



## **AGENDA**

### **ORDINARY MEETING OF COUNCIL**

**Wednesday, 22 August 2012  
Commencing at 3pm**

**Borden Pavilion**

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

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

**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 25 July 2012, in the Borden Pavilion, Stone Street Borden, commencing at 3.00pm.



.....  
**S Pike**  
**CHIEF EXECUTIVE OFFICER**

20 17 August 2012

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**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."*

**DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE)**

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting that will be attended by the member, must disclose the nature of the interest:

- a) In a written notice given to the Chief Executive Officer before the Meeting or;
- b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- c) Preside at the part of the Meeting, relating to the matter or;
- d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

**NOTES ON FINANCIAL INTEREST (NOTES FOR YOUR GUIDANCE)**

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. These notes will be included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc.), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
- 4. If in doubt declare.**
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:
  - 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
  - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

**INTERESTS AFFECTING IMPARTIALITY**

**DEFINITION:** An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'. A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

**IMPACT OF AN IMPARTIALITY CLOSURE**

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote. With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.



**DECLARATION OF INTEREST FORM**

To: Chief Executive Officer  
Shire of Gnowangerup  
28 Yougenup Road  
GNOWANGERUP WA 6335

I,(1) \_\_\_\_\_ wish to declare an interest in the following item to be considered by Council at its meeting to be held on (2) \_\_\_\_\_

Agenda Item(3) \_\_\_\_\_

The type of Interest I wish to declare is (4).

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 6.51 of the Local Government Act 1995
- Closely Associated Persons pursuant to Section 5.62 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

The nature of my interest is (5) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The extent of my interest is (6) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the above information will be recorded in the minutes of the meeting and placed in the Disclosure of Financial and Impartiality of Interest Register.

Yours sincerely

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

Notes:

1. Insert you name (print).
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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**PART A – OPENING PROCEDURES**

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- 10. RECEIPT OF INFORMATION BULLETIN**
  
- 11. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

**PART B – MATTERS FOR INFORMATION****1. USE OF COMMON SEAL**

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>File Ref:</b>	
<b>Date of Report:</b>	9 August 2012
<b>Officer:</b>	S Pike, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil

Attachment

Nil

Purpose

This report is a standard report and for noting purposes only.

Background

Section 2.5 of *the Local Government Act 1995* states that a Local Government is a Body Corporate with perpetual succession and a common seal. A document is validly executed by a Body Corporate when the common seal of the Local Government is affixed to it by the Chief Executive Officer, and the President/Chairman and the Chief Executive Officer attest the affixing of the seal.

Since the last meeting of Council the common seal has been applied to the following documents:

- Engagement for Provision of Community Strategic Plan and Corporate Business Plan Contract
- Application to Department of Environment and Conservation for clearing Native Vegetation at Gnowangerup Sporting Complex – APPLICATION CANCELLED
- Application to Department of Environment and Conservation for clearing Native Vegetation at Lot 434 Toompup South Road – APPLICATION CANCELLED
- Application to Department of Environment and Conservation for clearing Native Vegetation at Gnowangerup Sporting Complex
- Application to Department of Environment and Conservation for clearing Native Vegetation at Lot 434 Toompup South Road

The Chief Executive Officer is primarily responsible for the governance role of the Shire of Gnowangerup which includes ensuring all legislative requirements are complied with including: adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. This use of the Common Seal is a Standard Report for noting by Council.

All documents validly executed will have the common seal affixed and the President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

Policy Implications

Nil

Legislative Implications

Section 2.5(2) of the Local Government Act 1995. The local government is a body corporate with perpetual succession and a common seal Section 9.49. Documents, how authenticated.

A document, is, unless this Act requires otherwise, sufficiently authenticated by a local government without its common seal if signed by the CEO or an employee of the local government who purports to be authorised by the CEO to so sign.



Financial Implications

Nil

Conclusion

This is a standard report for Elected Members information.

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**2. PLANT MECHANICS MONTHLY REPORT**

**Date of Report:**

**Officer:**

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NIL – Officer on leave July/August

### 3. WORKS DEPARTMENT MONTHLY REPORT JUNE/JULY 2012

**Date of Report:** 14 August  
**Officer:** R Miniter – Works Supervisor

#### Attachments

- 2012/2013 Road Construction Program spread sheet

#### ONGOING WORKS

**Completed Works:** over the past month, gravel sheeting clay patches on Magitup Rd as well as removal of gravel from Watterson's pit to be ready for reinstatement of gravel pit. Gravel has been used around the Jackitup West Rd, with the agreement of the local farmer and Works Manager.

#### **Construction Grader GDR8 GN0015**

	<b>Action</b>
➤ Old Ongerup Rd	Gravel patching clay patches/ tree pruning
➤ Toompup Rd	Construction works 3k gravel sheet
➤ Water Corp/Borden	Clearing water catchment /Private works
➤ Holden Rd	Construction works gravel sheeting clay patches
➤ Nightwell Rd	Construction works 3km gravel sheet

Construction Team: over the past 2 weeks have been catching up on well overdue maintenance, with the gravel patching and tree pruning of the Old Ongerup Rd. As the 2012 program commences we will be making our way to Toompup Rd to start the 3km gravel sheeting works which will see widening and clearing taking place.

#### **Borden Grader GDR7 GN005**

	<b>Action</b>
• Chillinup Rd	Maintenance grade
➤ Salt river Rd	Maintenance grade
➤ New country Rd	Maintenance grade
➤ Smith Rd	Maintenance grade

Borden Grader will continue on with winter grading. Blowout fixing - gravel patching as damage occurs

#### **Ongerup Grader GRD9 GN0021**

	<b>Action</b>
➤ Tieline Rd	Maintenance grade
➤ Cowalellup Rd	Maintenance grade
➤ Boxwood Ongerup Rd	Maintenance grade
➤ Holden Rd	Maintenance grade
➤ Stewart Rd	Maintenance grade

Ongerup maintenance grader: will take advantage of gravel carting while construction works are being carried out in the Ongerup area. With gravel truck when they are available. When doing works on Holden rd. Blowout fixing- gravel patching as damage occurs

#### **Gnowangerup Grader GRD8 GN0015**

	<b>Action</b>
➤ Jackitup West/North Rd	Maintenance graded
➤ Walsh Rd	Maintenance graded
➤ Soldiers Rd	Maintenance graded
➤ Dolleys Rd	Maintenance graded

Grader will be continuing on with winter grading

**Maintenance – Drainage Crew**

- Rubbish Tip Maintenance
- Road verge spraying various roads
- Culvert cleaning/ widening /on Toompup Rd
- Drainage Crew will also be helping out with Borden/Ongerup Water Corp.

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 Rd  
Old Ongerup Rd  
Tambellup Rd  
Kwobrup Rd  
Gleeson Rd  
Boxwood-Ongerup Rd

Sandalwood Rd  
Tieline Rd  
Nightwell Rd  
Kwobrup Nth Rd  
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  
Toompup South Rd  
Hinkley Rd

**Pruned Roads**

Old Ongerup Rd/3km

Spraying maintenance and slashing: of all roads will be recorded as works have been carried out as we now we have a lot of maintenance to be done in this area of works due to lack of maintenance staff.

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**4. BUILDING SURVEYOR SERVICE REPORT JUNE 2012**

**Date of Report:** 1 August 2012  
**Officer:** D Baxter – Building Surveyor

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Attachments

- Yearly Return of Building Permits

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**5. CLUB DEVELOPMENT OFFICER MONTHLY REPORT JUNE/JULY 2012**

**Date of Report:** 16 August 2012  
**Officer:** N Browning – Club Development Officer

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Attachment

- July/August Club Development Report

**PART C – MATTERS FOR DECISION**

**1. PLANT AND WORKS**

## 2. COMMUNITY PLANNING AND DEVELOPMENT

### 2.1 Gnowangerup Sports Complex Synthetic Hockey/Tennis Surface Project

<b>Location:</b>	Gnowangerup Sports Complex
<b>Proponent:</b>	Gnowangerup Sports Complex Management Committee
<b>File Ref:</b>	
<b>Date of Report:</b>	16 August 2012
<b>Officer:</b>	S E Davis – Executive Manager of Community Development
<b>Disclosure of Interest:</b>	Nil

#### Attachments

- Gnowangerup Sports Complex Management Committee's 12/13 Council Budget Request
- In-kind Works Calculations
- Preliminary Project Budget

#### Purpose of the Report

This item is being brought to Council by request of the Gnowangerup Sports Complex Management Committee (Complex Committee) to re-affirm Council's contribution to the Gnowangerup Sports Complex Synthetic Hockey/Tennis Surface Project (Project).

#### Background

In previous years, Council has moved to contribute through cash and in-kind works to the Complex Committee's Synthetic Hockey/Tennis Surface Project as a part of the Department of Sport and Recreation's (DSR) Community Sport and Recreation Facilities Fund (CSRFF). Having not been successful in the CSRFF's previous round, the Complex Committee are now looking to progress the project without DSR funding and are requesting that Council re-affirms its \$300,000 contribution, although CSRFF funding will not be applied for, for stage 1 of the project. The Complex Committee has previously flagged its intentions for its project through Council's 12/13 budget process.

In previous Ordinary Meetings of Council the following recommendations were adopted:

#### **COUNCIL MOTION**

1010.257 Moved Cr Gaze                      Seconded Cr Hmeljak

**That Council advises the Department of Sport and Recreation that it accepts the two projects presented and prioritises the two Community Sport and Recreation Facilities Fund grant applications as follows:**

- 1) The Gnowangerup Complex Committee Proposal to upgrade the existing Complex and construct a synthetic Tennis/Hockey field in close proximity to the Complex.**
- 2) The Borden Pavilion Committee Proposal to relocate the Bowling Club to the main complex and that joint use Tennis and Netball Courts be constructed including a minor alteration to the existing Hockey oval.**

**CARRIED                      7/2**

*Against: Cr Savage and Cr Pech – due to funding both projects in the same year.*



**COUNCIL MOTION**

1010.258 Moved Cr Gaze                      Secoded Cr Hmeljak

That Council accepts the Department of Sport and Recreation Community Sport and Recreation Facilities Fund applications and, if successful, will fund a portion of these grants to a maximum limit as prescribed:

1.        **Gnowangerup Sporting Complex Committee Project – Council is to assist this project through the provision of –**  
The monies received from the recent Insurance Claim payout from the storm damage to the Complex. Estimated amount \$450,000 (GST Free); however, may be slightly more due to interest earned. If so, this increase will reduce Council's loan liability that is required. Council's contribution to the Gnowangerup Project is \$450,000 that is to be funded through the facilitation of a loan and potentially some Royalties to Regions funding. This cash amount can be offset through dollar for dollar Shire Works towards the project.
2.        **Borden Pavilion Committee project – Council is to assist this project through the provision of Council's contribution to the Borden Project is \$311,666 that is to be funded through the facilitation of a loan and potentially some Royalties to Regions funding. This cash amount can be offset through dollar for dollar Shire Works towards the project.**

**CARRIED                      8/1****COUNCIL MOTION**

0311.55 Moved Cr Hmeljak                      Secoded Cr Beeck

That Council:

Commit to providing funding for Stage 1 of the accepted 2010/11 Department of Sport and Recreation grants for Gnowangerup and Borden and the Stage 2 developments as per the following table:

Committee	Original Application	Stage 1	Stage 2	Total (Approved)
<b>Gnowangerup</b>	<b>\$2,316,000</b>	<b>\$1,440,000</b>	<b>\$876,000</b>	<b>\$2,316,000</b>
Council	\$300,000	\$0	\$300,000	\$300,000
Insurance	\$450,000	\$450,000	\$0	\$450,000
Royalties	\$150,000	\$150,000	\$0	\$150,000
Complex	\$644,000	\$360,000	\$284,000	\$644,000
DSR	\$772,332	\$480,000	\$292,000	\$772,000
<b>Total</b>	<b>\$2,316,000</b>	<b>\$1,440,000</b>	<b>\$876,000</b>	<b>\$2,316,000</b>
<b>Borden</b>	<b>\$935,000</b>	<b>\$360,000</b>	<b>\$575,000</b>	<b>\$935,000</b>
Council	\$162,000	\$0	\$162,000	\$162,000
Royalties	\$150,000	\$150,000	\$0	\$150,000
Complex	\$311,000	\$90,000	\$221,000	\$311,000
DSR	\$312,000	\$120,000	\$192,000	\$312,000
<b>Total</b>	<b>\$935,000</b>	<b>\$360,000</b>	<b>\$575,000</b>	<b>\$935,000</b>

Alterations to the amounts sought need to be approved by Council prior to the grant application being prepared.

Councils funding for stage two of each of the Committees projects are to be committed and budgeted in the 2011/12 and 2012/13 CSRFF Grant Rounds.

If; however, either of both Committees are unsuccessful in these applications a presentation must be made to Council to ratify the ongoing commitment of these funds to be pledged.

**CARRIED 7/0**

#### Comments

The Complex Committee are requesting that Council carries over its commitment to the Gnowangerup Sports Complex Synthetic Hockey/Tennis Surface with the exclusion of DSR CSRFF funding assistance. The Complex committee are confident that if Council is agreeable in allowing its committee to access the \$300,000 previously pledged, it would be able to successfully complete stage 1 of its proposed synthetic project. The Complex Committee anticipate that stage 2 of the project will include lighting, fencing and a storage shed. The Complex Committee plan to apply to DSR in the 13/14 financial year for CSRFF funding assistance for stage 2 of the project.

Below is the proposed budget for the project:

<b>Project Income</b>			
	<b>Amount \$ (Ex GST)</b>	<b>Description</b>	<b>Source</b>
	\$ 33,136.00	works in-kind	Shire
	\$ 28,000.00	Materials	Shire
	\$ 238,864.00	Cash Contribution	Shire
	\$ 382,585.09	Complex Cash Contribution	Complex
<b>Total (Ex GST)</b>	\$ 682,585.09		

<b>Project Cost</b>			
	<b>Amount \$ (Ex GST)</b>	<b>Description</b>	<b>Source</b>
	\$ 61,136.00	Preparation Works	
	\$ 272,290.00	Synthetic	
	\$ 100,000.00	Shock Pad	
	\$ 99,000.00	Asphalt	
	\$ 140,000.00	Drainage	
	\$5,000	Tender Doc	
	\$ 5,159.09	Safety Fencing	
<b>Total (Ex GST)</b>	\$ 682,585.09		

The Complex Committee were unsuccessful in their application for funding through CSRFF in the 2011/12 allocation and as per the motions from the March 2011 meeting of Council, the Complex Committee request Council to endorse its commitment to the project through financial and in-kind works assistance.

In consultation with the Shire's Manager of Works and Works Supervisor, the Committee have identified the proposed In-kind works contribution to the Project. Please see works breakdown attachment.

If Council decides to provide the Complex Committee with the in-kind support it has requested, Council may wish to consider which works would need to be removed from the works program to allow for this support. The Works Manager and Works Supervisor have costed the in-kind support at \$33,136.00 this equates to approximately 2.5 to 3 weeks of work for the construction crew. The Manager of Works and the Works Supervisor have identified Nightwell Road or North Stirling Road as potential projects that may need to be deferred (or halved) if Council's works in-kind commitment overcommits the works program.

If the Complex Committee proposal is accepted it is likely that works would occur in late 2012 or early 2013.

Consultation with the Community and Government Agencies

The Department of Sport and Recreation

The Gnowangerup Sports Complex Management Committee

Financial Implications

Council's cash commitment of \$238,864.00 will be funded through loan facility.

Strategic Implications

2.7	Council will actively encourage and support, where possible, the co-location of community and sporting groups, to better utilise existing facilities.
2.8	That Council support sporting groups within the shire to keep the community active and encourage increased usage of the grounds and facilities and support groups actively seeking to provide increased physical activity functions and support community requests to upgrade and maintain sporting facilities.

Voting Requirements

Absolute Majority

**Officer Recommendation**

**That Council endorse its ongoing commitment of \$238,864.00 of Cash (Excluding GST) and \$61,136.00 of In-kind Works and Materials to the Gnowangerup Sports Complex Management Committee, for its Synthetic Hockey/Tennis Surface Project and this expenditure be recognised as out of budget expenditure and facilitated by way of a loan.**

Council Recommendation

Reason for Change to Recommendation

Implications of Changes to Officers Recommendation

### 3. STATUTORY PLANNING

#### 3.1 PROPOSED OPEN BULK HEAD (INDUSTRY – RURAL)

<b>Location:</b>	Lot 150 Moir Street, Borden
<b>Proponent:</b>	Cooperative Bulk Handling
<b>File Ref:</b>	18.6.2
<b>Date of Report:</b>	14 August 2012
<b>Officer:</b>	C Pursey – Planning Officer
<b>Disclosure of Interest:</b>	

#### Attachments

- Planning application details – plan & covering letter

#### Purpose of the Report

To determine a planning application for a proposed extension to the existing CBH infrastructure at Lot 150 Moir Street, Borden.

#### Background

##### **Site Description**

Lot 150 Moir Street, Borden is located on the northern edge of the Borden townsite. Lot 150 is developed with the Cooperative Bulk Handling (CBH) infrastructure for Grain receipt and storage.

Lot 150 is 25.38ha in area and was recently created through an amalgamation of a number of individual lots and a portion of the nearby farming property.



*Aerial photo of the subject site (Google Maps 2012)*

#### **Zoning**

Lot 150 is zoned both 'Industry' and 'General Agriculture' under the Shire of Gnowangerup Local Planning Scheme No.2.

The proposed open bulkhead can be considered to be an extension of the existing 'Industry-Rural' land use. It is proposed in the portion of the site zoned 'General Agriculture' (as is a large portion of the existing infrastructure) the land use 'Industry-Rural' is a discretionary land use under the Scheme.

#### Comments

##### **Proposal**

CBH have applied to extend their existing storage infrastructure at the Borden grain receival point by proposing to install an additional open bulkhead on the western edge of the existing storage infrastructure. A full copy of the plans is attached to this report.

The proposed additional open bulkhead is part of a coordinated redevelopment of the site. A separate planning application is presented in another report on the agenda.

##### **Assessment**

The proposal has been assessed against the requirements of the Shire of Gnowangerup Local Planning Scheme No.2 and complies.

The closest definition for the proposed land use is considered to be 'Industry-Rural' under the Scheme, it is defined as follows:

*“industry-rural means –*

- a) an industry handling, treating, processing or packing rural products; or*
- b) a workshop servicing plant or equipment used for rural purposes;”*

'Industry-Rural' is a 'D' use in the General Agriculture' zone, a land use that may be approved at the discretion of Council.

There are no specific development requirements set out in the Scheme for the General Agriculture zone. The proposal is to be assessed against the objectives for the zone and clause 10.2 – “Matters to be considered”.

The objective of the General Agriculture zone is:

“To provide for a range of rural uses which are compatible with the capability of the land and retain the rural character and amenity of the locality.”

The proposed use is an extension of an existing land use and required to support the farming activities in the immediate locality.

The only issue that the proposed Open Bulkhead raises is its proximity to a creek that runs through Lot 150. Stormwater runoff will need to be managed to ensure that nutrients do not enter the creek.

#### Consultation with the Community and Government Agencies

No consultation or government referral is required.

#### Legal and Statutory Requirements

The proposed Open Bulkhead is considered development under Local Planning Scheme No.2 and requires planning approval and a Building Permit.

#### Policy Implications

Nil

#### Financial Implications

Nil for Council. There may be benefits to upgrading grain storage facilities to the wider community.

#### Strategic Implications

The improvement of grain receival and storage facilities may have long term benefits for Borden as it reinforces the town's role as a service centre to the hinterland.

Conclusion

The proposed Open Bulkhead is an extension to an existing land use. It may be approved by Council as a discretionary land use in the Scheme. Only issues of controlling stormwater runoff appear to be of any concern. This may be addressed through a condition of approval.

Conditional planning approval is recommended.

Voting Requirements

Simple Majority

Officer Recommendation

That Council;

1. **Approve the application lodged by the Cooperative Bulk Handling for an Open Bulkhead (Industry-Rural) at Lot 150 Moir Street, Borden subject to the following conditions:**
  - a) **Development shall be carried out and fully implemented in accordance with the approved plans numbered as follows:**
    - 2012-589-0083 Rev B
    - STD-03452-0010 Rev 10
  - b) **All runoff from impervious surfaces being contained within the property and disposed of to the Shire of Gnowangerup's satisfaction.**
  - c) **Detailed plans and specifications of the proposed method of stormwater disposal being submitted for approval by the Shire of Gnowangerup prior to the commencement of development. Such plans should identify invert levels, cover levels and pipe size and grade.**
2. **Advise the applicant that;**
  - (i) **Planning approval should not be construed as an approval to commence works as a separate building permit is also required.**

Council RecommendationReason for Change to RecommendationImplications of Changes to Officers Recommendation

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**3.2 PROPOSED OPEN BULK HEAD (INDUSTRY – RURAL)**

**Location:** Lot 150 Moir Street, Borden  
**Proponent:** Cooperative Bulk Handling  
**File Ref:** 18.6.2  
**Date of Report:** 14 August 2012  
**Officer:** C Pursey – Planning Officer  
**Disclosure of Interest:**

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Attachments

- Planning application details – plan & covering letter

Purpose of the Report

To determine a planning application for a proposed extension to the existing CBH infrastructure at Lot 150 Moir Street, Borden.

Background**Site Description**

Lot 150 Moir Street, Borden is located on the northern edge of the Borden townsite. Lot 150 is developed with the Cooperative Bulk Handling (CBH) infrastructure for Grain receival and storage.

Lot 150 is 25.38ha in area and was recently created through an amalgamation of a number of individual lots and a portion of the nearby farming property.



*Aerial photo of the subject site (Google Maps 2012)*

**Zoning**

Lot 150 is zoned both 'Industry' and 'General Agriculture' under the Shire of Gnowangerup Local Planning Scheme No.2.

The proposed infrastructure can be considered to be an extension of the existing 'Industry-Rural' land use. The infrastructure is proposed across the site in both the 'General Agriculture' and 'Industry' zoned portions of the site.

Comments**Proposal**

CBH have applied to upgrade and extend their existing storage infrastructure at the Borden grain receival point by proposing to:

- Install a refurbished grain receival hopper
- Install a new ground conveyor
- Install a new sample platform/hut
- Remove the existing sample platform/hut
- Seal the existing open bulkhead
- Realign the existing open bulkhead wall frames
- Seal the existing and construct a new internal road
- Modify existing drainage infrastructure

The proposed infrastructure appears to be a renewal of the existing infrastructure, improving the standard of service and quality of development on the site.

A full copy of the plans and covering letter is attached to this report.

**Assessment**

The proposal has been assessed against the requirements of the Shire of Gnowangerup Local Planning Scheme No.2 and generally complies.

The closest definition for the proposed land use is considered to be 'Industry-Rural' under the Scheme, it is defined as follows:

*"industry-rural means –*

- a) an industry handling, treating, processing or packing rural products; or*
- b) a workshop servicing plant or equipment used for rural purposes;"*

'Industry-Rural' is a 'D' use in the 'General Agriculture' zone (a land use that may be approved at the discretion of Council) and a 'P' or permitted use in the 'Industry' zone.

There are no specific development requirements set out in the Scheme for the land use 'Industry-Rural'. The proposal is to be assessed against the objectives for the zone and clause 10.2 – "Matters to be considered".

The objective of the General Agriculture zone is:

*"To provide for a range of rural uses which are compatible with the capability of the land and retain the rural character and amenity of the locality."*

The objective of the 'Industry' zone is:

*"To provide for manufacturing industry, the storage and distribution of goods and associated uses, which by the nature of their operations should be separated from residential uses."*

The proposed use is an extension and consolidation of an existing land use and required to support the farming activities in the immediate locality.



The only issues that the proposed infrastructure improvements raise are:

1. Stormwater Management; and
2. Management of off-site impacts

***Stormwater***

The application proposes to seal existing and construct a new internal road. This will increase the hardstand area and the drainage system will need to be upgraded to adjust.

***Off-site impacts***

Clause 5.12 of the Scheme requires development in the Industry zone to contain the impact of development *within the extent of that zone in terms of odour, fumes, steam or other potentially negative outputs.*

The application proposes to improve the standard of existing infrastructure and seal existing gravel roads. The off-site impacts should be reduced by the proposal.

Consultation with the Community and Government Agencies

No consultation or government referral is required.

Legal and Statutory Requirements

The proposed infrastructure is considered development under Local Planning Scheme No.2 and requires planning approval and a Building Permit.

Policy Implications

Nil

Financial Implications

Nil for Council. There may be benefits to upgrading grain storage facilities to the wider community.

Strategic Implications

The improvement of grain receipt and storage facilities may have long term benefits for Borden as it reinforces the town's role as a service centre to the hinterland.

Conclusion

The proposed infrastructure upgrades are an extension to an existing land use. Any stormwater issues may be addressed through a condition of approval. There do not appear to be any additional off-site impacts as a result of the current application.

Conditional planning approval is recommended.

Voting Requirements

Simple Majority

**Officer Recommendation**

That Council;

1. Approve the application lodged by the Cooperative Bulk Handling for the proposed upgrading and extension of the existing Grain Storage Facility (Industry-Rural) at Lot 150 Moir Street, Borden subject to the following conditions:
  - a) Development shall be carried out and fully implemented in accordance with the approved plans numbered as follows:
    - 2012-589-0070 Rev D
    - STD-052-0010 Rev A
    - STD-042-0001 Rev 8
    - STD-100-0001 Rev 0
  - b) All runoff from impervious surfaces being contained within the property and disposed of to the Shire of Gnowangerup's satisfaction.
  - c) Detailed plans and specifications of the proposed method of stormwater disposal being submitted for approval by the Shire of Gnowangerup prior to the commencement of development. Such plans should identify invert levels, cover levels and pipe size and grade.
  - d) The loading and unloading of goods to and from the premises shall be carried on entirely within the site at all times and shall be undertaken in a manner so as to cause minimum interference with other vehicular traffic.
  - e) Any lighting device is to be so positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries.
2. Advise the applicant that;
  - (i) Planning approval should not be construed as an approval to commence works as a separate building permit is also required.
  - (ii) Ongoing compliance with Environmental Protection (Noise) Regulations 1997 will be required.

**Council Recommendation****Reason for Change to Recommendation****Implications of Changes to Officers Recommendation**

### 3.3 PROPOSED BEAUTY THERAPIST (SHOP)

<b>Location:</b>	Lot 52 Moir Street, Borden
<b>Proponent:</b>	Ms Caroline Collins-Ramsay
<b>File Ref:</b>	
<b>Date of Report:</b>	14 August 2012
<b>Officer:</b>	C Pursey – Planning Officer
<b>Disclosure of Interest:</b>	

#### Attachments

- Planning application details – plan & covering letter

#### Purpose of the Report

To determine a planning application for a proposed Beauty Therapist business (Shop) within the RSL Hall at Lot 52 Moir Street, Borden.

#### Background

##### **Site Description**

Lot 52 Moir Street, Borden is located on the corner of Moir Street and John Street, is 1009m<sup>2</sup> in area and is developed with the RSL Hall.



*Aerial photo of the subject site (Google Maps 2012)*

#### **Zoning**

Lot 52 is zoned 'Town Centre' under the Shire of Gnowangerup Local Planning Scheme No.2 (the Scheme).

The Scheme recognises a Beauty Therapist business as a 'Shop'. Shop is defined in the Scheme as *"Shop means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser and beauty therapist) but does not include a showroom or fast food outlet."*

A 'shop' is a permitted use in the Town Centre zone.

#### Comments

##### **Proposal**

The applicant has proposed to occupy and redevelop a portion of the Borden RSL Hall and operate a Beauty Therapist business.

The applicant has been in contact with the Shire's Environmental Health Officer and is aware of the upgrades to the premises required to operate safely and hygienically.

A copy of the plans and application are attached to this report.

##### **Assessment**

The proposal has been assessed against the requirements of the Shire of Gnowangerup Local Planning Scheme No.2 and generally complies.

A 'Shop' is a permitted use in the 'Town Centre' zone.

Shop is listed in Table 2 – Development Table which sets out the setbacks for development, landscaping and parking requirements. The only requirement for a shop is the provision of one parking bay per 15m<sup>2</sup> gross floor area.

##### **Parking**

The plans lodged with the planning application are not to scale and the planning officer has not had a chance to visit the site to determine the floor area to be converted to a Beauty Therapist business. The number of parking bays required by the Scheme cannot be accurately determined. However, if 100m<sup>2</sup> was converted to Beauty Therapist seven bays would be required.

There is room at the rear of the RSL hall to provide parking bays. If they were required to bitumised and line-marked then the cost is likely to be prohibitive.

The Council has the ability to exercise discretion in this matter and choose to relax this part of the Scheme. When making this determination the following should be considered:

- Parking for most business and other land uses in the Borden Town Centre is largely provided for in the street or on the opposite side of Moir Street in a public parking area.
- The RSL Hall is an existing land use that has operated without any potential parking issues in the past.
- The beauty therapist is one person operation who can only treat one – two people at a time.
- The proposed business is small scale and provides a land use for an existing older building that would otherwise be underutilised.
- Not requiring parking may set a precedent elsewhere in the Shire.

It is recommended that the existing parking bays in Moir Street and John Street be recognised as adequate in these circumstances.

##### **Environmental Health**

There are a number of requirements enforced under separate legislation that beauty therapists are required to abide by regarding hygiene and safety. The applicant has discussed these requirements on site with the Shire's Environmental Health Officer and these have been included in the officer recommendation as advice notes to the planning approval.

Consultation with the Community and Government Agencies

No consultation or government referral is required.

Legal and Statutory Requirements

The proposed Beauty Therapist business is considered a change of use under Local Planning Scheme No.2 and requires planning approval.

Policy Implications

Nil

Financial Implications

Nil for Council

Strategic Implications

The use of aging buildings to keep them maintained and bring additional activity to the main street may have long term benefits to the local community.

Conclusion

The proposed Beauty Therapist business is assessed as Shop and is a permitted use in the 'Town Centre' zone. Relaxing the Scheme requirements for the provision of parking bays for the proposed business is the only discretion that Council is being asked to make.

Parking in the Borden town centre is largely provided for in the street and visitor numbers would not warrant the sealing of a large parking area in this instance.

Conditional planning approval is recommended.

Voting Requirements

Simple Majority

Officer Recommendation

That Council;

1. **Approve the application lodged by Ms Caroline Collins-Ramsey for a Beauty Therapist business (Shop) at Lot 52 Moir Street, Borden**
2. **Advise the applicant that there are environmental health requirements for the proposed business that include the following upgrades to the premises:**
  - **Loose laid linoleum sheeting to be provided for the "booth" where clients attended to.**
  - **Booth to be suitably screened for client privacy. A portable screen will be acceptable.**
  - **Repair defective water closet.**
  - **Tidy up room where wash trough and hand wash basin located and provide hand detergent dispenser and single use disposable hand towels.**
  - **Tidy portion of room used for storage of various items of equipment and screen with a suitable barrier.**
  - **Provide suitable receptacle for disposal of items used in treatment/servicing of clients.**
  - **If hot water service is unavailable at hand wash basin or trough, provide an electric urn or jug for hot water requirements.**
  - **If fruit cake to be sold from the premises it is required to be suitably labelled.**
  - **Please advise whether services include body piercing or tattooing.**

Council RecommendationReason for Change to RecommendationImplications of Changes to Officers Recommendation

### 3.4 VIRGINIA ESTATE

<b>Location:</b>	Lots 3588 and 3374, Strathaven Road Pallinup
<b>Proponent:</b>	Shire of Gnowangerup
<b>File Ref:</b>	14.9.14
<b>Date of Report:</b>	15 August 2012
<b>Officer:</b>	C Pursey – Planning Officer
<b>Disclosure of Interest:</b>	

#### Attachments

- Subdivision approval
- Virginia Estate Subdivision Guide Plan

#### Purpose of the Report

To report the outcome of the subdivision application of the Virginia Land Estate  
To inform Council of where to from here in the subdivision of the property

#### 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 Scheme requires the adoption of both a subdivision guide plan and a structure plan, endorsed by the WAPC, to guide development and subdivision of this land.

### **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 was adopted by Council at their May 2012 meeting.

### Comments

#### **Subdivision Approval & endorsement of Subdivision Guide Plan/Structure Plan**

Council received subdivision approval and endorsement of the subdivision guide plan/structure plan on the 3<sup>rd</sup> August 2012. Full copies of both documents are attached to this report.

The subdivision approval has provided the Shire with the quantum of what is expected should the Council decide to progress the subdivision. It allows the Council to get more accurate costs and information regarding likely timing and staging. To this end TME have been approached to refine their previous cost estimates, this is being prepared at the moment and will be presented to Council at a later date.

The conditions of subdivision have been reviewed and they are standard conditions of approval that should be expected from any subdivision. The standard conditions include construction of roads, battle-axe legs, advice to prospective purchasers and revegetation of boundaries notated on the subdivision guide plan.

The only two conditions of any note that require external sign off are the preparation of a Fire Management Plan and a Foreshore Management Plan for the small creek that runs through the northern portion of the subject site.

Costs for these will be ascertained as part of the next step in the process.

### **Where to from here?**

The Shire is the owner and developer of the Virginia Estate and as such carries the risk as well as any benefits. There are three main considerations moving forward:

- Determining if there is demand;
- The appropriate costs and staging; and
- Whether the Shire is the appropriate party to actually develop the subdivision or are there ways of mitigating the risk to another party.

### *Determining Demand*

The intent of the development has been to provide a type of property to the market (hobby farm/lifestyle lot) not being provided for by private industry. However there is probably a reason that the private market is not developing hobby farms in Gnowangerup.

As a first step making some enquiries with local real estate agents and the general community to determine if there is a market for lifestyle lots in Gnowangerup is recommended.

### *Costs and Staging*

TME prepared estimated costs for the four original subdivision options at Virginia Estate. As they have this preliminary data TME have been approached to refine the costs and present them to Council at a later date. These costs will inform a likely staging program for the development and provide critical data for Council to decide whether to proceed with the subdivision.

### *Subdivider*

Whilst the Shire of Gnowangerup is the freehold owner of the subject site, the Shire may not need to be the subdivider. The intent of the subdivision is to provide for lots not currently in the market in order to encourage new people to town or provide an alternative lifestyle so as to retain them in the town.

It may be possible that this project would qualify for assistance from LandCorp, the state government developer, under their Regional Development Assistance program. Once demand is ascertained, LandCorp will be contacted to explore this possibility further.

### Consultation with the Community and Government Agencies

Consultation with the general community and local real estate agents is recommended as part of this process.

### Legal and Statutory Requirements

The subdivision approval from the WAPC lasts for four years during which time all conditions of approval need to have been met. Failure to do so will mean a reapplication.

### Policy Implications

Nil

### Financial Implications

There will be costs in engaging TME to provide further costs and staff time in pursuing LandCorp.

If the subdivision proceeds more detailed costing's will be presented to Council.

### Strategic Implications

The provision of lifestyle lots may assist in supporting the Gnowangerup townsite population.

### Conclusion

The subdivision approval has allowed Council to move this project forward by quantifying the subdivision requirements.

From here more work needs to be prepared to ascertain demand, costs, staging and explore possible subdivision partners.

Once these have been explored in more detail the project will be brought back before Council for a decision on how to or whether to proceed.

### Voting Requirements

Simple Majority



**Officer Recommendation**

**That Council**

- 1. Receive subdivision approval #144985 and accept the conditions of approval.**
- 2. Direct staff to ascertain demand for lifestyle lots in Gnowangerup, produce more detailed subdivision costs and explore cost sharing options with LandCorp.**

Council Recommendation

Reason for Change to Recommendation

Implications of Changes to Officers Recommendation

#### 4. FINANCE

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##### 4.1 JUNE 2012 MONTHLY FINANCIAL REPORT

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>File Ref:</b>	
<b>Date of Report:</b>	9 August 2012
<b>Officer:</b>	JA Anning – Executive Manager Finance
<b>Disclosure of Interest:</b>	Nil

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##### Attachments

- Monthly Financial Statements for period 30 June 2012 including;
- Statement of Financial Activity to 30 June 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 June 2012 Monthly Financial Report

##### Comments

Presented to Council is the financial statement to 30 June 2012. The financial report includes all budget amendments made to date, including those adopted as part of the Budget Review. As Council Officers are currently working on the 2011/2012 Annual Financial Statement it is expected that there may be changes to the June financial statement as a result of year end adjustments.

##### Consultation

Works Supervisor  
Executive Manager of Corporate Services  
Executive Manager of Community Development

##### Statutory Implications

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 June 2012 Monthly Financial Report be received.**

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**4.2 JULY 2012 MONTHLY FINANCIAL REPORT**

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>File Ref:</b>	
<b>Date of Report:</b>	12 August 2012
<b>Officer:</b>	JA Anning – Executive Manager Finance
<b>Disclosure of Interest:</b>	Nil

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Attachments

- Monthly Financial Statements for period 31 July 2012 including;
- Statement of Financial Activity to 31 July 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 July 2012 Monthly Financial Report

Comments

Presented to Council is the financial statement to 31 July 2012.

Consultation

Works Supervisor  
Executive Manager of Corporate Services  
Executive Manager of Community Development

Statutory Implications

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

**OFFICER RECOMMENDATION**

**That the July 2012 Monthly Financial Report be received.**

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**4.3 ACCOUNTS FOR AUTHORISATION AND PAYMENT – JUNE 2012**

**Location:** Shire of Gnowangerup  
**Proponent:**  
**File Ref:**  
**Date of Report:** 16 August 2012  
**Officer:** CA Shaddick – Senior Finance Officer  
**Disclosure of Interest:** Nil

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Attachment

- July 2012 Cheque Listing

Comments

The July 2012 cheque list is attached as follows

<b>FUND</b>	<b>AMOUNT</b>
Municipal Fund	\$ 511,900.24
Trust Fund	\$ 162.00
Credit Card	\$ 5,353.61
<b>TOTAL</b>	<b>\$ 517,415.85</b>

**OFFICER RECOMMENDATION**

That the Schedule of Accounts: Municipal Fund Cheques 25237–25265, EFT 6436 – EFT 6539 totalling \$511,900.24; Trust Fund cheques 518-519 totalling \$162.00 and Corporate Credit Card totalling \$5353.61 be approved.

## 5. GOVERNANCE

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### 5.1 REVIEW OF COUNCIL POLICIES

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>File Ref:</b>	
<b>Date of Report:</b>	2012
<b>Officer:</b>	S Pike – Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil

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#### Attachments

- Agendas & Minutes Review/Order of Business Policy for Review
- Occupational Health & Safety Policy for Review

#### Purpose of the Report

For Council to review two of its existing policies as part of the staged process of reviewing all of its policies and adopt three new policies relating to the Disability Access and Inclusion Plan, Graffiti Management and Annual Recreation Leave (including Annual Leave Loading)

#### Background

Council has a Policy Manual that contains a number of policies covering many aspects of the Shire's operations.

All members have previously been supplied with a complete copy of the Policy Manual.

Council adopted the current Policy Manual in October 2011.

Policies 1.11 and 4.7 are the subject of the current review, policies 1.6, 4.18 and 8.5 are the subject for adoption. The policies have been distributed to senior staff for review and their comments have been reflected in this report.

#### Comment

Senior staff have reviewed existing Policies 1.11 and 4.7 (see attachment for existing policies) and the following amendments have been recommended.

**AGENDA'S AND MINUTES REVIEW/ORDER OF BUSINESS****Keywords:**

<b>Reference Number:</b>	1.11
<b>First Issued/Approved:</b>	October 1999
<b>Review Frequency:</b>	Every two years
<b>Last Reviewed:</b>	September 2010
<b>Next Review Due:</b>	August 2014
<b>Responsible Business Unit:</b>	Governance
<b>SOG File Reference:</b>	
<b>Applicable Legislation:</b>	
<b>Delegations:</b>	Chief Executive Officer

**OBJECTIVE**

To ensure that the order of business of Councils Ordinary Meeting is done in an effective and efficient manner.

**THAT THE ORDER OF COUNCIL BUSINESS BE DIRECTED AS FOLLOWS:**

**Disclaimer and Precautionary Warnings (as stated immediately following the order below)**

<b>PART A – OPENING PROCEDURES</b>
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**12. OPENING AND ANNOUNCEMENT OF VISITORS****13. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**

13.1 ATTENDANCE

13.2 APOLOGIES

13.3 APPROVED LEAVE OF ABSENCE

**14. RESPONSE TO QUESTIONS TAKEN ON NOTICE****15. PUBLIC QUESTION TIME****16. APPLICATION FOR LEAVE OF ABSENCE****17. DECLARATION OF FINANCIAL INTERESTS AND INTEREST AFFECTING IMPARTIALITY****18. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

18.1 PETITIONS

18.2 DEPUTATIONS

18.3 PRESENTATIONS

18.4 SUBMISSIONS

**19. CONFIRMATION OF PREVIOUS MEETING MINUTES**

8.1 ORDINARY MEETING OF COUNCIL MINUTES 25 JULY 2012

**20. RECEIPT OF MINUTES OF COUNCIL COMMITTEES**

20.1 PLANT AND WORKS

20.2 HEALTH AND DEVELOPMENT

20.3 FINANCE

20.4 AUDIT

**21. RECEIPT OF INFORMATION BULLETIN****22. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

**PART B – MATTERS FOR INFORMATION**

1. USE OF COMMON SEAL
2. PLANT MECHANICS MONTHLY REPORT
3. WORKS DEPARTMENT MONTHLY REPORT
4. BUILDING SURVEYOR SERVICE REPORT
5. CLUB DEVELOPMENT OFFICER MONTHLY REPORT

**PART C – MATTERS FOR DECISION**

8. PLANT AND WORKS
9. COMMUNITY PLANNING AND DEVELOPMENT
10. STATUTORY PLANNING
11. FINANCE
12. GOVERNANCE
13. CORPORATE PLANNING AND POLICY
14. CONFIDENTIAL ITEMS
15. URGENT BUSINESS INTRODUCED BY DECISION OF COUNCIL

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

4. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
5. DATE OF NEXT MEETING
6. CLOSURE

**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 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.*

**OCCUPATIONAL HEALTH AND SAFETY****Keywords:**

<b>Reference Number:</b>	4.7
<b>First Issued/Approved:</b>	22 June 1998
<b>Review Frequency:</b>	Every two years
<b>Last Reviewed:</b>	
<b>Next Review Due:</b>	August 2014
<b>Responsible Business Unit:</b>	Corporate Services
<b>SOG File Reference:</b>	
<b>Applicable Legislation:</b>	
<b>Delegations:</b>	Executive Manager Corporate Services

**OBJECTIVE**

The Shire of Gnowangerup will provide, so far as reasonably practicable, a safe and healthy working environment for all its employees, contractors, customers and visitors.

This commitment further extends to all employees and managers to have a responsibility to work safely, to take all reasonable care for their own health and safety, and to consider the health and safety of other people who may be affected by their actions.

**POLICY STATEMENT**

The Shire of Gnowangerup achieves these objectives by;

- Providing and maintaining a safe workplace, comprising of safe plant, equipment and safe systems of work;
- The provision of appropriate information, training and supervision for all employees, contractors and customers;
- Complying with all relevant legislation, regulations, standards and guidance notes and where practicable applying responsible standards where laws do not exist;
- Implementing suitable risk management strategies which identify, promote and continuously improve health and safety performance;
- Actively responding to and investigating all incidents, and ensuring timely effective Injury Management of employees; and
- Engaging contractors and suppliers who adopt the same values, and work with those to meet the company's health and safety expectations.

The Shire of Gnowangerup will implement and maintain these systems, inclusive of supporting standards, policies and procedures. These processes will be monitored regularly to ensure their integrity and effectiveness.

**RELATED DOCUMENTS**

*Occupational Safety and Health Act 1984*

Occupational Safety and Health Regulations 1996

Shire of Gnowangerup Collective Workplace Agreement 2011



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**OSH MANAGEMENT PLAN PROCEDURE**

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**PURPOSE**

The Shire of Gnowangerup shall prepare an Occupational Safety and Health (OSH) Plan and review it annually using the following or similar objectives and actions. The Plan shall form part of the overall risk management of the Shire of Gnowangerup and be aligned to the Strategic Plan. The OSH plan is to contain as the minimum the following examples of objectives and actions to be compliant with OSH legislation and standards. The Plan shall be approved signed and dated by the CEO and Employee Representative.

**SCOPE**

The Plan is organisational wide and impacts on all outlying workplaces.

**APPLICATION**

This Plan shall be developed in the initial phase and updated annually to set the new objectives for the organisation. The objectives may be developed from the information identified and prioritised on the Risk Register and/or information identified through external parties.

The Plan is to be costed and approved by management and the Occupational Safety and Health (OSH) Committee.

**EXAMPLE PLAN APPLICATION****VISION STATEMENT**

To achieve best practice in Occupational Safety and Health by building a safety culture dedicated to preventing injuries and ill health to employees, contractors and the general public ensuring all can operate in a safe and healthy environment whilst at work.

**OBJECTIVES**

- To achieve best practice in safety and health performance within the industry.
- To adopt a planned, systematic approach to Occupational Safety and Health as part of continuous improvement.
- To promote effective consultation through joint employer and employee involvement to reduce workplace hazards and implements effective control mechanisms.
- To adopt advanced standards that exceeds the expectations of statutory requirements.
- To encourage employee innovation and involvement in safety and health.
- To create a safety culture where safety and health are entrenched in daily business practices.
- To reduce occupational injuries and ill health through the integration of accident prevention mechanisms on all tasks.
- To achieve a reduction in injury severity and duration by incorporating early intervention and effective injury management principles to the management of workers' compensation claims.
- To minimise the risk of personal injury, property damage and damage to the environment through the development of emergency management plans.
- To measure performance using positive indicators that focus on proactive outcomes.

**OCCUPATIONAL SAFETY AND HEALTH POLICY**

<INSERT COUNCIL OSH POLICY STATEMENT>

**POLICY COMMITMENT AND MANAGEMENT****Objectives**

To provide a safe and healthy work environment for employees, contractors and visitors by establishing, maintaining and monitoring an effective Occupational Safety and Health Management System

**Actions**

- Safety and Health Policy to be reviewed at least annually or as required.
- Safety and Health Policy to be disseminated throughout the organisation and also provided to contractors to demonstrate commitment to Occupational Safety and Health.
- Occupational Safety and Health responsibilities and accountabilities to be developed and included in each employees job description and performance appraisal.
- Sufficient resources and a budget to be allocated for the effective management of Occupational Safety and Health.
- Management to be actively involved in Occupational Safety and Health.
- Ensure senior management attend safety meetings and safety committee meetings at least 4 times per year.
- Procedures that ensure best practice in recruitment and selection of personnel to be developed.
- Develop and communicate disciplinary procedure and procedure for the resolution of issues.

**PLANNING OCCUPATIONAL SAFETY AND HEALTH****Objective**

To achieve a high level of Occupational Safety and Health performance by adopting a systematic approach aimed at continuously developing and improving safety systems to accomplish best practice.

**Actions**

- Occupational Safety and Health Management Plan to be developed, implemented and monitored in consultation with employees
- The Safety and Health Management Plan to include specific objectives and actions, identify responsible persons and dates for completion of actions
- The Safety Management Plan to be evaluated and reviewed annually
- Safety and Health performance to be measured using positive performance indicators and reported to all employees on a regular basis
- Relevant Safety and Health information, Acts and Regs, Codes of Practice, Guidance Notes, Australian Standards to be made readily available to all employees and contractors.
- Procedure developed and implemented for the assessment of Contractors Safety and Health Performance prior to the awarding of contracts.
- Contractors to receive a Safety Induction, which includes adequate information on safety and health standards, safety rules and relevant safe systems of work.
- Policy and procedures for ensuring the safety and health of visitors to be developed and implemented.
- Adequate arrangements are to be made for employees with special needs.
- Emergency plans and procedures are to be developed for all facilities, documented and communicated to all personnel and contractors.
- Emergency personnel to be appointed and details communicated to personnel
- Emergency procedures are to be tested and reviewed on a regular basis

## CONSULTATION

### Objective

To ensure that all employees are involved in consultation through the election of Safety and Health Representatives and the election of a Safety and Health Committee that complies with the spirit and intent of WorkSafe WA legislation.

### Actions

- Provide the necessary resources financial, physical and human resources for the committee and members to perform effectively.
- Develop Terms of Reference for the Occupational Safety and Health (OSH) Committee in consultation with the committee members.
- Ensure regular management attendance at committee meetings.
- Senior Management to attend at least 2 OSH Committee meetings per year.
- Ensure there is an equal quorum of employees and management at committee meetings.
- Ensure Safety and Health Representatives and Committee members receive appropriate training including refreshers if re-elected.
- Ensure that Safety and Health Representatives are involved in Accident/Incident Investigations and workplace inspections.
- Ensure that all employees receive regular feedback on the activities and performance of the committee.
- Ensure that the election of Safety and Health Representatives is in accordance with the Legislation.
- Ensure that all employees are made aware of who their elected representatives are, what their role is and how they may be contacted.
- Establish a schedule and agenda for regular Employee or Toolbox meetings per year.
- Senior Management to attend at least 2 Employee or Toolbox Meetings per year.

## HAZARD MANAGEMENT

### Objective

To establish a risk management system to substantially reduce the occurrence of accidents and incidents within the workplace through risk identification, risk assessment and implementation of effective control mechanisms.

### Actions

- Ensure that a Hazard Management System is developed and implemented within the workplace to ensure all hazards are reported and controlled in a timely manner using the Hierarchy of Hazard Controls. Ensure risk controls are evaluated for their effectiveness.
- Develop a system to ensure that risk assessments are performed on all identified hazards, tasks/activities and chemicals including, new tasks/activities or the purchase of new products/chemicals
- Develop and implement an Accident/Incident Reporting system throughout the organization
- Ensure that Accidents/Incidents are investigated and that recommended strategies are implemented and communicated to the workforce
- Ensure that all personnel receive feedback on the outcome of Hazard and Accident/Incident reports in a timely manner via Employee or Toolbox meetings
- Develop Workplace Inspection Checklists that are relevant for each work area
- Ensure that the workplaces are inspected regularly using the prescribed checklists and that PPE is inspected on a regular basis for damage
- Ensure that an "Action Plan" is developed to prioritise the control of hazards according to the level of risk
- Develop a purchasing procedure to ensure that safety aspects are considered prior to the purchase of new equipment or products
- Ensure that Material Safety Data Sheets (MSDSs) are available for all hazardous substances stored and/or used on site, and that they are reviewed regularly
- Attempt to substitute chemicals of high toxicity with chemicals of less toxicity
- All safety information to be prominently displayed and regularly updated
- Maintain a hazard / risk register that is to be reviewed at every Safety Committee

**TRAINING AND SUPERVISION****Objective**

To effectively reduce the risk of work related injury and illness by ensuring that all employees receive appropriate training and assessment for competency prior to performing tasks

**Actions**

- Ensure that new employees undergo a formal Safety Induction and assessment process before any work is commenced
- Ensure that all employees are re-inducted when moving from one work area to another
- Induction records and assessments to be retained
- Undertake a Training Needs Analysis to identify the specific training requirements of each employee
- Develop a training plan to ensure that all employees receive safety awareness training and specific training that is relevant to their jobs
- Ensure that Safety and Health Representatives receive adequate initial and ongoing training to fulfil their duties
- Ensure that all training has clearly defined objectives and a method of assessment for evaluation purposes
- Ensure that all employees have been assessed and deemed competent in the tasks they are required to perform
- Ensure that all employees receive adequate supervision until they have demonstrated competency in particular tasks
- Develop a system for the documentation of training undertaken by employees
- Ensure that all employees receive training and assessment in the relevant Emergency Procedures
- Ensure that employees have adequate competencies, tickets or licenses to carry out specified tasks requiring these and that refresher courses are offered

**SAFE SYSTEMS OF WORK****Objective**

To ensure that all individuals are able to perform their duties confidently in a safe and efficient manner so as to not adversely affect the safety or health of the general public, work colleagues or the environment

**Actions**

- Risk assessment to be undertaken to identify high, medium and low risk tasks undertaken in the workplace
- Job Safety Analysis to be written for all high and medium risk tasks in consultation with employees
- Safe Work Procedures (SWP's) to be developed in consultation with employees, documented and implemented
- SWP's are to be reviewed annually or as required if a process or activity is changed
- A register of Hazardous Substances to be maintained and reviewed annually and readily available to all staff. Ensure MSDS are valid (valid for 5 years from the originated date)
- Specific Policies and Procedures to be developed

**REHABILITATION AND INJURY MANAGEMENT****Objective**

To achieve a meaningful and speedy return to work of injured employees by developing an effective rehabilitation and injury management procedure.

**Actions**

- Identify the person who will be responsible for Injury Management Coordination and will oversee workplace based injury management and rehabilitation programs
- Develop and implement Rehabilitation and Injury Management policy and procedures and ensure these are communicated to all personnel
- Develop and implement Return to Work Guidelines
- Develop a list of alternative duties that are available for injured employees to undertake
- Ensure that regular contact is made by the employer to the key parties (injured employee, treating physician and rehabilitation provider)
- Ensure provision of adequate on site first aid personnel and equipment.
- Ensure that injured employees receive prompt medical diagnosis and treatment
- Review the rehabilitation and injury management program for effectiveness at least annually

**REFERENCE DOCUMENTS**

- Occupational Safety and Health Act 1984
- Occupational Safety and Health Regulations 1996, and 2005 amendments
- AS/NZS 4801: 2001 Occupational Health and Safety Management Systems Australian Standard
- Municipal WorkCare



The following polices 1.6, 4.18 and 8.5 are for Council consideration and adoption

## GRAFFITI MANAGEMENT

**Keywords:** *Graffiti, Vandalism*

<b>Reference Number:</b>	1.6
<b>First Issued/Approved:</b>	August 2012
<b>Review Frequency:</b>	Every two years
<b>Last Reviewed:</b>	N/A
<b>Next Review Due:</b>	August 2014
<b>Responsible Officer:</b>	Executive Manager Corporate Services
<b>SOG File Reference:</b>	
<b>Applicable Legislation:</b>	
<b>Delegations:</b>	

### INTRODUCTION

The Shire of Gnowangerup recognises that illegal graffiti is a community concern that adversely affects the social, environmental and economic fabric of the local community. It creates a negative perception of safety in the local community, thus impacting on the wellbeing and social cohesion of the community.

Illegal graffiti has negative effects on the streetscape and urban environment and detracts from community pride of the local area. The considerable financial costs involved in removing graffiti also impose economic impacts on individuals, businesses, Council and the wider community. Council will not tolerate illegal graffiti and is committed to reducing and preventing graffiti in public spaces and on public and private property.

### OBJECTIVE

The Shire's Graffiti Management Policy defines the Shire's role in reducing the incidence and visibility of graffiti and additionally minimising the social, environmental and economic impacts within the Shire of Gnowangerup. This objective is complimentary to the Shire's desire to create aesthetically attractive and vibrant towns. Prompt graffiti removal is seen as best practice as it diminishes the level of recognition and reward achieved by graffiti vandals. Prompt graffiti removal also prevents assets appearing uncared for.

### DEFINITIONS

For the purpose of Graffiti Management Policy and Action Plan the following definitions apply;

*Graffiti:* is defacing, spraying, writing, scratching or slashing an identifying mark or symbol on someone else's property without their consent. Graffiti includes any unauthorised drawings, names, words or marks, such as tags, stencils, political, racist or obscene statements and aerosol art, on public buildings or infrastructure, transport (including railway rolling stock) and private property (building walls, fences and billboards)

*Graffiti murals and artwork:* is any form of approved graffiti visual art or design created through formal consultation and approval and with the permission of the property owner. This can include legal murals, street signage, street furniture and temporary installations.

### POLICY PRINCIPLES

Graffiti can have direct and indirect adverse impacts on the social, economic, and built and natural environmental dimensions of the community. This entails an integrated approach to graffiti reduction and prevention.

Council's overall goal and long-term commitment is to reduce the incidence of illegal graffiti through a multi-faceted and strategic approach incorporating seven core elements:

- Removal
- Education
- Enforcement
- Prevention
- Engagement

## Monitoring Strategic initiatives

A successful approach to reducing and preventing the problem of illegal graffiti requires appropriate measures that address both the factors contributing to the problem and the problem itself. Council will therefore consider projects and partnerships that involve people in the local area who commit, or are at risk of committing, illegal graffiti in the development and implementation of appropriate projects and programs.

Graffiti management is a community responsibility and a partnership approach drawing on shared resources, capacities and commitment is integral to effective graffiti reduction and prevention. Positive outcomes in graffiti management can be best achieved through a involving a wide range of stakeholders, including Council, State government departments, local business owners, community groups and the local community.

Council understands that owners of property on which illegal graffiti occurs are victims of crime. However, Council strongly regards the prompt and complete removal of illegal graffiti, particularly in locations with public visibility, to be a critical component of effective illegal graffiti management. Council will therefore work with the community to ensure that illegal graffiti is rapidly removed.

Council recognises and values the contribution of existing local, regional and state wide initiatives and will work to strategically complement and support these initiatives Council recognises the value of community art in enhancing a sense of 'place' and providing opportunities for local artists to exhibit their skills and creativity. Approved graffiti murals or artwork can reduce the opportunity for graffiti vandalism, divert young offenders and enhance artist skills, as well as revitalize public space.

Ongoing monitoring and evaluation is essential to enhance understanding of the issues associated with graffiti management and to inform constructive policy review. Council graffiti management strategies must be effective and cost efficient, applying the best use of Council resources.

### KEY POLICY STATEMENTS

#### 1 REMOVAL

***Rapid removal is acknowledged as the best deterrent to graffiti. Council owned property and buildings are to be free from illegal graffiti. Council will encourage and support private and government property to promptly remove graffiti from their properties.***

**1.1** Council commits to remove graffiti from its property buildings within the following timeframes:  
Obscene or racist graffiti within 48 hours and non-offensive graffiti within 7 working days – although target a quicker response.

**1.2** As Council cannot compel private and government property owners to remove graffiti it will rely on partnerships, public cooperation, goodwill and financial support to achieve overall reductions in graffiti.

OR

Where possible, within five (5) working days of Council being aware or notified of the presence of illegal graffiti on public assets or private property, Council will advise the owner(s) of the identified assets/property of the presence of graffiti.

Owners of public assets (including infrastructure) or private property will be requested to remove any illegal graffiti that is visible to the public from their asset/property within 14 working days of receiving notification from Council of the presence of the graffiti.

**1.3** Council will work with and offer advice and assistance to local business owners and private property owners to remove illegal graffiti within the required timeframe specified in this Policy.

**1.4** Council will encourage members of the community to report incidents of illegal graffiti.

## 2 EDUCATION

***The Shire of Gnowangerup recognises the importance of informing the community about actions that can be adopted to assist in minimizing graffiti and of the need to be proactive to lessen the consequences of this problem.***

### **Council will**

**2.1** Ensure that the community is aware of the Graffiti Management Program and how people can be involved. Information, advice and practical support will be provided to assist local residents and businesses in managing graffiti on their property.

**2.2** Actively promote the Shire of Gnowangerup Graffiti Management Policy and Plan to local residents, business owners, schools and institutions/agencies, and will provide regular feedback to the community about the effectiveness strategies in the management of illegal graffiti.

**2.3** Seek to promote understanding within the local community of graffiti removal and prevention strategies, the importance of promptly reporting incidents of illegal graffiti and graffiti activity, and ways of reporting illegal graffiti incidents.

**2.4** Partner with key stakeholders, such as schools and the local media, to increase understanding in the broader community about the social and environmental impacts and economic costs of illegal graffiti. Council will also support the promotion of the impacts of illegal graffiti on the community/individual to those that are responsible for illegal graffiti. This also includes the short, medium and long term impacts to the person or persons carrying out the illegal graffiti.

## 3 ENFORCEMENT

***The Shire of Gnowangerup recognizes that graffiti management requires an element of enforcement (prosecution and restoration) to ensure that offenders are held accountable and dealt with appropriately. The Shire also recognizes the importance of partnerships to assist efforts to reduce graffiti.***

### **Council will:**

**3.1** Work with WA Police to develop and review ways of identifying, apprehending and/or prosecuting graffiti offenders.

**3.2** Support WA Police, as appropriate, in the planning, implementation and evaluation of surveillance or other measures to deter, identify, apprehend and/or prosecute graffiti offenders. Council will also support WA Police in initiatives and programs aimed at reducing and preventing illegal graffiti within the Shire.

## 4 PREVENTION

***The Shire of Gnowangerup recognizes the importance of programs which focus on the reduction and prevention of graffiti before it occurs***

### **Council will:**

**4.1** Seek to encourage developers and builders to apply Crime Prevention through Environmental Design (CEPTED) principles to the design of all buildings, streetscapes and public assets and infrastructure.

**4.2** Consider CEPTED principles in urban design, including the design of Council buildings, facilities, streetscapes and public spaces.

**4.3** Provide advice to local residents and business owners about appropriate and effective environmental design, building design and anti-graffiti deterrents. These include anti-graffiti coatings, plantings, fencing material, lighting and means of enhancing informal surveillance.

## 5. ENGAGEMENT

***The Shire of Gnowangerup recognizes the need to create an environment in which young people are valued and their needs included in Council planning, policy and programs. Young people and those who work with young people will be actively involved in graffiti prevention and reduction strategies.***

### **Council will:**

**5.1** Support prevention and early intervention activities run by community agencies, youth services and schools.

**5.2** Actively engage the local community in activities that provide legitimate alternatives to illegal graffiti and that enhance social and/or economic potentials and social connectivity.

**5.3** Support legal urban art work installations where permission has been granted by the owner of the property. Such artwork and murals will be planned carefully to provide an opportunity for youth and community engagement and participation. Approved graffiti artwork can reduce the opportunity for graffiti vandalism, divert young offenders and enhance artist skills, as well as revitalize public space.

## **6. MONITORING**

*The Shire of Gnowangerup recognizes that monitoring of graffiti incidents, the response and strategies outlined in the Management Plan are important to ensuring that resources are allocated most effectively.*

**Council will:**

**6.1** Work with key stakeholders (e.g. WA Police) and the community to identify graffiti hotspots for future targeted actions to reduce the incidence of site-specific illegal graffiti.

**6.2** Implement procedures to monitor the location and type of graffiti, its frequency, the amount which is required to be removed and cost associated with removal.

**6.3** Have regard to best practice models; relevant federal and state legislation; local evidence and trends; and evaluations of the effectiveness of implemented strategies and programs. Council will also continue to seek input from the local community and key stakeholders for the purposes of policy review, development of strategies, and evaluation and monitoring methods.

## **7. STRATEGIC INITIATIVES**

*The Shire of Gnowangerup recognises that graffiti is a complex and community wide concern that requires the involvement of all groups within the community Council will:*

**7.1** Ensure that it has an integrated and coordinated approach in the implementation of this Policy.

**7.2** Coordinate local partnership and collaborative approaches, involving a broad and diverse range of key stakeholders, to enhance the integration of strategies to manage illegal graffiti across the Shire.

**7.3** Will consider opportunities to advocate for state-wide mechanisms, strategies and legislation that support local level efforts to manage illegal graffiti.

## **DEVELOPMENT OF THE SHIRE OF GNOWANGERUP GRAFFITI MANAGEMENT POLICY**

This Policy has been primarily developed through desk top research and literature review. This provided points of relevance from existing research and policies to be drawn together to develop an understanding of graffiti, potential strategies and their effectiveness, and the legislative and strategic context of illegal graffiti in Western Australia.

In order for the policy and related management plan to be most effectively implemented the following additional action is recommended

**Analysis of Local Data and Evidence** – Undertake qualitative and quantitative data analysis on the prevalence of illegal graffiti in the Shire of Gnowangerup and the effectiveness of past and current initiatives to manage the problem.

**Reference to Key Council Documents** – Consult existing Council plans, policies and documents to provide a clearer understanding of the values, vision, strengths and issues of concern to Shire of Gnowangerup communities.

**Management Executive** – MANEX has a role in guiding the development of the Policy and contributing ideas and information relevant to the member's fields of expertise.

**Consultation with Key Stakeholders** – Conducted consultation with key stakeholders (WA Police, Business and Industry Representatives, Key Government agencies, relevant non-government and representative groups) to discuss the issues associated with illegal graffiti in the Shire, identify past and current local initiatives, and examine the appropriateness of strategies outlined in the policy and management plan.

**Public Consultation** – Provide a summary of the policy to all residents and allow the draft of the policy to be available for comment by the public for a set period.

**ANNUAL RECREATION LEAVE (INCLUDING ANNUAL LEAVE LOADING)****Keywords:**

<b>Reference Number:</b>	4.18
<b>First Issued/Approved:</b>	August 2012
<b>Review Frequency:</b>	Every two years
<b>Last Reviewed:</b>	N/A
<b>Next Review Due:</b>	August 2014
<b>Responsible Business Unit:</b>	Financial Services
<b>SOG File Reference:</b>	
<b>Applicable Legislation:</b>	
<b>Delegations:</b>	Executive Manager Finance

**Purpose of the policy and summary of issues it addresses**

This policy defines the nature and purpose of annual recreation leave and annual leave loading, setting out entitlements, eligibility criteria and other conditions that apply.

Expectations and requirements for effective leave management and clearance of excess leave are outlined in this policy.

This policy does not apply to casuals.

**Definitions**

**"Accrual Period"** means a designated period of time in which leave accrues. The period of time is dependent on the leave type.

**"Accrued Leave"** means the uncleared leave that an employee is entitled to from a previous accrual period.

**"Approved Delegate"** means a position granted authority to act on behalf of the Chief Executive Officer with varied levels of authority in line with the Council's Delegations.

**"Continuous Service"** means a period of service in local government without a break (continuous employment).

**"Employee"** means a person employed by the Council who has an ongoing or fixed term contract.

**"Excess Leave"** means an annual leave accrual of more than eight weeks.

**"FTE"** means Full time equivalent, eg, an FTE of 1.0 means an employee is equivalent to full-time, while an FTE of 0.5 means the employee works half-time.

**"Pro Rata Leave"** means the portion of leave that an employee is entitled to in the current accrual period, either from the date of commencement, or to the date of cessation.

**"Supervisor/Manager"** means the person who is responsible for day-to-day supervision of the employee.

**"EA"** means the 2011 Enterprise Agreement (Operational Works Crew).

**"Council"** means the Shire of Gnowangerup.

**Policy statement**

The Council encourages employees to establish a balance between their working and personal lives. The purpose of annual recreation leave is to provide rest and recreation and to reduce personal health risks.

Effective leave management is critical to the operation of the Council. Supervisors/managers are accountable for their employees' leave and are required to have annual leave management plans in place.

### **Annual Recreation Leave**

#### **1.1 Entitlement**

1.1.1 Employees are entitled to annual recreation leave of four weeks on full pay for each completed year of service. This equates to 152 hours, except for employees under the EA where it equates to 168 hours.

1.1.2 Part-time employees' entitlement to annual recreation leave will be calculated on a pro rata basis determined by the number of hours (fraction) they work.

The formula for calculating part-time annual recreation leave is:

(Hours worked each fortnight / 84 x 168) – EA employees

(Hours worked each fortnight / 76 x 152) – all other employees

1.1.3 Employees who have had variations in working hours (excluding overtime hours) or whose hours during the accrual period were less than or greater than their FTE at commencement of the annual recreation leave, may elect to take a longer or shorter period of annual recreation leave calculated on the aggregate FTE.

#### **1.2 Accrual**

1.2.1 Annual recreation leave accrues on a pro rata basis of 6.461 hours per fortnightly pay period for EBA employees and 5.8461 hours per fortnightly pay period for all other employees.

1.2.2 Part-time employees' accrual of annual recreation leave will be calculated on a pro rata basis determined by the number of hours (fraction) they work.

The formula for calculating part-time annual recreation leave accrual is:

(Hours worked each fortnight / 84 x 6.461) – EBA employees

(Hours worked each fortnight / 76 x 5.8461) – all other employees

#### **1.3 Conditions of Leave**

1.3.1 The minimum period of leave that can be accessed is one hour.

1.3.2 Paid annual leave may be taken for a period agreed between an employee and his or her supervisor. No request for paid annual leave is to be unreasonably refused by a supervisor.

1.3.3 All periods of annual leave except cashed out annual leave (sub-clause 1.5.4 of this policy) will count as service for all purposes.

1.3.4 Employees must submit a leave request for approval by their Supervisor/Manager prior to taking annual recreation leave.

1.3.5 The supervisor/manager is responsible for managing leave arrangements within the work area and leave entitlements are to be assessed with each employee on an annual basis.

1.3.6 Public holidays observed by the Council (including the end of year closedown period) that occur during an employee's annual recreation leave absence will not be debited from the employee's leave balance.

1.3.7 Public holidays not observed by the Council that occur during an employee's annual recreation leave absence will be debited from the employee's leave balance.

#### **1.4 Illness While On Annual Leave**

Where an employee is ill for a period of time during annual recreation leave, refer to provisions contained within the Personal Leave policy.

#### **1.5 Payment of Leave**

1.5.1 Employees will be paid at the ordinary rate of pay received at the commencement of the annual leave.

1.5.2 Any accrued annual leave will be paid out in the employee's final payment at the ordinary rate of pay on that date.

1.5.3 Employees may apply for payment in the following way:

- on a fortnightly basis, or
- in advance

1.5.4 Cashed out leave will be allowed only in exceptional circumstances. An employee may make an application to the Executive Manager Finance to cash out annual leave on the grounds of financial hardship only. Operational works crew employed under the EA are able to cash out annual leave in accordance with Section 28.1 – 28.4 of the EA.

1.5.4.1 The minimum period of leave to be cashed out is 1 week. A minimum balance of 2 weeks annual leave must be maintained for an application to be accepted. All payments made when cashing out annual leave are superannuable. As the payment is not being paid on termination it will be treated as ordinary time earnings and therefore subject to superannuation. Employees are advised to seek financial advice before making application to cash out leave. Operational works crew criteria for cashed out leave are in accordance with Section 28.1 – 28.4 of the EA.

1.5.5 When annual recreation leave is taken within a parental leave absence, employees may apply for payment at double the period of entitlement on half pay.

### **1.6 Clearance of Annual Leave**

1.6.1 The work of the employee and the convenience of the work area are to be taken into account when clearing leave. Annual leave must be cleared whenever possible –

- in the case of the first entitlement by the end of February in the year following commencement.
- within the calendar year it accrues thereafter.

1.6.2 An employee may elect to access up to a full year's leave entitlement in advance.

1.6.3 Employees are encouraged to clear all accrued leave prior to resignation or the expiry of their appointment. Employees on a fixed term contract which is externally funded may be required to clear any leave before the expiry of their contract.

### **1.7 Excess Leave**

1.7.1 An annual leave accrual of more than six weeks is regarded as excess leave. When an employee has excess leave they are required to reduce the leave entitlement to four weeks or less.

1.7.2 The employee will have 12 months to reduce the leave entitlement and the Council will notify the employee in writing of when the 12 month period has commenced.

1.7.3 The amount of leave cleared will include leave that accrues during the 12 month period and will generally be an amount of leave which will bring the leave balance to four weeks or less by the end of the 12 month period.

1.7.4 When an employee has failed to clear leave on the basis outlined above, the Council may direct the employee to take annual leave to reduce the leave balance to four weeks. The direction to clear this leave will be in writing and will provide a minimum of eight weeks notice to clear the leave.

### **1.8 Resignation/Termination**

1.8.1 Employees who resign, or who are terminated for any reason, will be paid their accrued annual recreation leave (calculated as at the date of resignation or termination) in their final payment where possible.

1.8.2 Employees who resign, or who are terminated for any reason, and have taken their entitlement in advance must repay the value of the leave not accrued. The Council will deduct this amount from the employee's final payment.

#### **Annual Leave Loading**

##### **1.9 Entitlement**

1.9.1 Employees are entitled to an annual leave loading payment equal to 17.5 per cent of four week's salary. The maximum payment is equal to the Australian Bureau of Statistics 'Average Weekly Earnings' for all males in the September quarter immediately preceding payment.

1.9.2 Employees who commence on or after 1 January in any year are entitled to pro rata leave loading for the number of completed months of continuous service.

##### **1.10 Conditions of Payment**

1.10.1 Employees will be paid loading at the time of taking leave when the leave is considered entitled (except for those employees employed under the EA where loading is payable on pro rata leave).

1.10.2 Employees who take pro rata leave will be paid loading on the anniversary of their commencement date when the leave would have become eligible.

#### **Related forms:**



**DISABILITY ACCESS AND INCLUSION PLAN****Keywords:**

<b>Reference Number:</b>	<i>8.15</i>
<b>First Issued/Approved:</b>	<i>August 2012</i>
<b>Review Frequency:</b>	<i>Every two years</i>
<b>Last Reviewed:</b>	<i>N/A</i>
<b>Next Review Due:</b>	<i>August 2014</i>
<b>Responsible Business Unit:</b>	<i>Governance</i>
<b>SOG File Reference:</b>	
<b>Applicable Legislation:</b>	
<b>Delegations:</b>	<i>Chief Executive Officer</i>

**OBJECTIVE**

To provide equity of access to a wide range of information, services and facilities provided for the community by the Shire.

**POLICY PROVISIONS**

The Shire of Gnowangerup is committed to ensuring that the community is an accessible and inclusive community for people with disabilities, their families and carers.

The Shire of Gnowangerup believes that people with disabilities, their families and carers who live in country areas should be supported to remain in the community of their choice.

The Shire of Gnowangerup is committed to consulting with people with disabilities, their families and carers and where required, disability organisations to ensure that barriers to access and inclusion are addressed appropriately.

The Shire of Gnowangerup interprets an accessible and inclusive community as one in which all council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disabilities, providing them with the same opportunities, rights and responsibilities enjoyed by all other people in the community and will progressively work to achieving this outcome.

The Shire of Gnowangerup recognises that people with disabilities are valued members of the community who make a variety of contributions to local social, economic and cultural life.

The Shire believes that a community that recognises its diversity and supports the participation and inclusion of all of its members makes for a richer community life.

The Shire of Gnowangerup is committed to achieving the desired outcomes through the implementation of its Disability Access and Inclusion Plan

The Shire of Gnowangerup is committed to ensuring that its agents and contractors work towards the desired outcomes in the Disability Access and Inclusion Plan.

The Shire of Gnowangerup is committed to working in partnership with local community groups and businesses to facilitate the inclusion of people with disabilities through improved access to facilities and services in the community.

**RELATED DOCUMENTS**

Councils Disability Access and Inclusion Plan

Consultation

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

As per presented changes

Financial Implications

Nil

Strategic Implications

Shire of Gnowangerup Plan for the Future/Strategic Plan 2011 – 2016 Functional Area 1

Voting Requirements

Simple Majority

**Officer Recommendation**

**That Council**

- **amends policy 1.11 *Agendas and Minutes Review/Order of Business***
- **amends policy 4.7 *Occupational Health and Safety***
- **adopts policy 1.6 *Graffiti Management***
- **adopts policy 4.18 *Annual Recreation Leave (including Annual Leave Loading)***
- **adopts policy 8.5 *Disability Access and Inclusion Plan***

Council RecommendationReason for Change to RecommendationImplications of Changes to Officers Recommendation

**6. CORPORATE PLANNING AND POLICY**

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

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

- 1. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
  
- 2. DATE OF NEXT MEETING**
  
- 3. CLOSURE**