GNOWANGERUP INFORMATION AND RECORDS  
MANAGEMENT CORPORATE POLICY**

**Location:** Shire of Gnowangerup  
**Proponent:**  
**File Ref:**  
**Date of Report:** 15 April 2013  
**Business Unit:** Corporate and Community Services  
**Officer:** V Morris – Executive Manager Corporate Services & Community Services  
**Disclosure of Interest:** Nil

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ATTACHMENTS

- Shire of Gnowangerup Information and Records Management Corporate Policy (Policy No:1.18)

PURPOSE OF THE REPORT

To enhance the Shire of Gnowangerup Records Keeping Plan 2013 by adopting a new policy for information and records management across the Shire and to replace the existing policy with this one

BACKGROUND

Council currently have a records management policy that has not been updated (Policy no: 1.14) as required by the new Records Keeping Plan. The current Records Management Policy has not been updated since September 2010.

The new Information and Records Management Corporate Policy is the overarching policy that determines how information is managed across the organisation. It does not provide detail on how Council will manage the operations of information and records management but provides the overarching principles for information and records management.

All Councillors, staff, contractor and others are required to adhere to this policy in line with the record keeping plan.

In line with the Records Keeping Plan (RKP), Council are required to adopt this new policy in line with the requirements of the State Records Act 2000 and the National Archives of Australia (NAA) principles.

COMMENTS

The Recordkeeping Plan (RKP) must comprise one or more documents which, when assessed as a whole, will provide an accurate reflection of the recordkeeping program within the organisation.

In addition to the formal plan (as required by the State Records Act 2000), Council is required to ensure that all its policies and procedures from a corporate perspective reflect the new RKP and the business.

The attached policy, once adopted, will replace the existing policy that is more operational in its nature and not reflective of the new requirements of State legislation.

Records and information is one of the most critical aspects of an organisations governance practices and it is accepted that information and records management is one of the key underpinning principles for good governance.

The Shire of Gnowangerup is required to maintain a records management system that completely, accurately and reliably creates and maintains records and information in line with State legislation.

It is also accepted that records and information are an important part of the organisational effectiveness and efficiency.

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Nil

#### LEGAL AND STATUTORY REQUIREMENTS

There are a number of pieces of legislation that cover this area and a sample of these are listed below. Others are included in the Record Keeping Plan 2013.

##### **The State Records Act 2000**

##### **Local Government Act 1995 (and Local Government Regulations)**

The Local Government Act outlines the functions and duties of local government, elected representatives and Chief Executive Officers and throughout the act reference is made to records and the requirement to keep certain records. As an example, Council is required to keep a delegation register of all delegations under section 5.46. This includes all records. Section 5.73 notes that decisions are to be documented and minuted. The Local Government Act detailed the types of records and information that must be kept ranging from financial records through to minutes and agendas.

#### POLICY IMPLICATIONS

The original policy will be replaced by the new policy in order to cover the records and information requirements of Council in line with the 2013 RKP.

#### FINANCIAL IMPLICATIONS

There are no financial implications as a result of the amendment of the policy.

#### STRATEGIC IMPLICATIONS

Nil

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil

CONCLUSION

The Shire of Gnowangerup's Information and Records Management Policy 2013 is presented to Council for endorsement. Should Council endorse this policy, the next action will be to distribute this to all staff and to update the Councils policy register.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

0413.63 Moved Cr House                      Seconded Cr Lance

***That Council endorse the Shire of Gnowangerup Information and Records Management Corporate Policy 2013 and revokes the Records Management Policy (Policy No: 1.14) as amended and reviewed by Council on 22 September 2012.***

**CARRIED 8/0**

### **6.3 IPAD POLICY FOR STAFF AND COUNCILLORS**

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>File Ref:</b>	
<b>Date of Report:</b>	12 April 2013
<b>Business Unit:</b>	Corporate and Community Services
<b>Officer:</b>	N Browning – Community Development Officer
<b>Disclosure of Interest:</b>	Nil

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#### ATTACHMENTS

- iPad Policy for Staff and Council (3 pages)
- iPad Terms and Conditions Authorisation Form

#### PURPOSE OF THE REPORT

Adoption of the Shire of Gnowangerup's iPad Policy for Staff and Councillors

#### BACKGROUND

Due to the recent purchase of iPad for Councillors and Staff, a policy outlining usage agreements of the device is required.

#### COMMENTS

As stated in the policy the objective of the iPad Policy is to establish a usage agreement for all Staff and Councillors at the Shire of Gnowangerup who are supplied with an iPad in regard to usage, reimbursements, financial implications and ownership.

It provides a structure by which Councillors and staff will reference when purchasing, transferring ownership or returning iPad to the Shire of Gnowangerup into the future.

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Senior Staff

#### LEGAL AND STATUTORY REQUIREMENTS

Nil – Section 2.7 (2) (b) of the *Local Government Act 1995* establishes the duty for the Council to *determine the local government's policies*.

#### POLICY IMPLICATIONS

New policy – iPad Policy for Staff and Council

#### FINANCIAL IMPLICATIONS

Nil

#### STRATEGIC IMPLICATIONS

Nil

**CONCLUSION**

The recommended endorsement of the iPad Policy will ensure the correct utilisation and management of the iPad by both Councillors and staff and will resolve any concerns relating to the ownership of the devices.

**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL RESOLUTION**

0413.64 Moved Cr Lance

Seconded Cr Hmeljak

***That Council adopt the Shire of Gnowangerup's iPad Policy***

**CARRIED 8/0**

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**6.4 SHIRE OF GNOWANGERUP RECORD KEEPING PLAN 2013**

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>File Ref:</b>	
<b>Date of Report:</b>	15 April 2013
<b>Business Unit:</b>	Corporate Services and Community Development
<b>Officer:</b>	Vicki Morris – Executive Manager Corporate Services & Community Development
<b>Disclosure of Interest:</b>	Nil

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ATTACHMENTS

- Shire of Gnowangerup Record Keeping Plan 2013

PURPOSE OF THE REPORT

To endorse the Shire of Gnowangerup Record Keeping Plan 2013

BACKGROUND

Council are required under section 19, of the State Records Act 2000 to have a record keeping plan (RKP) that has been approved by the State Records Commission. As of April 2007, all State and local governments organisation must have an approved Recordkeeping plan. Section 28 of the State Records Act 2000 required that no more than 5 years must elapse between approval of government organisations RKP and its review. The Shire of Gnowangerup's previous RKP was due for revision in December 2012.

The new RKP has been developed to reflect the changes to the organisation since it was first developed in 2007.

Council is required to endorse the RKP before it is sent to the State Records Commission for approval. The RKP was presented to Council briefing on 27 March 2013.

COMMENTS

The Recordkeeping Plan must comprise one or more documents which, when assessed as a whole, will provide an accurate reflection of the recordkeeping program within the organisation.

The State Records Act 2000 is an Act to provide for the keeping of State records and for related purposes. Section 19 of the Act requires that every government organisation must have a Recordkeeping Plan that has been approved by the State Records Commission.

Parliamentary departments are required under Section 12 of the Act to have a Recordkeeping Plan that is approved by the President of the Legislative Council or the Speaker of the Legislative Assembly.



Government organisations listed in Schedule 3 are required, under Section 27 of the Act, to have a Recordkeeping Plan approved by their relevant Minister.

The State Records Commission is required, under Section 25 of the Act, to have a Recordkeeping Plan approved by the Minister.

A government organisation's Recordkeeping Plan sets out the matters about which records are to be created by the organisation and how it is to keep its records.

More specifically, documentation regarding the organisation's recordkeeping system/s, disposal arrangements, policies, practices and processes will be the essential components of the Recordkeeping Plan. The inclusion of such documentation will constitute evidence of compliance. Each government organisation will be expected to present sufficient evidence that best practices have been implemented within the organisation.

Recordkeeping Plan templates are available for use by State and local government organisations when developing their Recordkeeping Plans. Recordkeeping Plan templates are also available for use by existing State and local government organisations when amending their Recordkeeping Plans.

All Recordkeeping Plans (RKP) must be accompanied by an RKP Self-Evaluation Checklist and Transmittal.

#### **RECORD KEEPING PLAN REVIEWS**

Section 28 of the Act requires that no more than 5 years must elapse between approval of a government organisation's Recordkeeping Plan and its review.

Government organisations are required to review their RKPs and submit a report of the review to the State Records Commission, via the State Records Office, prior to the expiration of the 5 year period. An organisation may determine, depending on the results of the review that their RKP is to be amended. Refer to the Recordkeeping Plan Templates for the relevant templates for amended Recordkeeping Plans.

The Shire of Gnowangerup's RKP was due for review in December 2012. A new RKP has been developed for the Shire and a copy is attached for the information of Council. This document must be endorsed by Council prior to submitting this to the State Records Commission for approval.

#### **Executive Directives**

Periodically directives are issued by the Premier or Ministers which may have implications for the management of State records. The following are examples of executive directives currently in force that impact upon the recordkeeping functions of State and Local Government agencies.

#### **Premier's Circular Number 2003/02**

The introduction to a State organization's Retention and Disposal Schedule must include a statement about the protection of records relating to Aboriginal people, in accordance with the Premier's

**Circular Number 2003/02, to the effect that:**

"records relating to Indigenous individuals, families or communities which concern any children, Indigenous or otherwise, removed from their families for any other reason, whether held by government or non-government agencies, be brought to the attention of the Family Information Records Bureau [FIRB] and reflected in agency Recordkeeping Plans."

In preparing their Retention and Disposal Schedules, organisations are to remain alert in identifying and preserving records that fall within the scope of the policy outlined in Premier's Circular 2003/02 and bring them to the attention of the FIRB for advice on their significance.

FIRB advice is to be reflected in the organization's Schedule. Records that are discovered are not to be destroyed unless consistent with the provisions of the organization's approved Retention and Disposal Schedule.

Where FIRB advice on the significance of records is inconsistent with the provisions of an organisation's existing approved Retention and Disposal Schedule consult the State Records Office.

CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Nil

LEGAL AND STATUTORY REQUIREMENTS

Records and information professionals charged with the keeping of State records are required to be aware of a wide range of legislative issues. A number of Western Australian Acts include provisions that relate to the keeping and management of records generated by State and Local Government agencies.

The most significant piece of legislation impacting upon the management of State records is the State Records Act 2000.

**The State Records Act 2000**

The State Records Act and the accompanying State Records (Consequential Provisions) Act received the Governor's assent on the 28th November 2000. The State Records Act 2000 (the Act) ensures accountability and transparency in the recordkeeping practices of State and Local Government agencies in Western Australia. It replaces the archives and recordkeeping provisions of the Library Board of Western Australia Act 1951-1983.

The Act provides for the establishment of the State Records Commission (the Commission), which consists of four members: the Auditor General, the Information Commissioner, the Ombudsman, and an appointee with recordkeeping experience from outside Government.

The Commission's functions include establishing principles and standards to govern how agencies manage their records, and selecting those records which should be preserved for their archival value. The Commission issues standards and guidelines pertaining to recordkeeping matters and to the requirements of government agencies' recordkeeping plans.

A cornerstone of the legislation is an instrument of accountability known as a "recordkeeping plan". The plan is a document that must be formulated by every Government organisation including public sector agencies, local governments, Royal Commissions, Parliament itself, Cabinet and Ministers. The recordkeeping plan must set out the matters about which records are to be created by an agency, how those records are to be managed in the context of the agency's functions, and for how long records are to be kept. The plans must be submitted to the Commission for initial approval, and government agencies are required to report periodically to the Commission in order to demonstrate continued compliance with their recordkeeping plan.

In addition to monitoring compliance by government agencies with their respective recordkeeping plans the Commission may also inquire into breaches of the legislation. The Commission will report direct to Parliament and will provide Parliament with an annual report on the operation of the legislation. It can at any time submit a written report to Parliament about contraventions by a Government agency.

For administrative and resourcing purposes the operational arm of the recordkeeping functions of the Commission is vested in the State Records Office, headed by the State Archivist and Executive Director State Records. Through the State Records Office the Commission seeks to support agencies in the continued improvement of their records and archives management activities, and promote best practice in these areas.

After 25 years, an organisation must transfer its records to the State archives collection, unless that agency has received a dispensation from the State Records Commission. Generally speaking, State archives will be available to the public when they are 25 years old, but with the concurrence of the Commission some confidential records may be restricted for a longer period. In the latter category, such terms must be reviewed at five yearly intervals.

Heavy penalties are provided for agencies that do not keep a record in accordance with an approved recordkeeping plan or illegally destroy a record, and for anyone who has illegal possession of a State record.

All records and information professionals charged with the keeping of State records should ensure that they familiarise themselves with the provisions of the State Records Act 2000. Copies of the State Records Act 2000 and the companion State Records (Consequential Provisions) Act 2000 are available for purchase from the State Law Publisher and can also be viewed online through the State Law Publisher website.

### **Other Relevant Legislation**

In addition to the requirements of the State Records Act 2000, records and information professionals should also be aware of other legislation which applies to the proper management of State and Local Government records. In particular, the following State Acts may be influential in determining compliance:

### **Criminal Code Act 1913**

Under the Criminal Code Act 1913 (Section 85) any public officer found guilty of falsifying records by making false entries, omitting to make an entry, damage or destruction, can incur penalties, including imprisonment.

### **Evidence Act 1906 and Acts Amendment (Evidence) Act 2000**

These Acts include requirements for records where they are produced as evidence. The Evidence Act 1906 has implications for the destruction of records and the requirements for creating acceptable reproductions.

The Acts Amendment (Evidence) Act 2000 expands upon the best evidence provisions of the original Act to facilitate the admission of documentary evidence created using modern information technology.

### **Financial Management Act 2006**

This Act includes requirements for the management of financial and accounting records.

### **Freedom of Information Act 1992**

The Freedom of Information (FOI) legislation prescribes rights and procedures for access to documents held by Government agencies and include recordkeeping requirements. Once a request for access under the FOI Act has been lodged all files relevant to that request, regardless of whether they are due for destruction, must be identified and preserved until action on the request and on any subsequent reviews by the Information Commissioner or the Supreme Court are completed.

### **Limitation Act 1935 and Limitation Act 2005**

Limitations have been set by law on periods within which court actions can be initiated by an offending party. Once the period has expired the party sustaining loss or injury cannot sue, and the party causing loss or injury is no longer held accountable. It is therefore expedient for organisations to select and keep those records that might be useful in the event of having to prosecute or defend an action, for the period of limitation.

### **Public Sector Management Act 1994**

The Public Sector Management Act outlines the functions of Chief Executive Officers of public sector agencies which include responsibility, subject to the State Records Act 2000, for ensuring that the organisation keeps proper records.

### **Local Government Act 1995 (and Local Government Regulations)**

The Local Government Act outlines the functions and duties of local government, elected representatives and Chief Executive Officers and throughout the act reference is made to records and the requirement to keep certain records. As an example, Council is required to keep a delegation register of all delegations under section 5.46. This includes all records. Section 5.73 notes that decisions are to be documented and minuted. The Local Government Act detailed the types of records and information that must be kept ranging from financial records through to minutes and agendas.

### **Other Local Government Legislation**

A number of other related legislation pertaining to or influencing the functions of a local government organisation must also be considered in developing an RKP. Some of these include; The Building Act, Planning & Environment Act, and so on. A list of other local government applicable legislation is attached to the back of the RKP.

### POLICY IMPLICATIONS

The RKP is a statutory document that is required by legislation. Several policies and procedures are required to be developed over the period of this RKP for the documentation and Council to be fully compliant. Some of these future action documents include a Vital Records Strategy, Information Management Security documentation and so on. The Local Government Integrated Planning and Reporting Framework requirements will be requiring Council to develop information management documentation in the next financial year that will tie in with the RKP.

### FINANCIAL IMPLICATIONS

There are financial implications as a result of the legislative requirements.

These include:

- The cost of obtaining materials for the disposal of records (as identified) such as archive boxes
- The cost of implementing plans and procedures such as the Vital Records strategy.
- The cost of periodically updating the RKP to reflect any changes in the organisation structure and its functions.

At this stage, the cost as identified above have not been factored into the 2012/2013 budget as it is believed that these can be incorporated into existing resources.

### STRATEGIC IMPLICATIONS

Nil

### ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil

### CONCLUSION

The Shire of Gnowangerup's Records Keeping Plan is presented to Council for endorsement. Should Council endorse this plan, the next action will be to forward this to the State Records Commission for approval and endorsement.

### VOTING REQUIREMENTS

Simple Majority

**COUNCIL RESOLUTION**

0413.65 Moved Cr Savage                      Seconded Cr House

***That Council endorse the Shire of Gnowangerup Record Keeping Plan 2013 and refer this to the State Records Commission for approval.***

**CARRIED 8/0**

**7. CONFIDENTIAL ITEMS**

Nil

**8. LATE ITEMS**

Nil



**9. URGENT BUSINESS INTRODUCED BY DECISION OF COUNCIL**

**COUNCIL RESOLUTION**

0413.66 Moved Cr Savage

Seconded Cr House

*That a request be made to the Minister of Local Government for approval for Council to carry the vacancy created by the resignation of Cr Brad Smith until the elections scheduled for October 2013*

**CARRIED 8/0**

*Cr Gaze requested that her Council term on the Strategic Community Plan be updated to read 2011 - 2015*

**PART D – OTHER BUSINESS AND CLOSING PROCEDURES**

**1. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**2. DATE OF NEXT MEETING**

22 May 2013, Council Chambers, 28 Yougenup Road, Gnowangerup WA 6335

**3. CLOSURE**

Being no further business, Cr Stone thanked Councillors, Visitors and Staff for their time and closed the meeting at 4:56pm