



## **AGENDA**

### **ORDINARY MEETING OF COUNCIL**

**Wednesday, 26 September 2012  
Commencing at 3pm**

**Council Chambers  
28 Yougenup Road  
GNOWANGERUP WA 6335**

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

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

**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 26 September, in the Council Chambers, 28 Yougenup Road Gnowangerup, commencing at 3.00pm.



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

21 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).

## TABLE OF CONTENTS

**PART A – OPENING PROCEDURES**

<b>1. OPENING AND ANNOUNCEMENT OF VISITORS .....</b>	<b>3</b>
<b>2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE .....</b>	<b>3</b>
2.1 ATTENDANCE .....	3
2.2 APOLOGIES .....	3
2.3 APPROVED LEAVE OF ABSENCE .....	3
<b>3. RESPONSE TO QUESTIONS TAKEN ON NOTICE .....</b>	<b>3</b>
<b>4. PUBLIC QUESTION TIME .....</b>	<b>3</b>
<b>5. APPLICATION FOR LEAVE OF ABSENCE .....</b>	<b>3</b>
<b>6. DECLARATION OF FINANCIAL INTERESTS AND INTEREST AFFECTING IMPARTIALITY .....</b>	<b>3</b>
<b>7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS .....</b>	<b>3</b>
7.1 PETITIONS .....	3
7.2 DEPUTATIONS .....	3
7.3 PRESENTATIONS .....	3
7.4 SUBMISSIONS .....	3
<b>8. CONFIRMATION OF PREVIOUS MEETING MINUTES .....</b>	<b>3</b>
8.1 ORDINARY MEETING OF COUNCIL MINUTES 22 AUGUST 2012 .....	3
<b>9. RECEIPT OF MINUTES OF COUNCIL COMMITTEES .....</b>	<b>4</b>
9.1 PLANT AND WORKS .....	4
9.1.1 COMMITTEE MEETING HELD WEDNESDAY 12 SEPTEMBER 2012 .....	4
9.2 HEALTH AND DEVELOPMENT .....	17
9.3 FINANCE .....	17
9.4 AUDIT .....	17
<b>10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION .....</b>	<b>17</b>

**PART B – MATTERS FOR INFORMATION**

<b>1. USE OF COMMON SEAL .....</b>	<b>18</b>
<b>2. PLANT MECHANICS MONTHLY REPORT .....</b>	<b>19</b>
<b>3. WORKS DEPARTMENT MONTHLY REPORT .....</b>	<b>25</b>
<b>4. BUILDING SURVEYOR SERVICE REPORT .....</b>	<b>26</b>

**PART C – MATTERS FOR DECISION**

<b>1. PLANT AND WORKS</b> .....	<b>29</b>
1.1 GRAVEL PURCHASE PRICING .....	29
1.2 TRUCK AND TANDEM AXLE DOLLY PURCHASE .....	30
1.3 CHESTER PASS ROAD FUNDING .....	60
1.4 SPEED LIMIT INTO AND OUT OF THE GNOWANGERUP CBD .....	61
1.5 INCREASED WIDTH OF ROAD SEAL .....	63
<b>2. COMMUNITY PLANNING AND DEVELOPMENT</b> .....	<b>64</b>
2.1 CSRFF APPLICATIONS .....	64
<b>3. STATUTORY PLANNING</b> .....	<b>107</b>
3.1 BORDEN RESIDENTIAL SUBDIVISION & WATER SUPPLY .....	107
3.2 TELECOMMUNICATIONS FACILITY - BORDEN .....	113
3.3 PROPOSED CHANGE OF USE TO CHALETs .....	119
3.4 PROPOSED STORAGE SHED (EARTHMOVING BUSINESS) .....	127
3.5 PROPOSED OFFICE, STORAGE AND LUNCHROOM .....	138
<b>4. FINANCE</b> .....	<b>144</b>
4.1 AUGUST 2012 MONTHLY FINANCIAL REPORT .....	144
4.2 ACCOUNTS FOR AUTHORISATION AND PAYMENT AUGUST 2012 .....	162
4.3 ROYALTIES FOR REGIONS (CLGF) 2011/2012 ALLOCATIONS .....	172
<b>5. GOVERNANCE</b> .....	<b>176</b>
5.1 WASTE DISPOSAL RESERVE .....	176
5.2 REQUEST FOR PERMISSION TO COLLECT WILDFLOWER SPECIMENS FROM SHIRE ROAD RESERVES AND NATURAL BUSH AREAS .....	178
<b>6. CORPORATE PLANNING AND POLICY</b> .....	<b>181</b>
6.1 ENDORSEMENT OF ASBESTOS MANAGEMENT PLAN .....	181
6.2 REVIEW OF COUNCIL POLICY – VEHICLE POLICY .....	199
6.3 REVIEW OF COUNCIL POLICY – COMMITTEES OF COUNCIL .....	204
<b>7. CONFIDENTIAL ITEMS</b> .....	<b>209</b>
<b>8. URGENT BUSINESS INTRODUCED BY DECISION OF COUNCIL</b> .....	<b>210</b>

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

<b>1. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b> .....	<b>211</b>
<b>2. DATE OF NEXT MEETING</b> .....	<b>211</b>
<b>3. CLOSURE</b> .....	<b>211</b>

**PART A – OPENING PROCEDURES**

- 1. OPENING AND ANNOUNCEMENT OF VISITORS**
  
- 2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**
  - 2.1 ATTENDANCE
  - 2.2 APOLOGIES
  - 2.3 APPROVED LEAVE OF ABSENCE
  
- 3. RESPONSE TO QUESTIONS TAKEN ON NOTICE**
  
- 4. PUBLIC QUESTION TIME**
  
- 5. APPLICATION FOR LEAVE OF ABSENCE**
  
- 6. DECLARATION OF FINANCIAL INTERESTS AND INTEREST AFFECTING IMPARTIALITY**
  
- 7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**
  - 7.1 PETITIONS
  - 7.2 DEPUTATIONS
  - 7.3 PRESENTATIONS
  - 7.4 SUBMISSIONS
  
- 8. CONFIRMATION OF PREVIOUS MEETING MINUTES**
  - 8.1 ORDINARY MEETING OF COUNCIL MINUTES 22 AUGUST 2012

**9. RECEIPT OF MINUTES OF COUNCIL COMMITTEES**  
**9.1 PLANT AND WORKS**

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**9.1.1 PLANT AND WORKS COMMITTEE MEETING HELD 12 SEPTEMBER 2012**

**Location:** Shire of Gnowangerup  
**Proponent:**  
**Business Unit:** Infrastructure  
**File Ref:**  
**Date of Report:** 20 September 2012  
**Officer:** SD Pike - Chief Executive Officer  
**Disclosure of Interest:** Nil

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ATTACHMENTS

- Minutes from Plant and Works Committee Meeting held 12 September 2012



9.2 HEALTH AND DEVELOPMENT

9.3 FINANCE

9.4 AUDIT

**10. 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>Business Unit:</b>	Strategy and Governance
<b>File Ref:</b>	
<b>Date of Report:</b>	18 September 2012
<b>Officer:</b>	SD Pike - Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil

ATTACHMENT

- Letter of Engagement for Provision of Facility Management Plan (three sites in one plan) and assisting with the Waste Collection Tender.
- Peppercorn Lease between Shire of Gnowangerup (Lessor) and Gail Vaux (Lessee)

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:

- Letter of Engagement for Provision of Facility Management Plan (three sites in one plan) and assisting with the Waste Collection Tender.
- Peppercorn Lease between Shire of Gnowangerup (Lessor) and Gail Vaux (Lessee)

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.

CONCLUSION

This is a standard report for Elected Members information.

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**2. PLANT MECHANICS MONTHLY REPORT**

**Business Unit:** Infrastructure  
**Date of Report:** 18 September 2012  
**Officer:** K Tomlinson – Mechanic & Fleet Manager

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**ATTACHMENTS**

- September AMPRO Report

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**3. WORKS DEPARTMENT MONTHLY REPORT AUGUST/SEPTEMBER 2012**

**Business Unit:** Infrastructure  
**Date of Report:** 5 September 2012  
**Officer:** R Miniter – Works Supervisor

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Please see Plant and Works Committee Meeting Minutes item 3.2

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**4. BUILDING SURVEYOR REPORTS AUGUST 2012**

**Business Unit:** Corporate and Strategy  
**Date of Report:** 29 August 2012  
**Officer:** D Baxter – Building Surveyor

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**ATTACHMENTS**

- Yearly Return of Building Permits
- Monthly Service Report August 2012

**PART C – MATTERS FOR DECISION****1. PLANT AND WORKS****1.1 GRAVEL PURCHASE PRICING**

**Location:** Shire of Gnowangerup  
**Proponent:** Plant and Works Committee  
**Business Unit:** Infrastructure  
**File Ref:**  
**Date of Report:** 7 September 2012  
**Officer:** P Kent – Manager Works  
**Disclosure of Interest:**

**PURPOSE OF REPORT**

Council requested report on gravel pricing.

**BACKGROUND**

It has been suggested that if the Shire of Gnowangerup paid more for gravel we would be able to access gravel closer to our jobs and save on cartage, wear and tear on the trucks and roads. This is the third request in about the past 18 months on this issue.

**COMMENTS**

As before we have not had any trouble accessing gravel near our works for \$1 except for the Holden Road job and this gravel will still be coming from Baum's.

This year in fact we have had gravel donated in an instance where we will be leaving a graded catchment area instead of rehabbing.

**CONSULTATION**

Works Supervisor.

Gerald Slee - Was asked if he would supply gravel to the Shire of Gnowangerup for a higher price, the answer was no.

Most neighbouring Shires pay up to a \$1  
Broomehill Tambellup and Ravensthorpe pay \$2

**FINANCIAL IMPLICATIONS**

At \$1 m3 we can continue to sheet maximum meters of road for the ratepayers \$.

**COMMITTEE RECOMMENDATION**

***Recommended to Council that the Shire of Gnowangerup continues to pay \$1+gst per m3 of gravel as this was the intent of Council's original motion.***

**1.2 TRUCK AND TANDEM AXLE DOLLY PURCHASE**

**Location:** Shire of Gnowangerup  
**Proponent:** Plant and Works Committee  
**Business Unit:** Infrastructure  
**File Ref:**  
**Date of Report:** 11 September 2012  
**Officer:** J Anning – Executive Manager Finance  
 K Tomlinson – Shire Mechanic  
**Disclosure of Interest:**

ATTACHMENTS

- Quotes for replacement of trucks
- Quotes for purchase of tandem axle dolly

PURPOSE OF THE REPORT

Presented to Council are the options for the scheduled changeover of 2 x trucks and the outright purchase of a tandem axle dolly.

BACKGROUND

Included in Council plant replacement schedule and 2012/2012 Budget is the changeover of two trucks and the outright purchase of a tandem axle dolly. The Shire Mechanic, Mr Keith Tomlinson, has sought quotes for these purchases and they are now presented to the plant and works committee for consideration.

COMMENTS

The quotes were sought for the tip trucks with the following criteria –  
 90T rated  
 Approx 500hp  
 Automatic transmission  
 Ring feeder and hydraulic/air connections to rear

The budget for the replacement of the trucks is \$560,000  
 The following quotes were received –

<u>Company</u>	<u>Vehicle</u>	<u>Purchase Price (excl gst)</u>
WA Iveco	IVECO Stralis AD500 (2012) Chassis	\$162,700 *
Duraquip	Tipper	\$ 56,250
TOTAL COST PER TRUCK		\$218,950 (x 2 = \$437,900)
Freightliner	Coronado SD Chassis & Tipper	\$274,500
TOTAL COST PER TRUCK		\$274,500 (x 2 = \$549,000)
Kenworth Daff	Daff FAD CF85	\$264,918
Duraquip	Tipper	\$56,250
TOTAL COST PER TRUCK		\$321,168 (x 2 = \$624,336)

\* WA Iveco also quoted on the supply of the tipper (\$55,950), but due to Council's local purchasing policy this has not been included in the above options.

Two quotes were sourced for the supply of a tandem axle dolly. The budget for this purchase is \$35,000 –

<u>Company</u>	<u>Purchase Price (excl gst)</u>
Evertrans	\$25,300
Duraquip	\$31,250

The Shire Mechanic, Mr Tomlinson, has reviewed all of the quotes and has recommended the purchase of two Iveco Stralis AD500 Chassis. Council already have this make and model truck within their fleet and there has been very little trouble with the plant. The significant price difference is also a consideration for this recommendation.

The recommendation for the dolly purchase is the acceptance of the Duraquip quote as their dolly is of a stronger construction and will stand the extra strain put on by side tippers. Council also run a dolly of the same design.

#### POLICY IMPLICATIONS

Policy 2.2 COUNCIL PURCHASING POLICY – LOCAL PRICE PREFERENCE states that a 10% price preference be applied for purchases up to \$30,000. Council are therefore not bound by this policy when considering the purchase of the dolly (Duraquip local suppliers).

This policy also states that for purchases between \$20,000 - \$39,999 at least two written quotes are obtained (dolly).

The three quotes received for the purchase of the trucks are WALGA preferred suppliers and Council, therefore, are not required to go to tender.

#### FINANCIAL IMPLICATIONS

Both of the recommended purchases are within Council's budget. Impact for each option on the plant replacement reserve is as follows –

<u>Vehicle</u>	<u>Impact to Reserve</u>
IVECO Stralis	\$122,100
Coronado SD	\$11,000
Daff FAD CF85	-\$64,336 (negative impact on reserve)
Evertrans Dolly	\$9,700
Duraquip Dolly	\$3,750

The overall impact on the reserve for the recommended purchases are a savings of \$125,850.

Council staff are currently investigating the sale of the redundant tip trucks, further information regarding this aspect will be available to the committee at the meeting.

#### CONCLUSION

Given the current make up of Council's fleet of tip trucks it is considered to advantageous to continue to purchase along the same lines. The price that has been quoted is well within Council's plant replacement budget and the Shire Mechanic is satisfied with the quality and components of the IVECO Stralis AD500 Chassis and the Duraquip Tipper's and Dolly.

An omission from the plant and works item regarding the purchase of the trucks has resulted in the necessary inclusion of 4 post alloy bullbar with road sign trains for the two trucks not being funded. The cost of the bullbar is \$5,409.10 each, bringing the total cost of the trucks to \$168,109.10. This amendment to the Committee motion is requested to allow for the inclusion of the bullbar's –

#### COMMITTEE RECOMMENDATION

*That Council –*

- 1. The purchase of 2 x IVECO Stralis AD500 Chassis for \$168,109.10 (gst exclusive) each**
- 2. The purchase of 2 x Duraquip Tipper for \$56,250 (gst exclusive) each**
- 3. The purchase of 1 x Duraquip Dolly for \$31,250 (gst exclusive)**



Council Recommendation

Reason for Change to Recommendation

Implications of Changes to Officers Recommendation

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**1.3 CHESTER PASS ROAD FUNDING**

**Location:** Shire of Gnowangerup  
**Proponent:** Plant and Works Committee  
**Business Unit:** Infrastructure  
**File Ref:**  
**Date of Report:** 19 September 2012  
**Officer:** SD Pike – Chief Executive Officer  
**Disclosure of Interest:**

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**ATTACHMENTS**

Nil

**PURPOSE OF THE REPORT**

For Council to endorse the Plant and Works Committee recommendation to support any community group who lobby for funding and raising the profile of Chester Pass Road

**BACKGROUND**

The Committee discussed the current situation regarding the lack of any future funding for maintaining Chester Pass Road. Whilst it was acknowledged that council had little ability to influence Main Roads regarding funding it was in a position to support any community group who might raise the profile of Chester Pass Road and advocate for additional funding.

**COMMENTS**

Nil

**CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES**

Nil

**LEGAL AND STATUTORY REQUIREMENTS**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****VOTING REQUIREMENTS**

Simple Majority

**COMMITTEE RECOMMENDATION**

***That Council endorse the Plant and Works committee recommendation –  
To support any community group who lobby for funding and raising the profile of Chester Pass Road***

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

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**1.4 SPEED LIMITS INTO AND OUT OF THE SHIRE OF GNOWANGERUP**

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	Plant and Works Committee
<b>Business Unit:</b>	Infrastructure
<b>File Ref:</b>	
<b>Date of Report:</b>	19 September 2012
<b>Officer:</b>	SD Pike – Chief Executive Officer
<b>Disclosure of Interest:</b>	

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**ATTACHMENTS**

Nil

**PURPOSE OF THE REPORT**

For Council to endorse the Plant and Works Committee recommendation to review the speed limits into and out of the Gnowangerup CBD from the bridge to the Brethren School.

**BACKGROUND**

The Committee discussed the effectiveness of the existing speed limits particularly in relation to the speed of heavy vehicles travelling through the CBD. It was noted that although the police did monitor traffic speed on occasions it was not a regular enough occurrence to deter vehicles travelling above the speed limit in the main street which increasingly placed the public at risk.

**COMMENTS**

The Committee discussed the merits of reviewing the speed limits and the opportunity this would provide to increase the level of public safety in the main street.

**CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES**

Nil

**LEGAL AND STATUTORY REQUIREMENTS**

Nil

**POLICY IMPLICATONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****CONCLUSION**

Although not urgent this is an initiative that could positively impact on community safety and could be implemented in the latter half of the financial year.

**VOTING REQUIREMENTS**

Simple Majority

**COMMITTEE RECOMMENDATION**

***That Council endorse the Plant and Works committee recommendation –  
To review the speed limits into and out of the Gnowangerup CBD from the bridge to the Brethren School.***

Council Recommendation

Reason for Change to Recommendation

Implications of Changes to Officers Recommendation

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**1.5 INCREASED WIDTH OF ROAD SEAL, FROM CURRENT 6.4M TO 7M AS A STANDARD FOR NEW SEAL CONSTRUCTION JOBS**

**Location:** Shire of Gnowangerup  
**Proponent:** Plant and Works Committee  
**Business Unit:** Infrastructure  
**File Ref:**  
**Date of Report:** 19 September 2012  
**Officer:** SD Pike – Chief Executive Officer  
**Disclosure of Interest:**

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**ATTACHMENTS**

Nil

**PURPOSE OF THE REPORT**

For Council to endorse the Plant and Works Committee recommendation to increase the width of the road seal from 6.4m to 7m as a standard for new seal construction jobs in the 2012/13 works program depending on the financial implications.

**BACKGROUND**

The Manager Works requested a discussion on increasing the width of road seal from 6.4 metres to 7metres as a standard for new seal construction jobs in line with the practice adopted by surrounding local councils. The issue is primarily one of safety and is related to increase in heavy vehicle traffic on our local roads.

**CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES**

The Manager Works consulted with surrounding Local Governments and Main Roads who were very supportive of the proposal.

**LEGAL AND STATUTORY REQUIREMENTS**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The additional cost per kilometre for Council to seal to a width of 7m is approximately \$4,080. The Works Supervisor has adjusted the Boxwood-Ongerup seal job from a length of 4km seal to 3.657km to enable the additional width to fit within the adopted budget for this job of \$383,211.

As an alternative Council may resolve to leave the Ongerup-Boxwood seal job length at 4km, however, an over budget of approximately \$16,300 will be expected in order to seal the entire 4km to a 7m width.

**VOTING REQUIREMENTS****COMMITTEE RECOMMENDATION**

***That Council endorse the Plant and Works committee recommendation –  
To increase the width of the road seal from 6.4m to 7m as a standard for new seal construction jobs in the  
2012/13 works program depending on the financial implications***

Council RecommendationReason for Change to RecommendationImplications of Changes to Officers Recommendation

## 2. COMMUNITY PLANNING AND DEVELOPMENT

### 2.1 CSRFF APPLICATIONS

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	Community Development
<b>Business Unit:</b>	Community Services
<b>File Ref:</b>	
<b>Date of Report:</b>	17 September 2012
<b>Officer:</b>	R O'Meehan – Community Development Officer
<b>Disclosure of Interest:</b>	

#### ATTACHMENTS

- Ongerup Bowling Club CSRFF Application Form
- Gnowangerup Sports Complex CSRFF Application Form
- Multi Criterion Analysis

#### PURPOSE OF THE REPORT

To review, ratify and rank the CSRFF Annual Grants Round applications as presented by the Ongerup Bowling Club and the Gnowangerup Sporting Complex Committee and provide council with an understanding of the financial and policy implications of any council commitment to these projects.

#### BACKGROUND

Each year, the Department of Sport & Recreation (Department) invites Local Governments and local communities to apply for funding to assist with sport and recreation facility projects under the Community Sport and Recreation Facilities Fund (CSRFF). The CSRFF fund provides up to 33.3% of the total cost of the project; however, remote communities can apply for a development bonus of up to 50%. CSRFF funding is carried out in three funding rounds: Small Grants Round for projects with a total project cost that does not exceed \$150,000, Annual Grants Round, for projects with a total project cost greater than \$150,000 but that do not exceed \$500,000 and Forward Planning Grants for projects with a total project cost exceeding \$500,000 with an implementation period of between one and three years.

Council has received two CSRFF Annuals Grant applications for consideration in the 2013/2014 round.

1. Ongerup Bowling Club: Bowling Green Resurfacing and Lighting project.
2. Gnowangerup Sporting Complex Management Committee: Gnowangerup Sporting Complex - Hockey/Tennis Precinct: Lighting, Fencing and Storage project.

It is a requirement that these grants be presented to Council for ratification and prioritisation. Applications must then be delivered to the Albany Office of the Department of Sport and Recreation before the close of business Friday 28 September. From this point the Department study all grant applications and make a recommendation to the Minister for Sport and Recreation. Results of the application are presented early to mid-2013.

#### COMMENTS

It is presented that Council ratify the Department of Sport and Recreation applications for the CSRFF Annual Grants round from the Ongerup Bowling Club for its bowling green re-surfacing and lighting project and also the Gnowangerup Sporting Complex Management Committee for its hockey/tennis precinct: lighting, fencing and storage project.

**1. Ongerup Bowling Club Inc. – Bowls Green Re-surfacing and Lighting Project.**

The Ongerup Bowling Club are planning to replace their existing 38m x 38m grass bowling green with an artificial surface and install four new lights on each corner of the green.

Discussions on this course of action have taken place during bowling club meetings since 2006 and four options were investigated by the club before deciding to apply for funding to replace the current grass surface with an artificial green and light the rink at its current location. The Ongerup bowling club green and clubhouse is a stand-alone facility situated within the Ongerup sporting complex site. The bowling club does share ablution/shower facilities at the Ongerup Sporting Complex. Current maintenance of the grass green is onerous and labour intensive on the club's volunteers. The club currently runs a successful community bowls competition which has expanded their membership base. The expansion of this competition is however hampered by early finishing times due to out of date lighting at the club. The provision of a lighting upgrade in this project aims to give the club more flexibility and inclusiveness with their various competitions to maintain and increase their membership numbers.

This is the first time the Ongerup Bowling Club has applied for CSRFF funding for this project, for which they are seeking a council contribution of **\$88,449.88**.

**Project Funding Budget**

<b>Funding Source</b>	<b>\$ Amount ex GST</b>	<b>Comment</b>
Shire of Gnowangerup	<b>88, 449.88</b>	
Applicant Cash	81, 949.88	Cropping profits & funds from club's term deposit
Volunteer Labour	6,500	Bowling club volunteers
Donated Materials		
Other State Govt Funding	Nil	
Fed Govt Funding	Nil	
Other Funding	Nil	
CSRFF Request	88,449.89	33.3% of total project cost
Development Bonus (up to ½ project cost)	0	
<b>Total Project funding</b>	<b>265,349.65</b>	

Council has recently deferred the use of Royalties for Regions funding for the conversion of the Ongerup Police Station into staff housing. Item 3 of this resolution could allow council to allocate this funding to the Ongerup Bowling Club for the requested LGA contribution to the project. Please refer to the council motion below carried 8/0.

**COUNCIL RESOLUTION**

0712.119          Moved Cr Savage          Seconded Cr Lance

**That:**

- 1. Council defer the proposed conversion of the Ongerup Police Station into staff housing;**
- 2. Council investigate alternative options for the future use of the building; and**
- 3. Identify how the Royalties for Regions (R4R) could be spent on a project which could benefit the Ongerup community and/or the whole Shire at large.**

**CARRIED 8/0**

An item has been bought to Council for the reallocation of the Royalties for Regions funding to the purchase of 20 McDonald Street, Gnowangerup. Part of this recommendation is to also advertise and transfer funds from the Land Development and Building Maintenance Reserve that have been saved as a result of the reallocation of Royalties funding for the purchase of 20 McDonald Street, to fund the Ongerup Bowling Green project.

**2. Gnowangerup Sporting Complex Management Committee - Gnowangerup Sporting Complex - Hockey/Tennis Precinct; Lighting Fencing, Storage Project.**

The Gnowangerup Sports Complex Hockey/Tennis colocation project currently being undertaken by the Gnowangerup Sporting Complex Management Committee will see the relocation of hockey from a nearby grassed oval and the relocation of tennis from its current grass courts (offsite) to a dual purpose Hockey WA approved synthetic surface on the south side of the existing sports pavilion. The Committee applied for funding for their Gnowangerup Sporting Complex hockey/tennis colocation project in the 2012/2013 CSRFF round but was not successful in obtaining the required funds.

The Committee is currently undertaking completion of this project of their own their own volition using their own cash contribution and a \$300 000 contribution from Council (\$238,864 cash, \$61,136 in-kind works) as ratified at the August 2012 council meeting. Please refer to the council motion below carried 8/0.

**COUNCIL RESOLUTION**

0812.121 Moved Cr Gaze          Seconded Cr Hinkley

**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.**

**CARRIED 8/0**

The current application to DSR in the 2013/2014 Annual Grants round is for funding to complete this project to a safe standard with provision for the installation of 8 light towers suitable for training purposes, surrounding the multi-use hockey/tennis pitch, safety fencing around the perimeter of the pitch and the construction of a storage shed suitable for sporting equipment and as an interchange/viewing area for players.

To complete the project the Gnowangerup Sports Complex Management Committee seek a **\$60,407** cash commitment from council in the 2013/2014 budget year, as part of their CSRFF application to DSR for the 2013/2014 Annual Grants funding round.



**Project Funding Budget**

<b>Funding Source</b>	<b>\$ Amount ex GST</b>	<b>Comment</b>
Shire of Gnowangerup	<b>60,407</b>	
Applicant Cash	60,407	
Volunteer Labour	20,000	Fencing erection, Community volunteers
Donated Materials	28,750	
Other State Govt Funding	Nil	
Federal Govt Funding	Nil	
Other Funding	Nil	
CSRFF Request	84,781	
Development Bonus (up to ½ project cost)	0	
<b>Total Project funding</b>	<b>254,345</b>	

Consultation with the Community and Government Agencies

- Gnowangerup Sporting Complex Committee Inc
- Ongerup Bowling Club Inc
- Department for Sport & Recreation

Legal and Statutory Requirements: Nil

Policy Implications

In 2010 Council created a Future Funds Reserve, with the view to assist Council in funding projects within the community that meet a certain criteria. Currently Council have approximately \$42,000 in this Reserve and both projects are considered to be eligible for utilising this Reserve.

**2.17 FUTURE FUNDS RESERVE**

A Future Fund Reserve was established by Council for the specific purpose of:

1. That all projects or programs funded by the Reserve be contained within the Shire of Gnowangerup;
2. That the funding be used on either Council facilitated programs or on projects that result in new or improvements to Council assets;
3. That, in order for the Reserve funds to be utilised, the minimum total project cost be \$20,000;
4. That the Reserve fund no more than 50% of an overall project cost;
5. That all the projects or programs fall within one of the following categories;
  - a) Social and Cultural events and Infrastructure
  - b) Recreation facilities and events

- c) Tourism Infrastructure
- d) Children, Youth and Seniors facilities and events
- e) Environmental Initiatives

**Adopted: 28 September 2011 CMRef 0911.201**

#### FINANCIAL IMPLICATIONS

*These options are dependent upon the successful acceptance of the Officer's recommendation for Item 4.3 – Reallocation of Royalties Funding*

Option 1 – Fund both projects utilising \$128,450 Reserve funding and \$20,407 Municipal funding.

Council transfer \$88,450 from the Land Development and Building Maintenance Reserve into the Futures Fund Reserve to then fund the Ongerup Bowling Green Project in the 2013/2014 Budget. Council allocate the remaining \$40,000 from the Futures Fund Reserve to the Gnowangerup Sporting Complex project.

This will require approximately \$20,000 of funding to be allocated through the municipal fund in the 2013/2014 budget (0.76% rates increase) -

Outcomes –

- Both projects funded
- Balance in the Futures Fund Reserve of less than \$2,000
- Balance of Land Development and Building Maintenance Reserve approximately \$290,000 (after purchase of 20 McDonald Street partly funded through \$190,000 Royalties funding)
- Rates increase of 0.76% for 2013/2014

Option 2 – Only fund the Ongerup Bowling Green Project

Utilising \$88,450 from the Futures Fund Reserve (transferred from the Land Development and Building Maintenance Reserve).

Outcomes –

- Gnowangerup Complex project is not funded and therefore may not go ahead
- Balance in the Futures Fund Reserve approximately \$41,500
- Balance of the Land Development and Building Maintenance Reserve approximately \$290,000 (after purchase of 20 McDonald Street partly funded through \$190,000 Royalties funding)
- No impact on 2013/2014 Budget (apart from Reserve)
- Completion of Ongerup Bowling Green Project

Option 3 – Only fund the Gnowangerup Sporting Complex Lighting/Fencing/Storage Project

Utilising \$40,000 from the Futures Fund Reserve and \$20,407 from the Municipal account in 2013/2014.

Outcomes –

- Ongerup Bowling Green is not funded and therefore may not go ahead
- Balance of the Futures Fund Reserve is less than \$2,000
- Balance of the Land Development and Building Maintenance Reserve is \$370,000 (after purchase of 20 McDonald Street partly funded through \$190,000 Royalties funding)
- 0.76% rates increase required in 2013/2014

**Option 4 – Fund neither project**

There will be no financial impact for Council in the current 2012/2013 financial year, as the funding round dictates that the projects will commence in the financial year after application submission (2013/2014).

**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.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Presented under Financial Implications

**CONCLUSION**

The Ongerup Bowling Club requests an **\$88,449.88** cash commitment from the Council in the 2013/2014 budget year to facilitate the CSRFF Annual Grant application currently before council.

The Gnowangerup Sporting Complex Committee requests a **\$60,407** cash commitment from Council in the 2013/2014 budget year to facilitate the CSRFF Annual Grant application currently before council.

Options for supporting these projects and the financial implications of doing so have been presented above.

**PROJECT PRIORITY**

The Ongerup Bowling Club and Gnowangerup Sports Complex projects both demonstrate a justified need and are equally as valuable to their communities. However, the Department of Sport and Recreation require that Council rank projects in terms of priority when multiple projects are presented and pass a ranking recommendation onto the Department. Based on the completion of a Multi Criterion Analysis of both projects undertaken by staff, which provides a set of questions that remove subjectivity, the recommendation for ranking is as follows;

1. Gnowangerup Sporting Complex – Hockey/Tennis Precinct: Lighting, Fencing, Storage Project
2. Ongerup Bowling Club – Bowls Green Re-surfacing and Lighting Project

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

1. *That Council allocate the following financial commitments to the CSRFF applications received from the Ongerup Bowling Club Committee and the Gnowangerup Sporting Complex Committee –*

<i>Project</i>	<i>Funding</i>	<i>Funding Source</i>
<i>Gnowangerup Sporting Complex</i>	<i>\$40,000.00</i>	<i>Futures Fund Reserve</i>
<i>Gnowangerup Sporting Complex</i>	<i>\$20,407</i>	<i>Municipal Fund (Budget 2013/2014)</i>
<i>Total contribution</i>	<i>\$60,407</i>	
<i>Ongerup Bowling Green Project</i>	<i>\$88,449.88</i>	<i>Futures Fund Reserve</i>
<i>Total contribution</i>	<i>\$88,449.88</i>	

Council Recommendation

Reason for Change to Recommendation

Implications of Changes to Officers Recommendation

### 3. STATUTORY PLANNING

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#### 3.1 BORDEN RESIDENTIAL SUBDIVISION & WATER SUPPLY

<b>Location:</b>	Borden Townsite
<b>Proponent:</b>	LandCorp
<b>Business Unit:</b>	Corporate and Statutory Services
<b>File Ref:</b>	
<b>Date of Report:</b>	17 September 2012
<b>Officer:</b>	C Pursey – Planning Officer K Williams – Planning Consultant to LandCorp
<b>Disclosure of Interest:</b>	

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#### ATTACHMENTS

- Subdivision Plan
- Water Corporation advice to WAPC
- Water Corporation advice to LandCorp 17 September 2012

#### PURPOSE OF THE REPORT

For Council to consider limiting the discharge rate from the existing standpipe in Trappit Street to facilitate the approval of a residential subdivision in John Street, Borden.

#### BACKGROUND

Council applied for the release of land in Borden through the Regional Development Assistance Program [RDAP], which is undertaken by LandCorp. This program has been established to implement the release of residential and industrial subdivision in small rural and regional locations where the cost of infrastructure is prohibitive. The program subsidises the cost of the release of land.

LandCorp's consultants subsequently submitted a subdivision application for 8 lots in Borden with the Western Australian Planning Commission [WAPC], the decision making authority for subdivision applications.

The Subdivision application was referred by the WAPC to all key stakeholders, including Western Power, Water Corporation, and Council.

The Water Corporation response to the subdivision referral resulted in advice to the WAPC requiring addressing water supply issues in Borden, including a lack of water supply as well as low water pressure. A copy of this advice is attached to this report.

Pressure issues can be resolved by conditioning the subdivision to require pressure pumps and tanks, however, the water supply issues require Council assistance, as the Borden water supply is an independent system that relies entirely on rainfall, and supply is currently close to maximum capacity.

The original Water Corporation advice is that to provide an adequate water supply, Council's Trappit Street Standpipe would be required to be disconnected from the Water Corporations Reticulated Water Supply network. The Water Corporation revised this advice on the 17<sup>th</sup> September 2012 requiring only the restriction of flow rates from the standpipe as a prerequisite to their support for the subdivision. A copy of the revised advice is attached to this report.

The WAPC has advised LandCorp that the subdivision cannot be approved without agreement to resolution of the water supply issues. The assessment of the subdivision is currently being deferred until this issue can be resolved.

Current use of the Standpipe

The standpipe is located at Elders Borden and is currently locked. It has a sign on it stating "Domestic/Emergency Supply Only" and to contact the Shire if you wish to use it. The author of this report is not aware of any local alternatives for access to emergency potable water.

Discussions with local residents indicate that there may have been some abuse of the standpipe in the past using it for non-potable uses that has led to its locking and restricted access. Council records do not show any payment for using the standpipe in recent years; therefore it is assumed that no one has used the standpipe for some time.

COMMENTS

Council requested LandCorp undertake the subdivision, and LandCorp has undertaken Environmental, Planning and Engineering assessments of the proposed subdivision. The Water Corporation advice affects the viability of the subdivision. If the modifications to Council's Standpipe are not made, the subdivision cannot be approved.

It should be noted that a Council resolution confirming its consent for the proposed limiting the discharge of water from the standpipe to 20 litres per minute from the reticulated water supply is required for the subdivision to be approved, as the Water Corporation advice affects Council as a third party to the subdivision.

CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Council's role in the subdivision process is as a referral agency. Consultation has been undertaken by the WAPC to all key stakeholders.

LEGAL AND STATUTORY REQUIREMENTS

The subdivision application process occurs under the Planning and Development Act 2005. As previously highlighted, Council is a referral agency, and has already provided comment on the subdivision. This comment supported the proposed subdivision.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Financial implications are unquantified. There may be some costs associated with the application of a limiter to the existing standpipe. It is understood that LandCorp will negotiate with Council to determine costs, which should be relatively low. It is possible that no costs will be incurred by Council.

STRATEGIC IMPLICATIONS

Nil

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

If the Council is uncomfortable with making a decision without full knowledge of the current usage of the standpipe, there is the opportunity to advertise the proposal for comment before making a final decision.

This would delay the response to the WAPC and therefore delay any approval of the subdivision. It may also more fully inform the local residents of the current situation.

On the other hand advertising the proposal is unlikely to achieve anything bar raising the profile of the issue. If Council want the residential lots this is a strategic decision of Council and one that needs to be made to facilitate the subdivision.

CONCLUSION

The proposed subdivision cannot be approved while there is insufficient water supply for the proposed lots. Should Council agree to the changes and then not reach agreement on costs and responsibilities, the subdivision will not proceed, and will eventually lapse.

It appears to be a choice between limiting the flow from the stand-pipe or having the residential subdivision.

The subdivision of the land will be an important benefit to the town of Borden and to the Shire of Gnowangerup.

It is recommended that Council support the proposed modifications to the Trappit Street stand pipe to facilitate the approval of the subdivision.

VOTING REQUIREMENTSOFFICER RECOMMENDATION*That Council:*

- 1. Advise the Western Australian Planning Commission that it approves limiting the discharge rate from the Council's Trappit Street Standpipe to 20 litres per minute as requested by the Water Corporation in their email dated 17/9/12.**
- 2. Advise the Water Corporation that it approves limiting the discharge rate from the Council's Trappit Street Standpipe to 20 litres per minute.**
- 3. Request LandCorp to confirm the costs associated with limiting the discharge rate of the Trappit Street Standpipe.**

Council RecommendationReason for Change to RecommendationImplications of Changes to Officers Recommendation

**3.2 TELECOMMUNICATIONS FACILITY - BORDEN**

<b>Location:</b>	Lot 150 Moir Street, Borden WA 6338
<b>Proponent:</b>	
<b>Business Unit:</b>	Corporate and Statutory Services
<b>File Ref:</b>	
<b>Date of Report:</b>	17 September 2012
<b>Officer:</b>	C Pursey – Planning Officer
<b>Disclosure of Interest:</b>	

ATTACHMENTS:

- Email from Alan Mills, General Manager at Telstra
- Summary of the Regional Mobile Communications Project (RMCP) program

PURPOSE OF THE REPORT

Request Council to rescind a previous resolution requiring Cooperative Bulk Handling (CBH) to provide a mobile phone tower at the Borden CBH site. CBH are not a telecommunications provider and have no capacity to provide the service. Instead request CBH assistance in lobbying for Borden to be included in the next phase of a regional roll out of telecommunications infrastructure through the royalties for regions program.

BACKGROUND

Council considered a planning application for improvements to the existing CBH site in Borden at their meeting of 22<sup>nd</sup> August 2012 and resolved to conditionally approve the extensions. In addition to the planning approval Council resolved as follows in part 3 of this resolution:

*“That Council;...*

- 3. Cooperative Bulk Handling to provide permanent mobile phone coverage in Borden townsite and the surrounding area as a means of improving safety on site.”*

COMMENTS

CBH have been contacted and have informally indicated that whilst they are not in a position to build a mobile phone tower or facility they may be willing to assist in other ways. In other Shire’s CBH have allowed Telstra access to their grain elevators to locate telecommunications masts. They have also been involved in lobbying the State Government in support of proposed upgrades to the telecommunications infrastructure in towns where they operate.

There are currently proposed telecommunications towers being proposed in Gairdner, Boxwood Hill and improvements in Ravensthorpe. These are proposed as part of a program called Regional Mobile Communications Project (RMCP). The program is run by the Department of Commerce and is described as follows on the Department’s website:

*“The Royalties for Regions funded Regional Mobile Communications Project (RMCP) will improve mobile communications in selected locations in almost every region of Western Australia.*

*The RMCP will deliver terrestrial mobile, voice and high speed wireless data broadband to improve highway and town-to-town coverage in regional, rural and remote communities of the State.*

*Telstra will deploy new mobile communications infrastructure at 113 sites across the State, increasing mobile phone coverage by up to 22 per cent and boosting access to next generation broadband services.*

*This project will drive productivity, improve safety on Western Australian roads, enhance the delivery of emergency services in regional areas, and better connect our cities, regional, rural and remote communities.*

*The RMCP is being administered by the Department of Commerce in consultation with the Department of Regional Development and Lands.”*



The program effectively uses royalty for regions money to make regional telecommunications projects viable that would be considered to be unviable by the open market. More information regarding the program is attached to this report.

Discussions with Telstra have provided the following information:

- Borden was not part of the 113 sites chosen as part of phase 1. Telstra decided on the sites in phase 1 based on highway locations and regional towns they identified;
- Subsequent phases are likely to be decided by the Department of Commerce rather than Telstra;
- Telstra have provided advice that the most cost effective way of providing a mobile phone service to Borden is to place a 3G base station in the existing phone exchange and to utilise the existing 30m high tower in town. If developed as a standalone project this would cost \$316,176.
- Telstra anticipate that there will be a phase 2 and possibly 3 of the RMCP program.

#### Options

1. The Council can request CBH pay for the telecommunications infrastructure at the Borden telephone exchange. However, there is no ability to *require* CBH to pay for this service at this stage.
2. Wait for the market to identify the shortfall in the service in this area and provide the service. This is unlikely, it has not happened to date. Since the privatisation of Telstra there is no longer a government provider and therefore all telecommunications projects need to be financially viable.
3. Lobby the Department of Commerce to ensure that Borden becomes part of the next phase of the RMCP program. CBH could also be requested to support this request to the Department of Commerce and add their political weight to Council's request.

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Only Telstra has been contacted as part of these investigations.

#### LEGAL AND STATUTORY REQUIREMENTS

None apply

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

It could be argued that business suffers and a town becomes a less desirable place to live without mobile phone service.

#### STRATEGIC IMPLICATIONS

Nil

#### CONCLUSION

The original resolution of Council to require CBH to provide a permanent mobile phone service for Borden is unlikely to be supported by CBH as they are not a telecommunications service provider. Additionally the \$316,176 to pay Telstra to provide the service may be difficult to justify.

There is a government program to assist in providing telecommunications services that are not financially viable for the marketplace to provide and it is recommended that the Council, with CBH, lobby for the inclusion of Borden in the next phase of this project.

#### VOTING REQUIREMENTS

Absolute Majority to rescind part 3 of the previous motion, then simple majority.

**OFFICER RECOMMENDATION**

1. ***That Council rescind part 3 of Council's resolution 0212.123 of the 22<sup>nd</sup> August 2012 that states:***

***“Cooperative Bulk Handling to provide permanent mobile phone coverage in Borden townsite and the surrounding area as a means of improving safety on site.”***

***Reason: Cooperative Bulk Handling Ltd are not a telecommunications provider and are unable to provide this service.***

2. ***That Council request support and assistance from Cooperative Bulk Handling Ltd in lobbying the Department of Commerce, Telstra and the State Government for the provision of a mobile phone service for the Borden townsite as part of the next phase of the Regional Mobile Communications Project in order to improve the safety at the Borden CBH facility.***
3. ***Make a formal request of the Department of Commerce and the State Government to provide the Borden townsite with mobile phone coverage as part of the next phase of the Regional Mobile Communications Project.***

Council Recommendation

Reason for Change to Recommendation

Implications of Changes to Officers Recommendation

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### 3.3 PROPOSED CHANGE OF USE TO CHALETS

**Location:** Lot 149 John Street, Ongerup  
**Proponent:** Kingsley and Sandra Vaux  
**Business Unit:** Corporate and Statutory Services  
**File Ref:** 18.6.3/IPA122111  
**Date of Report:** 18 September 2012  
**Officer:** C Pursey – Planning Officer  
**Disclosure of Interest:**

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#### ATTACHMENTS

- Planning application details

#### PURPOSE OF THE REPORT

To determine a planning application for a proposal to convert an existing residential duplex to holiday accommodation (chalets) at Lot 149 John Street, Ongerup.

#### BACKGROUND

##### **Site Description**

Lot 149 John Street, Ongerup is located on the corner of John and Carpenter Streets, is 1056m<sup>2</sup> in area and is developed with an existing duplex (grouped dwelling).

The adjoining lot immediately to the west is privately owned and developed with a shed only. The Shire owns the lot to the north of Lot 149 (Lot 213). The remaining surrounding land is undeveloped and a reserve or unallocated crown land.



Aerial photo of the subject site (LandGate 2012)

**Zoning**

Lot 149 is zoned 'Residential 'R15' under the Shire of Gnowangerup Local Planning Scheme No.2 (the Scheme).

The surrounding land is also zoned Residential, with the exception of the lot immediately to the east that is reserved for 'Government Requirements' under the Scheme.

**COMMENTS****Proposal**

The applicant has proposed to convert the existing grouped dwellings to holiday accommodation (chalets). The site would be managed from the applicant's farm on the Pingrup Road. The site would be visited regularly and information left for visitors as to how to contact the owners for assistance as required.

The applicants have slowly been making improvements to the site including painting, recarpeting, restumping and rewiring over the last few years. They intend to continue this program in the coming years to re-roof and possibly add a verandah, new rainwater tanks and improve the gardens.

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.

The holiday accommodation would be assessed as a 'Chalet' development in the Scheme. A Chalet is defined as:

**Chalet:** means self-contained premises usually comprising cooking facilities, ensuite, living area and one or more bedrooms used to accommodate short stay guests and where occupation by any person is limited to a maximum of 3 months in any 12-month period.

A 'Chalet' is an 'A' use in the 'Residential' zone, a land use that may be approved at the discretion of Council following advertising.

Clause 5.14 addresses the issue of holiday accommodation and lists the issues that Council should have regard for in considering an application for holiday accommodation. These issues are addressed in the table below:

Clause	Comment	Compliance
a) The objectives of the zone	The objective of the 'Residential' zone is 'To provide for residential development at a range of densities with a variety of housing to meet the needs of different household types through the application of the Residential Design Codes.  The proposed chalets will appear to still be residential units and will not be out of keeping with the nearby residential development.	Generally complies
b) The permissibility of the proposed use in the Zoning Table	A chalet is a 'A' use in the 'Residential' zone which means that the use is not permitted unless the local government has exercised discretion by granting planning approval, following advertising.	Subject of application
c) The likely impact on surrounding development	Lot 149 only has one neighbour and they have raised no objection to the proposal.	Complies
d) The scale and intensity of development	The proposal is a change of use, the buildings exist.	Complies
e) Appropriate setbacks to	N/A	N/A

existing or proposed agricultural uses		
f) The effect that existing or proposed agricultural uses could have on the proposal	N/A	N/A
g) Provision of services for the development including water supply, on site effluent disposal, solid waste disposal and electricity	The existing residential services are adequate to handle the proposed change of use to chalet.	complies
h) Access to and from the site	Each chalet has an existing driveway where two cars may park in tandem	Complies
i) Impact of the development upon landscape values	The streetscape will not be affected by the proposal. The chalet change of use may lead to an improvement in the appearance of the duplex when trying to keep an acceptable standard to attract holiday makers and visitors.	Complies
j) Protection of remnant vegetation; and	N/A	Complies
k) Fire management	The development is in a residential setting and requires no different fire management regime.	Complies

The proposal appears to meet the Scheme requirements and approval is recommended.

#### Consultation with the Community and Government Agencies

The Scheme requires that either neighbours comments are sought, an advert is placed in a local paper or a sign is placed on site advertising the proposed chalets. In this case there is only one landowner and the impact of the change of land use (if any) is likely to be restricted to the immediate neighbours.

In order to expedite the processing of the application the applicant approached the neighbouring landowner and has provided a letter from the neighbours stating they have no objection to the proposal.

#### LEGAL AND STATUTORY REQUIREMENTS

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

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

Any establishment of a local business and in particular business that encourages people to stay for longer period in the local area is likely to have positive financial implications for the Shire.

#### CONCLUSION

The proposed change of use to chalets is likely to have little impact on the amenity of the surrounding area. There is only one neighbour who has no objection to the proposal.

The chalets can be effectively managed from the nearby farm.

Conditional planning approval is recommended.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

*That Council;*

1. *Approve the application lodged by Kingsley and Sandra Vaux for Chalets (x2) at Lot 149 John Street, Ongerup subject to the following condition:*
  - a) *Occupation of any chalet by any person is limited to a maximum of 3 months in any 12-month period.*

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**3.4 PROPOSED STORAGE SHED (EARTHMOVING BUSINESS)**

<b>Location:</b>	Lot 3614 (#34) Gnowangerup – Tambellup Road, Pallinup
<b>Proponent:</b>	Willemenu Pty Ltd
<b>Business Unit:</b>	Corporate and Statutory Services
<b>File Ref:</b>	
<b>Date of Report:</b>	18 September 2012
<b>Officer:</b>	C Pursey – Planning Officer
<b>Disclosure of Interest:</b>	

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ATTACHMENTS

- Planning application details – plans & covering letter

PURPOSE OF THE REPORT

To determine a planning application for a proposed shed to store earthmoving equipment on a 'General Agriculture' zoned lot.

BACKGROUND**Site Description**

Lot 3614 (#34) Gnowangerup - Tambellup Road, Pallinup is 67.174ha in area and accessed from the Gnowangerup - Tambellup Road by an unnamed road reserve known by the landowner as Xmas Farm Road.

The site has an unoccupied house and is used for broad hectare farming.

**Zoning**

Lot 3614 is zoned 'General Agriculture' under the Shire of Gnowangerup Local Planning Scheme No.2 (the Scheme).

The proposed storage shed is assessed under the land use 'Storage' in the Scheme that is defined as follows:

*"storage" means premises used for the storage of goods, equipment, plant or materials;*

'Storage' is a discretionary land use in the 'General Agriculture' zone under the Scheme that may only be considered once the application is advertised for public comment.

COMMENTS**Proposal**

The applicant has lodged a reasonably comprehensive planning report in support of the application, a copy is provided in full attached to this report.

The proposal includes:

- A 468m<sup>2</sup> shed to be constructed 5m from the northern boundary of the lot accessed from Xmas Farm Road. A gravel driveway and turnaround is proposed for access and manoeuvring.
- The shed is to be occupied by Mr Jon Imberte for storing equipment related to his earth moving business. This is generally large earthmoving equipment leased to the mines and stored on site when not leased out. All equipment is to be stored inside the shed.
- The applicant has foreshadowed a subdivision proposal over the land should the Shire approve the current application.

Note: The application has been modified since it was lodged with the setback to the northern boundary being reducing from a proposed 20m to 5m and the hard-stand area being reduced from 3000m<sup>2</sup> to what is necessary to accommodate access and manoeuvring.

The applicant has provided the following justification for the proposed site in support of the application:

- *It is located within close proximity to the Gnowangerup Townsite, being approximately 2.5 kilometres away via Gnowangerup-Tambellup Road;*
- *The majority of business is conducted to the north of the Shire of Gnowangerup. Walsh Street can be used for access to the Gnowangerup-Broomehill Road, which is the main means of access to this business, therefore avoiding truck movements through town;*
- *The site is screened from Gnowangerup-Tambellup Road, being located approximately 500m from the road and screened by parkland cleared bushland on the western side of the railway line. The site is not viewed by any currently occupied residences;*
- *The lack of surrounding residences means that noise on the site will not be an issue; and*
- *The existing driveway is of an adequate standard, being constructed of gravel, maintained by Willemenup Pty Ltd and of sufficient width for trucks to pass one another, albeit at a reduce speed. Given the shortness of the driveway, it is unlikely that any heavy vehicles will be able to exceed 50km/hr. This driveway is only used by Willemenup Pty Ltd for farm access via an internal driveway to Xmas Farm Road.*

### **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 'Storage' under the Scheme.

'Storage' is an 'A' use in the General Agriculture' zone, a land use that may be approved at the discretion of Council following advertising.

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 shed will appear to be a large agricultural shed, not out of character with what may be found on any other farm. It will be screened from the main road by existing remnant vegetation.

The proposal may benefit from additional screening vegetation to the surrounding farms to soften its appearance.

There is an argument to say that this sort of use should locate in an industrial area. However, there is a shortfall of industrial land in Gnowangerup and no land is available at this time. Additionally, 'Storage' is a legitimate land use in the 'General Agriculture' zone and Council is required to assess any application on its merit. The proposal appears to comply with the definition of 'Storage' in the Scheme.

The applicant has stated that they understand should the shed be used for a purpose that goes beyond the definition of 'Storage', they will have to either relocate or seek a rezoning of the site.

Lastly, the neighbouring property immediately to the east of the subject site is zoned 'Rural Residential Area No.2' under the Scheme. This is currently zoned for hobby farms but remains undeveloped. Whilst the storage land use should not cause any noise or dust issues, the impact of the size of the shed on this anticipated land use may need to be softened. A condition requiring preparation and implementation of a landscaping plan is recommended.



CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

The application was advertised for 21 days to neighbouring landowners and in the paper closing on the 17 September 2012. One submission was received raising no objection and stating that “*any new development is good for the community*”.

LEGAL AND STATUTORY REQUIREMENTS

The proposed storage shed is considered to be development under Local Planning Scheme No.2 and requires planning approval and a Building Permit.

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil for Council

CONCLUSION

The proposed storage shed is of a scale that might be expected in the rural landscape. The ‘Storage’ land use may be considered by Council and the potential off-site impacts are relatively benign.

The applicant has stated that the shed is only required for storage of earthmoving equipment leased to the mines. They understand that if their onsite activities extend beyond the definition of ‘Storage’ to a more full industrial type land use that they will have to relocate or rezone the subject site.

Conditional planning approval is recommended.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

*That Council;*

1. ***Approve the application lodged by the Willemenup Pty Ltd for the storage of earthmoving equipment (Storage) at Lot 3614 (#34) Gnowangerup - Tambellup Road, Pallinup subject to the following conditions:***
  - a) ***All runoff from impervious surfaces being disposed of to the Shire of Gnowangerup’s satisfaction.***
  - b) ***Preparation and implementation of a landscaping plan to the satisfaction of the Shire of Gnowangerup prior to occupation of the development.***
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) ***The land use is not to extend beyond the definition of the Scheme definition for ‘Storage’ (ie “storage” means premises used for the storage of goods, equipment, plant or materials).***

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**3.5 PROPOSED OFFICE, STORAGE & LUNCHROOM**

<b>Location:</b>	Lot 21 (#15) Corbett Street, Gnowangerup
<b>Proponent:</b>	Mr Ben Richardson
<b>Business Unit:</b>	Corporate and Statutory Services
<b>File Ref:</b>	
<b>Date of Report:</b>	19 September 2012
<b>Officer:</b>	C Pursey - Planning Officer
<b>Disclosure of Interest:</b>	

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ATTACHMENTS

- Planning application details

PURPOSE OF THE REPORT

To determine a retrospective planning application for a proposed office, sea container and lunchroom addition at Auspex shed manufacturing business.

BACKGROUND**Site Description**

Lot 21 Corbett Street, Gnowangerup is 4318m<sup>2</sup> in area and developed with the existing AUSPEX Steel business. Lot 21 only has formal street frontage to Corbett Street but has informal access through the adjoining lots to the surrounding street network.

Auspex Steel was established in 2009 to manufacture sheds predominantly for rural purposes.

**Zoning**

Lot 21 is zoned 'Light and Service Industry' under the Shire of Gnowangerup Local Planning Scheme No.2 (the Scheme).

The proposed office and sea container are ancillary land uses to the main manufacturing land use business.

**Previous Approvals**

Council considered and approved an application for 86m<sup>2</sup> office at the front of Lot 21 at their meeting of 28 April 2010. Conditions of approval included (but were not limited to):

- *A minimum of two parking bays being provided on site;*
- *The front of the property being landscaped to the requirements and satisfaction of the Shire;*
- *Any use, additions to and further intensification of any part of the building or land shall be subject to a further development application and consent for that use...*

**Recent Development**

A sea container and a transportable office were transported to the Lot 21 in recent months and a first floor lunch room and balcony added to an existing workshop around the same time without approval. The Shire's contract Building Surveyor became aware of the additions and informed the landowner that they now require both retrospective planning approval and a Building Approval Certificate.

COMMENTS**Proposal**

Council is requested to consider a retrospective planning application for an office, sea container and lunchroom extension to the existing shed manufacturing business. The business has expanded in recent times and has need of additional office space and secure storage to support its manufacturing business.

The office and sea container are transportable in nature and are currently located adjacent to the south-eastern boundary of the lot. As formal access is only available from Corbett Street, these are proposed to be moved to allow for a 4m wide driveway through to the rear of the site for safety reasons.

A copy of the proposed plans are attached to this report. Note, the plans show the front boundary as the edge of road rather than the front of the lot creating the impression of a greater front setback.

### **Assessment**

#### Retrospective applications

Part 8.4 of the Scheme states:

*“The local government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development confirms to the provisions of the Scheme.”*

The Shire’s fee schedule triples the planning application fee by way of penalty.

#### Scheme Requirements

The Scheme has the following requirements for the proposed development, as shown in the table below:

<b>Requirement</b>	<b>Comment</b>	<b>Compliance</b>
7.5m setback to front & rear boundaries	Council approved a lesser setback of 1.5m to the front boundary in April 2010. The current office is proposed at ~6m from the front boundary. This does not upset the streetscape and meets sight line requirements. The transportable office should be upgraded to blend with the existing office building.	Discretion required but approval recommended.
10% landscaping	The site is currently devoid of landscaped areas. The previous planning approval required the frontage of the property to be landscaped. It is recommended that this requirement be reiterated and reported back to Council when completed.	Apply a condition of planning consent requiring preparation & implementation of a landscaping plan.
1 parking bay per 30m <sup>2</sup> floor area for an office	Parking was provided along the south eastern boundary following the Council approval in 2010. One additional parking bay is required to satisfy the Scheme requirements. These should be placed in front of the proposed transportable office within the boundaries of Lot 21.	Apply a condition of planning approval requiring three parking bays be provided within the boundary of Lot 21.

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

None required

#### LEGAL AND STATUTORY REQUIREMENTS

The proposed extensions to the existing business are considered development under Local Planning Scheme No.2 and requires planning approval and a Building Permit.

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

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

Nil for Council

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Council can consider refusing the application and therefore requiring the removal of the recent additions. A refusal would be based on non-compliance with the minimum front setback requirement of 7.5m and is unlikely to stand up to appeal.

CONCLUSION

The Council is requested to consider a retrospective application for extensions to the existing shed manufacturing business. Council has the ability to approve existing development provided it meets the requirements of the Scheme.

The proposal meets the Scheme requirements with conditions requiring 3 parking bays and landscaping across the front of the property.

Conditional planning approval is recommended.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

*That Council;*

1. ***Approve the retrospective planning application for extensions to the existing Shed Manufacturing business at Lot 21 Corbett Street, Gnowangerup subject to the following conditions:***
  - a) ***All runoff from impervious surfaces being disposed of to the Shire of Gnowangerup's satisfaction.***
  - b) ***Preparation and implementation of a landscaping plan to the satisfaction of the Shire of Gnowangerup prior to occupation of the development.***
  - c) ***The office and sea container are to be painted to blend with the existing development to the satisfaction of the Shire of Gnowangerup prior to 1 December 2012.***
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) ***The landscaping plan required at condition (b) is to be prepared and submitted for the approval of the planning officer before the 10 October 2012. Commitment to the timing of implementing this plan should form part of the plan. The landscaping plan should show the entire frontage of Lot 21 landscaped to beautify and improve the way that the existing development addresses the street.***

**4. FINANCE****4.1 AUGUST 2012 MONTHLY FINANCIAL REPORT**

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<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>Business Unit:</b>	Financial Services
<b>File Ref:</b>	
<b>Date of Report:</b>	18 September 2012
<b>Officer:</b>	JA Anning – Executive Manager Finance
<b>Disclosure of Interest:</b>	

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ATTACHMENTS

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

COMMENTS

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

CONSULTATION

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

All expenditure has been approved via adoption of the 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 August 2012 Monthly Financial Report be received.*

**4.2 ACCOUNTS FOR PAYMENT AND AUTHORISATION – AUGUST 2012**

**Location:** Shire of Gnowangerup  
**Proponent:**  
**Business Unit:** Financial Services  
**File Ref:**  
**Date of Report:** 18 September 2012  
**Officer:** CA Shaddick – Senior Finance Officer  
**Disclosure of Interest:**

**ATTACHMENTS**

- August 2012 Cheque Listing

**COMMENTS**

The August 2012 cheque list is attached as follows

<b>FUND</b>	<b>AMOUNT</b>
Municipal Fund	\$ 387,972.26
Trust Fund	\$ 00.00
Credit Card	\$ 7,922.82
<b>TOTAL</b>	<b>\$ 395,895.08</b>

**OFFICER RECOMMENDATION**

***That the Schedule of Accounts: Municipal Fund Cheques 25266–25300, EFT 6540 – EFT 6614 totalling \$387,972.26 Trust Fund cheques totalling \$0.00 and Corporate Credit Card totalling \$7,922.82 be approved.***

**4.3 ROYALTIES FOR REGIONS (CLGF) 2011/2012 ALLOCATIONS**

**Location:** Shire of Gnowangerup  
**Proponent:**  
**Business Unit:** Financial Services  
**File Ref:**  
**Date of Report:** 17 September 2012  
**Officer:** JA Anning – Executive Manager Finance  
**Disclosure of Interest:**

ATTACHMENTS

Nil

PURPOSE OF THE REPORT

Officers are seeking approval from Council for the reallocation of the 2011/2012 Country Local Government Funding (CLGF), aka Royalties for Regions.

**The outcome of this item has a direct impact on the CSRFF item (Ongerup Bowling Club and Gnowangerup Sporting Complex applications to Department of Sport and Recreation) included further within this agenda. Please consider this item in conjunction with 2.1**

BACKGROUND

Council have previously allocated the 2011/2012 CLGF according to the following Council motion –

**COUNCIL MOTION**

1011.233          Moved Cr Gaze          Seconded Cr Lance

**That Council allocated the 2011/2012 Country Local Government Funding to the following identified projects:**

<b>Staff Housing Ongerup</b>	-	<b>\$190,000</b>
<b>Footpath Program</b>	-	<b>\$ 72,761</b>
<b>Streetscape Program</b>	-	<b>\$ 30,000</b>
<b>Mens Shed</b>	-	<b>\$ 40,000</b>

**Specific details relating to the Footpath and Streetscape Programs are to be presented to Council for approval.**

**CARRIED 8/0**

Following investigations into the viability of the renovations to the Ongerup Police Station, Council moved the following motion –

**COUNCIL RESOLUTION**

0712.119            Moved Cr Savage            Seconded Cr Lance

**That:**

- 4. Council defer the proposed conversion of the Ongerup Police Station into staff housing;**
- 5. Council investigate alternative options for the future use of the building; and**
- 6. Identify how the Royalties for Regions (R4R) could be spent on a project which could benefit the Ongerup community and/or the whole Shire at large.**

**CARRIED 8/0 ABSOLUTE MAJORITY**

This item refers to point three of the above motion, essentially the reallocation of the \$190,000 Royalties for Regions funding.

**COMMENTS**

Officers have been investigating the use of this funding, paying attention to the following criteria –

- Must be infrastructure in nature
- Must be a project that is ready to commence so to not hold up future CLGF funding
- Must be an item included in Council's Forward Capital Works Plan, as adopted.
- Must consider that the funding was originally allocated to be spent in Ongerup, and in that the Ongerup area be given particular consideration.

The Ongerup Bowling Club Committee has recently submitted a Department of Sport and Recreation CSRFF grant application to council for the funding of a new bowling green in Ongerup (synthetic surface). The estimated cost of this project is \$265,350, with the committee requesting Council to fund \$88,450 in cash.

This project does not meet all of the above criteria, as it is not currently included within Council's Forward Capital Works Plan. Also, as CSRFF funding application outcomes are not known until approximately March 2013, with commencement of projects in the 2013/2014 financial year the project will not suit the desired timeframes. Therefore, if Council were to reallocate part of the \$190,000 to this project future CLGF applications may be held up.

An alternative option that ensures the expenditure of these funds within the 2012/2013 financial year is to utilise the \$190,000 for the purchase of 20 McDonald Street Gnowangerup, thus saving this equivalent in the Land Development and Building Reserve (only \$145,000 out of the \$335,000 purchase price will be required to be transferred from Reserve).

Given the then savings to the reserve, Council could resolve to transfer the required funds for the Ongerup Bowling Green from the Land Development and Building Reserve into the Futures Fund reserve, to allow for the 2013/2014 commencement of the Ongerup Bowling Green project.

Given that the 2011/2012 allocation within the Forward Capital Works Plan details staff housing, Officers have been advised that reallocating from renovations in Ongerup to purchasing in Gnowangerup will be allowable by the Department of Regional Development and Lands (administrators of the CLGF).

The other project listed within the Forward Capital Works Plan for the allocation of CLGF is the replacement of the Aylmore Park Swimming Pool in 2013/2014. This project has not been fully investigated as yet and is therefore not an option for reallocation at this time.

An item will be brought to Council prior to December 2012 requesting Council to confirm the allocation of approximately \$330,000 of 2012/2013 CLGF.



POLICY IMPLICATIONS

The Future Fund Reserve requires the following criteria to be met in order to be utilised –

6. That all projects or programs funded by the Reserve be contained within the Shire of Gnowangerup;
7. That the funding be used on either Council facilitated programs or on projects that result in new or improvements to Council assets;
8. That, in order for the Reserve funds to be utilised, the minimum total project cost be \$20,000;
9. That the Reserve fund no more than 50% of an overall project cost;
10. That all the projects or programs fall within one of the following categories;
  - f) Social and Cultural events and Infrastructure
  - g) Recreation facilities and events
  - h) Tourism Infrastructure
  - i) Children, Youth and Seniors facilities and events
  - j) Environmental Initiatives

**Adopted: 28 September 2011 CMRef 0911.201**

FINANCIAL IMPLICATIONS

Essentially the recommendation allows the use of the 2011/2012 CLGF for the purchase of 20 McDonald Street, saving the Land Development and Building Maintenance Reserve \$190,000. This therefore allows Council the opportunity to utilise these savings towards the Ongerup Bowling Green project at a time frame that suits the project.

Dependant upon the outcome of the CSRFF grant, \$88,450 is recommended to be transferred to the Futures Fund Reserve, therefore isolating it for use in the 2013/2014 financial year. In the event that the CSRFF application is not successful Council do have the opportunity to discuss further funding from Reserve as \$101,550 will still exist within the Land Development and Building Reserve that has not be utilised as a result of the recommended reallocation.

If the CSRFF application is successful, Council will have \$101,550 to retain within the Land Development and Building Reserve to be used on a project and within a timeframe that suits Council. This includes the possible purchase of a residence in the Ongerup town site if and when Council considers the need is there.

CONCLUSION

Officers have sought a resolution for the allocation of Council's 2011/2012 CLGF. By allocating this funding to the purchase of staff housing (purchase not to occur until January 2013) Council will be in a position to acquit the 2011/2012 funding by 30 June 2013, therefore not holding up the future allocation of CLGF to Council.

This alternative also allows for the necessary funding for the Ongerup Bowling Green project to ensure that an identified project within the Ongerup area is given Council's financial support.

VOTING REQUIREMENTS

Simple Majority

**OFFICER RECOMMENDATION**

- 1. That Council reallocate the 2011/2012 \$190,000 Country Local Government Funding from the renovation of the Ongerup Police Station in Ongerup to the purchase of staff housing in Gnowangerup (20 McDonald Street).**
- 2. That, upon notification of the outcome of the Ongerup Bowling Club's CSRFF grant application, Council transfers \$88,450 from the Land Development and Building Reserve to the Futures Fund Reserve for use in 2013/2014 for the Ongerup Bowling Green project.**
- 3. In the event of the Ongerup Bowling Club's CSRFF grant application not being successful, an item be bought back to Council to consider the extent of funding from the Land Development and Building Reserve.**

Council Recommendation

Reason for Change to Recommendation

Implications of Changes to Officers Recommendation

## 5. GOVERNANCE

### 5.1 WASTE DISPOSAL RESERVE

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>Business Unit:</b>	Strategy and Governance
<b>File Ref:</b>	
<b>Date of Report:</b>	18 September 2012
<b>Officer:</b>	SD Pike – Chief Executive Officer
<b>Disclosure of Interest:</b>	

#### ATTACHMENTS

Nil

#### PURPOSE OF THE REPORT

The purpose of this report is to request Council endorse out of budget expenditure of \$20,850 from the Waste Disposal Reserve.

#### BACKGROUND

There are two critical matters relating to waste management that need to be addressed:

1. The tender for Council's waste collection service is due to be renewed in November 2012; and
2. There is no reliable information available regarding the cost and process for the closure of the three Shire landfill sites once the regional waste facility is operational.

#### COMMENTS

On the recommendation of the Shire Environmental Health Officer the CEO engaged a Waste Management expert, Ian Watkins of iwProjects to undertake a review of the Shire's waste facilities and the Regional Waste Management Plan prepared by GHD. Mr Watkins had previously been involved in developing the tender documentation for the regional waste facility in Katanning so was familiar with the project.

An initial review of the Shire's Waste Management processes and documentation identified significant gaps which needed to be addressed to ensure the Shire was both compliant and meet DEC's requirements in addition to having the relevant financial information to plan for the closure of the land fill sites at some point in the future.

The CEO has commissioned Mr Watkins to:

- (1) prepare a Facility Management Plan to assist Council both in addressing its asset responsibilities in relation to waste; and
- (2) Develop the tender documentation for the Waste Collection Service.

#### Scope Of Work

The Facility Management Plan will include:

- Landfill Registration Requirements – Rules for operating the sites
- Waste Authority – WA Waste Strategy – How this will impact on the SOG
- Contaminated Sites Legislation- How this will impact on the SOG
- Carbon Price Mechanism – How this will impact on the SOG
- Current Situation
- Future Site Development
- Recycling Activities
- Landfill Airspace availability
- Site Closure
- Financial Planning

- Regional Waste Assessment
  - Pros and Cons
  - Cost Considerations
- Site Layout diagram for each site
- A site visit and briefing to Council following the completion of the plan on 28 November 2012.

#### Waste Collection Tender

Assist with the Waste Collection tender including the preparation of the tender documentation, a review and assessment of the tenders and making a recommendation on the preferred tenderer.

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

The Department of Environment and Conservation are very supportive of the planned approach.

#### LEGAL AND STATUTORY REQUIREMENTS

Nil

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

The cost to prepare the Facility Management Plan is \$16,500 (gst exclusive) and the cost to prepare the tender documentation for the Waste Collection Service is \$4,350 (gst exclusive). There are no funds budgeted for this work therefore Council will need to endorse out of budget expenditure of \$20,850 (excluding GST) to meet the costs of these two essential projects.

The purpose of Council's Waste Disposal Reserve is *"to be used to fund waste disposal in the Shire, including rehabilitation, transfer stations and post closure of sites"*.

Both of the expenditure items included within this report are therefore eligible for funding through the Waste Disposal Reserve. The balance of the Reserve as at 31 August 2012 is \$202,392.00.

#### STRATEGIC IMPLICATIONS

Shire of Gnowangerup Plan for the Future/Strategic Plan 2011-2016 Functional Area 4

#### CONCLUSION

The Facility Management Plan will inform the financial planning required in relation to the closure of the three landfill sites, the asset management plan and the impact and costs associated with the regional waste facility.

#### VOTING REQUIREMENTS

Absolute Majority

#### OFFICER RECOMMENDATION

***That Council endorse out of budget expenditure of \$20,850 (exclusive of GST) from the Waste Disposal Reserve to fund the preparation of a Waste Facility Management Plan and the preparation of the tender documentation for the Shire's Waste Collection Service.***

#### Council Recommendation

#### Reason for Change to Recommendation

#### Implications of Changes to Officers Recommendation

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**5.2 REQUEST FOR PERMISSION TO COLLECT WILDFLOWER SPECIMENS FROM SHIRE ROAD RESERVES AND NATURAL BUSH AREAS**

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	V O'Neill - Ongerup and Needilup District Museum
<b>Business Unit:</b>	Strategy and Governance
<b>File Ref:</b>	
<b>Date of Report:</b>	20 September 2012
<b>Officer:</b>	SD Pike – Chief Executive Officer
<b>Disclosure of Interest:</b>	

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**ATTACHMENTS**

- Letter from Vicki O'Neill of Ongerup and Needilup District Museum

**PURPOSE OF THE REPORT**

For Council to endorse their decision to delegate the Chief Executive Officer authority to grant permission for the request from the Ongerup and Needilup District Museum to collect wildflower specimens from Shire road reserves and natural bush areas.

**BACKGROUND**

The Ongerup and Needilup District Museum hosts an annual wildflower display mid-September to early-October, the group has been holding this event for many years. The Ongerup and Needilup District museum members are all very conservation conscious and the wildflower pickers noted in the request all have received licences from the Department of Environment and Conservation allowing them to collect specimens only for their display in 2012. The letter of request was received by Council on 23 August 2012, which missed Council's August meeting, the author was required to seek pre-approval from Council by email, which was granted by all members, as the date of the September Council meeting came after the display opening day.

**COMMENTS**

The Chief Executive Officer did not have delegated authority at the time of receiving the request, to grant the Ongerup and Needilup District Museum permission to collect wildflower specimens with in the Shire's road reserves and natural bush areas.

**CONSULTATION**

Senior Staff

**LEGAL AND STATUTORY REQUIREMENTS**

Nil

**POLICY IMPLICATOINS**

Nil

**FINANICIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

***That Council endorse their decision to delegate the Chief Executive Officer authority to grant permission for the Ongerup and Needilup District Museum to collect wildflower specimens within the Shire of Gnowangerup's road reserves and natural bush areas for the purpose of their Annual Wildflower Display 17 September to 7 October 2012***

Council Recommendation

Reason for Change to Recommendation

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**6. CORPORATE PLANNING AND POLICY**

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**6.1 ENDORSEMENT OF ASBESTOS MANAGEMENT PLAN**

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>Business Unit:</b>	Corporate and Statutory Services
<b>File Ref:</b>	
<b>Date of Report:</b>	30 August 2012
<b>Officer:</b>	VN Webster – Executive Manager Corporate Services
<b>Disclosure of Interest:</b>	

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ATTACHMENTS

- Draft Asbestos Management Plan

PURPOSE OF THE REPORT

To endorse the Asbestos Management Plan as presented as part of Council's ongoing commitment to the safety of employees under the Occupational Health and Safety Regulations.

BACKGROUND

In order to meet the requirements of Occupational Health and Safety legislation, Council is required to have an Asbestos Management Plan.

Whilst the necessary procedures are followed when dealing the any matters regarding the management of asbestos containing materials, the formalisation of an appropriate Plan demonstrates an ongoing progression of the OS&H process.

COMMENTS

Following discussions with Councils LGIS Regional Risk Coordinator, the attached Asbestos Management Plan is presented for Councils information and endorsement.

CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

John Appleyard, LGIS Regional Risk Coordinator  
Chief Executive Officer

LEGAL AND STATUTORY REQUIREMENTS

OS&H Regulations 1996 – Regulations 3.1 and 5.43

POLICY IMPLICATIONS

Shire of Gnowangerup's Policy Manual – Reference Number 4.7

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

**OFFICER RECOMMENDATION**

***That Council endorses the Asbestos Management Plan as presented.***

Council Recommendation

Reason for Change to Recommendation

Implications of Changes to Officers Recommendation



**6.2 REVIEW OF COUNCIL POLICY – VEHICLE POLICY**

**Location:** Shire of Gnowangerup  
**Proponent:**  
**Business Unit:** Financial Services  
**File Ref:**  
**Date of Report:** 17 September 2012  
**Officer:** SD Pike – Chief Executive Officer  
 JA Anning – Executive Manager of Finance  
**Disclosure of Interest:**

ATTACHMENTS

- Policy 4.5 Vehicle Policy

PURPOSE OF THE REPORT

For Council to review one of its existing policies as part of the staged process of reviewing all of its policies.

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.

Policy 4.5 is the subject of the current review. The policy has been distributed to senior staff for review and their comments have been reflected in this report.

COMMENT

Policy 4.5 currently states -

**4.5 USE OF COUNCIL VEHICLES BY STAFF FOR PRIVATE USE**

Chief Executive Officer	As per negotiated contract
Executive Manager Corporate Services	As per negotiated contract
Works Manager	As per negotiated contract
Medical Practice Doctor	As per negotiated contract
Works Supervisor (Restricted)	As per negotiated contract

<b>Adopted:</b>	<b>22 June 1998</b>	
<b>Amended:</b>	<b>15 November 2000</b>	<b>CMRef 627.00</b>
<b>Amended:</b>	<b>23 May 2007</b>	<b>CMRef 0507.166</b>
<b>Amended:</b>	<b>27 August 2008</b>	<b>CMRef 0808.638</b>
<b>Reviewed:</b>	<b>26 August 2009</b>	
<b>Reviewed:</b>	<b>22 September 2010</b>	
<b>Amended:</b>	<b>28 September 2011</b>	

Officers have recommended a replacement policy that outlines not only the private use of vehicles by staff, but also the criteria behind acquisition and disposal and the categories of vehicles available for staff.

Consideration has been given to minimising the number of makes within Council's light vehicle fleet, therefore only four makes of vehicle have been included. The make of vehicle considered any relationship with WALGA for supply to local government (Nissan and Holden) and those vehicles that could be supplied and serviced as close to Gnowangerup (Katanning – Mazda, Toyota and Holden).

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 4.5 – Vehicle Policy***

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**6.3 REVIEW OF COUNCIL POLICIES – COMMITTEES OF COUNCIL**

<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	
<b>Business Unit:</b>	Corporate and Statutory Services
<b>File Ref:</b>	
<b>Date of Report:</b>	18 September 2012
<b>Officer:</b>	VN Webster – Executive Manager Corporate Services
<b>Disclosure of Interest:</b>	

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**ATTACHMENTS**

- Item 3.2 of the Gnowangerup Policy Manual - Committees

**PURPOSE OF THE REPORT**

For Council to review Item 3.2 of the Policy Manual as part of the staged process of reviewing all of its policies.

**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 given a completed copy of the Policy Manual which was adopted in October 2011.

Some Councillors have held discussions with the Chief Executive Officer regarding the regularity and importance of holding Committee meetings which has prompted the review.

The current policy lists the following as committees of Council:

- Plant and Works
- Health and Development
- Finance
- Audit
- Emergency
- Industrial Relations
- Townscape
- Industrial Development and;
- CEO Performance Review

Council at the October 2011 Ordinary Meeting of Council, elected members to the Plants and Works, Health and Development, Finance, Audit, Industrial Relations, Emergency Management and Townscape Committees. Council does not have an Industrial Development or CEO Performance Review Committee.

All of the Committees, bar the Industrial Development and CEO Performance Review committees have duties listed which need to be reviewed.

**COMMENTS**

Under the current policies it states that the committees meet on an ad-hoc basis. Staff recommend that this be changed to one meeting of each committee every quarter and more if needed, at the discretion of the Chief Executive Officer and Presiding Member.

Staff would like Council to consider adopting the following changes to the committees of Council and the terms of reference for each committee.

***Audit, Finance and Risk Committee – Terms of Reference***

The Audit, Finance and Risk Committee will consist of five members with the quorum to be three members and will investigate and make recommendations on the following:

1. Provide sound financial management and budget planning recommendations that include the Shire and communities vision
2. Provide guidance and assistance to the local government in the carrying out of its functions in relation to audits carried out under Part 7 of the Act
3. Develop a process to be used to select and appoint a person to be an auditor
4. Provide guidance and assistance to the local government on;
  - o Matters to be audited and the scope of audits
  - o Its function under Part 7 of the Act
  - o The carrying out of its functions relating to other audits and other matters related to financial management
  - o Administrations corrective action on matters of non compliance
5. Provide guidance and assistance to the local government in the development of risk management practices and procedures

***Health and Development Committee -Terms of Reference***

The Health and Development Committee will consist of five members with the quorum to be three members and will investigate and make recommendations, where appropriate on the following:

1. Building Control
2. Residential and industrial development and planning, construction and maintenance of Councils housing and public buildings
3. Economic development
4. Town beautification
5. All matters relating to Recreation and Sport
6. Town Planning and Development
7. Cemeteries
8. Heritage
9. Tourism
10. Community and cultural issues including youth and the aged

***Plant and Works Committee – Terms of Reference***

The Plant and Works Committee will consist of five members with the quorum to be three members and will plan for the future of Transport services while maintaining a quality standard that takes into account cost effectiveness and revenue raising opportunities. To make recommendations where appropriate on the following:

1. Waste management
2. Plant replacement
3. Airport construction and maintenance
4. Road construction and maintenance
5. Maintenance and improvements to the Shire Works Depot

The ***Townscape Committee and Emergency Management Committee*** are Advisory Committees of Council. Council have delegates on these committees but as they are not standing committees of Council they do not need to be included in the Policy Manual.

The following committees also need to be reviewed by Council:

***Industrial Relations Committee***

In line with contemporary human resource practices, the necessity for this committee is no longer required. It is proposed to review the staff grievance procedure in line WALGA and local government department recommendations to address any issues raised by staff. A working group with councillor representation will be convened by the Chief Executive Officer to review the Shire of Gnowangerup's (Operational Works Crew) Enterprise Agreement 2011 as stated below in Clause 6.2 of the agreement:

*This agreement shall cease to be effective as of the 3 April 2016. Negotiations to continue the agreement are to be commenced on or after 4 April 2015.*

***CEO Performance Review***

This review will be performed by all Councillors in line with contemporary human resource practices for local government.

***Industrial Development***

This committee is no longer required as it falls under the terms of reference for the Health and Development Committee.

CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Senior Staff

Research of regulations and best practice

LEGAL AND STATUTORY REQUIREMENTS

*Local Government Act 1995 (s 5.8)*

POLICY IMPLICATIONS

Nil

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**

1. ***That Council adopt the following committees of Council and terms of reference:***

***Audit, Finance and Risk Committee – Terms of Reference***

***The Audit, Finance and Risk Committee will consist of five members with the quorum to be three members and will investigate and make recommendations on the following:***

1. ***Provide sound financial management and budget planning recommendations that include the Shire and communities vision***
2. ***Provide guidance and assistance to the local government in the carrying out of its functions in relation to audits carried out under Part 7 of the Act***
3. ***Develop a process to be used to select and appoint a person to be an auditor***
4. ***Provide guidance and assistance to the local government on;***
  - ***Matters to be audited and the scope of audits***
  - ***Its function under Part 7 of the Act***
  - ***The carrying out of its functions relating to other audits and other matters related to financial management***
  - ***Corrective action on matters of non compliance***
5. ***Provide guidance and assistance to the local government in the development of risk management practices and procedures***

***Health and Development Committee -Terms of Reference***

***The Health and Development Committee will consist of five members with the quorum to be three members and will investigate and make recommendations, where appropriate on the following:***

1. ***Building Control***
2. ***Residential and industrial development and planning, construction and maintenance of Councils housing and public buildings***
3. ***Economic development***
4. ***Town beautification***
5. ***All matters relating to Recreation and Sport***
6. ***Town Planning and Development***
7. ***Cemeteries***
8. ***Heritage***
9. ***Tourism***
10. ***Community and cultural issues including youth and the aged***

***Plant and Works Committee – Terms of Reference***

***The Plant and Works Committee will consist of five members with the quorum to be three members and will plan for the future of Transport services while maintaining a quality standard that takes into account cost effectiveness and revenue raising opportunities. To make recommendations where appropriate on the following:***

1. ***Waste management***
2. ***Plant replacement***
3. ***Airport construction and maintenance***
4. ***Road construction and maintenance***
5. ***Maintenance and improvements to the Shire Works Depot***

2. ***That the Committees of Council meet once a quarter and if needed, meet at the discretion of the Chief Executive Officer and Presiding member.***

Council Recommendation

Reason for Change to Recommendation

Implications of Changes to Officers Recommendation

**7. CONFIDENTIAL ITEMS**

**8. 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**