

Shire of Gnowangerup

NOTICE OF AN ORDINARY MEETING OF COUNCIL

Dear Council Member

The next Ordinary Meeting of the Shire of Gnowangerup will be held on Wednesday 22 February 2012, in the Council Chambers, 28 Yougenup Road, Gnowangerup, commencing at 3.00pm.

.....
Lauder COOMBER
A/CHIEF EXECUTIVE OFFICER

14 February 2012

Meaning of and CAUTION concerning Council's "In Principle" support:

When Council uses this expression it means that:

(a) Council is generally in favour of the proposal BUT is not yet willing to give its consent; and

(b) 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 Council's "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 & 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."

AGENDA

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ORDINARY COUNCIL MEETING AGENDA

- 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED**
- 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4. PUBLIC QUESTION TIME**
- 5. APPLICATIONS FOR LEAVE OF ABSENCE**
- 6. PETITIONS/DEPUTATIONS/PRESENTATIONS**
- 7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

7.1 ORDINARY MEETING HELD WEDNESDAY, 21 December 2011

OFFICER RECOMMENDATION

That Council confirms the Minutes of an Ordinary Meeting of Council held 21 December 2011.

- 8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

9. MATTERS FOR INFORMATION

9.1 PLANT REPORTS

9.1.2 PLANT MAINTENANCE REPORT – February 2012

Date of Report: 14 February 2012

Officer: K Tomlinson - Plant Mechanic

Attachment:

- AMPRO Reports

Background

This is for notification of plant maintenance carried for the month of January – February.

9.2 WORKS AND MAINTENANCE REPORT

9.2.1 WORKS DEPARTMENT REPORT – JANUARY/FEBRUARY 2012

Date of Report: 09 February 2012
Officer: R Miniter – Works Supervisor

Attachment:

Nil

ONGOING WORKS

I apologise for not entering a report for January as I was on holidays for the month. I have therefore combined the January and February reports and now bring you up to date with the following that is on the current program.

Construction Grader GDR6 GN0020

	<u>Action</u>
➤ Nightwell Road	Construction & 3km Seal
➤ Magitup Rd	Flood crossing entrances seal
➤ Pallinup Rd	Flood crossing entrances seal
➤ Tieline Rd	Construction & 4.25km Seal

Borden Grader GDR7 GN005

	<u>Action</u>
➤ Nth Stirling Rd	Maintenance graded
➤ New Country Rd	Maintenance graded
➤ Salt River Rd	Maintenance graded
➤ Magitup Rd	Maintenance graded
➤ Dejagers Rd	Maintenance graded

**Borden maintenance grader will continue maintenance grading until conditions dry up
 Blowout fixing- gravel patching as damage occurs**

Ongerup Grader GRD9 GN0021

	<u>Action</u>
➤ Park Rd	Maintenance graded
➤ O’Neill Rd	Maintenance graded
➤ Hart Rd	Maintenance graded
➤ Toompup Rd	Maintenance graded
➤ Oakdale Rd	Maintenance graded

**Ongerup maintenance grader will continue maintenance grading until conditions dry up
 Blowout fixing- gravel patching as damage occurs**

Gnowangerup Grader GRD8 GN0015

	<u>Action</u>
➤ Coromup Rd	Maintenance graded
➤ Mindarrabin Rd	Maintenance graded
➤ Moores Dam Rd	Maintenance graded
➤ Parker Rd	Maintenance graded

Gnowangerup Grader will be assisting works on the Tieline road construction as well as fixing bitumen blowouts due to heavy traffic throughout the shire.

Maintenance – Drainage Crew

➤ Rubbish Tip Maintenance	
➤ Road verge spraying various roads	
➤ Culvert cleaning various roads	
➤ All bitumen roads throughout the Shire	Maintenance/Bitumen Patching

Drainage will also be helping out with construction works and will be installing and cleaning culverts.

Roads that are already sprayed:

Strathhaven Rd
 Hinkley Rd
 Black Road
 Old Ongerup Rd
 Tambellup Rd
 Kwobrup Rd
 Gleeson Rd
 Boxwood-Ongerup Rd

Sandalwood Rd
 Tieline Rd
 Nightwell Rd
 Kwobrup Nth
 Airport Rd
 Borden-Bremer Rd
 Ongerup-Pingrup Rd
 New country Rd

Slashed Roads:

Highdenup Rd
 Salt River Rd
 Black Rd
 Old Ongerup Rd
 Borden Bremer Rd
 Various other jobs as they occur

GRADING MAINTENANCE JOBS COMPLETED DECEMBER 2011

Construction Grader GDR6 GN0020

- Nightwell Road
- Magitup Rd
- Pallinup Rd
- Tieline Rd

Action

Construction & 3km Seal
 Flood crossing entrances seal
 Flood crossing entrances seal
 Construction & 4.25km Seal

Borden Grader GDR7 GN005

- Nightwell Rd
- Laurier Rd
- Laurier Sth Rd
- Magitup Rd
- Nth Stirling Rd

Action

Maintenance graded
 Maintenance graded
 Maintenance graded
 Maintenance graded
 Maintenance graded

**Borden maintenance grader will continue maintenance grading until conditions dry up
 Blowout fixing- gravel patching as damage occurs**

Ongerup Grader GRD9 GN0021

- Tieline Rd
- Cowalellup Rd
- Toompup Rd
- Ongerup Boxwood Rd
- Oakdale Rd

Action

Maintenance graded
 Maintenance graded
 Maintenance graded
 Maintenance graded
 Maintenance graded

**Ongerup maintenance grader will continue maintenance grading until conditions dry up
 Blowout fixing- gravel patching as damage occurs**

Gnowangerup Grader GRD8 GN0015

- Hinkley Rd
- Moors Dam Rd
- Coromup Rd
- Eastwood Rd
- Jackitup West Rd
- Mindarrabin Rd

Action

Maintenance graded
 Maintenance graded
 Maintenance graded
 Maintenance graded
 Maintenance graded
 Maintenance graded

Gnowangerup grader will be helping with construction on Tieline Rd for the next couple of weeks, and will continue maintenance grading in the Gnowangerup area after that.

Maintenance – Drainage Crew

- | | |
|--|------------------------------|
| ➤ Mindarrabin Rd | Pipe installation |
| ➤ Hinkley Rd | Pipe installation |
| ➤ Rubbish Tip Maintenance | |
| ➤ Road verge spraying various roads | |
| ➤ Culvert cleaning various roads | |
| ➤ All bitumen roads throughout the Shire | Maintenance/Bitumen Patching |

Roads that are already sprayed:

Strathhaven Rd	Sandalwood Rd
Hinkley Rd	Tieline Rd
Black Road	Nightwell Rd
Old Ongerup Rd	Kwobrup Nth
Tambellup Rd	Airport Rd
Kwobrup Rd	Borden-Bremer Rd
Gleeson Rd	Ongerup-Pingrup Rd
Boxwood-Ongerup Rd	New country Rd

Slashed Roads:

Highdenup Rd
Salt River Rd
Black Rd
Old Ongerup Rd
Borden Bremer Rd
Various other jobs as they occur

9.3 BUILDING SURVEYORS REPORT

9.3.1 BUILDING SERVEYOR SERVICE REPORT – JANUARY 2012

Date of Report: 1 February 2012

Officer: D Baxter – Building Surveyor

Attachments

Yearly Return of Building Permits

Date	Duties Carried Out	From	To	HRs	KMs
16-1-12	Inquiry concerning the 3 new houses for Shire	10.00	10.30	0.50	
18-1-12	Shire Visit, Follow up on the 3 house development and start to finalise documentation.	7.00	17.00	10.00	335
31-1-12	Do all of the end of month items for completion of this month's activities	12.00	13.00	1.00	
	Totals for January 2012			11.5	335

TOTALS

Hours 11.5 @ \$87.00 = \$1,000.50

Kilometres 335 @ \$0.93 = \$311.55

GST \$131.21

TOTAL \$1443.26

9.4 OCCUPATIONAL HEALTH AND SAFETY REPORT

Nil

10 PLANT AND WORKS

Nil

11 HEALTH AND DEVELOPMENT

11.1 FOOD ACT 2008 – APPOINTMENT OF AUTHORISED OFFICERS

Location:	Health & Development
Proponent:	
File Ref:	24.2.1
Date of Report:	9 February 2012
Officer:	VN Webster – Executive Manager Corporate Services
Disclosure of Interest:	Nil

Attachment

Nil

Background

The Food Act 2008 (the Food Act) came into operation on the 23 October 2009 and is the principle legislation regulating the sale of food in Western Australia, replacing and repealing the food provisions of the Health Act 1911 (the Health Act).

The Food Act stipulates who is able to assess food businesses and the conditions under which they may enter a food business. It also provides the “authorised persons” other than an environmental officer may enter and assess a food business and indicates the conditions under which authorised persons may be appointed.

Summary

To appoint authorised officers (previously authorised under the now repealed provisions of the Health Act 1911) under the provisions of the Food Act 2008 and Food Regulations 2009.

Comments

An enforcement agency, (Shire of Gnowangerup) may appoint a person to be an authorised officer for the purpose of the Food Act if –

- a. The enforcement agency, having any regard to any guidelines issued by the CEO (Department of Public Service) under subsection (2), considers the person has appropriate qualifications and experience to perform the functions of an authorised officer; or
- b. The person holds office as an Environmental Health Officer under the Health Act 1911.

As the Shire has appointed Mr Mort Wignall as Council’s Environmental Health Officer under the Health Act it is considered appropriate to appoint the officer as the “authorised officer”.

Where the enforceable provisions of the Health Act referred to either “environmental health officers” or “local government”, the Food Act refers to “authorised officers” or “enforcement agencies”. Much like the Health Act, these responsibilities are able to be delegated (under Section 118 of the Food Act).

Under Sections 65, 66, 67, 110 and 112 of the Act, enforcement agencies (ie the Shire) are responsible for carrying out functions relating to the issue and clearance of prohibition notices and for food business registration. These powers are considered to be operational and therefore appropriate to be delegated to the Environmental Health Officer.

Matters relating to the issue of infringement notices (ie Section 126) are considered to be potentially contentious, however are still operational and often need to be dealt with expediently, rather than awaiting the outcome of a Council meeting. It is recommended that a delegation to the Chief Executive Officer of the Shire of Gnowangerup be issued for matters relating to infringement notices and the appointment of authorised officers, as is currently the case with Environmental Health Officers.

Financial Implications

Under the Food Act fees may be charged for registration of food businesses. However in discussion with the Acting Chief Executive Officer it is considered more appropriate that the matter of fees be considered as part of the budget process.

Statutory Environment

Food Act 2008

Local Government Act 1995

Strategic Implications

Plan for the Future/Strategic Plan 2011/2016 Functional Area 2 Social Wellbeing and Development

Consultation

Nil

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION

That Council endorse the following delegations to be reviewed annually as part of the review of Council's delegation register:

- a. **Council delegates its authority and powers to the Chief Executive Officer the capacity to exercise and discharge all or any of the powers and functions of the enforcement agency in regard to the following sections of the Food Act 2008;**

Appoint authorised officers in accordance with Section 122

Appoint designated officers to issue infringement notices in accordance with Section 126(2)

Appoint designated officers to extend payment period for infringement notices or withdraw infringement notices in accordance with Sections 126(6) and 126(7)

- b. **Council delegates its authority and powers to the Environmental Health Officer the capacity to exercise and discharge all or any of the powers and functions**

11.2 DISABILITY ACCESS AND INCLUSION PLAN 2011-2016

Location: Shire of Gnowangerup
Proponent:
File Ref: 14.9.2
Date of Report: 9 February 2012
Officer: VN Webster – Executive Manager Corporate Services
Disclosure of Interest: Nil

Attachment

Copy of Disability Access and Inclusion Plan (DAIP) 2011-2016

Background

The Disability Services Act (1993) requires all Local Governments to develop and implement a Disability Access and Inclusion Plan (DAIP) to ensure that people with disabilities have equal access to Councils facilities and services.

Other legislation underpinning access and inclusion includes the Western Australian Equal Opportunity Act (1984) and the Commonwealth Disability Discrimination Act (DDA), both of which make discrimination on the basis of a person's disability unlawful.

The Disability Access and Inclusion Plan prepared for the period 2006-2010 is due for review for a further five year period.

Summary

Council to endorse the draft Disability Access and Inclusion Plan 2011-2016 as presented.

Comments

Staff have completed the review of the document, with the revised plan effective for the period 2011-2016 and requires endorsement from Council prior to submission to Disability Services Commission for registration. A copy is attached to this item for Councillors information.

Financial Implications

Nil

Statutory Environment

Nil

Strategic Implications

Plan for the Future/Strategic Plan 2011/2016 Functional Area 2 Social Wellbeing and Development

Consultation – Disability Services Commission

Voting Requirements – Simple Majority

OFFICER RECOMMENDATION

That Council endorses the Disability Access and Inclusion Plan for 2011-2016 as presented.

11.3 CARAVAN AND CAMPING GROUNDS ACT 1995 – APPOINTMENT OF OFFICER

Location:	Health & Development
Proponent:	
File Ref:	21.2.1
Date of Report:	10 February 2012
Officer:	VN Webster – Executive Manager Corporate Services
Disclosure of Interest:	Nil

Attachment

Nil

Background

The Caravan Park and Camping Grounds Act 1995 is the principle legislation for the regulation of caravanning and camping, to control and licence caravan parks and camping grounds, to provide for standards in respect of caravans, to amend certain Acts and for related purposes. The objects of the Act are:

- a. To provide for the licensing of caravan parks and camping grounds;
- b. To regulate caravanning and camping;
- c. To improve and promote caravanning and camping;
- d. To ensure that the design and layout of land used for caravan parks and camping grounds and the provision and availability of amenities and services to meet desirable standards; and
- e. To ensure that the standards of caravans and annexes in caravan parks are adequate to protect the health and safety of the occupiers.

Summary

To appoint authorised officers under the provisions of the Caravan Park and Camping Grounds Act 1995.

Comments

An enforcement agency, (Shire of Gnowangerup) may appoint a person to be an authorised officer for the purposes of the Caravan Park and Camping Grounds Act 1995, Section 17 (1) which states:

- a. May appoint such persons to be authorised persons for the purposes of this Act as the Chief Executive Officer or the local government considers necessary; and
- b. Must issue each person appointed under paragraph (a) with an identity card, in the prescribed form, certifying that the person is an authorised person under this Act.

As the Shire has appointed Mr Mort Wignall as Council's Environmental Health Officer under the Health Act it is considered appropriate to appoint the officer as the "authorised officer".

Under Sections 18, 20, 21, 22 and 23 of the Act, enforcement agencies (ie the Shire) are responsible for carrying out functions relating to the power of entry, registration, inspections and work specification notices and the issue of infringement notices. These powers are considered to be operational and therefore appropriate to be delegated to the Environmental Health Officer.

Matters relating to the issue of infringement notices (ie Section 23) are considered to be potentially contentious, however are still operational and often need to be dealt with expediently rather than awaiting the outcome of a Council meeting. It is recommended that a delegation to the Chief Executive Officer of the Shire of Gnowangerup be issued for matters relating to infringement notices and the appointment of authorised officers, as is currently the case with Environmental Health Officers.

Financial Implications

Under the Caravan Park and Camping Grounds Act 1995 fees may be charged for registration of caravan parks and camping grounds, however in discussion with the Acting Chief Executive Officer it is considered more appropriate that the matter of fees be considered as part of the budget process.

Statutory Environment

Caravan Park and Camping Grounds Act 1995

Strategic Implications

Plan for the Future/Strategic Plan 2011/2016 Functional Area 2 Social Wellbeing and Development

Consultation

Nil

Voting Requirements – Absolute Majority

OFFICER RECOMMENDATION

That Council endorse the following delegations to be reviewed annually as part of the review of Council's delegation register:

- a. **Council delegates its authority and powers to the Chief Executive Officer the capacity to exercise and discharge all or any of the powers and functions of the enforcement agency in regard to the following sections of the Caravan Parks and Camping Grounds Act 1995:**

Appoint authorised officers in accordance with Section 17 (1)(b)

Appoint authorised officers to issue infringement notices in accordance with Section 23

- b. **Council delegates its authority and powers to the Environmental Health Officer the capacity to exercise and discharge all or any of the powers and functions of the enforcement agency in regard to the following sections of the Caravan Park and Camping Grounds Act 1995:**

Grant, apply conditions, refuse, vary or cancel registration of a licence in accordance with Sections 6, 7, 8 and 9

Issue prohibition orders in accordance with Section 10

Clear and remove a prohibition order in accordance with Section 11.

11.4 GNOWANGERUP P & C TRIATHLON

Location:	Gnowangerup Swimming Pool
Proponent:	GDHS P & C
File Ref:	
Date of Report:	10 February 2012
Officer:	SE Davis – Executive Manager Community Development
Disclosure of Interest:	Nil

Attachment

Gnowangerup District High School P&C 2012 Triathlon Poster

Background

The GDHS Parents & Citizens' Associations (P&C) triathlon will be held again this year, for the fifth year in a row. The event is based at the Gnowangerup Swimming Pool in March each year. To complement this event in 2012 the Sport and Recreation Officer (SRO) and Gnowangerup District High School (GDHS) Active After Schools Community Program have been working together to offer the 'Splash'n'Dash' programme once again in the lead-up to the 2012 GDHS P&C Triathlon.

Summary

This item is presented to Council to request free pool entry and road closures for the Gnowangerup District High School P&C Triathlon event in 2012.

Comments

The 'Splash'n'Dash' is a joint initiative, run and managed by the Shire's SRO in conjunction with the GDHS Active After Schools Community Program. This year the program will involve a number of training sessions, including, cycling, running, swimming and practice triathlons.

This year the Splash and Dash will not require any road closures as training will be conducted on the footpaths and within the pool boundaries. However, the P&C would like to request a road closure for the Triathlon, on 17 March 2012. The closure will require the closure of Kwobrup Road from Yougenup Road to the Jackitup/Kwobrup Roads intersection from 1.00pm to 5.00pm.

The GDHS will open this programme to people of all ages from Gnowangerup and neighbouring towns. Schools in Borden and Ongerup will be invited to participate. This is an excellent opportunity for the Shire of Gnowangerup to support physical health promotion within the community.

The author also requests that, this year Council considers providing free pool entry for the GDHS P&C Triathlon Event. In previous years Council has provided free entry to participants of the 'Splash'n'Dash' programme; however, this year entry will be funded through the Active After Schools Community Program.

Financial Implications

Complimentary Pool Entry for less than 200 people on 17 March 2012.

Strategic Implications

2.8 – Council is to encourage the increased use of the Gnowangerup Swimming Pool by encouraging AustSwim courses to be held in Gnowangerup, facilitating community minded programs and events and the training of swimming teachers for VacSwim Courses.

Consultation

Gnowangerup District High School
GDHS P&C
Pool Manager

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

That Council:

Approves the road closure of Kwobrup Road from the Gnowangerup Swimming Pool entrance to the Jackitup/Kwobrup Roads intersection from 1:00pm until 5:00pm on Saturday 17 March 2011 for the GDHS's P&C Triathlon.

That Council provides free pool entry for the Gnowangerup District High School P&C Triathlon Event to all participants in 2012, for 17 March 2012.

11.5 COUNCIL REVIEW OF MUNICIPAL INVENTORY OF HERITAGE PLACES

Location:**Proponent:****File Ref:****Date of Report:** 13 February 2012**Officer:** SE Davis – Executive Manager Community Development**Disclosure of Interest:** Nil

Attachment

The Municipal Inventory of Heritage Places will be tabled for the interest of Councillors.

Background

A Municipal Inventory of Heritage Places (MI) provides a record of buildings and places within the district that are considered to be of heritage significance. Local Councils are required under Section 45 of the Heritage of Western Australia Act 1990 to prepare a list of places of heritage significance to the local community and update that list every 4 years.

A local government must ensure that the inventory is compiled with proper public consultation. The Act requires that a copy of the inventory, when compiled, shall be forwarded to the Heritage Council for information and be available in the Heritage Council library. The Heritage Council does not assess the inventory.

A Municipal Inventory includes a brief history of the area, a thematic matrix and a list of sites which are or may become of cultural heritage significance. Cultural heritage significance is the aesthetic, historic, scientific or social significance a place may have for present and future generations. Cultural heritage extends beyond buildings and can include landscapes, artefacts and cultural institutes. Whilst change, development and progress are inevitable, an accurate and up-to-date Municipal Inventory assists in maintaining and protecting the heritage and history of an area, an 'inheritance' that may then be passed onto future generations.

Summary

This item is being presented to Council so it may commence a review on its Municipal Inventory of Heritage Places.

Comments

The Shire of Gnowangerup Municipal Inventory of Heritage Places was prepared between 1994 and 1996. The MI was adopted by Council on the 3 March 1996. The MI does not appear to have been reviewed or updated since this time, for this reason the Author is bringing this item to Council so that Council may endorse a review of the MI.

Financial Implications

Nil

Statutory Environment

Councils are required under Section 45 of the Heritage of Western Australia Act 1990 to prepare a list of places of heritage significance to the local community and update that list every 4 years.

Strategic Implications

The MI can, in the future, be linked-in to the Shire's Town Planning Scheme.

Consultation

Craig Pursey – Town Planner

Helen Munt – Heritage Council of WA

Policy Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION:

That Council staff commence a review of the Shire of Gnowangerup Municipal Inventory of Heritage Places, in consultation with the local Gnowangerup Shire Community and Heritage Council of Western Australia Staff.

11.6 GNOWANGERUP SWIMMING POOL FUTURE LOCATION

Location: Gnowangerup Swimming Pool
Proponent:
File Ref: 26.8.1
Date of Report: 13 February 2012
Officer: SE Davis – Executive Manager of Community Development
Disclosure of Interest:

Attachment

- Copies of the “Design Report for the redevelopment of the Gnowangerup Outdoor Aquatic Centre” will be available at the meeting.
- Public feedback forms.

Background

Council has been in possession of an engineering report that has highlighted the poor condition of the pool structure and mechanics for a number of years. This has triggered Council to progress investigations into the replacement of the existing facility. Funding was sought from the Department of Sport and Recreation (DSR), to undertake a feasibility study into the pools existing condition, its mechanics and condition of surrounding buildings as well as the cost of reconstruction. The study was also to determine a preferred location.

At its December 2011 meeting, Council moved to receive the draft “Design Report for the Redevelopment of the Gnowangerup Outdoor Aquatic Centre” and make the report available for public consultation. As a result of this process, this item is being presented to Council, along with the community submissions, so that Council can make a decision regarding the projects overall direction.

It is to be noted that as a DSR grant was used to fund the preparation of the feasibility report, Council would need to find strong basis to go against the reports recommendation.

Summary

This item is being presented to Council so that Council may take into account the public feedback regarding the findings of the “Design Report for the Redevelopment of the Gnowangerup Outdoor Aquatic Centre” (produced by H+H Architects) and using the report’s findings and the public’s feedback, determine a future location for the Gnowangerup Swimming Pool.

Comments

Council is aware that recent reports into the Gnowangerup Swimming Pool conclude that Council must realistically investigate options for the replacement of the Gnowangerup Swimming Pool.

A Feasibility Study was conducted to provide an independent outcome as to where the proposed new Gnowangerup Swimming Pool facility should be developed, either being at its current location, Aylmore Park, or relocated to the Gnowangerup Sports Complex.

The Study has provided a recommendation based upon the investigation work conducted, value for money and the community input. The Study, conducted by H+H Architects, recommends that the Gnowangerup Swimming Pool stay at its current location at Aylmore Park. In this item the Author is requesting that Council takes into account the public feedback presented in this item (attached) and comes to a decision on the future location of the proposed new Gnowangerup Swimming Pool.

Council must option to endorse the studies recommendation regarding the location of the Gnowangerup Swimming Pool, or reject the recommendation, and choose to investigate the construction of the Gnowangerup Swimming Pool at the Gnowangerup Sports Complex.

Council has been presented with 7 (seven) submission from community individuals and groups (attached) putting forth their views on the feasibility studies recommendation, as well as their expectation in regard to the

future pools facilities (e.g. playgrounds, spas, heating) and preferred location, taking into account various factors (i.e. facility integration, heritage, aesthetic value).

Feedback Received Regarding Study Recommendation	
For The Recommendation	4
Against The Recommendation	2
No Position	1

The Author has been investigating other pool construction projects across the region, and in recent weeks, has taken interested Councillors to visit/tour the Katanning Aquatic Centre facility. Two examples of recent pool facility projects undertaken by Councils across the region are listed below:

Kulin Pool – A totally new build (similar to what is proposed for Gnowangerup), with a project budget of \$2.4 million. The build took approximately 9 months and included a new pump room, kiosk, toilets, store room and pool. Included in the contract was landscaping, shade sails, fencing, barbeques etc. The project was in its planning stages for approximately three years. The construction company used was AVP Commercial Pools.

Wagin Pool – Wagin is renovating a 50 metre pool by replacing the top and surrounds of the pool with a wet deck and stepped entry - retaining their existing sand filter. A new “learn to swim” pool will be constructed with new filters. The project will also see a new concourse surround the pools and the removal of the existing dive pool. This project is being undertaken by Wet Deck Pools for a cost of \$1.2 million plus a further \$100,000 for the construction of a disabled ramp in the 50 meter pool.

From initial investigations, once a pool location is decided, the Author suggests that it would be worthwhile for staff to start gathering cost estimates and advice from pool construction companies and other Councils. This may also involve, in the near future, exploring if there is a need to engage the services of a consultant to help develop a comprehensive project brief to be used for tendering and gathering accurate estimates. Alternatively, there may be substantial information in the pool feasibility study provided by H+H Architects to carry out this process.

At this point, taking into account similar projects and the information presented in the Design Report for the Redevelopment of the Gnowangerup Outdoor Aquatic Centre. The Authors would suggest that Council may like to start considering a budget of approximately \$2.4 million. The Author suggests that Council considers a preliminary funding proposal breakdown similar to the table demonstrated below.

Preliminary Funding Proposal	
DSR	\$800,000
Shire (Local Royalties for Regions (R4R) Funds)	\$290,000
Regional R4R Funds	\$350,000
Council Reserve	\$70,000
Shire Loan, Regional Development Australia (RDA) & Other – Perhaps funding through sponsors e.g. Grange Resources	\$890,000
Total	\$2,400,000.00

Financial Implications

The future progression of this project will require Council to apply for substantial funding from external sources, the obvious application being to the Department of Sport and Recreation for a 1/3 contribution. However, Council still needs to access 2/3's of the funding. As suggested in the preliminary funding proposal above, an application to Regional Development Australia would be advised. The use of Royalties for Regions funding and presenting a case for access to the Regional component of the Royalties for Regions funding would also be recommended. There has also been informal suggestion that Grange Resources may be willing to help fund community projects such as the Gnowangerup Swimming Pool in lieu of the establishment of a power substation.

Council has several other substantial projects underway and this will restrict the timing for any proposed re development of the pool and the funding application preparation. For example Council will not be able to access

the Regional component of the Royalties for Regions Fund until the Regional Waste Project is completed. This should be completed in 2013 and may provide Council with a considerable financial injection into the project. Also please note that accessing these funds may commit Council to support other larger projects in other Councils in subsequent years.

The Author expects that Council will be required to draw down a substantial loan to assist in funding the project and keeping this to a minimum is essential as Council has worked hard to reduce its loan liability over the years. Council's loan liability will increase through the Department of Sport and Recreation Grants that have been recently applied for, if these grants are both successful, Council will be committed to funding \$462,000 (as per Council Motion 0311.55) This funding would be by way of loan, increasing Council's loan liability to approximately \$1,977,072 as at 30 June 2012.

As such, Council will need to seriously consider the cost of the development and its ability to raise funding and repay loans into the future.

Statutory Environment

Nil

Strategic Implications

Plan for the Future/Strategic Plan 2011/2016 Functional Area 3 Infrastructure, Asset and Environmental Management.

Consultation

H+H Architects

Shire of Kulin

Shire of Wagin

Shire of Katanning

Shire of Brookton

Leisure Institute of Western Australia

Community consultation submissions attached

Policy Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION:

That Council:

In taking into account the public feedback received, accepts the recommendation in the "Design Report for the Redevelopment of the Gnowangerup Outdoor Aquatic Centre" produced by H+H Architects, to locate any future Gnowangerup Swimming Pool on its existing site at Aylmore Park.

That staff continue to investigate design and costing options, in consultation with relevant professionals and experts, for the Gnowangerup Swimming Pool proposal, to determine preliminary project budget estimations.

11.7	PROPOSED SUBDIVISION – VIRGINIA RURAL RESIDENTIAL ESTATE
Location:	Lots 3588 and 3374, Pallinup
Proponent:	Shire of Gnowangerup
File Ref:	
Date of Report:	13 February 2012
Officer:	Craig Pursey, Planning Officer
Disclosure of Interest:	

Attachment

- Subdivision application – WAPC #144985

Background

Subject Site

Lots 3374 and 3588 Strathaven Road, Pallinup (the subject site) are owned freehold by the Shire of Gnowangerup. Council purchased the subject site several years ago and has had the intention of subdividing this land for Rural Residential purposes.

The subject site is located on the southern edge of the Gnowangerup townsite adjacent to the sports ground and cemetery.

The land is mainly used for cropping at the moment with a stand of remnant vegetation along the northern boundary of Lot 3588 adjacent to the cemetery.



Subject Site – Lots 3374 and 3588 Strathaven Road, Pallinup (LandGate 2011)

The land slopes gently to the north and east with a minor intermittent drainage line discharging from the north eastern corner of the site. Gnowangerup Creek is located to the east of the subject site.

A water-supply pipeline for the adjacent sports ground crosses the property in a roughly north - south direction. This water pipeline supplies a dam and provides water to the Sports Precinct.

The remnant vegetation in the north of the site is of reasonable quality and will be retained as part of any development.

Zoning

The subject site is zoned "Rural Residential Area No.1" under the Shire of Gnowangerup Local Planning Scheme No.2 ('the Scheme').

The objective of the Rural Residential zone is to:
To provide for residential use in a rural environment.

Clause 5.10 and Schedule 11 of the Scheme provide the controls and subdivision requirements for the Rural Residential zone.

The subject site also falls within 'Structure Plan Area 1' (SPA1) within the Scheme. Provisions are included that require a structure plan to be adopted by the Shire and WAPC prior to subdivision of the subject site. Site specific requirements for SPA1 are listed at Schedule 11 of the Scheme.

Proposal background

Council has agreed to pursue a 4ha subdivision design over the site. At the July 2011 Council meeting it was informally agreed to lodge a subdivision application with the Department of Planning (DoP). The purpose of this was to gauge the conditions of approval that may be applied to the subdivision and thus better inform the Council as to how much the eventual subdivision may cost.

The subdivision application was lodged in August 2011. However, the DoP placed the application on hold until the Shire could satisfy the DoP how the future lots will be adequately supplied with water.

Adequate information as to how water will be supplied to the subdivision was provided to the DoP in December 2012. The DoP has now agreed to process the application and has referred it to all relevant government agencies seeking comment before making a final decision. The Shire of Gnowangerup is a referral agency as has been asked to provide comment on the proposal.

In parallel with the subdivision application the DoP required that the Shire of Gnowangerup prepare a Structure Plan for the site. This has been on public advertising and is presented to Council for their consideration elsewhere in this agenda.

Summary

The Shire lodged a subdivision application with the Department of Planning in August 2011. The application was placed on hold until such time as water supply issues could be resolved; these have been addressed to the Department's satisfaction.

The application is part of the Shire's ongoing preparations to subdivide this property as the developer.

The Council has been referred the subdivision application for assessment and comment in its role as the local government and needs to be careful to separate the two roles.

Support is recommended for the proposed subdivision subject to the application of standard subdivision requirements.

Comment

The Proposal

Council has received an application to subdivide Lots 3588 and 3374, Pallinup into 18 Rural Residential lots. The application is the Shire's own proposal lodged as part of the ongoing application to development freehold land owned by the Shire on the southern boundary of the Gnowangerup townsite.

The proposed subdivision is based on the provisions for Rural Residential Area No1 contained in Schedule 11 of the Shire of Gnowangerup Local Planning Scheme No.2. A total of 18 lots with a minimum size of 4.0ha and an average of 4.33ha will be created.

The proposed subdivision is intended to offer an alternative lifestyle option that is not currently available to the current and future residents of Gnowangerup. It will complement the existing town site and assist in dealing with issues of declining rural population.

A full copy of the proposal is in the attachment to this report.

Assessment

The Shire of Gnowangerup is both the proponent of the subdivision and is being asked to provide the Department of Planning (DoP) with advice on whether the proposal is acceptable and what conditions to apply in their role as the local government. It is important that the Council distinguish between these roles in their assessment of this subdivision proposal.

The proposal complies with the requirements of the Rural Residential zoning and Special Control Area 1. Areas that need particular attention and require specific response are assessed below:

Water Provision

The subject site is in a reasonably low rainfall area (compared to areas such as Denmark and Albany where this type of development is reasonably common) and requires specific solutions to solve this issue.

The subdivision proposes onsite water solutions including a minimum of 135KL rainwater tanks, a minimum of 450m² roof catchment, the use of Alternative Treatment Units (ATU) and a backup supply for non-potable water and fire fighting.

Future landowners need to be aware of these requirements upfront and a centrally located tank of at least 50KL needs to be provided for fire fighting and back up non-potable water for the development in times of particularly low rainfall.

Buffers to adjoining agricultural uses

There are existing farming operations immediately to the west and south that the proposed lifestyle lots will require buffers for potential spray drift issues and occasional 24 hour operation.

Adequate buffers should be achieved through the following measures:

- additional buffer landscaping is recommended along the western boundary; and
- retention of existing vegetation within the road reserve that runs along the length of the southern boundary.

Buffer landscaping is recommended along the western boundary and retention of existing vegetation along the southern boundary.

Standard requirements

The subdivision generally meets the specific requirements of the Scheme. All subdivision is required to provide basic infrastructure and conditions enforcing this infrastructure are recommended.

Conclusion

The proposed subdivision meets the requirements of the Scheme. Standard subdivision conditions including road construction, effluent disposal requirements and fire management plans are recommended. With the addition of a number of site specific conditions, discussed above, approval support is recommended.

Financial Implications

The subdivision of the subject site will result in development costs for the Shire and a number of the recommended conditions (such a preparation of a Fire Management Plan) will result in ongoing costs to the Shire.

Statutory Environment

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the WAPC.

Strategic Implications

Strategically, Council initially purchased this land for the purpose of a subdivision and, as such, this would progress the intent of Council from that time of deliberation.

Section 5 – Plan for the Future – Economic Development:

5.6 – All options for the development of the Virginia Land Estate will be considered.

Consultation

None required.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

That Council;

- 1. Recommend that the Western Australian Planning Commission approve the subdivision/ amalgamation of Lots 3588 and 3374, Pallinup (WAPC ref 144985) subject to the following conditions:**
 - a) Those lot(s) not fronting a sealed constructed road being provided with frontage to a constructed subdivisional road connected by a constructed subdivisional road to the local road system and such subdivisional road being constructed and drained at the subdivider's cost to the specifications and satisfaction of the Shire.**
 - b) Street corners shall be truncated to a standard truncation of 14 metres.**
 - c) The temporary cul-de-sac head being designed, constructed and drained to the satisfaction and specifications of the local government.**
 - d) The battle axe legs are to be constructed and drained at the subdivider's cost to the satisfaction of the Shire.**
 - e) The applicant is to make suitable arrangements to ensure reciprocal rights of access over adjoining battleaxe accessway(s) are shown on the Deposited Plan.**
 - f) A Fire Management Plan being prepared and implemented to the specifications of the Shire and the Fire and Emergency Services Authority. This will include the construction of strategic fire breaks to a two-wheel drive trafficable standard and the provision of a centrally located 50KL rain water tank to the satisfaction of the Shire.**
 - g) The subdivider making arrangements satisfactory to Council to ensure that prospective purchasers and successors in title are aware of those special provisions of Council's Local Planning Scheme which relate to the use and management of the land.**
 - h) The subdivider making arrangements satisfactory to Council to ensure that prospective purchasers and successors in title are aware of the following in writing:**
 - that sewerage is not available.**
 - an approved Alternative Treatment Unit to the satisfaction of Council and the Health Department of WA will be required to service any new development on each lot.**
 - i) Notification in the form of a section 70A notification, pursuant to the Transfer of Land Act 1893 (as amended) is to be placed on the Certificate(s) of Title of the proposed lot(s) advising that no reticulated water supply can be provided to the land and as a consequence owners will be required to make their own arrangements to provide an adequate water supply of potable water. This will include at least 450m² of roof catchment, 135KL rainwater tank/s and and Alternative Treatment Unit for effluent disposal.**

- j) Arrangements being made for the revegetation of areas along the western boundary of Lot 3374 and as shown on the subdivision guide plan and for the maintenance of the revegetated areas for a period of three years from the issue of titles.**

Footnotes

- 1. The battle axe access legs required by condition (d) shall have a minimum paved width of 5 metres (within a total battleaxe leg of 6 metres width). However, Council is prepared to accept a lesser width of 3 metres provided passing bay/s of 5.5 metres are provided. Passing bays shall generally be a minimum length of 8 metres and one passing bay for every 20 metres of access way length shall be provided.**
- 2. Provide a copy of the Council report to WAPC as record of the application assessment.**

11.8 VIRGINIA LAND ESTATE – PROPOSED STRUCTURE PLAN

Location: Lots 3374 and 3588 Strathaven Road, Pallinup
Proponent: Chief Executive Officer
File Ref:
Date of Report: 13 February 2012
Officer: Craig Pursey, Planning Officer
Disclosure of Interest:

Attachment

- Attachment A Draft Virginia Estate Structure Plan (suggested modifications are shown in red)
- Attachment B Schedule of Modifications

Background

Site Description

Lots 3374 and 3588 Strathaven Road, Pallinup (the subject site) are owned freehold by the Shire of Gnowangerup. Council purchased the subject site several years ago and has had the intention of subdividing this land for Rural Residential purposes.

The subject site is located on the southern edge of the Gnowangerup townsite adjacent to the sports ground and cemetery.

The land is mainly used for cropping at the moment with a stand of remnant vegetation along the northern boundary of Lot 3588 adjacent to the cemetery.



Subject Site – Lots 3374 and 3588 Strathaven Road, Pallinup (LandGate 2011)

Zoning

The subject site is zoned “Rural Residential Area No.1” under the Shire of Gnowangerup Local Planning Scheme No.2 (‘the Scheme’).

The subject site also falls within ‘Structure Plan Area 1’ (SPA1) within the Scheme. Provisions are included that require a structure plan to be adopted by the Shire and WAPC prior to subdivision of the subject site.

Proposal background

Council has agreed to pursue a 4ha subdivision design over the site. At the July 2011 Council meeting it was informally agreed to lodge a subdivision application with the Department of Planning (DoP). The subdivision application has been lodged and referred to Council for comment. This referral is the subject of a separate report in this agenda.

The Structure Plan the subject of this report was drafted in response to the Scheme requirement that a Structure Plan be adopted over the subject site before further subdivision or development may be supported.

Previous Council decision

Council considered the draft Structure Plan for the Virginia Rural Residential Estate at their meeting of 26 October 2011 where it was resolved as follows:

COUNCIL MOTION

1011.229 Moved Cr Hmeljak Seconded Cr Gaze

“That Council,

1. Relax the information requirements of clause 6.2.6.1 of Local Planning Scheme No.2 and adopt the Virginia Estate Structure Plan as shown at Attachment A of this report for the purposes of advertising;
2. Advertising is to include letters to adjoining landowners, relevant government agencies and an advertisement in the local newspaper.
3. The Structure Plan is to be advertised for public comment for a period of 35 days.”

Comments**Proposal**

Council adopted the subdivision plan for Lots 3374 and 3588 Strathaven Road, Pallinup (see Attachment A) as the structure plan for this portion of Structure Plan Area 1 at their meeting of 26 October 2011.

The subject site is zoned Rural Residential, but also falls within ‘Structure Plan Area 1’ (SPA1) within the Scheme. The Scheme requires that a structure plan is adopted by the Shire and WAPC prior to subdivision of the subject site.

A structure plan is an overall plan for an area that shows how the area is to be developed in a coordinated manner into the future. In this case the DoP have indicated that they are willing to accept that the current subdivision plan as the structure plan.

However, a structure plan is required to follow a certain process to be formally adopted. This includes the following steps:

1. Initiation by Council
2. Public advertising for at least 35 days;
3. Final adoption of the structure plan by Council following consideration of submissions received;
4. Endorsement by the Western Australian Planning Commission (WAPC).

The proposed Structure Plan is currently at stage 3 of the above flowchart. Council is requested to consider any submissions received during the advertising period. These are assessed with recommended actions in the following “consultation” section of this report.

Consultation

The draft Virginia Rural Residential Estate Structure Plan (the Structure Plan) was advertised for a period of 35 days closing on the 13 January 2012. During this time 2 submissions were received; one from the Department of Water and one from the Department of Planning.

A number of issues were raised in the submissions, the main issues can be summarised as follows:

- Additional measures to protect the waterway running through the property should be included including revegetation of the waterway and fencing to exclude livestock;
- Preparation of a foreshore management plan to guide the long term management of the waterway will be a requirement of subdivision.
- Concern over water supply for household and fire fighting use and a request that further explanation be provided on the Subdivision Guide Plan (SGP).

A summary of the submissions received is provided at Attachment B, along with staff responses and suggested modifications.

Minor modifications are proposed in response to these submissions including identifying the fire-fighting water tank location and clarifying future household the water requirements.

A draft Structure Plan document is provided at Attachment A showing the proposed modifications in red.

A full copy of any of the submissions can be made available on request.

Financial Implications

There will be administrative costs in officer time in ongoing negotiations with the WAPC and other service providers..

Statutory Environment

As described above, the Scheme requires a Structure Plan to be adopted over the subject site prior to subdivision or development of the site.

Adoption of this Structure Plan and forwarding to the WAPC for endorsement meets this Scheme requirement and allows the subdivision of the site at some time in the future.

Strategic Implications

Strategically, Council initially purchased this land for the purpose of a subdivision and, as such, this would progress the intent of Council from that time of deliberation.

Section 5 – Plan for the Future – Economic Development:

5.6 – All options for the development of the Virginia Land Estate will be considered.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

That Council,

- 1. Adopt the Structure Plan for the Virginia Rural Residential Estate subject to the recommendations outlined at Attachment B of this report – Schedule of Modifications.**
- 2. Forward the Structure Plan, Schedule of Modifications and a copy of all submissions to the Western Australian Planning Commission for final endorsement.**

12 FINANCE

12.1 REPORTS

12.1.1 DECEMBER 2011 MONTHLY FINANCIAL REPORT

Location:

Proponent:

File Ref:

Date of Report: 23 January 2012

Officer: AA Nuttall - Acting Executive Manager Finance

Disclosure of Interest: Nil

Attachment

- Statement of Financial Activity to 31 December 2011.
- Report on Material Differences
- Capital Budget Report
- Building Maintenance financial and progress report
- Bank Reconciliation Report
- Reserves Cash Balances
- Investment Register

Summary

Adoption of the December 2011 monthly financial report.

Comments

Presented to Council is the financial statement to 31 December 2011. The following amendments have been made to the 2011/2012 budget:

<i>Date</i>	<i>CM Ref</i>	<i>Account No</i>	<i>Description</i>	<i>Amount</i>	<i>Running Balance</i>
24 August 2011	0811.176	05014	Purchase and installation of fire siren in Gnowangerup town site.	\$5000	-\$5000
24 August 2011	0811.188	32092	Testing of spring water at Aylmore Park Swimming Pool to confirm suitability for reuse/filtering.	\$3000	-\$8000

Council have received approximately \$2,424,090 in rates payments to 23 January 2012. This represents 80.1% of rates paid.

Consultation

Nil

Statutory Environment

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 2011/2012 Annual Budget, or resulting from a Council motion for a budget amendment.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

That the December 2011 Monthly Financial Report be received.

12.1.2 ACCOUNTS FOR PAYMENT AND AUTHORISATION - DECEMBER 2011

Location: Finance
Proponent: Shire of Gnowangerup
File Ref:
Date of Report: 13 February 2012
Officer: AA Nuttall - Acting Executive Manager Finance
Disclosure of Interest: Nil

Attachment

- December 2011 Cheque Listing

Comments

The December 2011 cheque list is attached as follows

FUND	AMOUNT
Municipal Fund	\$ 471,176.00
Credit Card	\$ 1,932.31
TOTAL	\$ 473,108.31

OFFICER RECOMMENDATION

That the Schedule of Accounts: Municipal Fund Cheques 24940 – 24978, EFT 5754 – EFT 5826 totalling \$473,108.31 and credit card totalling \$1,932.31 be approved.

12.1.3 JANUARY 2012 MONTHLY FINANCIAL REPORT
Location:**Applicant:****File Ref:****Date of Report:** 13 February 2012**Officer:** AA Nuttall - Acting Executive Manager Finance**Disclosure of Interest:** NilAttachment

- Statement of Financial Activity to 31 January 2012.
- Report on Material Differences
- Capital Budget Report
- Building Maintenance financial and progress report
- Bank Reconciliation Report
- Reserves Cash Balances
- Investment Register

Summary

Adoption of the January 2012 monthly financial report.

Comments

Presented to Council is the financial statement to 31 January 2012. The following amendments have been made to the 2011/2012 budget:

<i>Date</i>	<i>CM Ref</i>	<i>Account No</i>	<i>Description</i>	<i>Amount</i>	<i>Running Balance</i>
24 August 2011	0811.176	05014	Purchase and installation of fire siren in Gnowangerup town site.	\$5000	-\$5000
24 August 2011	0811.188	32092	Testing of spring water at Aylmore Park Swimming Pool to confirm suitability for reuse/filtering.	\$3000	-\$8000

Council have received approximately \$2,570,272 in rates payments to 13 February 2012. This represents 84.8% of rates paid.

Consultation

Nil

Statutory Environment

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 2011/2012 Annual Budget, or resulting from a Council motion for a budget amendment.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

That the January 2012 Monthly Financial Report be received.

12.1.4 ACCOUNTS FOR PAYMENT AND AUTHORISATION – JANUARY 2012

Location: Finance
Proponent: Shire of Gnowangerup
File Ref:
Date of Report: 13 February 2012
Officer: AA Nuttall - Acting Executive Manager Finance
Disclosure of Interest: Nil

Attachment

- January 2012 Cheque Listing

Comments

The January 2012 cheque list is attached as follows

FUND	AMOUNT
Municipal Fund	\$ 787,417.81
Trust Fund	\$ 1,1008.65
Credit Card	\$ 3,166.88
TOTAL	\$ 791,593.34

OFFICER RECOMMENDATION

That the Schedule of Accounts: Municipal Fund Cheques 24980 – 25027, EFT 5827 – EFT 5927 totalling \$787,417.81; Trust Fund cheques 502 – 506 totalling \$1,008.65 and credit card totalling \$3,166.88 be approved.

12.2 RECEIVAL OF MINUTES
 Nil

13 ADMINISTRATION**13.1 REPORTS**

Nil

13.2 RECEIVAL OF MINUTES

Nil

13.3 SHIRE OF JERRAMUNGUP - DRAFT BREMER BAY TOWN CENTRE STRUCTURE PLAN

Location:	Bremer Bay
Proponent:	Shire of Jerramungup
File Ref:	
Date of Report:	10 January 2012
Officer:	LB Coomber - Acting Chief Executive Officer
Disclosure of Interest:	Nil

Attachment

- Shire of Jerramungup letter 22 December 2011
- Bremer Bay Town Centre Structure Plan Report

Background

The Shire of Jerramungup has recently adopted a draft Structure Plan to guide the development of the proposed Bremer Bay Town Centre at Reserve 31611 Bremer Bay Road Bremer Bay.

Summary

That Council authorise the Acting Chief Executive Officer to write to the Shire of Jerramungup thanking them for the opportunity to comment and wishing them well with this important initiative for the development of Bremer Bay.

Comments

The Shire of Jerramungup has provided us with a copy of the Plan and invited comment.

The Plan has been many years in the making and has involved the expertise of Landcorp, town planners, landscape architects, architects, an engineer, environmental consultants and a retail consultant.

It is the Shire's intention within the next 12 months to commence Stage 1 of the Plan which comprises:

- Streetscape upgrades to Borden-Bremer Bay Road
- Construction of the roundabout along Borden-Bremer Bay Road to facilitate connectivity between the proposed retail along the new main street and the businesses located along Gnombup Terrace.
- Upgrade and connect services to the first lot in Stage 1 development area. Exact location and size is yet to be determined.
- Construct and landscape the new north-south main street up to the area identified for civic uses. Main street works could also include the construction of the on-street parking for cars, caravans and tourist bus/es
- With the assistance of Landcorp subdivide the town centre initially into two land parcels and offer one lot for sale as a commercial site. Dimensions and area are yet to be determined.

The implementation and development of Stage 2 and onwards will be driven by market demand and the Shire securing additional funding.

Consultation

Not applicable.

Statutory Environment

Not applicable.

Policy Implications

Not applicable

Financial Implications

Not applicable.

Strategic Implications

Not applicable.

Voting Requirements

Simple majority

OFFICER RECOMMENDATION

That Council authorise the Acting Chief Executive Officer to write to the Shire of Jerramungup thanking them for the opportunity to comment and wishing them well with this important initiative for the development of Bremer Bay.

13.4 REGIONAL ROAD GROUP DELEGATES

Location:
Proponent: Cr Jan Savage
File Ref: 28.8.1
Date of Report: 25 January 2012
Officer: VN Webster - Executive Manager Corporate Services
Disclosure of Interest: Nil

Attachment

Background
At the Ordinary Meeting of Council held in October 2011 Council nominated their delegates to the Regional Road Group. The delegate was Cr Savage and the two proxy delegates were Cr Pech and Cr Hinkley.

Cr Savage, at the November 2011 Regional Road Group Meeting was again re elected for a two year term as Chairperson of the Regional Road Group and, as such, has no voting rights.

Summary
Council needs to elect a delegate and proxy for the Regional Road Group. The term will expire in October 2013.

Comments
Council may determine to elect the two existing proxy delegates to the Regional Road Group. Cr Pech was nominated as 1st Proxy delegate and Cr Hinkley as 2nd Proxy delegate.

Financial Implications
Nil

Statutory Environment
Nil

Strategic Implications
Nil

Consultation
Nil

Voting Requirements
Absolute Majority

OFFICER RECOMMENDATION
That Council nominates Cr as delegate and Cr as proxy to the Regional Road Group.

13.5 PROPOSED MANAGEMENT OF RESERVE 16267

Location: Tieline Road Gnowangerup – 20kms from town
Proponent: Department of Regional Development and Lands
File Ref: 18.4.1
Date of Report: 8 February 2012
Officer: Lauder Coomber – Acting Chief Executive Officer
Disclosure of Interest:

Attachment

- Department of Regional Development and Lands letter 20 January 2012.
- Map of Reserve area.
- Aerial photograph of Reserve area

Background

Letter received from Department of Regional Development and Lands enquiring if the Shire is prepared to accept management of Reserve 16267

Summary

That Council thank the Department of Regional Development and Lands for their enquiry but advise them that we do not wish to accept management of Reserve 16267.

Comments

Staff visited the 25 hectare Reserve which is approximately 20km north of Gnowangerup town site and situated at the junction of Tieline Road and Eastwood Road. It has natural vegetation and is generally quite tidy. However, it has a dam which is approximately 35m x 25m and is fed by two natural water courses. The dam is full of water at present and would most probably have water in it year round in a normal season. The reserve is fenced on the north, west and east boundaries but is open to Tieline Road. There are potential liability issues with the dam and for that reason staff are recommending that Council does not accept management of the reserve.

Financial Implications

Nil

Statutory Environment

Nil

Strategic Implications

Nil

Consultation

Nil

Policy Implications

Nil

Voting Requirements

Simple majority.

OFFICER RECOMMENDATION:

That Council thank the Department of Regional Development and Lands for their enquiry but advise them that we do not wish to accept management of Reserve 16267.

13.6 CONSTRUCTION OF THREE RESIDENCES WITHIN THE GNOWANGERUP TOWNSITE
Location:**Proponent:** Acting Chief Executive Officer**File Ref:****Date of Report:** 24 January 2012**Officer:** Lauder Coomber – Acting Chief Executive Officer**Disclosure of Interest:** NilAttachment

- Fee Proposal from H + H Architects
- Copy of Council Auditors UHY Haines Norton email dated 25 January 2012 confirming that capitalisation of H+H Architects charges is in order.

Background

At its 21 December 2011 meeting, Council resolved

COUNCIL MOTION

2112.271

Moved Cr Hmeljak

Seconded Cr Hinkley

“That Council:

Accept the Expressions of Interest presented by Kendan Builders, WA Country Builders and Smith Construction and invite all three to proceed to tender for the construction of the residences as per Councils floor plan allowing for minor changes.

The tender is to close as of the 10th February 2012 and will be considered at the next available meeting of Council.”

Summary

That Council confirms the recommendations of staff and decision of the Shire President to:

1. Engage the services of H+H Architects to prepare detailed plans and specifications for the construction of the three residences at Lot 61 Corbett Street, Lot 191 Corbett Street and Lot 193 Corbett Street, Gnowangerup.
2. Amend the date for closure of tenders to 4.00pm on Wednesday 21 March 2012.

Comments

The tender documents were forwarded to Kendan Builders, WA Country Builders and Smith Construction on 22 December 2011 and staff immediately started receiving queries from the prospective tenderers of a technical nature. The main concerns of the prospective tenderers were:

- lack of clarity in the specifications for the three residences
- reluctance to tender on concept plans
- aspects of site preparation and drainage issues
- no difference in the specifications for the “Executive” residence from the GROH residences.
- at the close of tender Council may not be comparing “apples with apples” when making the decision on who the successful tenderer should be. Whilst professional services are available to ensure compliance with the tender and to recommend acceptance of a particular tender, there was concern that Council may be open to challenge as to why a tender failed. This challenge could be based on the lack of clarity in the plans and, particularly, the specifications.

Staff are not experienced to handle these types of queries with any confidence and were becoming increasingly concerned as to the overall success of the project from Council's point of view. Neither are staff equipped to manage the project and felt that an experienced consultant was essential to protect Council's interests in a project with an estimated cost of \$1.12m.

The President's decision was conveyed to the prospective tenderers and they were requested to cease work on the preparation of the tender pending receipt of detailed plans and specifications from H&H Architects. All prospective tenderers were pleased this action had been taken.

H+H Architects has confirmed verbally that detailed plans and specifications (with the two houses to be leased to GROH to conform with GROH specifications as per the signed lease agreement) will be available by 27 February 2012.

Councillors will be aware that we have had successful dealings with H+H Architects over many years and the firm is presently managing the renovations to the Gnowangerup Sporting Complex.

We regret the need to present Council with this "fait accompli" but the matter needed to be progressed urgently as the contract with GROH states that the two houses being leased to them need to be completed by 30 November 2012. To leave the matter to the February meeting would result in the "loss" of a further four weeks.

Financial Implications

H+H Architect's fees of \$30,470 will be capitalised and will form part of the budgeted \$1.12m for the project. The 2011/12 budget states that \$400,000 is budgeted for the Executive residence and \$720,000 for the two GROH residences. Therefore, this does not need to be considered as an out of budget expense.

Statutory Environment

Local Government Act 1995 Section 3.57 Tenders for providing goods and services.

Strategic Implications

Plan for the Future/Strategic Plan 2011/16 Functional Area 3 Infrastructure and Environmental Management.

Consultation

David Heaver - H+H Architects.
UHY Haines Norton – Council's Auditors.

Voting Requirements

Simple Majority.

OFFICER RECOMMENDATION:

That Council confirms the recommendations of staff and decision of the Shire President to:

- 1. Engage the services of H+H Architects to prepare detailed plans and specifications for the construction of the three residences at Lot 61 Corbett Street, Lot 191 Corbett Street and Lot 193 Corbett Street, Gnowangerup.**
- 2. Amend the date for closure of tenders to 4.00pm Wednesday 21 March 2012.**

13.7 DIGITAL TELEVISION RE-TRANSMISSION AND SELF HELP OPTIONS

Location:	Shire
Proponent:	Acting Chief Executive Officer
File Ref:	10.4.1
Date of Report:	30 January 2012
Officer:	Lauder Coomber - Acting Chief Executive Officer
Disclosure of Interest:	

Attachment

- Department of Broadband, Communications and the Digital Economy letter dated 9 December 2011.
- Extract from Australian Government Digital TV Switchover Australia web-site.

Background

At its 24 August 2011 meeting Council received a report from the Chief Executive Officer which outlined potential options available to Council when the digital television changeover happens in 2013.

Summary

That Council opts in to the Satellite Subsidy Scheme to receive the Viewer Access Satellite Television (VAST) service to ensure that assistance available under the Scheme can be provided to our communities. That the funds in the TV Transmission Reserve which has a present balance of \$16,013 be transferred to the Area Promotion Reserve.

Comments

Council has been aware for a considerable time that digital television is to be implemented in rural Western Australia in 2013 and that there would be implications and potential costs regarding the transaction.

The options for Council are:

- 1) Replace the equipment at our three transmission sites with digital equipment at a cost of \$150,000 per site and then be responsible for the maintenance of those sites at an estimated cost of \$20,000 per annum per site (those figures obtained from an Australian Government web-site). If Council chooses this option, households will not be eligible for assistance under the Satellite Subsidy Scheme. It should be noted that there is no Government funding available to cover the capital costs and ongoing maintenance costs if Council chooses this path. The upfront and ongoing costs are prohibitive and we have confirmed that none of our neighbouring Council's are taking this path.
- 2) Opt in to the Satellite Subsidy Scheme to receive the VAST service. Eligible households will receive an installation, subsidised by the Government, of equipment that enables them to receive the VAST service. This installation will include a satellite dish, a VAST set top box and associated cabling. VAST installation will be carried out by experienced installers engaged by the service contractor. In Western Australia, the service contractor is a joint venture between WIN and GWN. Households registered for VAST installation will have to make a contribution of between \$200 and \$350 for the service with the balance being funded by the Government. Only one subsidy is available per residence and the subsidy does not apply to commercial premises (ie hotels, caravan parks, business premises etc). The Department has advised that the following figures applied to Queensland which has just been converted to VAST:
 - \$220 contribution per eligible household
 - \$130 cabling per extra point
 - \$280 cost of each additional VAST set top box.
 - It will be up to the owners of commercial premises to negotiate directly with the contractor and a website indicates a cost of \$600-\$750 per point for cabins, \$500-\$700 per point for hotels and \$300-\$500 per point for motels.

- The VAST service features the following free to air channels: ABC1, ABC2, ABC3, ABC News 24, SBS One, SBS Two, SBS HD, WIN Television, GO!, GEM, Prime (GWN), 7TWO, 7mate, West Digital, ELEVEN and ONE.
- Once the VAST service is installed, there are no ongoing costs for households or owners of commercial premises. The VAST service also allows for introduction of new broadcasting technology as new digital television standards are implemented without households having to do anything.

A scheme, known as the Household Assistance Scheme, is available to persons who receive the maximum rate of one of the following payments:

- Age Pension
- Disability Support Pension
- Carer Payment
- Department of Veterans Affairs (DVA) service pension
- DVA income support supplement payment.

Under this scheme, eligible persons will receive the VAST service at no cost to themselves. Eligible persons will receive a letter from Centrelink inviting them to participate in the Scheme early in the second half of 2012. Correspondence calls for a decision to be conveyed to Department of Broadband, Communications and the Digital Economy by 15 February 2012 but we have approval to convey Council's decision by 29 February 2012. As to the proposed transfer of the TV Transmission Reserve, we advise that the purpose of the Reserve is to fund the future requirements for TV transmission in the Shire of Gnowangerup. If Council agrees with staff's recommendation regarding the TV transmitters, there will be no need for the Reserve. It was considered that transfer to the Area Promotion Reserve was an appropriate way of returning the funds to the benefit of the whole community. As an alternative, Council may consider transferring the funds to the Swimming Pool Reserve to reduce borrowing for that project.

Financial Implications

Council will require connections in an estimated ten commercial premises (recreation facilities, CRC's etc etc) and nine houses (including the three to be constructed in 2012) and, based on the Queensland experience, costs are estimated at:

- \$7,000 for 10 commercial connections
- \$4,440 for 9 residences (6 x 2 connections and 3 x 1 connection). Costs can be included in 2013/14 budget.

Statutory Environment

In terms of Local Government (Financial Management) Regulations 1996 Section 18, local public notice will be required regarding the change of the use of the money in the TV Transmission Reserve.

Strategic Implications

The matter has long term strategic implications for Council and the community. Access to a more comprehensive range of television stations is seen as essential as we try to attract people to our region. To opt out of the VAST scheme would involve a capital outlay in the order of \$450,000 and substantial on going maintenance expense. To opt in to the VAST scheme has only nominal expense to Council. Plan for the Future/Strategic Plan 2011/2016 Functional Area.

Consultation

Nil

Policy Implications

Nil

Voting Requirements

Absolute Majority required (because of the proposed transfer of Reserve funds).

OFFICER RECOMMENDATION:

That Council opts in to the Satellite Subsidy Scheme to receive the Viewer Access Satellite Television (VAST) service to ensure that assistance available under the Scheme can be provided to our communities.

That the funds in the TV Transmission Reserve which has a present balance of \$16,013 be transferred to the Area Promotion Reserve.

13.8 GREAT SOUTHERN REGIONAL WATER REFERENCE GROUP

Location:	Administration
Proponent:	Acting Chief Executive Officer
File Ref:	32.1.1
Date of Report:	9 February 2012
Officer:	Lauder Coomber – Acting Chief Executive Officer
Disclosure of Interest:	

Attachment

- Background Paper 6: Agricultural Industry Water Use

Background

At its November 2011 meeting Council received a report from the Chief Executive Officer regarding the Great Southern Regional Water Reference Group. The Group had prepared several Background Papers and invited comment on those Papers. Background Paper 6: Agricultural Industry Water Use was not available at that time but is now available for comment.

Summary

That Council supports the strategies 1,2,3,4,4b and 4c outlined on pages 28 and 29 of the Background Paper 6: Agricultural Industry Water Use and that the Acting Chief Executive Officer advises the Department of Water accordingly.

Comments

This is the Background Paper which is perhaps the most relevant to our Shire and the strategies cover the following areas:

- Strategy 1 – Agricultural land use and water planning is integrated.
- Strategy 2 – Understand water resources in the region available for agriculture and associated industry development.
- Strategy 3 – Innovation in water management: harvesting, storage and efficiencies of use.
- Strategy 4 – Security of water for users.
- Strategy 4b – Broad acre farmers are drought proofed and self sufficient with on farm water supplies for crop spraying and livestock water.
- Strategy 4c – Ensure the provision of emergency livestock water sources in areas receiving less than 600mm rainfall.

Financial Implications

Nil

Statutory Environment

Nil

Strategic Implications

Plan for the Future/Strategic Plan 2011/2016 Functional Area

Consultation

Nil

Policy Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION:

That Council supports the strategies 1,2,3,4,4b and 4c outlined on pages 28 and 29 of the Background Paper 6: Agricultural Industry Water Use and that the Acting Chief Executive Officer advises the Department of Water accordingly.

13.9	2011 CALENDAR YEAR ANNUAL COMPLIANCE AUDIT RETURN
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Location:	Administration
Proponent:	Acting Chief Executive Officer
File Ref:	14.1.1
Date of Report:	2 February 2012
Officer:	Lauder Coomber – Acting Chief Executive Officer

Attachment:

- Copy of the 2011 calendar year Compliance Audit Return completed by the Acting Chief Executive Officer - for Council's reference

Summary

The Compliance Audit Return is presented for Council's acceptance to enable the return to be sent to the Department of Local Government (Department) before 31 March 2012.

Background

Each year local governments are required to perform an internal Compliance Audit Return for the previous calendar year.

Comments

The Compliance Audit Return has been reduced to those areas considered to be high risk and now contains substantially fewer questions which are included in 8 pages compared to the previous 27 pages.

The Compliance Audit Return has been completed for the 2011 year. In performing the audit process the Acting Chief Executive Officer and all senior staff have been able to review the compliance requirements of Council.

No compliance issues have been identified; however, the process is a great opportunity to reiterate requirements that this Council has not been required to meet during this calendar year.

The audit document now is required to be signed by the Acting Chief Executive Officer and Shire President, upon Council's acceptance, and sent to the Department before 31 March 2012.

Options

- Accept the 2011 Compliance Audit Return
- Not accept the 2011 Compliance Audit Return and request the Chief Executive Officer to further investigate identified areas of the audit

Consultation

Nil

Statutory Environment

Regulation 13 Local Government Audit Regulations 1996

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Plan for the Future / Strategic Plan – Area 1

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

That the Compliance Audit Return for the 2011 calendar year is presented to Council by the Acting Chief Executive Officer for acceptance by Council; and

That the Shire President signs the Compliance Audit Return enabling the Acting Chief Executive Officer to send it to the Department of Local Government before 31 March 2012.

- 14 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 15 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING OR PRESIDING OFFICER**
- 16 CLOSURE**