

Minutes

ORDINARY MEETING OF COUNCIL
21 MARCH 2012
COUNCIL CHAMBERS
WICKEPIN



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**Minutes of an Ordinary Meeting of Council held in Council Chambers, Wickepin
Wednesday 21 March 2012**

The President declared the meeting open at 3:31pm.

1. Attendance, Apologies and Leave of Absence (Previously Approved)

Attendance

Shire President	Cr SJ Martin
Deputy President	Cr JA Russell
Councillors	Cr FA Allan
	Cr KL Coxon
	Cr DJ Astbury
	Cr AG Lansdell
	Cr RE Easton
Chief Executive Officer	Mr MJ Hook
Executive Support Officer	Miss GK Spargo
Community Development Officer	Mrs NA Manton

Visitors

Karen Williamson
Murray Lang
Wayne Leeson
Grayden Lang
Hazel Green
Amanda Heaney
Colin Hemley
John Sartori
Luci Sartori
Tony Smith
Felicity Astbury - from 3:45pm

Apologies

Leave of Absence (Previously Approved)

Cr Gerri Hinkley

2. Public Question Time

3. Applications for Leave of Absence/Apologies - Nil

4. Petitions, Memorials and Deputations

Cr Martin welcomed new Chief Executive Officer Mr Mark Hook and wife Marion Hook to town.

Miss Amanda Heaney and Hazel Green expressed their interest in an open ended lease at the Wickepin Community Resource Centre as it would provide them with more funding to get extensions on the building.

Cr Martin thanked Amanda and Hazel for their comments and advised it will be discussed more in Agenda item 10.2.08.

Mr John Sartori addressed Council with his concerns on the Amalgamation between Wickepin, Cuballing, Town of Narrogin and Shire of Narrogin. Mr Sartori queried what would happen with the Shire office and workers in the town.

Cr Martin thanked Mr Sartori for his comments and advised there would be a Shire facility in Wickepin possibly at the Wickepin Community Resource Centre. Cr Martin also advised the Shire depot will remain in Wickepin and the number of workers will remain the same.

Mr Wayne Leeson queried if Wickepin would be exposed to risk if we did not amalgamate and the other Shires did.

Cr Martin thanked Mr Leeson for his comments and advised that there is some risk involved if we don't amalgamate and the other shires do.

Cr Martin advised he will bring forward the Agenda Item 10.2.09 - Regional Transition Group.

5. Declarations of Councillor's and Officer's Interest

Item	Item Title	Councillor/Officer	Interest	Reason
10.02.07	Wickepin District Sports Club - Golf Club Tractor	Cr DJ Astbury	Financial Pecuniary	President of Sports Club

6. Confirmation of Minutes – Ordinary Meeting of Council – 15 February 2012

Resolution No 210312-01

Moved Cr Coxon / Seconded Cr Astbury

That the minutes of the Ordinary Council meeting held on Wednesday 15th February 2012 be confirmed as a true and correct record.

Carried 7/0

7. Receival of Minutes

Receival of Minutes

7.1 Townscape & Cultural Planning Committee Meeting

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Gillian Spargo, Executive Support Officer
File Reference:	
Author:	Gillian Spargo, Executive Support Officer
Disclosure of any Interest:	Nil
Date of Report:	15 March 2012

Enclosure / Attachment:

Minutes of the Townscape & Cultural Planning Committee Meeting held on Wednesday 14 March 2012.

Background:	Nil.
Comment:	Nil.
Statutory Environment:	Nil.
Policy Implications:	Not applicable.
Financial Implications:	Not applicable.
Strategic Implications:	Not applicable.

Recommendation:

That the minutes of Townscape & Cultural Planning Committee Meeting held on Wednesday 14 March 2012 be received.

Voting Requirements: Simple majority.

Resolution No 210312-02

Moved Cr Russell / Seconded Cr Allan

That the minutes of Townscape & Cultural Planning Committee Meeting held on Wednesday 14 March 2012 be received.

Carried 7/0

8. Status Report

Where a resolution is formal, procedural or lost it has not been recorded (e.g. confirmation of minutes, meeting behind closed doors, lapsed, etc).

	Item	Subject/Action	Officer	File	Progress	Status
151	171110-16	Yarling Brook Estate – Stage 2	CEO	1704	That Council upon completion of the subdivision and notification of the issue of titles call for tender for the sale of the four new lots (Plover Street) in the Yarling Brook Estate in accordance with the following parameters; -Sell land by way of public tender. -Set a reserve price of \$50,000 per block of land (including GST). -Sale prospectus to include information relevant to rural residential policy guidelines for building development as detailed in the report to Council on the 17 November 2010. -Land offered for tender to include building incentive of \$5,000 to the purchaser if a residence is built to a stage of practical completion within three years from time of settlement	✓
214	210911-10	Lake Yealering Progress Association - Swimming Hole Future	CEO	1710	That Council meets with the Lake Yealering Progress Association in Yealering to discuss the future of the Swimming Hole which is part of Recreation Reserve 9610 vested in the Shire of Wickepin, noting that it is Councils preference to have the swimming hole banks removed and to have that area of the lake returned to its naturally built environment.	○
222	191011-17	CSRFF Grant Application 2012/13-Wickepin District Sports Club	CEO	2416	That should CSRFF only fund 1/3 rd of seven rinks rather than 1/3 rd of eight rinks that the additional cost be borne by the Wickepin District Sports Club; That Council establish a Future Infrastructure and Facilities Replacement Fund for the Wickepin District Sports Club to be held by Council and jointly managed by Council and the Wickepin District Sports Club, in order to ensure the WDSC sets aside adequate levels of funding to meet future replacement costs of key infrastructure and facilities, further that this form part of the overall management plan of the Wickepin District Sports Club.	○
225	221111-07	Wickepin Shire Waste Management Services	CEO	2902	That Council call tenders for the provision of kerbside refuse collection services for Wickepin and Yealering townsites on a weekly basis, further that the tender include costings and or options in relation to the handling of putrescible waste and recycling for the townsites of Harrismith and Tincurrin and the continued provision of recycling for the farming community who do not receive a kerbside service.	○

	Item	Subject/Action	Officer	File	Progress	Status
230	221111-16	Protective Clothing Policy - Proposed Amendment	CEO	1702	That Council allocate \$2400 annually towards the Protective Fire Clothing for bush fire brigade volunteers of the Shire of Wickepin, further that Council investigate increasing the annual allowance as part of its annual submission to the Emergency Services Levy.	○
234	221111-20	Proposed Acquisition - Lot 8 Wogolin Road	CEO		That council investigates the acquisition of Lot 8 Wogolin Road, Wickepin with a view to better positioning Council to be able to assist/enhance business development in the Wickepin Shire, further that Council identify the acquisition of the land and potential development of trade business units as a regional priority under the Country Local Government Fund Royalties for Regions Program.	○
236	141211-06	EHO/Building Surveyor's Report	EHO	2203	That Council allocates \$18,000-\$19,000 for the Sewerage Reserve Fund toward the purchase of: 1. Circuit Board - \$4,000 2. SMS/Email Alert - TBC 3. 3 rd Pump - \$12,500	✓
242	150212-12	Sale of Land - 36 Plover Street, Wickepin	ACEO	502	That council reject the counter offer of \$42,000 and indicate that the block is still available for \$45,000.	✓
243	150212-16	Governance, Audit and Community Services Committee Meeting Recommendations	ESO		Amended motion being that the Shire shall bear the cost of all rates and charges including water consumption up to a maximum of \$500.00 per annum.	✓
244	150212-17	Regional Transition Group	ACEO		That Council engages Chris Morrison of KPMG to present on overview of the amalgamation proposal to residents of the Shire of Wickepin at a community meeting to be held in March 2012 at a cost of \$2500 plus gst.	✓

If not noted, please insert numbers of items once attended to and return sheet to CEO.

○ = in progress ✓ = completed ✕ =superseded

9. Notice of Motions of Which Notice Has Been Given

10. Receipt of Reports & Consideration of Recommendations

Infrastructure and Engineering Services

10.1.01 – Manager Works and Services Report

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Peter Vlahov, Manager Works & Services
File Reference:	2610
Author:	Peter Vlahov, Manager Works & Services
Disclosure of any Interest:	Nil
Date of Report:	14 March 2012

Enclosure / Attachment: Maintenance Status Report

Background: Monthly report submitted from Manager of Works & Services, Mr Peter Vlahov.

Comment: Not applicable.

Programmed Construction Works

- Wickepin – Pingelly Road reconstruction of two kilometers. This project is 80% completed.
- Tincurrin South Road reseal works have been completed.
- Plover Street reseal works have been completed.
- Old Cemetery Road construction and seal has been completed.
- Kirk Rock Road floodway cement stabilize and seal has been completed.
- Wickepin – Harrismith Road widening and prime seal has been completed.
- Wickepin Harrismith Road floodway has been cement stabilized and sealed.
- Fence Road widening has been completed and is ready for reseal.
- Harrismith Townsite intersection has been prepared for widening with asphalt.

Maintenance Works

Please see ongoing list attached.

Statutory Environment: Local Government Act 1995.

Policy Implications: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Summary: Not applicable.

Recommendation:

That council notes the report from the Manager of Works and Services dated 14 March 2012.

Voting Requirements: Simple majority.

Resolution No 210312-03

Moved Cr Astbury / Seconded Cr Russell

That council notes the report from the Manager of Works and Services dated 14 March 2012.

Carried 7/0

The Presiding Officer moved this item forward as the first item for discussion.

Governance, Audit & Community Services

10.2.09 – Regional Transition Group

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Mark J Hook Chief Executive Officer
File Reference:	1418
Author:	Mark J Hook Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	13 March 2012

Enclosure / Attachment: Nil

Background:

In 2010, the Shires of Cuballing, Narrogin, Wickepin and the Town of Narrogin signed a Regional Transition Group (RTG) agreement to prepare a high-level feasibility study for potential amalgamation. The Funding and support for the development of the Regional Business Plan was provided by the Department of Local Government.

It should be noted that subject to the four local governments agreeing to proceed, the detailed implementation planning stage is expected to validate and establish detailed organisational and systems design and service delivery approach.

The RTG Board and its working group has looked at the current four local governments and carefully considered what is working well now and where their weaknesses lie. This has been achieved by working closely as a group to review the current situation of the RTG member local governments.

The RTG process has posed the question “how might a single local government affect current strengths and weaknesses”. The RTG has developed this by asking its member local government senior employees and councillor’s what they would like to do differently. In essence this has been a visioning process, designed to capture the aspirations of those most connected with the operation of the current local governments to imagine how an amalgamated local government would operate, its structure, staff and resources.

An amalgamated local government will inherit all of the challenges faced by existing local governments which it will have to address, plus a range of new issues brought on by the amalgamation itself.

Comment:

The Amalgamated State Report provides an overview of what an amalgamated local government’s strengths and weaknesses are likely to be. The report identifies that there are efficiencies to be gained from a greater sized local government; namely more efficient use of resources and a wider spread of capacity and capability than is currently able to be achieved. An amalgamated local government will inherit all of the challenges faced by existing local governments which it will have to address, plus a range of new issues brought on by the amalgamation itself.

Research about amalgamations in Australia and internationally shows that amalgamation is not a process to be taken lightly, it is complex and has consequences for all stakeholders. The quality of the responses to the consequences of amalgamation is paramount. Hastily implemented amalgamation can reduce local representation outcomes and service levels, costs that ultimately are borne by local communities.

Amalgamation also holds other possibilities post implementation and these are considered as opportunities and threats. Viewed as risks it is possible to plan for and either minimise or enhance the chance that these will be realised. The quality of leadership and planning is the key determining factor of outcomes. What does seem

apparent is that an amalgamated local government with greater capacity and capability is more likely to have the depth to respond to these to its advantage if and when they emerge.

The Amalgamated State Report considers changes and tries to assign a financial value to these where possible. Often information about the operations of the current local governments has not been documented and in these situations detailed financial information is not presented. There are minor financial or cash savings to be realised through amalgamation. However, all four RTG member local governments face very difficult operating positions, as detailed in the Current State Report and the amalgamated local government will inherit these difficulties. What is different however is that with increased size, efficiencies can be realised in two important operational areas, mainly Works and Corporate Service functions, which either reduce duplication or improve capacity or both. In these areas of local government operational savings are delivered but these are assumed to be ploughed back into boosting existing critical weaknesses especially in areas of road construction and maintenance, asset management, planning, grants, HR, and financial management. This is made possible through the creation of an organisational structure that accommodates greater role specialisation.

Role specialisation allows staff to concentrate more on their core jobs and implies a greater level of specific expertise is required to fully undertake a role. Greater expertise in turn leads to improved strategic capacity meaning staff can focus on a narrower range of tasks and do them more thoroughly which in turn frees up senior management creating the chance to focus away from the day-to-day tasks and instead concentrate on longer-term planning, management and delivery of community aspirations.

The information contained in the amalgamated state report is complex and has significant implications for the future of the Shire of Wickepin. It is important that Wickepin residents understand the background behind the amalgamation proposal and have accurate information with which to make a decision whether to support or reject amalgamation.

Statutory Environment: *Local Government Act 1995*

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications:

Councils Strategic Plan highlights the following mission statement and values for the Shire of Wickepin.

MISSION STATEMENT

Council will provide leadership and a range of services and develop opportunities to meet social, economic, physical and environmental aspirations, in partnership with the community.

VALUES

The following values describe the overriding philosophy of the Council in the manner in which it does business and makes its decisions.

- The Community must be the first consideration.
- Councillors and staff work together as a committed team.
- The members of the Council and staff respect and value the contributions made by all.
- The Council and staff continually strives to improve its services.
- Members and staff act with integrity and honesty.
- The members of the Council and staff enjoy open and honest two-way communication

Summary:

Council is being requested to make a decision in relation to the Regional Transition Group moving forward to a full amalgamation of the four communities of the Town of Narrogin, Shire of Narrogin, Shire of Cuballing and Shire of Wickepin into one Local Government Entity.

Recommendation:

- 1 That the Shire of Wickepin resolves not to amalgamate with the following local governments Town of Narrogin, Shire of Narrogin, Shire of Cuballing.

Recommendation:

- 2 That the Shire of Wickepin resolves to amalgamate with the following local governments Town of Narrogin, Shire of Narrogin and Shire of Cuballing and submits a proposal for amalgamation to the Local Government Advisory Board for implementation in accordance with the provisions of clause 2 of Schedule 2.1 of the Local Government Act 1995.

Voting Requirements: Simple majority.

Cr Martin thanked the Councillors, Board Members Cr Russell and Cr Allan, Mrs Natalie Manton, previous CEO Mr Alan Leeson and current CEO Mr Mark Hook for their time and effort over the past year to see what Wickepin would be like as an amalgamated structure.

Cr Martin also thanked the community for their attendance at meetings and for expressing their views on this matter.

Resolution No 210312-04

Moved Cr Astbury / Seconded Cr Lansdell

That Council suspends standing orders to allow for a frank and open discussion on this item.

Carried 6/1

Resolution No 210312-05

Moved Cr Astbury / Seconded Cr Lansdell

That Council resumes standing orders.

Carried 7/0

Resolution No 210312-06

Moved Cr Coxon / Seconded Cr Allan

That the Shire of Wickepin resolves not to amalgamate with the following local governments Town of Narrogin, Shire of Narrogin, Shire of Cuballing.

Carried 6/1

Community Development Officer Mrs Natalie Manton departed the chambers at 4:19pm.

Karen Williamson, Wayne Leeson, Hazel Green, Amanda Heaney, Colin Hemley, John Sartori, Luci Sartori and Tony Smith departed the chambers at 4:19pm.

Governance, Audit and Community Services

10.2.01 – Financial Report

Submission To: Ordinary Council
Location / Address: Whole Shire
Name of Applicant: Bronwyn Dew, Finance Officer
File Reference:
Author: Bronwyn Dew, Finance Officer
Disclosure of any Interest: Nil
Date of Report: 6 March 2012

Enclosure / Attachment: Listed below & attached (monthly report).

Background: In accordance with Section 6.4(2) of the Local Government Act 1995 and Regulation 35 of the Local Government (Financial Management) Regulations 1996, attached are the monthly/triannual financial reports.

1. Operating Statement by Function and Activity
2. Bank Balances and Investments
3. Outstanding Debtors

Comment: Nil

Statutory Environment: Section 6.4(2) of the Local Government Act 1995 and Regulation 35 of the Local Government (Financial Management) Regulations 1996

Policy Implications: Not applicable

Financial Implications: Not applicable

Strategic Implications: Not applicable

Recommendation: That the financial statements tabled for the period ending 29 February 2012 as presented be received.

Voting Requirements: Simple majority

Resolution No 210312-07

Moved Cr Astbury / Seconded Cr Easton

That the financial statements tabled for the period ending 29 February 2012 as presented be received.

Carried 7/0

Bank Balances

As at 29/02/2012

	Bank Statement	Adjusted
Municipal Fund	460,899.87	460,545.24
Petty Cash	500.00	500.00
Reserves	561,418.12	561,418.12
Total	\$1,022,817.99	\$1,022,463.36
Trust Fund	10,929.79	10,929.79
Transport Account	5,494.10	0.00

Debtors

Rates as at 29/02/2012

Account 7461	Rates	53,354.14
Account 6051	Sewerage	4,076.10
Account 7451	Ex Receipts	-1,778.18
Account 7441	Pensioners Rebates	858.38
Account 7481	Domestic Rubbish	1,939.42
Account 7491	Commercial Rubbish	49.29
Account 7201	Refuse Site Levy	623.83

Sundry Debtors as at 31/01/2012

Current	285,699.45
1 Month	7,563.92
2 Months	0.00
3 Months	11,249.20
Total	304,512.57

Governance, Audit and Community Services

10.2.02 – List of Accounts

Submission To: Ordinary Council
Location / Address: Whole Shire
Name of Applicant: Bronwyn Dew, Finance Officer
File Reference:
Author: Bronwyn Dew, Finance Officer
Disclosure of any Interest: Nil
Date of Report: 8 March 2012

Enclosure / Attachment: List of Accounts

Background: Please find following the List of Accounts remitted during the period from 7 February 2012 - 7 March 2012

	<u>Vouchers</u>	<u>Amounts</u>
Municipal Account		
Cheques	14231 - 14256	47,537.96
EFTPOS	2577 - 2630	295,266.37
Other Transfers	Payroll February 2012	65,942.00
Trust Account		
EFTPOS	2576 & 2601	550.00
Cheques		
TOTAL		<u>\$409,296.33</u>

Financial Management Regulation 13 (4) also requires that a listing of all other outstanding accounts be presented to Council at the meeting. This information will be provided on the day of the meeting for inclusion in the recommendation.

Certificate of Chief Executive Officer:

The schedule of accounts, covering vouchers as listed above, have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices computation, and costings and the amounts shown have been remitted.

Comment: If there are any questions in relation to the listing of accounts, please forward a request by fax to me so that detailed answers to queries can be obtained for presentation at council meeting.

Statutory Environment: Local Government (Financial Management) Regulations 1996 – Regulations 13 (2), (3) & (4)

Policy Implications: Policy F3.7 - Cheque Issue

Financial Implications: Not applicable

Strategic Implications: Not applicable

Recommendation: That Council acknowledges that payments totaling \$409,296.33 has been made in accordance with the list included in these minutes, and scrutiny of the list has found that the payments are satisfactory.

That outstanding accounts totaling \$_____ as advised be noted.

Voting Requirements: Simple majority

Resolution No 210312-08

Moved Cr Russell / Seconded Cr Allan

That Council acknowledges that payments totaling \$409,296.33 has been made in accordance with the list included in these minutes, and scrutiny of the list has found that the payments are satisfactory.

That outstanding accounts totaling \$74,751.39 as advised be noted.

Carried 7/0

Governance, Audit and Community Services

10.2.03 - EHO/Building Surveyor's Report

Submission To: Ordinary Council
Location / Address: Whole Shire
Name of Applicant: Allan Ramsay, EHO/Building Surveyor
File Reference: 706 / 2203
Author: Allan Ramsay, EHO/Building Surveyor
Disclosure of any Interest: Nil
Date of Report: 8 March 2012

Enclosure / Attachment: Nil

Background: Monthly report submitted by EHO/Building Surveyor, Mr. Allan Ramsay.

Building Licenses:

There was one (1) building application approved and license issued for the month of February 2012.

Listed below is a summarised breakdown of the application and proposed structure:

License No	Name & Address of Owner	Registered Builder (RB) or Owner Builder (OB)	Structure	Situation of Building Lot or Street No & Town
11/11-12	Tony Smith	Tony Smith (OB)	70m2 Shed	54 Campbell Street, Wickepin

Implications: Not applicable

Financial Implications: Not applicable

Strategic Implications: Not applicable

Recommendation:

That Council notes the report from the EHO/Building Surveyor 8 March 2012.

Voting Requirements: Simple Majority

Resolution No 210312-09

Moved Cr Russell / Seconded Cr Lansdell

That Council notes the report from the EHO/Building Surveyor 8 March 2012.

Carried 7/0

Governance, Audit and Community Services

10.2.04 - Building Act - Proposed New Delegations and Fees

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Allan Ramsay, EHO/Building Surveyor
File Reference:	Development and Building Control, 710
Author:	Allan Ramsay, EHO/Building Surveyor
Disclosure of any Interest:	Nil
Date of Report:	14 March 2012
Enclosure / Attachment:	Nil

Summary:

The Building Act 2011 (the Act) was passed on 23 June 2011 and will come into effect from 1st April 2012. The Act will be the principle legislation that regulates building control in Western Australia; amending provisions of the Local Government (Miscellaneous Provisions) Act 1960 and repealing the Building Regulations 1989.

The Act covers all buildings in the whole state and introduces permit issuing authorities (local governments), enables private certification of design compliance and is designed to streamline and clarify the building process.

The Building Act covers and provides that Certificate of Design Compliance must be issued by a person who is not associated with the building owner i.e. a local government Building Surveyor employee can not provide a Certificate of Design Compliance if the local government is the owner of the building.

Background:

The existing building approvals process was established by the Local Government Act of 1960 and reflects the way buildings were designed in the 1950's, relying on builders registered under the Builders Registration Act 1939. Reviews have suggested that the legislation be updated to reflect modern building practices and managed in one place and as a result the Building Commission was established. In the process it has brought together building practitioner registration, building standards, complaints processes and building policy.

The new legislation abolishes the Builders Registration Board, the Painters Registration Board, the Building Surveyors Qualification Committee and Building Disputes Tribunal and replaces them with one entity.

The Act will provide project owners to choose certification from a private building practitioner (certified application). The provision of the Act allows local governments to provide a building certification service that is essentially a continuation of the building assessment role that has traditionally been undertaken.

The Act will bind all building work within the state, including Crown land and provides "Permit Authorities" to be established. Permit authorities can be a local government, a group of local governments ("Special Permit Authority") or a state government. A local government wishing to be a "Special Permit Authority" will need approval from the Building Commission.

Officer's Comment:

The Permit Authority

The role of the Permit Authority is to issue permits, ensure building works within its district comply with relevant permits and to assess and issue (or arrange for assessment and issue) of Certificates of Design Compliance for Class 1 (single dwellings) and Class 10 (sheds, patios, carports and swimming pools)

Section 127 of the Act enables a local government to delegate any of its powers or duties as a permit authority to a person employed by the local government. To enable the continuation of the building services currently available. The following delegations are recommended to be added to Council's existing register.

A. Delegations to Chief Executive Officer

Powers and Duties – Building Act 2011

Authority: Building Act 2011

Delegation:

Council delegates its authority and powers to the Chief Executive Officer Mr. Mark Hook the capacity to exercise and discharge all or any of the powers and functions of the permit authority in regard to the following sections of the Building Act:

Section 96	Authority to appoint authorised persons
Section 110	Authority to issue Building Orders in relation to: <ol style="list-style-type: none"> 1. Stop work, alter a building or evacuate a building where there is a contravention of the provision of the Act 2. Take specific action to prevent contravention of the Act; 3. Finish an outward facing side of a wall;
Section 117	Authority to revoke Building Orders
Section 139	Authority to commence prosecution

B. Delegations to the Chief Executive Officer and Registered Building Surveyor

Powers and Duties – Building Act 2011

Authority: Building Act 2011

Delegation:

Council delegates its authority and powers to Council's Chief Executive Officer Mr. Mark Hook and Registered Building Surveyor Mr. Allan Ramsay the capacity to exercise and discharge all or any of the powers and functions of the permit authority in regard to the following sections of the Building Act:

Section 20	Authority to grant or refuse to grant building permits
Section 21	Authority to grant or refuse to grant demolition permits
Section 22	Authority to refuse to grant Building Permits or Demolition Permits if: <ol style="list-style-type: none"> 1. There appears to be an error in the documents or information provided in the application; or 2. If an application is inconsistent with: <ol style="list-style-type: none"> (a) A function that the Permit Authority has under written law; or (b) An agreement between the Permit Authority and the applicant
Section 58	Authority to grant, modify or refuse to grant Occupancy Permits or Building Approval Certificates
Section 65	Authority to extend the period to which the occupancy permit or modification or the building approval certificate has effect

As the proclamation date is still to be confirmed, it is not recommended that the existing delegations relating to building services be removed at this stage. It is intended that they be reviewed during the scheduled review period.

- Certification Services

The Act introduces private certifiers. Private certifiers have been operating within other states, with the local government (or Permit Authority) role being primarily enforcement.

Local Government is able to provide certification. It is recommended that Council establish a building certification service, in addition to its role as a Permit Authority, so that it can continue to offer a level of service to its ratepayers and community. It will also assist in providing a viable threefold role for the officer involved in that the building certification service will also include Environmental Health duties as well as enforcement of the Building Act. It will be a similar role as currently exists under the existing legislation.

The level of service offered will be limited by qualifications of staff; as imposed by the new Building Services (Registration) Act 2011 (the Registration Act). The Registration Act requires that all building service providers, including Building Surveyors, be registered and appropriately qualified.

- Fees & Charges

The Act allows for permit authorities to receive fees for applications for building, demolition and occupancy permits as well as a number of associated services. While the Regulations have yet to be proclaimed, the proposed fee model for permit authorities, as outlined by the Building Commission, are summarised in the attachment.

The reduction in the fees for certified applications is to recognise the involvement of a Registered Building Surveyor in the Design phase (and therefore less involvement of the Permit Authority's Building Surveyor). The Building Commission has provided an undertaking to review these fees once the Act has been in operation for a sufficient period of time.

Fees for certification services are permitted under the Act, to be market driven. Local Government, under the Local Government Act 1995, are required to consider the price available from an alternative provider i.e. private certifier. This is currently difficult to establish as this information has not been widely published. The fees proposed, as outlined in the recommendation, reflect the current fees charged for building licence applications and may need to be refined once the new Act has been in operation for at least 12 months.

Implications: Not applicable

Financial Implications: Advertising would be required for the introduction of the new fees. An upgrade of the computer system will likely be required to accommodate the additional range of approvals under the Act. This will be presented to Council as information is available.
Frontline staff will need to be trained to carry out the new checking system. This will to ensure that all the information is submitted to enable the Building Surveyor to provide a Certificate of Design Compliance.

Strategic Implications: Not applicable

Enabling Legislation: Building Act 2011
Local Government Act 1995

Council Policy: Nil

Recommendation:

That Council:

1. Adopt the following statutory fees to be applicable from the proclamation date of 2nd April 2012:	
1. Building permit	
a) or the grant of a building permit to do building work in respect of a building or incidental structure of Class 1 & 10	
- Uncertified application	0.32% of estimated value (inclusive of GST) of the proposed building work as determined by the permit authority but not less than \$90.00
- Certified application	0.19% of the estimated value (inclusive of GST) of the proposed building work as determined by the permit authority but not less than \$90.00
b) For the grant of a building permit to do building work in respect of a building or incidental structure of a Class 2 to 9 for a certified application	0.09% of the estimated value (inclusive of GST) of the proposed building work as determined by the permit authority but not less than \$90.00
c) For the grant of a building permit to do building work in respect of a building or incidental structure for an <u>amended</u> application in relation to which a building permit has already been granted	Modified fee – the relevant building permit application fee methodology outlined in 1 (a) and (b) is to be applied, except that the estimated value of the proposed building work as determined by the permit authority is to be calculated by determining the estimated value of the building work as amended, minus the estimated value of the building work as a determined by the permit authority declared for the purposes of the calculation of the fee for the building permit already granted but not less than \$90.00
2. Demolition permit	
a) For the grant of a demolition permit to do demolition work in respect of a building or incidental structure of Class 1 & 10	\$100.00
d) For the grant of a demolition permit to do demolition work in respect of a building or incidental structure of Class 2 to 9	\$100.00 for each storey
3. Application to extend the time during which a building or demolition permit has effect	\$90.00 (inclusive of GST)
4. Application for occupancy permit for completed building (Class 2 to 9)	\$90.00 (inclusive of GST) per application
5. Application for temporary occupancy permit for incomplete buildings	\$90.00 (inclusive of GST) per application
6. Application for modification of occupancy permit for additional use of building on temporary basis	\$90.00 (inclusive of GST) per application

7. Application for replacement occupancy permit for permanent change of buildings use, classification	\$100.00 (inclusive of GST) per application
8. Application for occupancy permit or building approval certificate for registration of strata scheme, plan of re-subdivision –Class 2 to 9 buildings	\$100.00 (inclusive of GST) or \$10.00 per strata unit, whichever is greater
9. Application for occupancy permit for unauthorised Class 2 to 9 buildings	0.18% of the estimated value (inclusive of GST) of the building work a determined by the permit authority but not less than \$90.00
10. Building approval certificate for unauthorised Class 1 and 10 – certified	0.38% of the estimated value (inclusive of GST) of the building work a determined by the permit authority but not less than \$90.00
11. Application for occupancy permit for building with existing authorisation	\$90.00 (inclusive of GST) per application
12. Application for building approval certificate for building with existing authorisation (class 1 & 10 buildings)	\$90.00 (inclusive of GST) per application
13. Application to extend the time during which an occupancy permit or building approval certificate has effect	\$90.00 (inclusive of GST) per application

2. Endorses the proposal for the Shire of Wickepin to provide a building certification service in addition to its statutory role as a Permit Authority in accordance with the Building Act 1911.

3. Adopts the following Shire certification fees; to be applicable from the proclamation date of the Building Act 2011, for requests relating to land within the District of the Shire of Wickepin:

Request for Certificate of Design Compliance – Class 1 and 10 building	0.13% estimated value of construction be not less than \$90.00
Request for Certificate of Design Compliance – Class 2 to 9 building	0.11% estimated value of construction be not less than \$90.00
Inspection Service for Certificate of Construction Compliance, Building Compliance, or other	\$160.00
Additional or aborted inspections charge at an hourly rate	\$80.00
When inspection period exceeds 2 hours, additional time charged at an hourly rate	\$80.00
For applicant requests for inspections out of normal working hours, charged at an hourly rate	\$120.00
Request seeking confirmation that Planning, Environmental Health and Shire Engineering requirements have been met	\$80.00/hour
Request for additional Building Service/Advice	\$80.00

4. Adopts the following delegations

A) Delegations to Chief Executive OfficerPowers and Duties – *Building Act 2011***Authority:** *Building Act 2011***Delegation:**

Council delegates its authority and powers to the Chief Executive Officer Mr. Mark Hook the capacity to exercise and discharge all or any of the powers and functions of the permit authority in regard to the following sections of the Building Act.

Section 96	Authority to appoint authorised persons
Section 110	Authority to issue Building Orders in relation to: 1 Stop work, after a building or evacuate a building where there is a contravention of the provisions of the Act; 2 Take specific action to prevent contravention of the Act; and 3. Finish an outward facing side wall.
Section 117	Authority to revoke Building Orders
Section 139	Authority to commence prosecution

B) Delegations to Council's Chief Executive Officer and Registered Building SurveyorPowers and Duties – *Building Act 2011***Authority:** *Building Act 2011***Delegation:**

Council delegates its authority and powers to the Council's Chief Executive Officer Mr. Mark Hook and Council's Registered Building Surveyor Mr. Allan Ramsay the capacity to exercise and discharge all or any of the powers and functions of the permit authority in regard to the following sections of the Building Act:

Section 20	Authority to grant or refuse to grant building permits
Section 21	Authority to grant demolition permits
Section 22	Authority to grant or refuse to grant Building Permits or Demolition Permits if; 1. There appears to be an error in the documents or information provided in the application; or 2. If an application is inconsistent with: (a) A function that the Permit Authority has under written law; or (b) An agreement between the Permit Authority and the applicant.

Voting Requirements: Absolute Majority

Resolution No 210312-10

Moved Cr Astbury / Seconded Cr Russell

That Council:

1. Adopt the following statutory fees to be applicable from the proclamation date of 2nd April 2012:

1. Building permit	
e) or the grant of a building permit to do building work in respect of a building or incidental structure of Class 1 & 10	
- Uncertified application	0.32% of estimated value (inclusive of GST) of the proposed building work as determined by the permit authority but not less than \$90.00
- Certified application	0.19% of the estimated value (inclusive of GST) of the proposed building work as determined by the permit authority but not less than \$90.00
f) For the grant of a building permit to do building work in respect of a building or incidental structure of a Class 2 to 9 for a certified application	0.09% of the estimated value (inclusive of GST) of the proposed building work as determined by the permit authority but not less than \$90.00
g) For the grant of a building permit to do building work in respect of a building or incidental structure for an <u>amended</u> application in relation to which a building permit has already been granted	Modified fee – the relevant building permit application fee methodology outlined in 1 (a) and (b) is to be applied, except that the estimated value of the proposed building work as determined by the permit authority is to be calculated by determining the estimated value of the building work as amended, minus the estimated value of the building work as a determined by the permit authority declared for the purposes of the calculation of the fee for the building permit already granted but not less than \$90.00
2. Demolition permit	
b) For the grant of a demolition permit to do demolition work in respect of a building or incidental structure of Class 1 & 10	\$100.00
h) For the grant of a demolition permit to do demolition work in respect of a building or incidental structure of Class 2 to 9	\$100.00 for each storey
3. Application to extend the time during which a building or demolition permit has effect	\$90.00 (inclusive of GST)
4. Application for occupancy permit for completed building (Class 2 to 9)	\$90.00 (inclusive of GST) per application
5. Application for temporary occupancy permit for incomplete buildings	\$90.00 (inclusive of GST) per application
6. Application for modification of occupancy permit for additional use of building on	\$90.00 (inclusive of GST) per application

temporary basis	
7. Application for replacement occupancy permit for permanent change of buildings use, classification	\$100.00 (inclusive of GST) per application
8. Application for occupancy permit or building approval certificate for registration of strata scheme, plan of re-subdivision –Class 2 to 9 buildings	\$100.00 (inclusive of GST) or \$10.00 per strata unit, whichever is greater
9. Application for occupancy permit for unauthorised Class 2 to 9 buildings	0.18% of the estimated value (inclusive of GST) of the building work a determined by the permit authority but not less than \$90.00
10. Building approval certificate for unauthorised Class 1 and 10 – certified	0.38% of the estimated value (inclusive of GST) of the building work a determined by the permit authority but not less than \$90.00
11. Application for occupancy permit for building with existing authorisation	\$90.00 (inclusive of GST) per application
12. Application for building approval certificate for building with existing authorisation (class 1 & 10 buildings)	\$90.00 (inclusive of GST) per application
13. Application to extend the time during which an occupancy permit or building approval certificate has effect	\$90.00 (inclusive of GST) per application

2. Endorses the proposal for the Shire of Wickepin to provide a building certification service in addition to its statutory role as a Permit Authority in accordance with the Building Act 1911.

3. Adopts the following Shire certification fees; to be applicable from the proclamation date of the Building Act 2011, for requests relating to land within the District of the Shire of Wickepin:

Request for Certificate of Design Compliance – Class 1 and 10 building	0.13% estimated value of construction be not less than \$90.00
Request for Certificate of Design Compliance – Class 2 to 9 building	0.11% estimated value of construction be not less than \$90.00
Inspection Service for Certificate of Construction Compliance, Building Compliance, or other	\$160.00
Additional or aborted inspections charge at an hourly rate	\$80.00
When inspection period exceeds 2 hours, additional time charged at an hourly rate	\$80.00
For applicant requests for inspections out of normal working hours, charged at an hourly rate	\$120.00
Request seeking confirmation that Planning, Environmental Health and Shire Engineering requirements have been met	\$80.00/hour
Request for additional Building Service/Advice	\$80.00

4. Adopts the following delegations

B) Delegations to Chief Executive Officer

Powers and Duties – *Building Act 2011*

Authority: *Building Act 2011*

Delegation:

Council delegates its authority and powers to the Chief Executive Officer Mr. Mark Hook the capacity to exercise and discharge all or any of the powers and functions of the permit authority in regard to the following sections of the Building Act.

Section 96	Authority to appoint authorised persons
Section 110	Authority to issue Building Orders in relation to: 1 Stop work, after a building or evacuate a building where there is a contravention of the provisions of the Act; 2 Take specific action to prevent contravention of the Act; and 3. Finish an outward facing side wall.
Section 117	Authority to revoke Building Orders
Section 139	Authority to commence prosecution

B) Delegations to Council's Chief Executive Officer and Registered Building Surveyor

Powers and Duties – *Building Act 2011*

Authority: *Building Act 2011*

Delegation:

Council delegates its authority and powers to the Council's Chief Executive Officer Mr. Mark Hook and Council's Registered Building Surveyor Mr. Allan Ramsay the capacity to exercise and discharge all or any of the powers and functions of the permit authority in regard to the following sections of the Building Act.

Section 20	Authority to grant or refuse to grant building permits
Section 21	Authority to grant demolition permits
Section 22	Authority to grant or refuse to grant Building Permits or Demolition Permits if; 1. There appears to be an error in the documents or information provided in the application; or 2. If an application is inconsistent with: (a) A function that the Permit Authority has under written law; or (b) An agreement between the Permit Authority and the applicant.

Carried 7/0 Absolute Majority

Governance, Audit and Community Services

10.2.05 - Building Services Levy

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Allan Ramsay, EHO/Building Surveyor
File Reference:	Development and Building Control, 710
Author:	Allan Ramsay, EHO/Building Surveyor
Disclosure of any Interest:	Nil
Date of Report:	14 March 2012
Enclosure / Attachment:	Nil

Issue:

To consider the addition of a new fee and charge to reflect the introduction of the Building Services Levy.

Background:

When customers apply for a building licence, there is a compulsory fee called the "Builders Registration Board Levy" (BRB Levy) that is a flat fee applied to all building licences and all building approval certificates. This fee is currently \$41.50. The Shire of Wickepin, like all other local governments in Western Australia, collects this fee on behalf of the Board and retains a commission for this service.

Western Australian building legislation is currently being reformed. The *Building Act 2011* has been developed with a suite of ancillary Acts; Regulations pending. A new Government department, the Building Commission, has been created. The responsibilities of the Building Commission encompass the roles of the previous:

- Department of Housing and Works Built Environment Branch
- The Builders Registration Board
- The Plumbers Licensing Board
- The Painters Registration Board
- Building Disputes Tribunal

The Building Commission identifies their role within government as follows:

- *A division of the Department of Commerce that regulates the built environment for the benefit of the community.*
- *A leader in research and development, and the setting of standards.*
- *A promoter of best practice and continuous improvement.*
- *A supporter of key trades and professions through effective registration, licensing and auditing.*
- *A comfort to consumers and building owners when they engage with the building industry.*
- *An impartial adjudicator in the resolution of industry disputes.*

The devolvement of the Builders Registration Board (BRB) will soon mean that the BRB Levy will no longer apply to building licence applications. In its place will be the "Building Services Levy". It is proposed that this levy will fund the Building Commission (and its functions) and the State Administrative Tribunal.

The levy has been set at 0.09% of the estimated contract value. The levy will apply at double the rate (i.e. 0.18%) for unauthorised building work. There has been no indication from the Commission of any change to the collection procedure currently in place.

The Building Services Levy is expected to come into effect upon proclamation of the *Building Act 2011*(the Act) on 2 April 2012.

Officer's Comment:

Fees and charges are usually adopted by Council during its annual adoption of the Budget. Due to the relative uncertainty surrounding the Building legislation, information about the Building Services Levy was not available to be presented to Council during its 2011/12 budget deliberations. Section 6.16 (3) of the *Local Government Act 1995* enables Council to impose fees during a financial year.

The Building Services Levy will apply when the Act is proclaimed. The initial proclamation date of the Act of 31 October 2011 with two deferrals 1 January 2012 and now 2 April 2012. For Council to consider introducing additional fees, an absolute majority of Councillors must support the introduction of the charge.

Section 6.17(4) (b) of the *Local Government Act 1995* states:

Regulations may limit the amount of a fee or charge in prescribed circumstances

6.18(1) further states:

"If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not –

- (a) determine an amount that is inconsistent with the amount determined under the other written law; or
- (b) Charge a fee or charge in addition to the amount determined by or under the other written law".

For the Building Services Levy, the prescribed circumstances are any Application for a Building Permit and any Application for a Building Approval Certificate (unauthorised work). As it is possible that the Building Act 2011 will be proclaimed mid-budget period, new fees are recommended.

Enabling Legislation: *Building Act 2011*
 Building Services Levy Act 2011
 Local Government Act

Implications: Not applicable

Financial Implications: Advertising would be required for the introduction of the new fees

Strategic Implications: Not applicable

Recommendation:

That Council adopts the following fees; to be applicable from the proclamation date of the *Building Act 2011*:

1. Building Services Levy for Application for Building Permit	0.09% of the estimated contract value (GST exclusive)
2. Building Services Levy for Application for Building Approval Certificate (Unauthorised work)	0.18% of the estimated contract value (GST exclusive)

Voting Requirements: Absolute Majority

Resolution No 210312-11**Moved Cr Russell / Seconded Cr Allan**

That Council adopts the following fees; to be applicable from the proclamation date of the *Building Act 2011*:

3. Building Services Levy for Application for Building Permit	0.09% of the estimated contract value (GST exclusive)
4. Building Services Levy for Application for Building Approval Certificate (Unauthorised work)	0.18% of the estimated contract value (GST exclusive)

Carried 7/0 Absolute Majority

Governance, Audit & Community Services

10.2.06 – Wickepin Community Resource Centre Sponsorship Masquerade Ball

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Mark J Hook Chief Executive Officer
File Reference:	217
Author:	Mark J Hook Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	13 March 2012

Enclosure / Attachment:

Wickepin Community Resource Centre Letter.

Background:

Council has received a letter from the Wickepin Community Resource Centre requesting a Sponsorship or an in-kind donation to help support a Masquerade Ball.

Comment:

The Wickepin Community Resource Centre does not advise Council the level of sponsorship they require or what type of in-kind work is required. It therefore could be assumed that the in-kind work may be just helping with the setting up of the hall for the Masquerade Ball.

The Chief Executive Officer has spoken with the Co-Coordinator of the Wickepin Community Resource Centre who has advised that they are applying for a grant through Regional Development and Lands for the Masquerade ball and that their application would be looked upon more favorably if there are contributions from the community.

Tentatively the Masquerade Ball has been booked to be held on the 25th August 2012, if the funding application to RDL is successful.

Council has currently overspent the budget amount of \$25,000 under Sporting Groups Grants Contributions in Councils 2011//12 Budget by \$11,345.73.

Statutory Environment: Nil

Policy Implications: No policy found on this matter

Financial Implications:

Council has spent the following amounts under Sporting Groups Grants Contributions to the 29th February 2012.

Date	Code	Description	IE	Debit
23/08/2011	CW20	WICKEPIN DISTRICT SPORTS CLUB COMMUNITY GRANT SUBSIDY COMMUNITY GRANT	22	843.64
04/09/2011	CW57	WICKEPIN P&C ASSOCIATION COMMUNITY GRANT FOR CENTENARY CELEBRATIONS COMMUNITY GRANT	22	1000.00
06/09/2011	CW02	WICKEPIN PRIMARY SCHOOL COMMUNITY GRANT FOR 2011/12 COMMUNITY GRANT	22	5000.00

25/09/2011	CW122	WICKEPIN MENS SHED MENS SHED COMMUNITY GRANT MENS SHED COMMUNITY GRANT	22	2500.00
25/10/2011	CE32	ROSS EASTON ROCKWALL ENTRANCE TO YEALERING CARAVAN PARK ROCKWALL ENTRANCE TO YEALERING CARAVAN PARK	22	5900.00
23/11/2011	CW103	WICKEPIN NETBALL CLUB COMMUNITY GRANT COMMUNITY GRANT	22	1500.00
29/11/2011	CK29	KULIN HARDWARE & DRAPERY GOODS FOR MENS SHED GOODS FOR MENS SHED	22	1218.09
11/01/2012	CP27	PLAYMASTER T/A BEEFMASTER COMMUNITY GRANT HARRISMITH GOLF CLUB PLAYGROUND EQUIPMENT	22	18384.00

Total current Expenditure to 29 th February 2012	\$36,345.73
2011/2012 Budget Figure	\$25,000.00
Amended Budget Resolution No 170811/211	\$31,569.45
Over budgeted figure	\$4776.28
Less Income from Reimbursements	\$7218.09
Balance	\$2441.81

As the general ledger budget amount has not been changed from the \$25,000. Council has already spent its budget allocation.

Strategic Implications: Nil

Summary:

Council is being requested to provide sponsorship to the Wickepin Community Resource Centre Masquerade Ball.

Recommendation:

That Council advise the Wickepin Community Resource Centre that it is unable to commit any funds to the Masquerade Ball from the 2011/12 Budget Allocations but will place \$500 in the 2012/13 Budget Estimates for Councils deliberation during the 2012/13 Budget process.

Voting Requirements: Simple majority

Resolution No 210312-12**Moved Cr Astbury / Seconded Cr Lansdell**

That Council advise the Wickepin Community Resource Centre that it is unable to commit any funds to the Masquerade Ball from the 2011/12 Budget Allocations but will place \$500 in the 2012/13 Budget Estimates for Councils deliberation during the 2012/13 Budget process.

Carried 7/0

Cr Astbury declared an interest in Agenda Item 10.2.07 and departed the chambers at 4:39pm.

Governance, Audit and Community Services

10.2.07 – Wickepin District Sports Club - Golf Club Tractor

Submission To: Ordinary Council
Location / Address: Whole Shire
Name of Applicant: Mark J Hook Chief Executive Officer
File Reference:
Author: Mark J Hook Chief Executive Officer
Disclosure of any Interest: Nil
Date of Report: 13 March 2012

Enclosure / Attachment:

1. Wickepin District Sports Club General Meeting Minutes 14th February 2012
2. Wickepin District Sports Club Incorporated Letter of Request

Background:

The Wickepin District Sports Club Incorporated is requesting Council to make application to treasury for a self-supporting Loan for the Wickepin Districts Sports Club Incorporated in the amount of \$10,000 for a period of 60 Months for the purchase of a second hand tractor to mow the Wickepin Golf Club.

Comment:

The Wickepin District Sports Club Incorporated has purchased a MF4225 second hand tractor at a cost of \$17,500. The Wickepin District Sports Club advises in its letter that the Wickepin District Sports Club will be covering the balance of \$7,500 by the sale of the old tractor and monies from the Wickepin District Sports Club bank account.

The current rates for borrowings from the Treasury are as follows.

Local Government Borrowing Rate



Please find below indicative rates for local government borrowings from the Corporation for various terms. These rates are indicative only and are based on interest rates prevailing on Wednesday, 14 March 2012.

Indicative Prices for		14 March 2012	
Term (Years)		WATC Indicative Rate (%)	
1		4.5	
2		4.48	
3		4.52	
4		4.58	
5		4.65	
6		4.71	
7		4.78	
8		4.85	
9		4.9	
10		4.96	
15		5.22	
20		5.37	

Term	1 month(s)		2 month(s)		3 month(s)		4 month(s)		5 month(s)		6 month(s)	
Rates (% pa)	4.55		4.57		4.6		4.62		4.63			4.63

**These rates do not include the Government Guarantee Fee. The Guarantee Fee is charged by Department of Treasury and Finance and is collected by the Corporation on its behalf. This fee is currently levied at 0.10% pa based on the repayment structure of the loan. This rate is subject to change according to government policy. The Guarantee Fee charges are therefore indicative only, and do not form part of the Corporation's agreed fixed lending rate.*

The lending rates relating to terms of one to twenty years assume an annuity repayment structure with semi-annual payments and an interest rate fixed for the term of the borrowing. The rates for terms of one to six months are also fixed and are calculated on the number of days outstanding to maturity, based on a 365-day year.

Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 6.20

6.20. Power to borrow

- (1) Subject to this Act, a local government may —
 - (a) borrow or re-borrow money;
 - (b) obtain credit; or
 - (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit, to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.
- (2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (power to borrow) and details of that proposal have not been included in the annual budget for that financial year —
 - (a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and
 - (b) the resolution to exercise that power is to be by absolute majority.
- (3) Where a local government has exercised a power to borrow and —
 - (a) it does not wish to proceed with the performance of the function or the exercise of the power for which the power to borrow was exercised; or
 - (b) after having completed the performance of the function or the exercise of the power for which the power to borrow was exercised, any part of the money borrowed, credit obtained or financial accommodation arranged has not been expended or utilized, the local government may resolve* to expend the money or utilize the credit or financial accommodation for another purpose if one month's local public notice is given of the proposed change of purpose.

* Absolute majority required.

29. Borrowings information

The notes to the annual budget are to include —

- (a) details of the unspent balance of money borrowed in the previous financial year including —
 - (i) an estimate of the amount brought forward on 1 July;
 - (ii) the purpose for which the money was borrowed;
 - (iii) the year in which the money was borrowed;
 - (iv) an estimate of the amount to be used during the financial year; and
 - (v) an estimate of the amount which will remain unused at 30 June;
- (b) in relation to a principal amount carried forward by way of overdrawings on current account (**the overdraft**) from the previous financial year, details of the overdraft including —
 - (i) an estimate of the amount brought forward on 1 July;

- (ii) the purpose for which the overdraft was established;
 - (iii) the year in which the overdraft was first established;
 - (iv) an estimate of the amount by which the overdraft will be increased or decreased during the financial year; and
 - (v) an estimate of the amount of overdraft which will remain at 30 June;
- (c) where, in the financial year to which the budget relates, it is proposed to apply all or part of any existing borrowings to a purpose other than that for which the money was borrowed, details of —
- (i) the purpose for which the money was borrowed;
 - (ii) the purpose to which the money is to be applied;
 - (iii) the objects of, and reasons for, the application of the money to that purpose; and
 - (iv) an estimate of the amount to be so applied;
- (d) where, in the financial year to which the budget relates, it is proposed to exercise the power to borrow under section 6.20, details of —
- (i) the purpose for which the money is to be borrowed;
 - (ii) an estimate of the amount to be borrowed;
 - (iii) the nature of the proposed financial accommodation;
 - (iv) an estimate of the term of the repayment;
 - (v) an estimate of the interest rate and other charges payable;
 - (vi) an estimate of the amount of the borrowings to be used during the financial year; and
 - (vii) an estimate of the amount which will remain unused at 30 June;
- (e) where, in the financial year to which the budget relates, it is proposed to exercise the power to borrow under section 6.20 for the purpose of re-financing an existing borrowing —
- (i) an estimate of the amount to be re-financed;
 - (ii) where the principal sum under the new loan will be different from the principal sum under the existing loan, details of the amount of the difference and of the objects of, and reasons for, the re-financing; and
 - (iii) a brief summary of the changes to the original terms of the borrowing it is expected will result from the re-financing; and
- (f) in relation to the repayment of money borrowed, an estimate of —
- (i) the principal liability brought forward on 1 July;
 - (ii) the amount of interest and other charges due to the lender during the financial year;
 - (iii) the amount of the reduction of the principal sum to be made during the financial year;
 - (iv) the principal liability which will remain at 30 June; and
 - (v) the amount to be financed by revenue of the local government, other than fees and charges, derived directly for the purpose of reimbursing the local government (wholly or partially) for that repayment.

[Regulation 29 amended in Gazette 31 Mar 2005 p. 1053.]

Policy Implications: No Policy Implications

Financial Implications:

If Council supports the raising of the Self Supporting Loan it will be treated as out of Budget Expenditure as it was not included in the Shire of Wickepin 2011/2012 Adopted Budget or in the Shire of Wickepin Forward Capital Works Plan 2010/11 to 2014/15.

Strategic Implications:

The objective fits with in the following areas of the Shire of Wickepin Strategic Plan.

MISSION STATEMENT

Council will provide leadership and a range of services and develop opportunities to meet social, economic, physical and environmental aspirations, in partnership with the community.

Objective 4
To Provide and Encourage the use of a Variety of Recreational, Educational and Cultural Facilities.

STRATEGIES	ACTION
Continue to support the development and maintenance of recreational facilities and organisations in the district.	Provide regular maintenance and development of recreation facilities in accordance with an adopted recreation maintenance and development plan.
	Maintain, at least to the present level, the financial support policy for recreational organisations.
	Provide and maintain walk trails for recreation and tourism purposes.
Give support to the retention and expansion of educational facilities in the community.	Maintain support to district schools.
	Develop educational opportunities for all ages whenever possible e.g. TAFE courses through support to the Telecentre.
Give support to organisations whose stated goals are for the betterment of their communities	Consider submissions from community action groups and offer support where possible.
Give support to Arts, Crafts and Cultural activities and Special Events	Maintain the present level of support to Arts & Crafts and Cultural Groups.
	Encourage the conduct of "Special Events" by community and other groups

Summary:

Council is being requested to raise a self-supporting Loan of \$10,000 over a 60 month period for the Wickepin District Sports Club Incorporated to pay for the purchase of a second hand MF4225 Tractor to mow the Wickepin Golf Course.

Recommendation:

That Council makes application to the Treasury for a Self-Supporting Loan for \$10,000 for the Wickepin Districts Sports Club Incorporated for a period of 60 Months with all repayments and fees being the responsibility of the Wickepin District Sports Club Incorporated.

Voting Requirements: Absolute Majority

Resolution No 210312-13**Moved Cr Lansdell / Seconded Cr Easton**

That Council makes application to the Treasury for a Self-Supporting Loan for \$10,000 for the Wickepin Districts Sports Club Incorporated for a period of 60 Months with all repayments and fees being the responsibility of the Wickepin District Sports Club Incorporated.

Carried 6/0 Absolute Majority

Cr Astbury entered the chambers at 4:49pm.

Governance, Audit & Community Services

10.2.08 – Wickepin Community Resource Centre Open Ended Lease

Submission To:	Ordinary Council
Location / Address:	24 Wogolin Road Wickepin
Name of Applicant:	Mark J Hook Chief Executive Officer
File Reference:	
Author:	Mark J Hook Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	13 March 2012

Enclosure / Attachment:

Wickepin Community Resource Letter

Background:

Council has received the attached letter from the Wickepin Community Resource Centre requesting Council to provide a long term lease on the Wickepin Community Resource Centre building and to continue the current level of funding.

Comment:

The Community Resource Centre such as the one in Wickepin are becoming an important and integral part of Local Communities and need to be continually supported by Council.

The condition of any lease that Council enters into needs to ensure that any modifications or extension are only undertaken once Council has authorized the modifications so that Council can ensure that all future modifications meet all the requirements under the various Acts and Statutes that Public Buildings such as this need to meet.

Council owns the land under Certificate of Title Folio 001 Volume 1546 Lot 106 Wogolin Road. If Council decides to lease the building to the Wickepin Community Resource Centre Council will need to advertise the lease as per *Section 3.58 of the Local Government Act 1995*.

Council may enter into a lease with the Wickepin Community Resource Centre for as long as it wishes as long as it complies with *Section 3.58 of the Local Government Act 1995*.

The Wickepin Community Resource Centre has also requested an increase level of funding to cover additional costs. Council currently pays the water rates and insures the buildings and contents.

Statutory Environment:

Local Government Act 1995

3.58. Disposing of property

- (1) In this section —
 - dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;
 - property** includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or

- (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
- (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

Policy Implications:

There are no Council Policies in relation to this item.

Financial Implications:

The financial implications will be the cost of drawing up the lease and the amount of rent Council may receive under the new lease.

Strategic Implications:

The objective fits within the following areas of the Shire of Wickepin Strategic Plan.

MISSION STATEMENT

Council will provide leadership and a range of services and develop opportunities to meet social, economic, physical and environmental aspirations, in partnership with the community.

OBJECTIVE 1**To Develop and Maintain Quality Services and Infrastructure**

STRATEGIES	ACTION
<p>Consider and support, where it is appropriate the creation of new community assets</p>	<p>Provide strategically placed Public Conveniences.</p>

OBJECTIVE 4**To Provide and Encourage the use of a Variety of Recreational, Educational and Cultural Facilities.**

STRATEGIES	ACTION
<p>Give support to the retention and expansion of educational facilities in the community.</p>	<p>Maintain support to district schools. Develop educational opportunities for all ages whenever possible e.g. TAFE courses through support to the Telecentre.</p>
<p>Give support to organisations whose stated goals are for the betterment of their communities</p>	<p>Consider submissions from community action groups and offer support where possible.</p>

Summary:

Council is being requested to Lease Lot 106 to the Wickepin Community Resource Centre for a period up to Twenty one Years and to continue its current level of support to the Wickepin Community Resource Centre.

Recommendation:

1. That Council Delegate to the Shire President and the Chief Executive Officer the power to negotiate a lease agreement for Lot 106 Wogolin Road Wickepin to the Wickepin Community Resource Center for a period up to twenty one years.
2. That Council continues the current level of support by covering the cost of the water rates and building and contents insurance for the Wickepin Community Resource Centre building on Lot 106 Wogolin Road Wickepin.

Voting Requirements: Simple Majority

Resolution No 210312-14**Moved Cr Martin / Seconded Cr Easton**

That Council:

1. Delegate to the Shire President, Deputy President and the Chief Executive Officer the power to negotiate a lease agreement for Lot 106 Wogolin Road Wickepin to the Wickepin Community Resource Center.
2. Continues the current level of support by covering the cost of the water rates and building and contents insurance for the Wickepin Community Resource Centre building on Lot 106 Wogolin Road Wickepin.
3. Discuss future requirements with the Wickepin Community Resource Centre and investigate appropriate funding options for the building.

Carried 7/0

Governance, Audit & Community Services

10.2.10 – RV Friendly Town and Overnight Camp

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Natalie Manton, Community Development Officer
File Reference:	
Author:	Natalie Manton, Community Development Officer
Disclosure of any Interest:	Nil
Date of Report:	21 March 2012

Enclosure / Attachment:

Background:

Taken from **The Economic Benefits of Grey Nomads for Big Australia by Mr Gary Rebgetz**, Past Chairman, Campervan & Motorhome Club of Australia Ltd The Campervan and Motorhome Club of Australia Limited (CMCA), with over 59,000 members, is the peak representative body for the Recreational Vehicle (RV) tourist market in Australia. CMCA was established in 1986, and proactively conducts research, infrastructure audits, and engages with a range of stakeholders to increase awareness within the industry of the economic value and needs of the RV tourist market.

The evolution of the modern self-contained RV, and the shifting expectations of RV tourists, has outpaced the capabilities and willingness of the traditional camping industry to satisfy growing demand. The newer generation of RV tourists is seeking an experience that offers freedom of choice along with a range of new options to satisfy their needs.

RV tourists are looking for a unique experience; something more than the average tourist. They are now seeking a cultural, social and environmental adventure that is unique to regional Australia. It is critical that the demands of those wishing to explore Australia in a modern RV are matched by facilities developed to meet those needs in a responsible and sustainable manner.

Economic Benefits

RV tourism has remained one of the most resilient markets during the recent economic downturn and is expected to increase over coming years, particularly as the 'baby boomer' generation continues to retire.

RV tourists are consistent spenders who purchase a range of household products and services. They spend an average of \$572 per week when on the road. Their estimated spend per vehicle per year, based on an average of 197 days travel, is approximately \$16,000 or \$81 per day. It is important to remember that the RV tourist spends his/her money on a wide range of goods and services in a region and not just on camping fees alone.

If made welcome in a region, many businesses have an opportunity to benefit from these tourists and the resulting flow on effect of the economic stimulus they offer.

Those regions that permit stop-overs of 48 hours or more encourage tourists to stay longer, and have a far better chance of benefiting from an economic injection than those regions that limit stays to shorter periods. A 48 hour stop-over invokes an average spend pattern of \$125.

In tough economic times, every tourist represents an opportunity for regional businesses to tap into an income stream that would not otherwise be available to them.

Income from tourists flows not only directly into the business itself but, in the form of wages and salaries, through numerous other businesses. So either directly or indirectly, tourist dollars can add significantly to the viability of small, regional areas that may be struggling.

This is a growing market, which is expected to expand by one third in the next five years. It would be prudent for state and local government and business to take heed, as the spending power of this market will have a significant impact on any town or business that wishes to embrace them. However it is equally important to note that if RV tourists feel unwelcome they will avoid any city or region that does not embrace their needs.

Cultural Capital

The RV tourism market plays an important role in the promotion of Australia's cultural capital due to the ability of this market to access remote areas of Australia's geography, which are often home to significant historical, cultural and indigenous sites. The growth and attraction of this market for both domestic and international travellers alike represents the importance of this role and its potential impact on Australia's tourist industry. In a 2004 survey conducted by Balfour Consulting, travellers said the recreational pursuits they enjoyed were "bushwalking, visiting heritage sites, national parks and museums."

This places a responsibility on the RV tourism market to ensure the protection of these unique areas of Australia's heritage and local culture to ensure the sustainable development of the RV market and the tourism industry as a whole.

Human Capital

Community health and safety is managed and protected through the use of developed guidelines and programs such as the 'Dump-Ezy' Dump Point Subsidy Scheme and the certified 'Leave No Trace' Self Containment Code of Conduct Scheme.

Social Capital

Social capital is concerned with trust, relationships and social networks. A 2003 survey conducted by Balfour Consulting showed that 80% of local residents interviewed were very supportive of the RV market and appreciated the economic benefits, social interactions and inputs from travellers into community activities. The RV tourism market contributes to the development of social capital through a number of initiatives. CMCA and its Chapters conduct a number of Rallies and outings throughout the year, which develop social networks amongst travellers and the communities in which they are held. Rallies include special interest activities such as entertainment, training seminars and craft sessions, to which local communities and travellers can contribute. These activities develop local cultural capital, social capital and human capital through the skills training sessions.

Skills Utilisation of Available Human Capital

The RV market also introduces skills and labour pools into the region. CMCA research has shown that almost 50% of Members participate in voluntary work of some kind. These travellers act as a potential 'mobile' workforce in regional areas and communities where seasonal demands or other factors contribute to shortages of labour or skills. The self-containment factor of many vehicles also eliminates the necessity for the provision of accommodation for seasonal workforces.

In 2006 a summary report entitled 'Grey Nomads: A Potential Mobile Workforce' was prepared for the Department of Employment and Training and Tourism Queensland in collaboration with CMCA to further investigate the feasibility and development of this 'potential mobile workforce.' Key findings of the survey were:

- 60% were interested in undertaking paid work in some form, identifying the following key skill areas of use in rural and remote communities;
 - rural/fruit picking, building trades/labour
 - domestic cleaning, retail, teaching and health care (child/aged); and
 - 80% did not have a preference for which type of work.
- 50% were interested in undertaking voluntary work; and

- Only 11% expressed a preference, with the majority choosing environment and land care related voluntary work.

Dump Point Scheme

The safe and appropriate disposal of black and grey waste water is a basic requirement for RVs. CMCA has been involved in the installation of over 200 publicly available dump points across Australia through its own funding as well as grants from KEA Campers Australia and the Queensland Government. This number represents 40% of all public dump points across the country.

'Leave No Trace' Containment Code of Conduct Scheme

This certification scheme has been developed by CMCA. The Club proactively campaigns to promote environmentally responsible camping, demonstrating to key stakeholders, such as councils, the ability of the industry to leave no negative impact on the environment. To qualify for this scheme, vehicles must be self-contained, meeting strict requirements for fresh, grey and black water holding capacity, as well as storage capacity for garbage waste. It also requires self-contained vehicles to retain all waste on board and 'Leave No Trace' of their visit to a site, aiming to leave only tyre tracks. A declaration is signed by vehicle owners and the vehicle is identified by a logo affixed to the vehicle. Non-compliance is subject to penalties.

RV Friendly Town™ Scheme

The RV Friendly Town™ scheme has been developed by CMCA and involves working together with various councils and other authorities who recognise the benefit of investment in facilities to enhance the travelling experience for RV travellers. Criteria for certification of a town includes consideration of: access to medical facilities and pharmaceuticals, access to shopping and fresh produce, access to potable water and a dump point, a suitable stop-over area for RV's and service and repair facilities for vehicles. Towns that participate in the scheme are also welcoming to RV travellers, encouraging them to stop in the town, and in turn generating economic benefits for regional businesses.

General:

According to the Campervan and Motorhome Club of Australia there is a misconception that RV owners don't provide benefit for the towns because they shop in the bigger centres and spend nothing locally. It is possible to charge a small fee including for the use of any Dump Point however as CMCA subsidises the dump point it would be free to CMCA Members.

The CMCA promotes low cost rest area parking and users must be fully self-contained, so that nobody gets to use the area if they are not fully self-contained. Council is able to regulate this, and in turn, CMCA will promote membership for qualifying vehicles of our Leave No Trace scheme. According to CMCA the standard charge for almost zero facilities is \$5 per night per vehicle and rises proportional to the increase in facilities provided. Water is only free if there are no restrictions in place.

The space required to carry sufficient perishables for more than one or two days is very limited, mostly bar fridges and space for hard goods is also limited both by weight and space; extra weight vs. extra fuel costs to carry them is not really an economical proposition.

According to the CMCA another misconception is that RV owners would travel from Perth to Wickepin in several hours and be fully stocked. The average mileage for RV tourists is approx. 150km – 200km per day sometimes even less, simply because there is no rush to get anywhere. Wagin to Wickepin would be enough in a day.

The development of something by way of tourism to keep these travellers occupied and in your Town for several days is important, without which there is no reason for them to go there.

Caravan Parks in most rural WA shires were built for small numbers and small caravans that had no facilities; today's vehicles are coming off the line with en-suites that require fully self-contained facilities which include holding tanks for all waste. The size of the modern vehicle makes it difficult for many to fit in the traditional

Caravan Park and so alternative space is necessary as these vehicles require an area similar to that required for a semi-trailer to move around and safely park.

Comment:

Becoming an RV Friendly Town and installing RV dump points in Wickepin Yealering and Harrismith would provide additional promotional opportunities for the Shire through free advertising in the Campervan & Motorhome Club of Australia Ltd magazine and website. A minor investment by the Shire of Wickepin of connecting the RV Dump point to the sewerage system or septic tanks could provide potential economic and social benefits to the community. The 24hr fuel facility, local shops, Nursing Post, public toilets, Facey Homestead and heritage precinct in Wickepin will be attractive to RV campers. Points of interest in the shire including Yealering and Toolibin lakes, Harrismith wildflower walk trail, Malyalling rock, etc provide RV's with a reason to stay in the Shire longer and provide a boost to businesses in Yealering and Harrismith.

Several Shires in the region have already registered as an RV Friendly Towns and installed free RV Dump points. Some shires charge a fee to use the RV dump point but most do not to minimize or avoid administration costs.

It is difficult to accommodate large RV's at the Wickepin Caravan Park due to a lack of space. The Townscape and Cultural Planning Committee has recommended that RV's be allowed to camp in a designated area at the Northern end of the Wickepin Oval. There would be no financial implications of allowing overnight camping at this site and no services would be provided. Council could consider charging a camping fee.

Shires consulted in the preparation of this report have not experienced any problems with RV's parking on ovals or other non-designated area, leaving rubbish, creating noise or other nuisances. Some shires do not charge a fee for overnight camping while other shires charge an unpowered site fee. The cost of overnight camping generally increases as the services increase.

There is adequate space at Yealering and Harrismith Caravan Parks to allow for a designated RV area. Council previously resolved to investigate the installation of an RV dump point near the proposed fuel facility.

Resolution No 170210-05

That the CEO investigate the procedure and cost to install the RV Waste Site at the eastern end of the proposed fuel facility.

Carried 9/0

Statutory Environment:

In Part 2 of the Caravan Parks and Camping Grounds Regulations 1997 regulation 8A provides the definition of 'camp' when used as a verb, includes to camp in a vehicle.

Regulation 10 provides that a person may camp only –

- (a) at a site in a caravan park or camping ground, as appropriate, licensed under the Act; or
- (b) in accordance with regulation 11.

Regulation 11(1) provides that a person may camp –

- (a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under sub regulation (2) (refers to the Local Government Authority or the Minister) and is complying with that approval;
- (b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area;

(c) for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravenes any other written law with respect to the use of the road reserve

Policy Implications: Nil

Financial Implications:

The cost of an unpowered site at Wickepin, Yealering or Harrismith Caravan Parks is currently \$15 per night. CMCA will subsidise the cost of the RV dump point cover with the only cost to council being the connection to the sewerage system or septic tanks.

Strategic Implications:

To promote the development of a viable and diversified local economy

To provide and encourage the use of a variety recreational, educational and cultural facilities.

Summary:

The RV market currently is increasing and could be potential benefits for local business and the Wickepin community for very minimal investment by the Shire. Registering as an RV Friendly Town and installing dump points would increase the likelihood of visitors staying in Wickepin and taking advantage of the numerous natural, recreational and heritage attractions in the shire.

Recommendation:

RV Dump points be installed in Wickepin in an area adjacent to the proposed fuel facility and also at the Yealering and Harrismith Caravan Parks.

The cost of the connection to the sewerage system in Wickepin and septic tanks in Yealering and Harrismith be included in the 2012-13 budget.

That the northern end of the Wickepin Sports Ground that is currently unused, be designated as an area for overnight stays by the RV community for up to 3 nights.

A designated RV area be identified at the Yealering and Harrismith Caravan Parks as there is sufficient space to do so at these parks.

Subsidy from CMCA be obtained for the installation of RV dump points at Wickepin (adjacent to fuel facility), Yealering Caravan Park and Harrismith Caravan Park.

Shire of Wickepin fees and charges be amended to include a fee of \$8 (gst inc) per vehicle per night for use of the designated overnight camping area at the northern end of the Wickepin oval for up to 3 nights.

A fee of \$8 (gst inc) also be charged for RV campsites at the Yealering and Harrismith Caravan Parks with no access to the code for the ablution block.

Voting Requirements: Simple majority.

Motion:

Moved Cr Russell / Seconded Cr Allan

1. The cost of the connection to sewerage in Wickepin and Septic in Yealering and Harrismith be obtained for 12/13 budget deliberation.
2. RV dump points be installed in Wickepin, Yealering and Harrismith Caravan Parks.
3. Subsidy from CMCA to be claimed.

4. Shire of Wickepin fees and charges be amended to include a fee of \$8 (gst inc) per vehicle per night for the use of designated overnight camping areas at Caravan Parks.

Resolution No 210312-15

Moved Cr Coxon / Seconded Cr Lansdell

That this item lay on the table until the next Ordinary Council meeting being held on 18th April 2012.

Carried 5/2

Governance, Audit and Community Services

10.2.11 - 2010/2011 Annual Report

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Mark J Hook, Chief Executive Officer
File Reference:	1211
Author:	Mark J Hook, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	7 March 2012

Enclosure / Attachment:

1. Annual Report under separate cover
2. Byfields Management Report

Background:

The Annual Report for 2010/11 is required to be adopted by Council prior to advertising a date for the annual meeting of electors.

Comment:

The 2010/2011 Annual Report includes the Annual Financial Statement, Shire President's Report, and Chief Executive Officer's Report, Audit Report and Auditors Management Report as well as other general information about council.

Statutory Environment:

Local Government Act 1995

5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president;
 - (b) a report from the CEO;
 - [(c), (d) deleted]
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
 - (f) the financial report for the financial year;
 - (g) such information as may be prescribed in relation to the payments made to employees;
 - (h) the auditor's report for the financial year;
 - (ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*;
 - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
 - (i) the number of complaints recorded in the register of complaints;
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require;
 - (i) such other information as may be prescribed.

[Section 5.53 amended by No. 44 of 1999 s. 28(3); No. 49 of 2004 s. 42(4) and (5); No. 1 of 2007 s. 6.]

Financial Implications: Nil

Policy Implications: Nil

Strategic Implications: To provide efficient, effective and accountable governance.

Summary:

The Shire of Wickepin received the audit report for 2010/2011 on 24 February 2012. The management report noted that the 2010 Annual Report was not adopted by 31 December 2010 and that the annual budget was not submitted to the Department of Local Government within 30 days of being adopted by Council. Other than these two matters there were no significant matters that should be raised or brought to the attention of Council.

Recommendation:

That the 2010/2011 Annual Report for the Shire of Wickepin be received and adopted, further that the annual electors meeting and Farmers Forum be held on 11th or 18th April 2012.

Voting Requirements: Absolute majority.

Resolution No 210312-16**Moved Cr Russell / Seconded Cr Astbury**

That the 2010/2011 Annual Report for the Shire of Wickepin be received and adopted, further that the annual electors meeting and Farmers Forum be held on 18th April 2012.

Carried 7/0 Absolute Majority

Governance, Audit & Community Services

10.2.12 – Vesting of Reserve 19686

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Mark J Hook, Chief Executive Officer
File Reference:	
Author:	Mark J Hook, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	21 March 2012

Enclosure / Attachment:

Background:

The Department of Environment and Conservation would like to change the vesting of Reserve 19686 under Management Order to the Shire of Wickepin to a DEC managed conservation reserve.

Expansion of conservation estate is highlighted in the Department's Corporate Plan and is a strategic acquisition for the long-term management and recovery of the Dulbining and Toolibin Nature Reserves.

Recently DEC purchased Lot 3 Millers Block to the east of Dulbining Nature Reserve. Reserve 19686 is located in the North West corner.

This reserve would be an important addition to the conservation estate as it completes continuity between the Dulbining Nature Reserve (27286) and Millers. Dulbining is a high value Nature Reserve containing Threatened Ecological Communities which are currently under threat from land salinisation.

The remnant vegetation is in good condition and consists of Melaleuca with Eucalypt overstory. This area supports a community of *Eucalyptus myriadena* and is of high conservation value as it is one of only two locations in the Toolibin Catchment which contain mature stands are found.

Comment:

Neighbouring landholders have been contacted and have no objection to the change in management of the reserve from the Shire of Wickepin to the Department of Conservation.

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications:

To ensure the protection and improvement of the environment.

Summary:

Recommendation:

The Wickepin Shire relinquishes the reserve and petitions the Lands Division and the Department of Mines seeking their support for the proposal for the reclassification of Reserve 19686 as a reserve with a Management Order in favour of the Conservation Commission.

Voting Requirements: Simple majority.

Resolution No 210312-17**Moved Cr Coxon / Seconded Cr Easton**

That the Wickepin Shire relinquishes the reserve and petitions the Lands Division and the Department of Mines seeking their support for the proposal for the reclassification of Reserve 19686 as a reserve with a Management Order in favour of the Conservation Commission.

Carried 7/0

Governance, Audit & Community Services

10.2.13 - Narrogin Healthy Lifestyles Project Reference Group Member

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Natalie Manton, Community Development Officer
File Reference:	
Author:	Natalie Manton, Community Development Officer
Disclosure of any Interest:	Nil
Date of Report:	9 March 2012

Enclosure / Attachment:

Background:

The Town of Narrogin was successful in obtaining a Commonwealth Healthy Communities Initiative Grant. This grant has a total value of \$566,042, and is to be implemented over a period of 16 months

The Town will establish a Reference Group for this project which will allow stakeholders an opportunity to provide expertise, knowledge and advice and monitor the project's delivery.

The Shires of Cuballing, Wickepin and Narrogin were nominated as partners in this project and as such a representative with an interest in sport and recreation is invited to sit on the Reference Group.

The Reference Group is expected to meet every second month commencing mid-April.

Other delegates may include:

- WA Country Health Service – Wheatbelt
- Narrogin Leisure Centre
- KEEDAC
- GP practise/Allied Health professional
- Market Force (for promotional purposes)
- Narrogin Homecare
- Employment agency eg Careers on track

As the project leader, the Town of Narrogin will also have representatives e.g. a Councillor with interest in sport/recreation, Project Coordinator and Chief Executive Officer. The Terms of Reference for the Group is yet to be formed.

The aim of the Narrogin Healthy Lifestyles Project is to reduce the incidence of overweight, obesity and other risk factors for cardio vascular disease and Type 2 diabetes in the communities residing in the Town of Narrogin and the surrounding Shires of Narrogin, Cuballing and Wickepin through promotion of healthy lifestyle programs and policy development. The target populations for participation in the project are:

- Recently or long term unemployed,
- Part-time or casual employees,
- Aboriginal people, and
- Retirees or pensioners.

A Narrogin Healthy Lifestyles Coordinator will oversee and coordinate the project that will include; a walking program with an outdoor gym, a community garden, a Noongar Sports Program, Narrogin Leisure Centre sports package including a range of group fitness programs, the delivery of national healthy eating, physical activity and lifestyle programs such as Beat It and Heart Moves and subsidised training for community

members to run community based healthy lifestyle programs (where this does not contradict professional or accreditation requirements of specific programs).

Comment:

It is important to have a delegate to represent the interests of the Wickepin community and ensure that the program meets the needs their needs. The Wickepin representative will be able to advocate for programs to be delivered within the Wickepin Shire and maximise participation in the program.

The Shire of Wickepin called for Expressions of Interest to become a reference group member and receive a positive response from Ms Philippa Gardener. Philippa has experience in delivering community programs as well as monitoring and evaluation, community consultation and funding. She has an interest in sport, recreation and health and is able to represent the interests of the Wickepin community.

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications:

To provide and encourage the use of a variety of recreational, educational and cultural facilities.

Summary:

The Healthy Lifestyles Program provides an opportunity to focus on individual and community health and wellbeing. A reference group member to represent the interests of the Wickepin Community would be very beneficial to maximizing participation achieving positive health benefits for the shire.

Recommendation:

Philippa Gardener be endorsed as the Shire of Wickepin reference group member to represent the interests of the Wickepin community in the delivery of the Healthy Lifestyle Project.

Voting Requirements: Simple majority.

Resolution No 210312-18**Moved Cr Russell / Seconded Cr Lansdell**

That Philippa Gardener be endorsed as the Shire of Wickepin reference group member to represent the interests of the Wickepin community in the delivery of the Healthy Lifestyle Project.

Carried 7/0

Governance, Audit & Community Services

10.2.14 - Townscape and Cultural Planning Committee Meeting

Recommendations

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Gillian Spargo, Executive Support Officer
File Reference:	
Author:	Gillian Spargo, Executive Support Officer
Disclosure of any Interest:	Nil
Date of Report:	15 March 2012

Enclosure / Attachment: Refer to minutes at Item 7.1

Background: Nil

Comment: Nil

Statutory Environment: Not applicable.

Policy Implications: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Summary: Nil

Recommendation :

1. That the Flag Pole at the War Memorial be moved to the Eastern side of the War Memorial (as indicated by a wooden peg) in time for the 2012 ANZAC Day ceremony.

Voting Requirements: Simple majority.

Resolution No 210312-19

Moved Cr Russell / Seconded Cr Lansdell

1. That the Flag Pole at the War Memorial be moved to the Eastern side of the War Memorial in time for the 2012 ANZAC Day ceremony.

Carried 7/0

11. President's Report

Cr Martin advised that he has been in discussion with Ian Duncan from WALGA regarding restricted access vehicles and the local road network.

Cr Martin also advised that Cr Russell and Mrs Natalie Manton attended the Zone Meeting in Beverley.

Council

12. Chief Executive Officer's Report

SUBMISSION TO:	Ordinary Council
LOCATION / ADDRESS:	Whole Shire
NAME OF APPLICANT:	Mark J Hook Chief Executive Officer
FILE REFERENCE:	
AUTHOR:	Mark J Hook Chief Executive Officer
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	15 March 2012

To the Shire President and Councillors:

Thank You

To Natalie and the staff thank you for the excellent job that has been done by all the team while waiting for my arrival. My wife Marion and I are still unpacking but the house is excellent and we will enjoy our time in the house. Thank you to the Councillors that I have met for your welcome to Wickepin, my wife and I are looking forward to our time in Wickepin.

Road Name Changes Proposal – Landgate

Council has received the following reply to its request for the following road name changes.

At this point I provide the following comments on each item:-

Amendment 2 – proposal to rename Helm Road to Tincurrin North Road (the approved name is Tincurrin Road North). There is a reluctance to amend Helm Road as Geographic Names is endeavouring to eliminate double barrel names, duplicated names and directional names, the name Tincurrin has been used in all of these ways, therefore any renaming preference would be to change Tincurrin Road North by extending Helm Road. Alternatively a better option would be if the Shire would look at changing Tincurrin Road North and Helm Road by extending the name Tincurrin Road over those roads as there is another duplication nearby of Old Tincurrin Road. Council's consideration of this would be appreciated.

Amendment 3 – proposal to rename Cemetery Road to Redgum Road. No justification provided. Wondering why a name change. Cemetery Road name was recently extended south to intersect with Toolibin Road North – approved 4 August 2006. The extent as highlighted on your plan needs clarification. Please note that the name Redgum is considered over-used and as such would not be approved. A replacement name will be required.

(Please refer to attachments 3A & 3B).

Amendment 4 – proposal to name road Peter Road. I was unable to locate this particular road, hopefully it is currently an un-named road. I'd appreciate a map showing surrounding roads please. Unfortunately it cannot be named Peter Road because the name will form a duplication in the Shire as there is a Peters Road in the Wickepin Town site (please refer to attachment 4). A replacement name will be required. Provision of an

origin / source of the replacement name will also be necessary. Also if it is not an open ended road, a different road type will be required (i.e. Place, Court, View, Vista, Grove etc).

Amendment 5 – proposal to name road Avery Road. I can advise that this name has already been approved (circa 1974), please refer to attachment 5.

Amendment 6 – proposal to rename Butler Road to Coad Road. There's a little issue here as Coad Road is approved with an eastern portion, the requested renaming would require an un-naming of the section circled in yellow. Please forward the reasons for the renaming and advise whether adjoining owners have been consulted. (Please refer to attachment 5 – the approved portion is shown in blue).

Amendment 7 – proposal to name road Bergin Road. I can advise that this name has already been approved (circa 1974), please refer to attachment 7.

Amendment 8 – proposal to name road Chaney Road. I was unable to locate this particular road, hopefully it is currently an un-named road. I'd appreciate a map showing surrounding roads please. The name has been checked against the GNC criteria and appears suitable.

Amendment 9 – proposal to name road Bulman Road. I was unable to locate this particular road, hopefully it is currently an un-named road. I'd appreciate a map showing surrounding roads please. The name has been checked against the GNC criteria and appears suitable. Please note that if it is not an open ended road, a different road type will be required (i.e. Place, Court, View, Vista, Grove etc).

Amendment 10 – proposal to name road Tank Road. I was unable to locate this particular road, hopefully it is currently an un-named road. I'd appreciate a map showing surrounding roads please. The name has been checked against the GNC criteria and appears suitable subject to the provision of origin details that also comply. Please note that if it is not an open ended road, a different road type will be required (i.e. Place, Court, View, Vista, Grove etc).

Amendment 11 – proposal to name road Levi Road. I was unable to locate this particular road, hopefully it is currently un-named. I'd appreciate a map showing surrounding roads please. The name has been checked against the GNC criteria and appears suitable subject to the provision of origin details that also comply. Please note that if it is not an open ended road, a different road type will be required (i.e. Place, Court, View, Vista, Grove etc).

Amendment 12 – proposal to name road North Road. I can advise that this road has already been approved with a similar name (circa 1974), please refer to attachment 12. The approved name is Norths Road. The spelling could be amended subject to the provision of origin details validating the correct name (North or Norths).

Amendment 13 – proposal to name road McDougall Road. Please note that the text in your letter refers to this name as McDougall whereas the text on the map refers to McDougalls. I can advise that this road has already been approved as McDougalls Road (circa 1974), please refer to attachment 13. It should be noted that there is a McDougall Road in Tincurrin.

Amendment 14 – proposal to name road Golf Club Road. I was unable to locate this particular road, hopefully it is currently an un-named road. I'd appreciate a map showing surrounding roads please. The proposed name is a double barrel name and as such does not comply with the GNC criteria. Names starting with Golf are also considered over-used. A replacement name will be required. Though Club Road would be suitable and if it is an open ended road, otherwise a different road type will be required (i.e. Place, Court, View, Vista, Grove etc). As to the origin details, it is assumed it may lead to the local golf club, clarification is required.

I will undertake further information on this matter and respond directly to Landgate where required but in relation to where the names have been rejected I will present a full report to the Council in April on the options available from the list of names registered with Landgate or request Council to provide other names.

24 Hour fuel facility

- 1) All tank platforms and railings and spill boxes have been manufactured
- 2) 2x tank cradles and supports are complete
- 3) 1 tank is now complete and painted
- 4) 2nd tank is ready to be painted
- 5) 3rd tank has been rolled and getting welded

No.	Delegation Name	Delegation To	How Exercised	When Exercised	Persons Affected
A1	Cheque Signing and Account Authorisation	CEO	Signing of Cheques and Authorisation of Electronic Transfers	As per agenda item 10.2.02	Creditors of council as per agenda item 10.2.02
A2	Septic Tank Application Approvals	EHO	Nil		
A3	Building Approvals	BO	One (1)	As per Agenda Item 10.2.03	
A4	Roadside Advertising	CEO	Nil		
A5	Applications for Planning Consent	CEO	Nil		
A6	Appointment and Termination of Staff	CEO	Nil		
A7	Rates Recovery Instalment Payments	CEO	Nil		
A8	Issue of Orders	CEO	Nil		
A9	Legal Advice	CEO	Nil		
A10	Permits to Use Explosives	CEO	Nil		
A11	Street Stalls	CEO	Nil		
A12	Liquor Consumption on Shire Owned Property	CEO	Nil		
A13	Hire of Community Halls / Community Centre	CEO	Nil		

Recommendations:

That Council endorses the Chief Executive Officers Report dated 15 March 2012.

Voting Requirements: Simple majority.

Resolution No 210312-20

Moved Cr Astbury / Seconded Cr Allan

That Council endorses the Chief Executive Officers Report dated 15 March 2012

Carried 7/0

13. Notice of Motions for the Following Meeting - Nil

14. Reports & Information**15. Urgent Business****16. Closure**

Cr Martin thanked Murray Lang, Grayden Lang and Felicity Astbury for attending the Council Meeting.

There being no further business the Presiding Person declared the meeting closed at 5:26 pm.

Presiding Person