

Minutes

ORDINARY MEETING OF COUNCIL
18 JULY 2012
COUNCIL CHAMBERS
WICKEPIN



Table of Contents

1.	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	3
2.	PUBLIC QUESTION TIME	3
3.	APPLICATIONS FOR LEAVE OF ABSENCE/APOLOGIES	3
4.	PETITIONS, MEMORIALS AND DEPUTATIONS.....	3
5.	DECLARATIONS OF COUNCILLOR'S AND OFFICER'S INTEREST	3
6.	CONFIRMATION OF MINUTES – ORDINARY MEETING OF COUNCIL – 20 JUNE 2012	3
7.	RECEIVAL OF MINUTES.....	4
7.1	GOVERNANCE, AUDIT AND COMMUNITY SERVICES COMMITTEE	5
7.2	TECHNICAL SERVICES COMMITTEE	6
7.3	WASTE MANAGEMENT COMMITTEE	7
7.4	TOWNSCAPE & CULTURAL PLANNING COMMITTEE MEETING	8
7.5	AGED PERSONS ACCOMMODATION COMMITTEE.....	9
8.	STATUS REPORT	10
9.	NOTICE OF MOTIONS OF WHICH NOTICE HAS BEEN GIVEN	15
10.	RECEIPT OF REPORTS & CONSIDERATION OF RECOMMENDATIONS.....	15
	TECHNICAL SERVICES	
10.1.01	– MANAGER WORKS AND SERVICES REPORT	16
	GOVERNANCE, AUDIT AND COMMUNITY SERVICES	
10.2.01	– FINANCIAL REPORT	18
10.2.02	– LIST OF ACCOUNTS	21
10.2.03	- BUDGET 2012/2013	23
10.2.04	- EHO/BUILDING SURVEYOR'S REPORT	28
10.2.05	- APPLICATION FOR SECOND DWELLING - LOT 1 GREEN ROAD, WICKEPIN.....	29
10.2.06	– COMMUNITY DEVELOPMENT OFFICER'S REPORT.....	31
10.2.07	– COUNTRY LOCAL GOVERNMENT FUND 2011-12 VARIATION.....	33
10.2.08	- SALE OF LAND – 34 PLOVER STREET, WICKEPIN	35
10.2.09	– 2012 WALGA AGM MOTIONS	38
10.2.10	– REVISED RESIDENTIAL DESIGN CODES (R-CODES)	43
10.2.11	– YEALERING HALL WAIVING FEES AND CHARGES.....	48
11.	PRESIDENT'S REPORT	51
12.	– CHIEF EXECUTIVE OFFICER'S REPORT	51
13.	NOTICE OF MOTIONS FOR THE FOLLOWING MEETING.....	53
14.	REPORTS & INFORMATION	53
15.	URGENT BUSINESS.....	53
16.	CLOSURE	53

**Minutes of an Ordinary Meeting of Council held in Council Chambers, Wickepin
Wednesday 18 July 2012**

The President declared the meeting open at 3.30pm.

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

Attendance

Shire President	Cr SJ Martin
Deputy Shire President	Cr JA Russell
Councillors	Cr GCL Hinkley
	Cr FA Allan
	Cr AG Lansdell
	Cr KL Coxon
	Cr DJ Asbury
	Cr RE Easton

Apologies

Leave of Absence (Previously Approved)

Moved Cr Allan / Seconded Cr Astbury

That Council grant a leave of absence for the Ordinary Council meeting on 15 August 2012 for the following Councillors;

Deputy Shire President	JA Russell
Councillor	GCL Hinkley
Councillor	KL Coxon

Carried 8/0

2. Public Question Time

3. Applications for Leave of Absence/Apologies

4. Petitions, Memorials and Deputations

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

6. Confirmation of Minutes – Ordinary Meeting of Council – 20 June 2012

Resolution No 180712-01**Moved Cr Coxon / Seconded Cr Russell**

That the minutes of the Ordinary Council meeting held on Wednesday 20 June 2012 be confirmed as a true and correct record.

Carried 8/0**7. Reveal of Minutes**

Receival of Minutes

7.1 Governance, Audit and Community Services Committee

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Leah Pearson, Executive Support Officer
File Reference:	
Author:	Leah Pearson, Executive Support Officer
Disclosure of any Interest:	Nil
Date of Report:	6 July 2012

Enclosure / Attachment:

Minutes of the Governance, Audit and Community Services Committee Meeting held on Wednesday 4 July 2012.

Background:

The Governance, Audit and Community Services Committee Meeting was held on Wednesday 4 July 2012.

Comment:

Section 5.22 of the Local Government Act 1995 provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Statutory Environment:

Section 5.22 of the Local Government Act 1995 provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Policy Implications: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Recommendation:

That the Minutes of the Governance, Audit and Community Services Committee Meeting held on Wednesday 4 July 2012 be received.

Voting Requirements: Simple majority.

Resolution No 180712-02

Moved Cr Astbury / Seconded Cr Allan

That the Minutes of Governance, Audit and Community Services Committee Meeting held on Wednesday 4 July 2012 be received.

Carried 8/0

Receival of Minutes

7.2 Technical Services Committee

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Leah Pearson, Executive Support Officer
File Reference:	
Author:	Leah Pearson, Executive Support Officer
Disclosure of any Interest:	Nil
Date of Report:	6 July 2012

Enclosure / Attachment:

Minutes of the Technical Services Committee Meeting held on Wednesday 4 July 2012.

Background:

The Technical Services Committee Meeting was held on Wednesday 4 July 2012.

Comment:

Section 5.22 of the Local Government Act 1995 provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Statutory Environment:

Section 5.22 of the Local Government Act 1995 provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Policy Implications: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Recommendation:

That the Minutes of the Technical Services Committee Meeting held on Wednesday 4 July 2012 be received.

Voting Requirements: Simple majority

Resolution No 180712-03

Moved Cr Russell / Seconded Cr Hinkley

That the Minutes of Technical Services Committee Meeting held on Wednesday 4 July 2012 be received.

Carried 8/0

Receival of Minutes

7.3 Waste Management Committee

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Leah Pearson, Executive Support Officer
File Reference:	
Author:	Leah Pearson, Executive Support Officer
Disclosure of any Interest:	Nil
Date of Report:	6 July 2012

Enclosure / Attachment:

Minutes of the Waste Management Committee Meeting held on Wednesday 4 July 2012.

Background:

The Waste Management Committee Meeting was held on Wednesday 4 July 2012.

Comment:

Section 5.22 of the Local Government Act 1995

Statutory Environment:

Section 5.22 of the Local Government Act 1995 provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Policy Implications: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Recommendation:

That the minutes of Waste Management Committee Meeting held on Wednesday 4 July 2012 be received.

Voting Requirements: Simple majority.

Resolution No 180712-04**Moved Cr Russell / Seconded Cr Easton**

That the Minutes of Waste Management Committee Meeting held on Wednesday 4 July 2012 be received.

Carried 8/0

Receival of Minutes

7.4 Townscape & Cultural Planning Committee Meeting

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Leah Pearson, Executive Support Officer
File Reference:	206
Author:	Leah Pearson, Executive Support Officer
Disclosure of any Interest:	Nil
Date of Report:	11 July 2012

Enclosure / Attachment: Nil

Background:

Due to no quorum, the Chairperson advised that the next meeting will be held on 8 August 2012.

Comment: Nil

Statutory Environment: Nil

Policy Implications: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Recommendation: Not applicable.

Voting Requirements: Not applicable.

Receival of Minutes

7.5 Aged Persons Accommodation Committee

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Leah Pearson, Executive Support Officer
File Reference:	
Author:	Leah Pearson, Executive Support Officer
Disclosure of any Interest:	Nil
Date of Report:	12 July 2012

Enclosure / Attachment:

Minutes of the Aged Persons Accommodation Committee Meeting held on Wednesday 11 July 2012.

Background:

The Aged Persons Accommodation Committee Meeting was held on Wednesday 11 July 2012.

Comment:

Section 5.22 of the Local Government Act 1995 provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Statutory Environment:

Section 5.22 of the Local Government Act 1995 provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Policy Implications: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Recommendation:

That the Minutes of the Aged Persons Accommodation Committee Meeting held on Wednesday 11 July 2012 be received.

Voting Requirements: Simple majority.

Resolution No 180712-05

Moved Cr Allan / Seconded Cr Astbury

That the Minutes of Aged Persons Accommodation Committee Meeting held on Wednesday 11 July 2012 be received.

Carried 8/0

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	Comment
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.	✓	Met and agreed to fill in the lake swimming area when conditions permit. <i>Councillor Asbury advised that this was not correct and Council should request the Yealering Progress Association their views on the filling of the swimming hole.</i>
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.	○	CEO has been advised by Real Estate Agent that they are still trying to contact the owner
249 - 210312-13	Wickepin District Sports Club - Golf Club Tractor	CEO	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.	✓	Loan approved

Item	Subject/Action	Officer/ File	Progress	Status	Comment
250 - 210312-14	Wickepin Community Resource Centre - Open Ended Lease	CEO	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 Centre. 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.	✓	Draft lease sent to President and Deputy President for comment.
255- 180412-19	Wickepin Community Centre Car Park		That the Chief Executive Officer invites three quotes for a complete concept design and feasibility study to allow for future Wickepin Sporting Groups to move to the Wickepin Sports Ground area.	✓	No further action required
261- 160512-15	Wickepin Districts Sports Club Incorporated Self-Supporting Loan	CEO	That Council makes application to the Treasury for a Self-Supporting Loan of up to \$110,000 for the Wickepin Districts Sports Club Incorporated over a 120 month period for their contribution towards the two synthetic bowling greens. All repayments and fees be the responsibility of the Wickepin Districts Sports Club.	✓	Approval granted - no further action required
262- 160512-16	Gumnut Cottage - Lot 7 Fisher Street, Wickepin	CEO	That Council authorise the Chief Executive Officer to list Gumnut Cottage Lot 7 Fisher Street, Wickepin held by certificate of title Volume 1904 Folio 370 for sale in accordance with Section 3.58 of the Local Government Act 1995 through a Local Real Estate Agent.	✓	The Professionals have listed Gumnut Cottage for \$100,000.00
269- 200612-05	Road Name Changes - Proposals	CEO	That Council advises the Geographical Names Committee that Council wishes to name the road Tincurrin North Road as shown on the following Map.	✓	Letter forwarded to Geographical Names Committee
270- 200612-06	Road Name Changes - Proposals	CEO	That Council advises the Geographical Names Committee that it wishes to leave Cemetery Road as shown on the following Map and shown on the MRD State of Construction Maps as Cemetery Road.	✓	Letter forwarded to Geographical Names Committee

Item	Subject/Action	Officer/ File	Progress	Status	Comment
271- 200612-07	Road Name Changes - Proposals	CEO	That Council advises the Geographical Names Committee that it wishes to leave Peter Road as shown on the following Map and shown on the MRD State of Construction Maps as Peter Road.	✓	Letter forwarded to Geographical Names Committee
272- 200612-08	Road Name Changes - Proposals	CEO	That Council advises the Geographical Names Committee that it wishes to leave Avery Road as shown on the following Map and shown on the MRD State of Construction Maps as Avery Road.	✓	Letter forwarded to Geographical Names Committee
273- 200612-09	Road Name Changes - Proposals	CEO	That Council advises the Geographical Names Committee that it wishes to leave Coad Road and Butler Road as they are shown on the following Map and the MRD State of Construction Maps.	✓	Letter forwarded to Geographical Names Committee
274- 200612-12	Road Name Changes - Proposals	CEO	That Council advises the Geographical Names Committee that it wishes to leave French's Road as shown on the following Shire of Wickepin Fire Map and shown on the MRD State of Construction Maps as Unnamed Road.	✓	Letter forwarded to Geographical Names Committee
275- 200612-13	Road Name Changes - Proposals	CEO	That Council wishes to name the road in question Tank Road as shown on the following Map and shown on the MRD State of Construction Map as Tank Road.	✓	Letter forwarded to Geographical Names Committee
276- 200612-14	Road Name Changes - Proposals	CEO	That Council advises the Geographical Names Committee that it wishes to name the road in question Levi Road as shown on the following Map and is shown on the MRD State of Construction Maps as Levi Road.	✓	Letter forwarded to Geographical Names Committee
277- 200612-16	Road Name Changes - Proposals	CEO	That Council advises the Geographical Names Committee that it wishes to leave McDougalls Road as shown on the following Map and shown on the MRD State of Construction Maps as McDougalls Road.	✓	Letter forwarded to Geographical Names Committee
278- 200612-17	Road Name Changes - Proposals	CEO	That Council advises the Geographical Names Committee that it wishes to leave Golf Club Road as shown on the following Map as it leads to the Golf Club and shown on the MRD State of Construction Maps as Golf Club Road.	✓	Letter forwarded to Geographical Names Committee
279- 200612-21	Wickepin Sewerage Scheme - Asset Management Plan	CEO	That Council: 1. Increase the sewerage rate to reflect the results of the Asset Management Plan at Budget time. 2. The Asset Management Plan be amended yearly and presented to Council for budget purposes.	✓	Refer to 2012/13 Budget

Item	Subject/Action	Officer/ File	Progress	Status	Comment
280- 200612-23	Wagin Regional Waste Group - 2012/2013 Budget Estimates	CEO	That Council place a contribution of \$5,000 to the Wagin Group Strategic Waste Project for 2012-2013 in the 2012/2013 Budget Estimates.	✓	Refer to 2012/13 Budget
281- 200612-24	Sale of Land - Plover Street, Wickepin	CEO	That Council authorises the Chief Executive Officer to sign the listing extension agreement with the Professionals – Southern District Estate Agency, Mr Les Chitty extending their authority to sell the lots in Plover Street to the 30 th September 2012 and thereafter reverting to an open listing.	✓	Authority signed and sent back to Professionals
282- 200612-25	Living Lakes Initiative	CEO	That Council appoint the following persons plus all adjoining landholders as the Yealering Living Lakes Initiative Working Group: <ul style="list-style-type: none"> • Representatives/Co- Coordinators - Ian & Sara Hills - • Shire Representatives – Chief Executive Officer Mr Mark Hook, One Councillor (to be decided), and Community Development Officer Mrs Natalie Manton • Facey Group Representative - Felicity Astbury • Surrounding Farmers - Ken Beattie - Farmer on west side and south of Lake, Morris (Whippy) Dawes - Farmer on east and south side of Lake • Yealering Progress Association President Colin Coxon • Town Representative - Matthew Pockran 	✓	Letter forwarded to the Department of Regional Development and Lands
283- 200612-26	Wickepin Caravan Park Agreement	CEO	That Council adopt the agreement between the Shire of Wickepin and Lionel Anthony Rigby of 7 Fisher Street Wickepin, Western Australia 6370 for the management of the Wickepin Caravan Park.	✓	Agreement signed
284- 200612-27	Harrismith Caravan Park Agreement	CEO	That Council adopt the agreement between the Shire of Wickepin and Messrs Russell and Judy Gary of 28 Railway Avenue Harrismith, Western Australia 6361 for the management of the Harrismith Caravan Park.	✓	Letter sent with signed agreement - awaiting return

Item	Subject/Action	Officer/ File	Progress	Status	Comment
285- 200612-29	Shire of Wickepin Refuse Sites	CEO	<ol style="list-style-type: none"> 1. That the Council adopts the Landfill Environmental Management Plan for each refuse site as prepared by Bowman and Associates 26 March 2010 as presented to Council. 2. That the CEO prepare an Environmental Landfill Decommissioning and Post Closure Management Plan for each of Councils Refuse sites based on the template prepared by Bowman and Associates 26 March 2010 for the Tincurrin refuse site. 	✓	No further action required
286- 200612-30	Acceptance Tender 3/2011- 12 Waste Collection	CEO	<ol style="list-style-type: none"> 1. That Council accept the tender RFT 03/2011-12 from Great Southern Waste Disposal commencing on the 1st September 2012. 2. That the Chief Executive advise the current casual staff working at the Wickepin Recycling service that their services will no longer be required after the 31st August 2012 as all the recycling will be undertaken by Great Southern Waste Disposal as per tender 03/2011/12. 	✓	Letter sent advising of success for tenderer and unsuccessful tenderer.
287- 200612-31	Acceptance Tender 4/2011- 12 Bowling Green	CEO	<ol style="list-style-type: none"> 1. That council award the tender to Evergreen Synthetic Grass to supply and install Evergreen Ultra Plus Synthetic Surface at the Wickepin Districts Sportsman Cub as per Option D as per their tender submitted at the cost of \$445,720 (GST INC). 2. That the funding for this project to be sourced from CLGF \$300,000, CSRFF \$78,300 and the balance to be the responsibility of the Wickepin Districts Sports Club by the way of Self-supporting Loan through the Treasury Department. 	✓	Letter sent advising of success for tenderer and unsuccessful tenderer.
288- 200612-32	Townscape and Cultural Planning Committee Meeting Recommendatio ns	CEO	That Council place in the 2012/13 Budget an amount to erect a temporary fence around the harvester and wagon in the main street with an appropriate style of temporary fencing in accordance with the Wickepin Townscape Plan.	✓	Amount placed in 2012/13 budget.

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

4.11pm - MWS Peter Vlahov entered the chambers.

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:	11 July 2012

Enclosure / Attachment: Ongoing Maintenance List.

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

Comment:

Programmed Construction Works

- Gravel sheeting has been completed on Sparks Road. This has been the last project for 2011/2012.
- Works have commenced on the Wickepin-Pingelly Road reconstruction. The section of road that is being reconstructed is located north of the Pauley Road intersection. See works program 2012/2013.

Maintenance Works

A bitumen patching truck (Flocon truck) has been hired from the Narrogin Shire. The Flocon truck is being utilised to patch potholes and repair broken edges on Councils sealed roads.

Road grading has been focused on school bus routes and various other problem areas, including gravel shoulders on sealed roads.

Please see ongoing list attached.

Occupational Health and Safety

There has been one minor incident which has required medical attention. The resulting injury was a dislocated finger.

Workshop

General ongoing servicing and repairs.

A machine demonstration was held at Wickepin. Staff from other shires also attended.

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 11 June 2012.

Voting Requirements: Simple majority.

Resolution No 180712-06

Moved Cr Easton / Seconded Cr Astbury

That council notes the report from the Manager of Works and Services dated 11 July 2012.

Carried 8/0

4.19pm - MWS Peter Vlahov departed the chambers.

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:	5 July 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: Council is required to prepare the Statement of Financial Activity as per Local Government (FM) Reg. 36, but can resolve to have supplementary information included as required.

Statutory Environment: Section 6.4(2) of the Local Government Act 1995

Local Government (Financial Management) Regulations 1996

34. Financial reports to be prepared s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -
 - (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
 - (b) Budget estimates to the end of the month to which the statement relates;
 - (c) Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) Material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) The net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing -
 - (a) An explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) An explanation of each of the material variances referred to in sub regulation (1) (d); and
 - (c) Such other supporting information as is considered relevant by the local government.

- (3) The information in a statement of financial activity may be shown -
 - (a) According to nature and type classification;
 - (b) By program; or
 - (c) By business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), is to be -
 - (a) Presented to the council -
 - (i) At the next ordinary meeting of the council following the end of the month to which the statement relates; or
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Recommendation: That the financial statements tabled for the period ending 30 June 2012 as presented be received.

Voting Requirements: Simple majority

Resolution No 180712-07

Moved Cr Astbury / Seconded Cr Allan

That the financial statements tabled for the period ending 30 June 2012 as presented be received.

Carried 8/0

Bank Balances

As at 30/06/2012

	Bank Statement	Adjusted
Municipal Fund	1,856,046.91	1,850,970.32
Petty Cash	500.00	500.00
Reserves	450,558.03	450,558.03
Total	\$2,307,104.94	\$2,302,028.35
Trust Fund	11,501.79	11,501.79
Transport Account	7,702.20	0.00

Debtors

Rates as at 30/06/2012

Account 7461	Rates	14,496.92
Account 6051	Sewerage	3,179.95
Account 7451	Ex Receipts	-4,807.60
Account 7441	Pensioners Rebates	0.00
Account 7481	Domestic Rubbish	1,482.02
Account 7491	Commercial Rubbish	49.29
Account 7201	Refuse Site Levy	470.73

Sundry Debtors as at 30/06/2012

Current	167,061.57
1 Month	1,664.40
2 Months	521.75
3 Months	2,700.00
Total	171,947.72

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:	5 July 2012

Enclosure / Attachment: List of Accounts

Background: Please find following the List of Accounts remitted during the period from 12 June - 4 July 2012

	<u>Vouchers</u>	<u>Amounts</u>
Municipal Account		
Cheques	14344 - 14382	174,441.57
EFTPOS	2791 -2845	429,110.26
Other Transfers	Payroll June 2012	62,388.00
Trust Account		
EFTPOS	Transfer	500.00
Cheques	1194-1195	400.00
TOTAL		<u>\$666,839.83</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 \$666,839.83 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 \$202,853.02 as advised be noted.

Voting Requirements: Simple majority

Resolution No 180712-08

Moved Cr Allan / Seconded Cr Coxon

That Council acknowledges that payments totalling \$666,839.83 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 totalling \$202,853.02 as advised be noted.

Carried 8/0

Governance, Audit and Community Services

10.2.03 - Budget 2012/2013

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Mark Hook, Chief Executive Officer
File Reference:	1208
Author:	Mark Hook, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	9 July 2012

Enclosure / Attachment: Budget documents as circulated

Background:

The 2012/13 budget document is presented for Councils consideration. The budget has been prepared based on a 4.5% rate revenue increase; and a 5% increase on Sewerage Rates.

The unimproved valuations across the shire decreased for 2012/13. The Unimproved valuations for the shire are;

2010/2011	\$124,031,017
2011/2012	\$124,939,774
2012/13	\$122,256,970

The Gross Rental Values valuations across the shire decreased for 2012/13. Gross Rental valuations for the shire are;

2010/2011	\$1,545,081
2011/2012	\$1,928,560
2012/2013	\$1,927,825

Overall Council has budgeted to increase the overall rate revenue by 4.5% on what was levied in 2011/12.

Total Rates Levied – Budget 2012/2013	\$1,276,512
--	--------------------

Total Rates Levied – Actual 2011/2012	\$1,221,525
--	--------------------

Variance	\$	4.5% increase in total rate revenue
-----------------	-----------	--

Comment:

The rate increase will net council \$54,968. Some of the operational expenditure areas such as salaries and wages will absorb the entire rate revenue increase budgeted in 2012/13, notwithstanding increases in other areas such as power and water which has been forecast by the State Government of W.A. For example;

Gross wages and salaries for 2009/2010 \$934,605

Gross salaries and wages for 2010/2011 \$965,129

Gross salaries and wages for 2011/2012 \$970,273

Gross salaries and wages for 2012/2013 \$ 1,033,085.50

Statutory Environment:

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Annual budget — s. 6.2

Part 3

33. *Completion of annual budget*

A copy of the annual budget of a local government is to be submitted to the Departmental CEO within 30 days of its adoption by the local government.

[Regulation 33 amended in Gazette 20 Jun 2008 p. 2723.]

Policy Implications:

Nil

Financial Implications:

Adoption of Expenditure and Income for the 2012/13 Financial Year

Strategic Implications:

Nil

Summary:

Council is being requested to adopt the 2012/13 Annual Budget.

Recommendation:**BUDGET ADOPTION RECOMMENDATION**

1. The rate in the dollar for unimproved values is set at 0.009403 cents per dollar of valuation. (FM Reg 23)
2. The rate in the dollar for gross rental values is set at 0.073054 cents per dollar of valuation. (FM Reg 23)
3. The minimum rate is set at \$300 for both gross rental and unimproved rateable values. (LGS Section 6.35)
4. The annual rubbish charge be set at \$150.00 for residential and \$296.00 for commercial in the collection areas only. (Health Act Section 112)
5. A penalty of 11% per annum calculated daily be imposed on all rates and service charges outstanding as at the close of business 35 days following the issue of the rate notice. (FM Reg 70)
6. The interest component for rate installment is set at 5.5% per annum calculated daily. (FM Reg 68)
7. Council offers a 10% discount on rates paid within a minimum 35 days from the date of issue on the rate notice 25 July 2012, closing at 4.30pm at the council office on the 29 August 2012. (LGA Section 6.46)
8. The rate in the dollar for sewerage is set at 0.039954 cents per dollar of valuation.
9. The minimum sewerage rate is set at \$152.85 for both residential and commercial properties.

10. Those non-rateable properties serviced by the sewerage scheme be rated as follows:-
- | | |
|---------------------------|----------|
| i. Police Department | \$468.42 |
| ii. Medical Centre | \$468.42 |
| iii. Education Department | \$468.42 |
11. Refuse site levies be raised on non-minimum rated properties at \$42.10 and for minimum rated properties at \$14.05. (Health Act Section 41)
12. The schedule of fees and charges as listed and attached to the budget be adopted. (FM Reg 25)
13. The annual President's Allowance of \$1,500 be adopted.
14. Sitting fees for Councillors of \$60 per council meeting and \$30 per committee meeting as claimed be adopted.
15. That the date for issue of 2012/2013 rates be 25 July 2012, due date for rates is therefore on 29 August 2012. (LGS Section 6.52(2))
16. Council allow rates to be paid in four installments, the first installment due a minimum of 35 days after the date of issue on the rate notice, with the following three installments falling due at two-monthly intervals thereafter. Option for installments of rate payments is 29 August 2012, 29 October 2012, 7 January 2013 and 7 March 2013. (LGA Section 6.45, 6.50(3))
17. A copy of the Shire of Wickepin 2011/2012 Annual Budget to be forwarded to the Executive Director, Department of Local Government by 17 August 2012 (FM Reg 33)
18. The 2012/2013 budget, as presented, be duly adopted.

Voting Requirements: Absolute Majority.

Resolution No 180712-09

Moved Cr Lansdell / Seconded Cr Easton

That:

1. The rate in the dollar for unimproved values is set at 0.009403 cents per dollar of valuation. (FM Reg 23)
2. The rate in the dollar for gross rental values is set at 0.073054 cents per dollar of valuation. (FM Reg 23)
3. The minimum rate is set at \$300 for both gross rental and unimproved rateable values. (LGS Section 6.35)
4. The annual rubbish charge be set at \$150.00 for residential and \$296.00 for commercial in the collection areas only. (Health Act Section 112)
5. A penalty of 11% per annum calculated daily be imposed on all rates and service charges outstanding as at the close of business 35 days following the issue of the rate notice. (FM Reg 70)

6. The interest component for rate installment is set at 5.5% per annum calculated daily. (FM Reg 68)
7. Council offers a 10% discount on rates paid within a minimum 35 days from the date of issue on the rate notice 25 July 2012, closing at 4.30pm at the council office on the 29 August 2012. (LGA Section 6.46)
8. The rate in the dollar for sewerage is set at 0.039954 cents per dollar of valuation.
9. The minimum sewerage rate is set at \$152.85 for both residential and commercial properties.
10. Those non-rateable properties serviced by the sewerage scheme be rated as follows:-
 - i. Police Department \$468.42
 - ii. Medical Centre \$468.42
 - iii. Education Department \$468.42
11. Refuse site levies be raised on non-minimum rated properties at \$42.10 and for minimum rated properties at \$14.05. (Health Act Section 41)
12. The schedule of fees and charges as listed and attached to the budget be adopted. (FM Reg 25)
13. The annual President's Allowance of \$1,500 be adopted.
14. Sitting fees for Councillors of \$60 per council meeting and \$30 per committee meeting as claimed be adopted.
15. That the date for issue of 2012/2013 rates be 25 July 2012, due date for rates is therefore on 29 August 2012. (LGS Section 6.52(2))
16. Council allow rates to be paid in four installments, the first installment due a minimum of 35 days after the date of issue on the rate notice, with the following three installments falling due at two-monthly intervals thereafter. Option for installments of rate payments is 29 August 2012, 29 October 2012, 7 January 2013 and 7 March 2013. (LGA Section 6.45, 6.50(3))
17. A copy of the Shire of Wickepin 2011/2012 Annual Budget to be forwarded to the Executive Director, Department of Local Government by 17 August 2012 (FM Reg 33)
18. The 2012/2013 budget, as presented, be duly adopted.

Carried 8/0

Matters behind closed doors

4.33pm - ESO Leah Pearson departed the chambers.

Resolution No 180712-10

Moved Cr Martin / Seconded Cr Russell

MOVING BEHIND CLOSED DOORS

That the meeting proceed behind closed doors in accordance with section 5.23(2) of the Local Government Act 1995, for discussion of a sensitive staffing issue.

Carried 8/0

Resolution No 180712-11

Moved Cr Martin / Seconded Cr Coxon

COMING FROM BEHIND CLOSED DOORS

That the meeting come from behind closed doors.

Carried 8/0

4.40pm - ESO Leah Pearson returned to the chambers.

Governance, Audit and Community Services

10.2.04 - 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:	10 July 2012

Enclosure / Attachment: Nil

Background:

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

Building Licenses:

There were no building applications approved and license issued for the month of June 2012.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Recommendation:

That Council notes the report from the EHO/Building Surveyor 13 June 2012.

Voting Requirements: Simple Majority

Resolution No 180712-12

Moved Cr Russell / Seconded Cr Astbury

That Council notes the report from the EHO/Building Surveyor 10 July 2012.

Carried 8/0

Governance, Audit and Community Services

10.2.05 - Application for second dwelling - Lot 1 Green Road, Wickepin

Submission To:	Ordinary Council
Location / Address:	Lot 1 Green Road, Wickepin
Name of Applicant:	Allan Ramsay, EHO/Building Surveyor
File Reference:	700
Author:	Allan Ramsay, EHO/Building Surveyor
Disclosure of any Interest:	Nil
Date of Report:	10 July 2012

Enclosure/Attachments:

Letter from the applicant M& S Green
Site plan of lot 1 showing the proposed location of the dwelling
Map of the Green Property

Background:

Michael and Stefanie Green (the applicant) have submitted plans for a dwelling to be constructed on Lot 1 Green Road Wickepin. The property is 3 hectares in area and is surrounded by other larger lots with approximate size of 40 hectares, all belonging to the Greens. There is already a dwelling on the small lot with the entire farm buildings in close proximity.

Officer's Comment:

The Shire of Wickepin's Town Planning Scheme No 2. states the following:

5.20 Development in the General Agriculture Zone

5.20.2 Council may grant approval of up to two dwellings on any lot, provided the lot exceeds 40 hectares in area, where the land is managed for general agriculture production, tourism, or education purposes and where the occupants are engaged in these specified predominant land uses or activities.

The actual lot where the applicant would like to build the dwelling is only 3 hectares with an existing small older type house on the same lot. A second dwelling would therefore not comply with this clause.

5.19 Development in the Rural Residential Zone

5.19.3 Council may permit ancillary accommodation providing it is located within the same building envelope or building clearance area as the first or primary dwelling, or otherwise complies with the Residential Design Codes.

Whilst this clause refers to "Rural Residential Zone" the Interpretation of Zoning Table under the Town Planning Scheme No. 2 may allow it to be used in another zoned area such as a General Agriculture Zone i.e.

4.4 Town Planning Scheme No. 2

4.4.1 Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.

4.4.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any use category the local government may –

- a) Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;**
- b) Determine that the use may be consistent with the objectives of the particular zone and therefore follow the advertising from planning approval; or**
- c) Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.**

In relation to the applicant's request for a second dwelling, it would be acceptable under clause 4.4.2 (a).

Whilst the property, as a whole, is over 1000hectares in area it is used specifically for agriculture and therefore the applicants request for a second dwelling could be granted under clause 4.4.2 (a) and under clause 5.19.3 as ancillary accommodation.

There is no definition of "Ancillary Accommodation" under the Shire of Wickepin Town Planning Scheme No. 2. Under the Residential Design Codes ancillary accommodation relates to a self contained living accommodation on the same lot as the primary dwelling and occupied by the same members as the primary dwelling

Policy Implications: Nil

Financial Implications: Ratepayer resentment of paying more in sewerage costs

Strategic Implications: Nil

Enabling Legislation:

Local Government Act
Shire of Wickepin Local Town Planning Scheme No. 2
Residential Design Codes

Council Policy: Nil

Recommendation:

That Council:

1. Approve the second dwelling on Lot 1 Green Road as ancillary accommodation; and
2. A Building Licence be issued for the dwelling prior to constructions.

Resolution No 180712-13

Moved Cr Astbury / Seconded Cr Allan

That Council:

1. Approve the second dwelling on Lot 1 Green Road as ancillary accommodation; and
2. A Building Licence be issued for the dwelling prior to constructions.

Carried 8/0

4.47pm - CDO Natalie Manton entered the chambers.

Governance and Community Service

10.2.06 – Community Development Officer's Report

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: 18 July 2012

Enclosure / Attachment: Nil

Arts and Cultural	.
Community Development	<p>Yealering Hall and Lakeside Toilets Refurbishment</p> <ul style="list-style-type: none"> • Liaise with painter regarding work on the Yealering Hall. • Revised R4R budget for Yealering Hall project. • Organise new fridge shelves. <p>Yealering Cemetery</p> <ul style="list-style-type: none"> • Discussions and site meeting with builder. • Revised budget. • Discussion with Colin Coxon, Yealering Progress Association re: funding. • Design and layout discussion and site meeting with Sara Hills. <p>Townscape</p> <ul style="list-style-type: none"> • Attended Townscape meetings and follow up budget items. • Follow up orders from 2011/12 Townscape budget. <p>Men's Shed</p> <ul style="list-style-type: none"> • Follow up unspent funds. <p>Other</p> <ul style="list-style-type: none"> • Watershed notes • Reviewed funding opportunities. • Send out information to community members on CSRFF and Volunteer Grants
Community Safety and Crime Prevention	<p>Dedicated Deputy Project</p> <ul style="list-style-type: none"> • Liaise with Tam McKeown on project details and launch. <p>R U 2 Close Project</p> <ul style="list-style-type: none"> • Arranged payment of invoice and grant. <p>Farmshield</p> <ul style="list-style-type: none"> • Forwarded information to Facey Group and Health Centre.
Economic Development	<p>Living Lakes Project</p> <ul style="list-style-type: none"> • Follow up water monitoring.
Tourism Marketing and Promotion	<ul style="list-style-type: none"> • Dropped CD of photos off to Dryandra Visitors Centre for Dryandra website and updated meals and accommodation information. • Subscribed to Heartlands newsletter.
Sport and Recreation	<ul style="list-style-type: none"> • . <p>Synthetic Bowling Green</p> <ul style="list-style-type: none"> • Submitted CSRFF monthly report to Dept Sport and Rec. <p>Yealering Bike Skills Track</p> <ul style="list-style-type: none"> • Ordered Yealering Bike Skills Track fence • Consultation with Bike Track committee and update on project progress.

	<ul style="list-style-type: none"> Obtained cost of asphalt track and discussed site with contractor. Site meeting with Roadtech. <p>Kidsport</p> <ul style="list-style-type: none"> Entered Kidsport forms on database (25 applicants). Forwarded information and explained scheme to community members and clubs. Liaise with Dept Sport and Rec and Town of Narrogin. Kidsport forms on Wickepin website. <p>Healthy Communities Project</p> <ul style="list-style-type: none"> Met with Project Co-Ordinator regarding Healthy Communities Project and reference group. Discussed Wickepin project launch with Health Centre staff Discussion with Reference group member.
Special Needs Groups inc; Youth, Disabled and Older People.	<ul style="list-style-type: none"> Attended meeting with Terry Waldron re: aged housing meeting.
Heritage	<ul style="list-style-type: none"> Obtained background information on War memorial. Heritage precinct walk trail and old machinery display.
Other	<ul style="list-style-type: none"> Attended budget planning meeting. Review policy manual.

Funding Applications Status Report

Project Name	Funding Organisation	Amount Requested inc Gst	Status
Wickepin synthetic bowling green	Dept Sport and Rec	\$88,076	CSRFF Approved \$78,300
Yealering Bike Track	Lotterywest	\$18,000	approved
Dedicated Deputy Project		\$2,966	approved
R U 2 Close	Public Health Advocacy Institute of WA	\$7,500	approved

Statutory Environment: Local Government Act 1995.

Policy Implications: Nil.

Financial Implications: Nil.

Strategic Implications: Nil.

Recommendation:

That council notes the report from the Community Development Officer dated 18 July 2012.

Voting Requirements: Simple majority.

Resolution No 180712-14

Moved Cr Hinkley / Seconded Cr Allan

That council notes the report from the Community Development Officer dated 18 July 2012.

Carried 8/0

Governance, Audit & Community Services

10.2.07 – Country Local Government Fund 2011-12 Variation

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 July 2012

Enclosure / Attachment: Nil

Background:

Country Local Government Fund Individual Allocation projects for 2010-11 are well under way. Project 4 Shire Office Upgrade has been completed and the remaining 5 projects are partially completed.

Project 6, the Yealering Hall and Lakeside Toilets upgrade is largely complete and there will be approximately \$30,000 remaining of the allocated budget as the floors did not require upgrade as originally anticipated.

Project 3, Community Ag Centre will require approximately \$56,000 to complete work on this project as additional repairs to the roof have been identified and refurbishment of floor coverings and drainage will be required. It is proposed that \$20,000 of the funds remaining after the completion of Project 6 be allocated to Project 3 Community Ag Centre Refurbishment.

Project 5, Yealering Cemetery Upgrade will require an additional \$30,000 to complete the project. It is proposed that \$10,000 of the funds remaining from after the completion of Project 6 be allocated to Project 5.

Comment:

A variation to the original budget allocation will need to be submitted to the Department of Regional Development prior to funding being re-allocated of Country Local Government Funds from one project to another.

Statutory Environment: *Local Government Act 1995*

Policy Implications: Nil

Financial Implications:

There is no impact on municipal funds due to the variation of the allocations of the 2010/11 CLGF.

Strategic Implications: Not applicable.

Summary: Nil

Recommendation:

That \$20,000 of the funds remaining after the completion of Project 6 Yealering Hall and Lakeside Toilets upgrade be allocated to Project 3 Community Ag Centre Refurbishment.

That \$10,000 of the funds remaining from after the completion of Project 6 Yealering Hall and Lakeside Toilets upgrade be allocated to Project 5 Yealering Cemetery Niche wall and Gazebo.

A request be made to the Yealering Progress Association for \$23,000 from the Ellen King Trust Fund to be used to complete the upgrade of the Yealering Cemetery.

Voting Requirements: Simple majority.

Resolution No 180712-15**Moved Cr Astbury / Seconded Cr Easton**

1. That \$20,000 of the funds remaining after the completion of Project 6 Yealering Hall and Lakeside Toilets upgrade be allocated to Project 3 Community Ag Centre Refurbishment.
2. That \$10,000 of the funds remaining from after the completion of Project 6 Yealering Hall and Lakeside Toilets upgrade be allocated to Project 5 Yealering Cemetery Niche wall and Gazebo.
3. A request be made to the Yealering Progress Association for \$23,000 from the Ellen King Trust Fund to be used to complete the upgrade of the Yealering Cemetery.

Carried 8/0

4.58pm - CDO Natalie Manton departed the chambers.

Governance, Audit & Community Services

10.2.08 - Sale of Land – 34 Plover Street, Wickepin

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Mark Hook, Chief Executive Officer
File Reference:	502
Author:	Mark Hook, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	10 July 2012

Enclosure / Attachment: Nil

Background:

Council listed lots 33, 34, 35 and 36 Plover Street Wickepin with the Professionals – Southern District Estate Agency, Mr. Les Chitty.

Council has received an offer for Lot 34 Plover Street Wickepin from Glen Bernard Leeson and Paige Erica Rae of 176 Bushby Road Wickepin 6370.

Comment:

As the offer is not in line with Council original parameters it is not required to honour the building incentive.

Council has accepted an offer of \$45,000.00 for Lot 43 Plover as per the following Resolution of Council at its 14th December 2011 Ordinary Meeting.

Resolution No 141211-12

Moved Cr Hinkley/ Seconded Cr Russell

That Council accept the offer from Party "A" as circulated under separate cover for the sale of Lot 33 Plover Street, Wickepin and proceed to advertise its intent to dispose.;

Council has also passed the following resolution in relation to the offer for 36 Plover Street at its 15th February 2012 Ordinary Meeting of Council.

Resolution No 150212-12

Moved Cr Russell / Seconded Cr Lansdell

That council reject the counter offer of \$42,000 and indicate that the block is still available for \$45,000.

Carried 6/1

The offer for Lot 34 Plover Street fits within Councils parameters and the Chief Executive Officer recommends acceptance of the offer without the 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.

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.
- [Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

Policy Implications: Not applicable

Financial Implications:

The following resolution was carried by Council at its November 2010 Council meeting.

Resolution No 171110-16**Moved Cr Easton/ Seconded Cr Coxon**

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.

Carried 8/0

Strategic Implications:

Through planning and development ensure availability of land for residential and industrial purposes.

Summary:

Council is being requested to accept an offer of \$45,000 for the sale of Lot 34 Plover Street to Glen Bernard Leeson and Paige Erica Rae of 176 Bushby Road Wickepin 6370.

Recommendation:

1. That Council accepts the offer of \$45,000 without the 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) for the sale of Lot 34 Plover Street, Wickepin and proceeds to advertise its intent to dispose of Lot 34 Plover Street to Glen Bernard Leeson and Paige Erica Rae of 176 Bushby Road Wickepin 6370.
2. That the net sale amount be transferred to the Land Development Reserve

Voting Requirements: Simple majority

Resolution No 180712-16**Moved Cr Astbury / Seconded Cr Hinkley**

1. That Council accepts the offer of \$45,000 without the 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) for the sale of Lot 34 Plover Street, Wickepin and proceeds to advertise its intent to dispose of Lot 34 Plover Street to Glen Bernard Leeson and Paige Erica Rae of 176 Bushby Road Wickepin 6370.
2. That the net sale amount be transferred to the Land Development Reserve.

Carried 8/0

Governance, Audit & Community Services

10.2.09 – 2012 WALGA AGM Motions

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:	11 July 2012

Enclosure / Attachment: Nil

Background:

Council is to consider its position in relation to motions being presented to the WALGA Annual General Meeting being held at the Perth Convention and Exhibition Centre Wednesday 1st August 2012.

Comment:

Council's voting delegates to the Annual General Meeting (AGM) of WALGA are Cr Steven Martin and Cr Julie Russell, Cr Allan Lansdell and the Chief Executive Officer will also be attending the Local Government Week and the WALGA AGM.

Included in the Agenda package of Councillor's attending Local Government Week is an Agenda for the Annual General Meeting of WALGA. A copy of the agenda can be provided if Councillors are interested either electronically or in a printed form.

A copy of the motions to be debated at the Annual General Meeting of WALGA at the Perth Convention Exhibition Centre, on Wednesday 1st August 2012 with officer's recommendations is as follows.

No.	Proposed Motion	Comment
4.1 Transport Contributions from Heavy Vehicles Users Shire of Perenjori Delegate to move:	That WALGA press the State Government to regulate large freight campaigns on local roads to either prevent them, or provide a fair means for Local Governments to recover costs arising from these campaigns.	MEMBER COMMENT The Restricted Access Vehicle (RAV) System provides a means for Local Governments to recommend to Main Roads which of its roads should be available to RAV combinations. These recommendations will generally be based on a reasonable understanding of the likely usage of the road by the businesses and the community served by that road. Once a road has been included on the RAV data base there is nothing to stop the road being used for freight campaigns well outside the scope of the Local Government's expectations. Local Governments have no formal means available to them to recover the costs that arise from these unexpected campaigns. There have been several recent examples of large freight campaigns on local roads that have been out of proportion with the design and expectations for that road. A particular example involved the transport of in excess of 100,000 tonnes of ballast on local roads that had been designated as RAV routes for the transport of occasional loads of fertiliser, grain or stock. The road was literally destroyed over the course of a few days. By the time the affected Local Governments became aware of the campaign, much of the damage had been done and there was no legitimate means to stop it. Local Governments rely

		<p>on instruments such as local planning policies (for timber plantations) and local laws (for the likes of extractive industries) to try to regulate some freight tasks. These instruments are ineffective when the campaign is unexpected and does not require other approvals from Local Government. The recent WA Transport Forum discussed the problem but no solutions were identified. Providing a RAV network to service local farms and businesses should not expose Local Governments to these large and unexpected campaigns.</p> <p><u>SECRETARIAT COMMENT</u></p> <p>The existing legislative framework does not provide for effective control of large freight tasks that have a major impact on road infrastructure, without placing an onerous regulatory burden on local businesses and Local Governments. The COAG initiated reform processes, intended to provide a mechanism to enable road managers, including Local Governments, to recover costs proportional to the damage caused by heavy vehicles, have not progressed significantly. While Local Governments receive a share of motor vehicle licence fee revenue, including that from heavy vehicles, to fund roads the quantum and allocation of this funding does not respond to damage from major freight transport activities. Changes in State legislation are required in order to enable Local Governments to effectively and efficiently avoid the high costs of road damage from heavy vehicles being transferred to local communities.</p> <p><u>OFFICER RECOMMENDATION</u></p> <p>That the Motion be supported</p>
<p>4.2 Consultation Process with State Government</p> <p>Town of Narrogin Delegate to move</p>	<p>That the Minister for Local Government, when calling for submissions, comment or advice on proposed amendments to the Act, Regulations or other items that affect the Local Government Sector, provide an adequate allowance for time, being a minimum of six weeks, to review the information and prepare submissions and if Easter or the Christmas period fall within this consultation period an additional two weeks for Easter and four weeks for the Christmas period be added to the submission period.</p>	<p><u>MEMBER COMMENT</u></p> <p>The Town of Narrogin has expressed concern with the way that the Minister consults with Local Government and forces some issues through during public holiday times and holidays like Easter and Christmas, reducing the time and ability for Councils to respond formally with Council motions. The period of six weeks allows any Council to have at least one Council meeting during this time and should the consultation fall over one of the holiday periods, that the consultation period be further extended to all for Councillors to return from leave and inform themselves on the issues at hand.</p> <p><u>SECRETARIAT COMMENT</u></p> <p>The requirement for adequate consultation with the sector on anything effecting Local Government by the State Government has been a long standing advocacy base for the Association. WALGA together with the Local Government Managers Association (LGMA) has signed a State/Local Government Agreement with the State Government. In the agreement there is provision for a Communication and Consultation Protocol. This provision states; "An appropriate protocol will be developed which defines the range of communication and consultation</p>

		<p>mechanisms to be applied to the development of legislation, regulation, administrative and operation guidelines and other matters impacting on Local Government.” WALGA has presented a draft Communication and Consultation Protocol to the State Government that suggests the following protocols;</p> <ul style="list-style-type: none"> i. New legislation and amendments, proposals and legal mandate that will have an impact on Local Government expenditure - Minimum of twelve (12) weeks consultation. ii. Consultation for a minimum of eight weeks on proposed changes to Regulations or other compliance requirements that will have an impact on Local Government’s responsibilities. iii. Communication between both spheres of government relating to changes in operating procedure or practice which will have minimal impact requires advice prior to any action. <p>The above protocol requires either 8 or 12 weeks consultation depending on whether it is legislation or regulation. This is a greater requirement than the 6 weeks proposed in this motion. The most recent example of the State Government not providing sufficient consultation related to a proposal to amend the Local Government (Financial Management) Regulations 1996, immediately prior to Easter 2012. The consultation carried out in this instance was not adequate and the Association has communicated our objection to the Minister for Local Government. The most appropriate course of action is for the Communication and Consultation protocol to be signed and then this would require all State Government agencies to follow the protocol.</p> <p><u>OFFICER RECOMMENDATION</u> That the Motion be supported</p>
<p>4.3 Revaluation of Unimproved Valuation (UV) Land Shire of Kulin Delegate to move</p>	<p>That this meeting seek an amendment to the Valuation of Land Act 1978 so that individual Local Governments are able to determine if it is considered necessary for a UV revaluation to be applied, for rating purposes, across the whole Shire in any particular year. Further that the legislation be further amended to include provision that every Local Government across the State must accept a general UV revaluation at least once every three (3) years.</p>	<p><u>MEMBER COMMENT</u> Annual revaluations for UV properties were introduced some 20 years ago due largely to:</p> <ul style="list-style-type: none"> • Revaluations were somewhat adhoc and there were occasions where a revaluation caused issues when significant changes in rural values for specific areas within a particular LG occurred over a period of time. Many landowners faced significant rate increases and it became a difficult process to explain the reasons for increased rates to those in the affected areas. • The Valuer General’s Office (VGO) had concerns over properties that covered two or more Shires where those LG’s revaluation schedule were not in sync. In some instances this again caused angst as on occasions one ratepayer would be more severely affected by rate increases on land he held in one LG as opposed to the other, regardless of what the actual overall rate increase was. • Where there was an extended period between revaluations there were occasions where no land sales actually occurred in that particular shire for the year the revaluation was being carried out. This did cause difficulties for the VG in determining the appropriate values. While it is agreed the

		<p>above reasons are sound, revaluations in recent years has seen little change, due mainly to the limited land sales taking place. Examples in the changes for total valuations from year to year are as follows;</p> <p>Local Government Last Year This year</p> <p>Kulin + 0.90% - 0.50%</p> <p>Brookton - 1.05% - 0.29%</p> <p>Cuballing - 0.10% - 0.03%</p> <p>Corrigin - 1.30% + 0.02%</p> <p>Pingelly - 0.61% + 0.26%</p> <p>Williams - 3.02% - 0.24%</p> <p>Quairading - 2.00% - 1.10%</p> <p>Wickepin + 0.78% - 2.65%</p> <p>While it is not the intention to return to the "old days" where there were issues with irregular revaluations, it is our belief that it is unlikely there will be any major changes in UV's into the foreseeable future and we can see little point in:</p> <ul style="list-style-type: none"> • Paying the revaluation fee of approximately \$5,000 per annum for little benefit, • Spending valuable administration time in amending the rate records annually, again for little benefit. <p>A procedure where individual Local Governments can request annual values can be introduced thereby reducing the financial and resource burden on rural Local Governments as well as reducing the workload on the Valuer General's Office. If the above is accepted there would need to be a fixed date where a Local Government can request not to have the annual valuation.</p> <p><u>SECRETARIAT COMMENT</u></p> <p>WALGA recognises the issue in rural areas where there are limited sales evidence and little change in valuations that questions the need for annual valuations and the cost incurred. The main issue is that there is consistency in the valuation period. The motion proposes that a general UV revaluation is required every three years; this is a logical approach. The revaluations of Gross Rental Valuation (GRV) properties are re-valued based on activity, however at least every 5 years.</p> <p><u>OFFICER RECOMMENDATION</u></p> <p>That the Motion be supported</p>
--	--	---

Statutory Environment: *Local Government Act 1995*

Policy Implications: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Summary: Nil.

Recommendation:

That Council delegates to the Western Australian Local Government Association Annual General Meeting to be held at the Perth Convention Exhibition Centre on Wednesday 1st August 2012 be instructed and authorised to vote on the following Agenda items as follows:

1. 4.1 Transport Contributions from Heavy Vehicles – Motion be Supported
2. 4.2 Consultation Process with State Government – Motion be Supported
3. 4.3 Revaluation of Unimproved Valuation (UV) Land - Motion be Supported

Voting Requirements: Simple majority.

Resolution No 180712-17**Moved Cr Hinkley / Seconded Cr Easton**

That Council delegates to the Western Australian Local Government Association Annual General Meeting to be held at the Perth Convention Exhibition Centre on Wednesday 1st August 2012 be instructed and authorised to vote on the following Agenda items as follows:

1. 4.1 Transport Contributions from Heavy Vehicles – Motion be Supported
2. 4.2 Consultation Process with State Government – Motion be Supported
3. 4.3 Revaluation of Unimproved Valuation (UV) Land - Motion be Supported

Carried 8/0

Governance, Audit & Community Services

10.2.10 – Revised Residential Design Codes (R-Codes)

Submission To:	Ordinary Council
Location / Address:	Whole Shire
Name of Applicant:	Mark J Hook, Chief Executive Officer
File Reference:	1702
Author:	Mark J Hook, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 July 2012

Enclosure / Attachment: Nil

Background:

WALGA has forwarded the following INFO Page for Councils Actions.

To:	Chief Executive Officer	From:	Vanessa Jackson
Organisation:	All Councils	Date:	6 July 2012
Reference:	05-015-02-0002		
Subject:	Implementation of Revised Residential Design Codes (R-Codes)	Priority:	High

IN BRIEF

Operational Area:	CEO, Planning Department
Key Issues:	<ul style="list-style-type: none"> • WAPC endorsed a new Residential Design Codes (R-Codes) at its June 2012 meeting. • A one month implementation period for local government to prepare for the new provisions was recommended and although the WAPC agreed that a longer implementation period is necessary, an extended time period was not endorsed. • To ensure that an appropriate timeframe is set, WALGA is seeking advocacy assistance from the local government sector.
Action Required:	Write to the Minister for Planning to request an appropriate implementation period (template provided)

The Western Australian Planning Commission (WAPC) has undertaken a review of State Planning Policy 3.1 - Residential Design Codes (R-Codes) and endorsed a new version at its meeting on the 26 June 2012.

At the meeting, the WAPC was advised that once approved by the Minister and Governor; the proposed implementation and gazettal process for the revised R-Codes would be a 'minimum period of one month'. The WAPC agreed that a longer timeframe was needed, particularly in light of the recent implementation of the Building Act, however, a specific timeframe was not endorsed.

WALGA has a number of concerns about the inadequacy of the proposed 'one month gazettal period'. The proposed implementation period does not allow local government and the development industry adequate time to fully assess and understand the revised R-Codes provisions. This will significantly compromise the successful transition and implementation of the amended R-Codes. Further, a one month implementation period will not provide sufficient time for local governments to evaluate the revised R-Codes provisions and make modifications to local planning policies, if required. This is particularly important given that where there is an inconsistency between the two provisions; the R-Codes will prevail over the provisions set out by a local planning policy.

WALGA has informed the WAPC of its concerns regarding the proposed R-Codes implementation period. This was recognised by the WAPC, however as an alternative timeframe was not set we are apprehensive that the 'one month' process will proceed regardless. Therefore in order to highlight the significance of this issue, the Association suggests that those members, who share similar concerns, write to the Minister for Planning, seeking the Ministers support to ensure that a more suitable implementation period is provided.

In order to help make this process more efficient for members, a draft / template letter has been prepared and is attached. As the proposed R-Code amendments and implementation period may present different challenges to each individual local government, members can amend the template to reflect more accurately their concerns.

The R-Codes are likely to be considered by the Minister this month, therefore, the Minister will need to be informed of local government's views on a suitable implementation period as soon as possible.

Comment:

The Chief Executive Officer agrees with the comments by WALGA in the Info Page Reference 05-015-02-002 and recommends to Council that the Shire of Wickepin forwards the following letter to the Honourable John Day BSc BSc MLA Minister for Planning; Culture and the Arts; Science and Innovation.

Dear Minister

IMPLEMENTATION OF REVISED STATE PLANNING POLICY 3.1 – RESIDENTIAL DESIGN CODES (R-CODES)

The Shire/City of ----- understands that the review of State Planning Policy 3.1 - Residential Design Codes (R-Codes) is nearing completion and the WAPC will be seeking your approval of the revised R-Codes this month, including a possible implementation period of one month.

The Shire/City wishes to inform you that it considers any implementation period less than 3 months for the revised R-Codes to be inadequate.

The proposed R-Code implementation period of one month will unduly compromise the successful transition and implementation of the revised R-Codes for the a number of reasons, including;

- The proposed 'one month' implementation period fails to recognise local government reporting timeframes, in particular the procedures required within a local planning schemes to amend a local planning policy. Most local planning schemes require amendments to be advertised for a minimum of 21 days before a revised policy can be adopted by Council. This is critically important as the R-Codes states that if there is inconsistency, the R-Codes will prevail over a properly adopted local planning policy, which came into effect prior to the gazettal of the R-Codes. As such local governments will be unable evaluate the revised R-Codes provisions and make modifications or amendments to local planning policies, if required, within the proposed 'one month' implementation period.
- The proposed implementation period fails to give regard to the resources of many of the smaller and remote local governments as many of these local governments do not have the staffing resources of larger metropolitan and state government agencies to specifically dedicate resources within this 'one month' implementation period;
- The recent uncertainty, delays and disruption in processing building permits as a direct result of the new Building Act clearly demonstrates that the implementation of new legislation requires sufficient time to be considered by the development industry, as well as local government. The lessons of this inadequate implementation process should suggest that an adequate transition time is required, so

that interpretation issues and processing requirements can be resolved prior to the gazettal of the new R-Codes.

- A one month implementation period does not allow for user information and training sessions. It is imperative that the Department of Planning conducts sufficient workshop sessions in advance of the gazettal, enabling all stakeholders to be suitably informed of the amended provisions. This courtesy needs to be extended to those in the regional areas, as well as to those within the metropolitan area.

In addition to reasons outlined above, there is no evidence to suggest that the existing R-Codes provisions are so flawed that the implementation of the proposed R-Codes is urgently needed. As such there can be no reasonable justification for adopting the new R-Codes with undue haste.

The City/Shire recommends that the revised R-Codes are approved with a minimum 3 month implementation timeframe, a timeframe which is consistent with previous releases of this State Planning Policy.

As the R-Codes is the principal tool for controlling residential development, the revised R-Codes adoption process has the potential to affect a wide range of stakeholders including the development industry, local government and communities. Therefore, it is recommended that the introduction of the revised R-Codes takes place in manner that allows all stakeholders adequate time to fully understand and adjust to the amended provisions.

Statutory Environment:

Local Government Act 1995

Planning and Development Act 1995

State Planning Policy 3.1

Policy Implications: Will affect Councils Town planning Scheme number 4.

Financial Implications: Nil

Strategic Implications: Nil

Summary:

Council is being requested to support WALGA in requesting the Honourable John Day BSc BDS Sc MLA Minister for Planning; Culture and the Arts; Science and Innovation to increase the proposed one Month gazettal period for the revised R codes as it is felt that the time frame will not allow adequate time to fully assess and understand the revised R Codes provisions.

Recommendation:

That the following letter be forwarded to the Honourable John Day BSc BDS Sc MLA Minister for Planning; Culture and the Arts; Science and Innovation.

The Shire of Wickepin understands that the review of State Planning Policy 3.1 Residential Design Codes (R-Codes) is nearing completion and the WAPC will be seeking your approval of the revised R-Codes this Month, including a possible implementation period of one month.

The Shire of Wickepin wishes to inform you that it considers any implementation period less than 3 months for the revised R-Codes to be inadequate.

The proposed R-Code implementation period of one month will unduly compromise the successful transition and implementation of the revised R-Codes for the a number of reasons, including;

- The proposed 'one month' implementation period fails to recognise local government reporting timeframes, in particular the procedures required within a local planning schemes to amend a local planning policy. Most local planning schemes require amendments to be advertised for a minimum of 21 days before a revised policy can be adopted by Council. This is critically important as the R-Codes states that if there is inconsistency, the R-Codes will prevail over a properly adopted local planning policy, which came into effect prior to the gazettal of the R-Codes. As such local governments will be unable evaluate the revised R-Codes provisions and make modifications or amendments to local planning policies, if required, within the proposed 'one month' implementation period.
- The proposed implementation period fails to give regard to the resources of many of the smaller and remote local governments as many of these local governments do not have the staffing resources of larger metropolitan and state government agencies to specifically dedicate resources within this 'one month' implementation period;
- The recent uncertainty, delays and disruption in processing building permits as a direct result of the new Building Act clearly demonstrates that the implementation of new legislation requires sufficient time to be considered by the development industry, as well as local government. The lessons of this inadequate implementation process should suggest that an adequate transition time is required, so that interpretation issues and processing requirements can be resolved prior to the gazettal of the new R-Codes.
- A one month implementation period does not allow for user information and training sessions. It is imperative that the Department of Planning conducts sufficient workshop sessions in advance of the gazettal, enabling all stakeholders to be suitably informed of the amended provisions. This courtesy needs to be extended to those in the regional areas, as well as to those within the metropolitan area.

In addition to reasons outlined above, there is no evidence to suggest that the existing R-Codes provisions are so flawed that the implementation of the proposed R-Codes is urgently needed. As such there can be no reasonable justification for adopting the new R-Codes with undue haste.

The Shire of Wickepin recommends that the revised R-Codes are approved with a minimum 3 month implementation timeframe, a timeframe which is consistent with previous releases of this State Planning Policy.

As the R-Codes is the principal tool for controlling residential development, the revised R-Codes adoption process has the potential to affect a wide range of stakeholders including the development industry, local government and communities. Therefore, it is recommended that the introduction of the revised R-Codes takes place in manner that allows all stakeholders adequate time to fully understand and adjust to the amended provisions.

Voting Requirements: Simple majority

Resolution No 180712-18

Moved Cr Russell / Seconded Cr Easton

That the following letter be forwarded to the Honourable John Day BSc BDS Sc MLA Minister for Planning; Culture and the Arts; Science and Innovation.

The Shire of Wickepin understands that the review of State Planning Policy 3.1 Residential Design Codes (R-Codes) is nearing completion and the WAPC will be seeking your approval of the revised R-Codes this Month, including a possible implementation period of one month.

The Shire of Wickepin wishes to inform you that it considers any implementation period less than 3 months for the revised R-Codes to be inadequate.

The proposed R-Code implementation period of one month will unduly compromise the successful transition and implementation of the revised R-Codes for the a number of reasons, including;

- The proposed 'one month' implementation period fails to recognise local government reporting timeframes, in particular the procedures required within a local planning schemes to amend a local planning policy. Most local planning schemes require amendments to be advertised for a minimum of 21 days before a revised policy can be adopted by Council. This is critically important as the R-Codes states that if there is inconsistency, the R-Codes will prevail over a properly adopted local planning policy, which came into effect prior to the gazettal of the R-Codes. As such local governments will be unable evaluate the revised R-Codes provisions and make modifications or amendments to local planning policies, if required, within the proposed 'one month' implementation period.
- The proposed implementation period fails to give regard to the resources of many of the smaller and remote local governments as many of these local governments do not have the staffing resources of larger metropolitan and state government agencies to specifically dedicate resources within this 'one month' implementation period;
- The recent uncertainty, delays and disruption in processing building permits as a direct result of the new Building Act clearly demonstrates that the implementation of new legislation requires sufficient time to be considered by the development industry, as well as local government. The lessons of this inadequate implementation process should suggest that an adequate transition time is required, so that interpretation issues and processing requirements can be resolved prior to the gazettal of the new R-Codes.
- A one month implementation period does not allow for user information and training sessions. It is imperative that the Department of Planning conducts sufficient workshop sessions in advance of the gazettal, enabling all stakeholders to be suitably informed of the amended provisions. This courtesy needs to be extended to those in the regional areas, as well as to those within the metropolitan area.

In addition to reasons outlined above, there is no evidence to suggest that the existing R-Codes provisions are so flawed that the implementation of the proposed R-Codes is urgently needed. As such there can be no reasonable justification for adopting the new R-Codes with undue haste.

The Shire of Wickepin recommends that the revised R-Codes are approved with a minimum 3 month implementation timeframe, a timeframe which is consistent with previous releases of this State Planning Policy.

As the R-Codes is the principal tool for controlling residential development, the revised R-Codes adoption process has the potential to affect a wide range of stakeholders including the development industry, local government and communities. Therefore, it is recommended that the introduction of the revised R-Codes takes place in manner that allows all stakeholders adequate time to fully understand and adjust to the amended provisions.

Carried 8/0

Governance, Audit & Community Services

10.2.11 – Yealering Hall Waiving Fees and Charges

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:	11 July 2012

Enclosure / Attachment: Nil

Background:

The Yealering Progress Association booked the Yealering Hall for the 29th June for a Quiz Night. Council subsequently invoiced the Yealering Progress Association for the hire of the hall as per Councils fees and charges.

Since receiving the invoice for the Yealering Hall Hire Rachael Hill Treasurer Yealering Progress Association has forwarded the following email to Council..

“I have received a tax invoice (5988) for \$95.00 for the hall hire fee in Yealering. I am seeking a waiver of this fee as it was a fundraising event for the community by our community. We raised \$1000 and require these funds (and more) to establish our bike track in the middle of town.”

Comment:

Council Policy C2.2 .2B states

All other requests for reductions, concessions or waiving of hire charges will only be considered at the absolute discretion of the council upon the receipt of an application in writing.

As the use is for the fundraising of a community project being the Yealering Bike Track it is recommended by the Chief Executive Officer that the fees of \$95.00 be waived in this instance and the charge under Invoice 5988 be Written Off

Statutory Environment:

Local Government Act 1995

Policy Implications:

Hire of Halls/Community Centre C2.2

Purpose

To establish guidelines for the hire of halls and the Wickepin Community Centre and situations where hire charges may be waived.

Policy

1. Hall Hire
 - (a) The condition of hired buildings will be monitored and any damage sustained or excessive cleaning required is to be brought to the attention of the hirer/user who will be levied with a further charge to cover the costs of such damage and/or cleaning in addition to the hire fee.

- (b) The onus shall be on the user/hirer of buildings to obtain the necessary copyright approvals if intending to broadcast copyright material (music) to the public.
2. Waiver of Hire Charges
- (a) The following community groups/organisations shall be entitled to use the halls and/or community centre for a nominal fee as set in council's budget for non-profit functions:
- (i) Wickepin, Yealering and Tincurrin Primary Schools
 - (ii) Community Christmas Tree
 - (iii) Yealering Progress Association for meetings
 - (iv) Annual Senior Citizens Luncheon organised by the Guild
- (b) **All other requests for reductions, concessions or waiving of hire charges will only be considered at the absolute discretion of the council upon the receipt of an application in writing.**

Yealering Hall – Management C2.6
Hire Charges

Waiver of hire charges will be dealt with in accordance with Council Policy C2.2.

Financial Implications:

Loss of income for the hire of the Yealering Hall

Yealering Town Hall	Receipt to 144530	
Full Kitchen/Bar & Function Area (whole hall)	\$140.00	\$127.27
Full Kitchen/Bar & Function Area (whole hall) - half day	\$80.00	\$63.64
Full Kitchen/Bar & Foyer	\$95.00	\$86.36
full Kitchen/Bar & Foyer - half day	\$70.00	\$63.64
Basic Kitchen/Foyer - morning/afternoon tea	\$40.00	\$36.36
Equipt Hire - trestle tables (old)	\$12.00	\$9.00
30 chairs (old)	\$15.00	\$9.00
Cricket Club Annual Fee - Waived	nil	

Strategic Implications: Nil.

Summary:

Council is being requested to write off the fee of \$95.00 charged under Invoice 5988 to the Yealering Progress Association for the hire of the Yealering Hall for the fundraiser for the Yealering Bike Track.

Recommendation:

That the fees of \$95.00 charged under Invoice 5988 to the Yealering Progress Association for the hire of the Yealering Hall for the fundraiser for the Yealering Bike Track be written off.

Voting Requirements: Absolute majority.

Resolution No 180712-19

Moved Cr Easton / Seconded Cr Coxon

That the fees of \$95.00 charged under Invoice 5988 to the Yealering Progress Association for the hire of the Yealering Hall for the fundraiser for the Yealering Bike Track be written off.

Carried 8/0

11. President's Report

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:	10 July 2012

GUMNUT COTTAGE 56 FISHER STREET

The Professionals Real Estate agent Mr Les Chitty has inspected the property and has listed the property at a Market Value of \$100,000.

CARAVAN PARK AGREEMENTS

Discussions have been held with the Caravan Park Manager and Caretakers of the Wickepin and Harrismith Caravan Parks regarding the proposed agreements and the agreements have been signed with the Caretakers responsible for their own insurance payments.

Yealering Agreement should be signed this week Mr Stribbling has advised he is ok with the agreement sent out to him and he will sign the agreement and drop it in to the office on Friday 13th July 2012.

WICKEPIN HALL MEMORIAL HONOUR BOARDS

The Chief Executive Officer and the President of the Narrogin RSL Mr Reece Chattillon met on site with Mr Peter Williamson regarding the moving of the 1914-1919 World War one Memorial Honour Board currently hanging in the Wickepin Main Hall. Mr Chattillon advised that he will write to Council regarding the Honour Board. The Chief Executive Officer advised Mr Chattillon that he would not relocate the honour board out into the front foyer as it is not protected from vandalism or the extreme weather conditions that it is protected from inside the Wickepin Hall. The CEO also advised Mr Chattillon that Council has also resolved that the Honour Board would not be moved. Mr Williamson advised that he will be talking to the relatives and getting a petition up to have the honour board relocated to the main entrance where the 1939-1945 Honour Board hangs on the wall.

LOCAL GOVERNMENT 2011 CONVENTION - PERTH 1ST TO 3RD AUGUST 2012

The Shire President Cr Martin, Deputy Shire President, Councillor Allan Lansdell and the Chief Executive Officer will be attending the annual local government convention convened by WALGA in Perth from Wednesday 1st August 2012 to Friday 3rd August 2012.

BUDGET FORMULATION 2012/13

The end of financial year has come around again and we are in the process of finalising the end of year for 2011/12.

The Budget should be adopted at the 18th July 2012 Ordinary Meeting of Council based on a 4.5% rate increase with the sewerage rates going up 5%. Rates notices should be posted out by the end of July 2012.

SYNTHETIC BOWLING GREENS

Work has commenced on the Wickepin Synthetic Bowling Greens and there have been two variations agreed to with Evergreen Synthetic Grass under the contract for additional paving \$4314.50 and additional costs for irrigation of \$950 for a larger station control box.

WICKEPIN CAC

There has been a problem found with the roof of the Community Agriculture Centre Building housing the Facey Group. A report outlining the overall state of the building with costings will be presented to Council. As discussed at the budget workshops the building requires a new roof and the old wooden beams have dropped for some reason crushing the box gutter. This will require a revamp of the refurbishment of this building and the anticipated costs will be around \$62,000.

COUNTRY LOCAL GOVERNMENT FUND REGIONAL COMPONENT

The Chief Executive Officer has been advised by the Department of Regional Development that the Business Case for the 2011/12 Regional Monies for the Waste Transfer Stations with the Shire of Wandering and Wickepin will need a rewrite, and therefore it may not qualify for 2011/12 funds, and may need to be put to the 2012/13 funds. I am not sure what this means for the 2011/12 Regional Component funding. Martin Whitely CEO Shire of Wandering has been given grant funding from the WDC to undertake the appointment of a consultant to rewrite the business plan for the Waste Transfer Stations. I will keep Council informed once more information is available from RDL.

Delegations

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	Creditors of council as per agenda item
A2	Septic Tank Application Approvals	EHO	Nil		
A3	Building Approvals	BO	None (0)	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			
A12	Liquor Consumption on Shire Owned Property	CEO	Wickepin Community Centre - Facey Group Committee Meeting	11 July 2012	
			Wickepin Community Centre - Facey Group training	31 July 2012	
A13	Hire of Community Halls / Community Centre	CEO	Wickepin Community Centre - Facey Group Committee Meeting	11 July 2012	
			Wickepin Community Centre - Facey Group training	31 July 2012	

Recommendations:

That Council endorses the Chief Executive Officers Report dated 10 July 2012.

Voting Requirements: Simple majority

Resolution No 180712-20

Moved Cr Lansdell / Seconded Cr Allan

That Council endorses the Chief Executive Officers Report dated 10 July 2012.

Carried 8/0

13. Notice of Motions for the Following Meeting**14. Reports & Information****15. Urgent Business**

Shire President congratulated the executive staff on the presentation of the budget.

16. Closure

There being no further business the Presiding Officer declared the meeting closed at 5.07pm.