

Minutes

ORDINARY MEETING OF COUNCIL
15 AUGUST 2012
COUNCIL CHAMBERS
WICKEPIN



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**Minutes of an Ordinary Meeting of Council held in Council Chambers, Wickepin
Wednesday 15 August 2012**

The President declared the meeting open at 3.31pm.

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

| | |
|------------------------|----------------|
| Shire President | Cr SJ Martin |
| Deputy Shire President | Cr JA Russell |
| Councillors | Cr FA Allan |
| | Cr AG Lansdell |
| | Cr KL Coxon |
| | Cr DJ Astbury |
| | Cr RE Easton |

Apologies

Leave of Absence (Previously Approved)

| | |
|------------|----------------|
| Councillor | Cr GCL Hinkley |
|------------|----------------|

2. Public Question Time

3. Applications for Leave of Absence/Apologies

Moved Cr Coxon / Seconded Cr Lansdell

That Council grant a leave of absence for the Ordinary Council meeting on 19 September 2012 for the following Councillor;

| | |
|------------|---------------|
| Councillor | Cr DJ Astbury |
|------------|---------------|

Carried 7/0

4. Petitions, Memorials and Deputations

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

6. Confirmation of Minutes – Ordinary Meeting of Council – 18 July 2012

Resolution No 150812-01

Moved Cr Coxon / Seconded Cr Astbury

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

Carried 7/0

7. Receival of Minutes

Receival of Minutes

7.1 Townscape & Cultural Planning Committee Meeting

| | |
|------------------------------------|---|
| Submission To: | Ordinary Council |
| Location / Address: | Whole Shire |
| Name of Applicant: | Leah Pearson, Executive Support Officer |
| File Reference: | 206 |
| Author: | Leah Pearson, Executive Support Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 8 August 2012 |

Enclosure / Attachment:

Minutes of the Townscape & Cultural Planning Committee Meeting held on Wednesday 8 August 2012.

Background:

The Townscape & Cultural Planning Committee Meeting was held on Wednesday 8 August 2012.

Comment:

Section 5.22 of the Local Government Act 1995 provides that minutes of all meetings 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

Policy Implications: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Recommendation:

That the minutes of Townscape & Cultural Planning Committee Meeting held on Wednesday 8 August 2012 be received.

Voting Requirements: Simple majority.

Resolution No 150812-02

Moved Cr Astbury / Seconded Cr Easton

That the Minutes of Townscape & Cultural Planning Committee Meeting held on Wednesday 8 August 2012 be received.

Carried 7/0

8. Status Report

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

| Item | Subject/Action | Officer/ File | Progress | Status | Comment |
|--------------------|--|------------------|--|--------|--|
| 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. | ✓ | Lot has been listed by owner with Professionals for \$65,000. |
| 289- 180712-13 | Application for second dwelling - Lot 1 Green Road, Wickepin | CEO | That Council: <ul style="list-style-type: none"> • Approve the second dwelling on Lot 1 Green Road as ancillary accommodation; and • A Building Licence be issued for the dwelling prior to constructions. | ✓ | Approval processed. |
| 290- 180712-15 | Country Local Government Fund 2011-12 Variation | CEO | <ol style="list-style-type: none"> 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. | ✓ | Letter forwarded to RDL. Letter of request forwarded to YPA. |
| 291- 180712-16 | Sale of Land - 34 Plover Street, Wickepin | CEO | <ul style="list-style-type: none"> • 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. • That the net sale amount be transferred to the Land Development Reserve | ✓ | Offer accepted. Advert placed in the Narrogin Observer on 25 July 2012. |

| Item | Subject/Action | Officer/ File | Progress | Status | Comment |
|-------------------|--|------------------|---|--------|---|
| 292- 180712-17 | 2012 WALGA AGM Motions | CEO | That Council delegates to the Western Australian Local Government Association Annual General Meeting to be held at the Perth Convention Exhibition Centre on Wednesday 1 st August 2012 be instructed and authorised to vote on the following Agenda items as follows: * 4.1 Transport Contributions from Heavy Vehicles – Motion be Supported * 4.2 Consultation Process with State Government – Motion be Supported * 4.3 Revaluation of Unimproved Valuation (UV) Land - Motion be Supported | ✓ | Motions voted for at Local Government Week. |
| 293- 180712-18 | Revised Residential Design Codes (R-Codes) | CEO | That the letter be forwarded to the Honourable John Day BSc BDSc MLA Minister for Planning; Culture and the Arts; Science and Innovation. | ✓ | Letter forwarded to Minister. |
| 294- 180712-19 | Yealering Hall Waiving Fees and Charges | CEO | 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. | ✓ | Amount written off. |

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

3.35pm - 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: | 7 August 2012 |

Enclosure / Attachment: Ongoing Maintenance List

Background:

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

Comment:

Programmed Construction Works

- Work has commenced on the 2012/2013 construction program.
- Wickpin - Pingelly Road – Gravel has been stockpiled and preliminary clearing has been completed.
- Wickpin North Road – Gravel has been stockpiled and preliminary clearing has been completed.
- Gravel has also been stockpiled for the Pauley Road and Harrismith North Road projects.
- Clean up verge and prep for reseal.
- Acquire quotes for footpath program.

Due to the nature and location of the proposed footpaths the Manager of Works would recommend to Council that this year's footpath program be undertaken using a Red Oxide Asphalt. This would allow a greater length of footpath and would also cater for the aesthetics and the fact that the footpaths will be weaving up the road instead of a straight line due to services and the lay off the land.

Maintenance Works

Please see ongoing list attached.

Occupational Health and Safety

There have been no incidents to report.

Workshop

- General ongoing servicing and repairs.
- Begin construction of Pump Shed at oval
- Make barricade for steps at Wickpin Town Hall
- Make guard and various other works at Play Group Building.
- Repairs to other buildings including sewerage problems.

Greg Williams Culvert

The following letter has been forwarded to Mr Greg Williams regarding the required works on his property on the Wickepin Harrismith Road;



77 Wogolin Road, PO Box 19
WICKEPIN WA 6370
Phone: 08 9888 1005
Fax: 08 9888 1074
www.wickepin.wa.gov.au

Contact: Keith Dickerson
File: 2702

Greg Williams
PO Box 147
NARROGIN WA 6312

17 July 2012

Dear Greg,

Further to our telephone conversation on Monday 16th July 2012 regarding the levelling and drainage works at your property on Wickepin/Harrismith road, as agreed the remedial work will be completed at the earliest possible time when the ground condition allows. The timing of this work may be in 3 to 4 months time as the ground is waterlogged at present.

I would like to take this opportunity to thank you for your patience regarding this matter and assure you I will keep you informed and give you prior notice to commencement of the levelling and drainage works.

If you require further information or you have any concerns regarding this matter could you contact me on 0427 391 625 or e mail rsaworks@westnet.com.au.

Yours Sincerely

Keith C Dickerson

A "Fortunate Place" enjoying a pleasant lifestyle with quality services and a strong and expanding community

Statutory Environment: Local Government Act 1995.

Policy Implications: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Summary: Not applicable.

Recommendation:

1. That due to the nature and location of the proposed footpaths, this years footpath program be undertaken using a red oxide asphalt.
2. That council notes the report from the Manager of Works and Services dated *7th August 2012*

Voting Requirements: Simple majority

Resolution No 150812-03

Moved Cr Russell / Seconded Cr Lansdell

That council notes the report from the Manager of Works and Services dated *7th August 2012*

Carried 7/0

Resolution No 150812-04

Moved Cr Astbury / Seconded Cr Easton

That due to the nature and location of the proposed footpaths, this years footpath program be undertaken using a red oxide asphalt of 2 metre width.

Carried 7/0

Resolution differs from the Officers Recommendation as Council felt the metre width of the red oxide asphalt needed to be specified.

Resolution No 150812-05

Moved Cr Coxon / Seconded Cr Astbury

Council delegate authority to the CEO, President and Cr Lansdell on purchase of a suitable Backhoe after suitable quotes have been obtained by the Manager of Works and the purchase fits within Councils 2012/2013 budget estimates.

Carried 7/0

3.44pm - MWS Peter Vlahov departed the chambers.

Technical Services

10.1.02 - Advertising Sign - Lot 305 Wickpin Pingelly Road

| | |
|------------------------------------|-------------------------------------|
| Submission To: | Ordinary Council |
| Location / Address: | Whole Shire |
| Name of Applicant: | Mark J Hook Chief Executive Officer |
| File Reference: | 700 |
| Author: | Mark J Hook Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 7 August 2012 |

Enclosure / Attachment: Nil

Background:

Council is in receipt of the following application from Paramount Australia of Balcatta Western Australia for the placement of an Advertising Sign on Lot 305 Wickpin Pingelly owned by Kenneth and Shelley Mutton.

Development Application

Advertising Sign

Lot 305 (Deposited Plan No. 233190) Wickpin-Pingelly Road, Wickpin

Paramount Australia, work in conjunction with the owners, Shelley Lynne Mutton and Kenneth Richard Mutton and Kenneth Richard Mutton, of Lot 305 (Deposited Plan No. 233190) Wickpin-Pingelly Road, Wickpin (subject site).

We hereby lodge a Development Application for the erection of an Advertising Sign on the subject site, in close proximity to Wickpin-Pingelly Road. To assist with progressing the Application, please find the following enclosed:

- A completed and signed Development Application form;
- A cheque for \$139.00, being the relevant application fee;
- Three (3) sets of the Development Application Plans and Elevations;
- A copy of the Certificate of Title; and
- A letter of authorisation from the Landowners, authorising Paramount Australia to act on their behalf with respect to this application.

BACKGROUND CONTEXT

We confirm Paramount Australia and the owners of the subject site have entered into an agreement with regards to this application. Paramount Australia wishes to erect an advertising sign towards the south-eastern portion of the subject site, visible from Wickpin-Pingelly Road. We confirm the agreement between our Company and the landowner is for Paramount Australia to prepare and erect a sign consistent with the attached development application plans and elevations.

Our Company builds signs on this nature in various parts of Metropolitan and Regional Western Australia, and strives to provide signage that is built to a high quality finish, maintained to the standard that is built to, display tasteful forms of advertising, strike and develop close relationships with the local authority, and to, where possible, coordinate the display of community based messages, including the Office of Road Safety, local tourism, and Shire events.

THE PROPOSAL

The proposed development comprises one (1) advertising sign, proposed to be erected to the south-eastern of the subject site. The sign comprises a double-sided advertising sign atop two (2) poles, which is encased within a sheet metal cladding. The sign has a clearance of two (2) metres from the ground, and has dimensions of 8 metres, and 2 metres. The sign will be situated 50 metres from the southern boundary, and 2 metres from the eastern boundary, fronting Wickepin-Pingelly Road. The advertising material will change as required based on the campaigns, and display of advertising material. We confirm that our Client is prepared to negotiate with the Shire of Wickepin (Shire) prior to the content of the sign being changed, to ensure the Shire accepts the proposed content.

The proposed sign is considered to conform to commonly accepted safety measures with respect to advertising signs. The proposed sign does not incorporate any moving parts or mechanisms, and contains static illumination, with no parts of the sign flashing or pulsating.

Please refer to the attached Development Application Plans and Elevations for further details on the above.

TOWN PLANNING FRAMEWORK

Shire of Wickepin Local Planning Scheme No. 4

Under the provisions of the Shire of Wickepin (Shire) Local Planning Scheme No. 4 (TPS 4), the subject site is zoned "General Agriculture". The objectives of the General Agriculture zone, as stated in TPS 4 include:

- *"to protect areas of broad acre agricultural significance for sustainable production;*
- *to encourage processing and value adding industries to be located within the zone;*
- *to encourage intensive agriculture where it can be demonstrated that off-site impacts (if any) will not adversely affect existing agricultural activities;*
- *to protect and enhance rural landscapes;*
- *to protect the natural environment and biodiversity while ensuring appropriate development opportunities within the zone are realised;*
- *to promote the sustainable management of natural resources including energy, water, land, minerals and basic raw materials by preventing land degradation and integrating catchment management with land use planning."*

As the sign will be located in the south-eastern portion subject site, it is not anticipated that the sign would limit the use of the balance of the site for its zoned purpose. The proposed, sign, taking up an approximate area of 20m² on site means that the sign does not essentially require the full site to be approve, rather, it requires a minor portion. In addition, the proposed site would have no detrimental impacts with respect to the site, or surrounding area, as it would not encourage subdivision of sites, would not alter sustainable farming practices (given the sign would not interfere with onsite agricultural practices), and there will be no clearing required to facilitate the installation of the sign.

We note that TPS 4 includes a 20 metre setback requirement for sites that are included within the rural zone. As you will note, the proposed setback from the property boundary is two (2) metres. We would first like to outline that it is not our practice to vary setback or other requirements, unless we deem it critical to the success, integrity or safety of the project.

With respect to setbacks, we set the sign back a couple of metres from the property boundary generally speaking so that with the road verge and property boundary setback, normally a setback of 8-10 metres is achieved. Based on previous discussions with Main Roads on other projects, their desire is for signs to be easily visible, and not be too distracting to travelling motorists. As such, this is the reason for the proposed setback, as shown in the Application.

As such, we would have no issue with complying with the setback requirement; if we believed that it would produce the appropriate road safety outcome. However, we do not believe that having the sign setback ultimately 25-27 metres from the edge of the road pavement would create a safe outcome. Therefore, we seek the setback concession under the provisions of Clause 65.5 of TPS 4, which allows Council discretion to vary development requirements. This is to ensure that the development is appropriate, once constructed, and can continue to operate in a safe manner.

Based on the above, it is considered that the sign would be compatible with the existing onsite agricultural uses, and would not in any way, interfere with the operation of the subject site, nor the operation and appearance of sites in the surrounding locality. Therefore, we believe the sign is capable of being approved on the subject site by the Shire, by utilising Clause 5.5 of TPS 4.

CONCLUSION

In considering the above, we submit the following conclusions:

- The subject proposal is for an advertising sign that will be built and maintained to a high standard;
- The proposal seeks to minimise the impact of the use on the site, as it will be located in the south eastern corner, so as to not to inhibit any existing onsite operations;
- The proposal is sought on the basis that we are willing (and happy) to work with the Shire regarding ongoing regulation of content; and
- The proposal is consistent with commonly accepted road safety principles regarding signage.

At this juncture, we request that the Shire of Wickpin support the proposal by granting Planning Approval for the subject signage. Should you require any further information or clarification in relation to this matter, please contact Ben Carter, Development Manager on 0430 388 942.

Yours faithfully



Ben Carter – Development Manager
PARAMOUNT AUSTRALIA OUTDOOR MEDIA
tel: (08) 6143 3671 mob: 0430 388 942
email: benc@paramountaustralia.com
PO Box 682 BALCATTA WA 6914

Encl.

Figure one provides an understanding of the location of the proposed Advertising Sign;

Figure ONE



Figure Two provides the type and style of advertising sign proposed;

Figure TWO

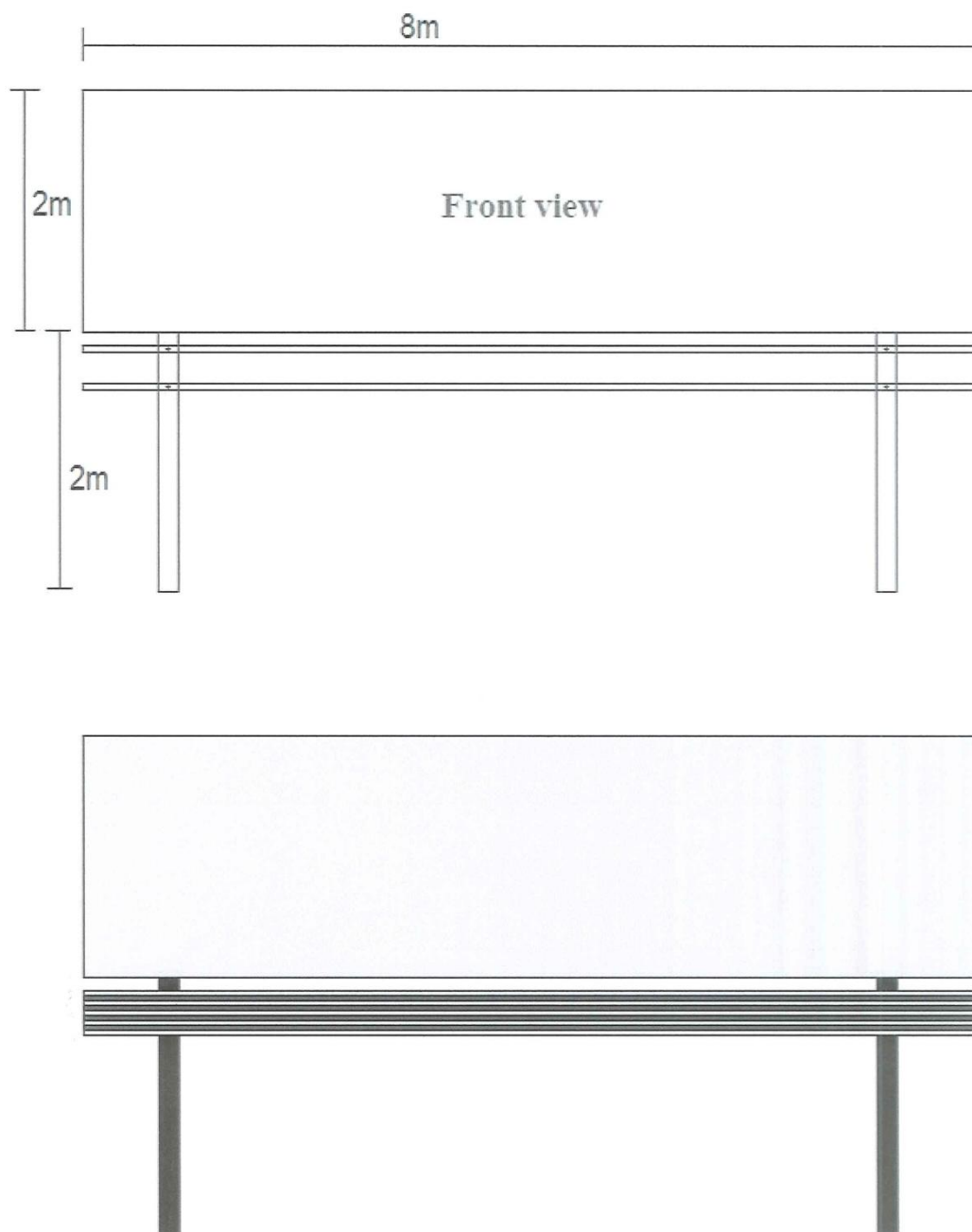
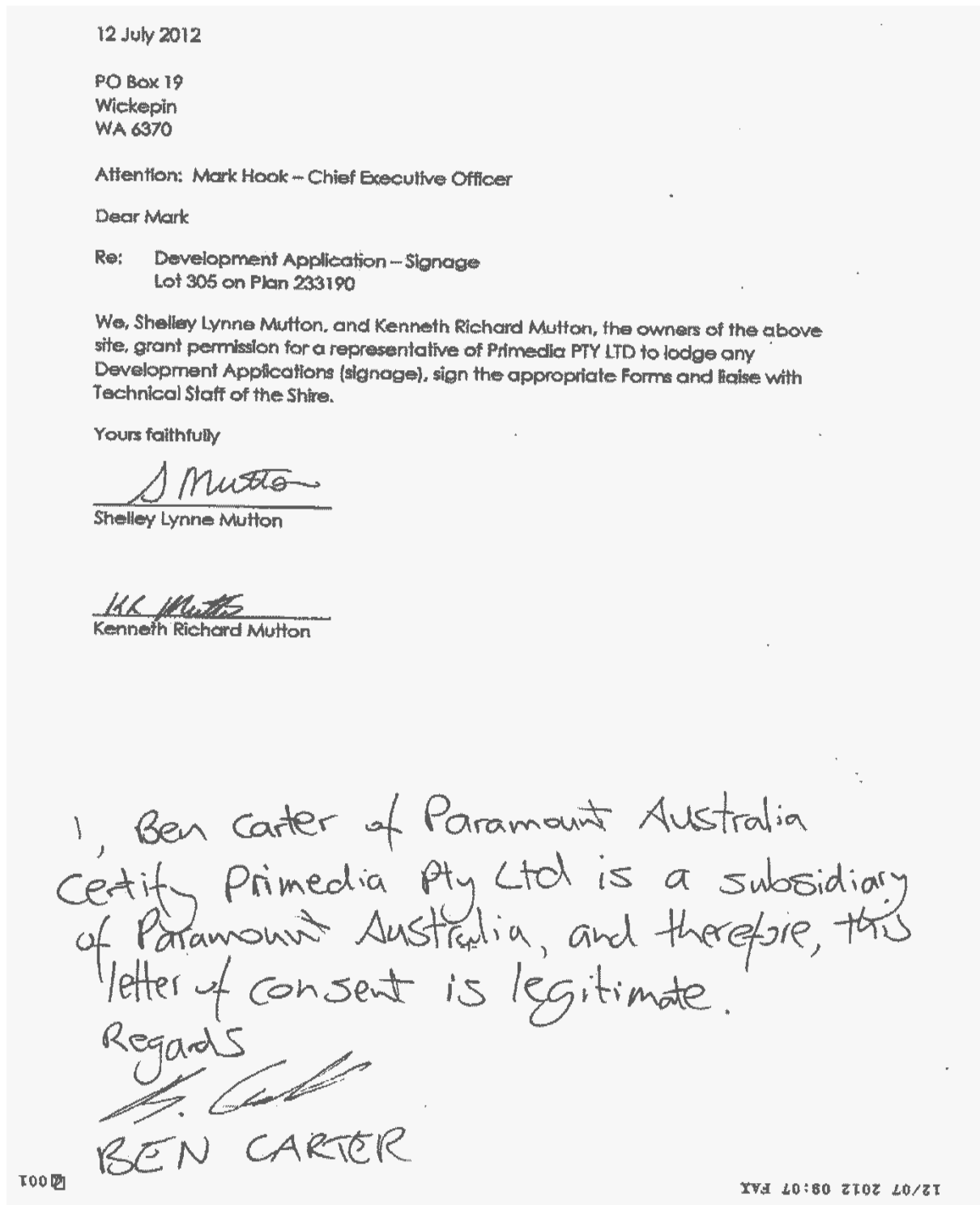


Figure Three is the letter of consent received from the owners of Lot 305 Kenneth and Shelley Mutton.

Figure THREE



Comment:

Paramount Australia wishes to place an Advertising Sign on Lot 305 in accordance with Councils Town Planning Scheme No 4.

DICTIONARY OF DEFINED WORDS AND EXPRESSIONS

1. General definitions - In the Scheme – “advertisement” means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising;

For the purpose of the Shire of Wickepin Town Planning Scheme Number 4, the erection, placement and display of advertisements and the use of land and buildings for that purpose is development within the definition of the Town Planning and Development Act and requires the planning approval of Council in accordance with the provisions of Part 9 of the Scheme, unless an exempted advertisement as listed in Schedule 5.

SCHEDULE FIVE**EXEMPTED ADVERTISEMENTS**

| Land use and/or development | Exempted sign | Maximum size |
|---|--|-------------------|
| Dwellings | One professional name plate | 0.2m ² |
| Home Occupation | One advertisement describing the nature of the home occupation. | 0.2m ² |
| Places of Worships, meeting halls and places of public assembly | One advertisement detailing the function and/or the activities of the institution concerned. | 0.2m ² |
| Shops, showrooms and other uses appropriate to the town site area | All advertisements affixed to the building below the top of the awning, or in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building. | N/A |
| Industrial | A maximum of 4 advertisements applied to or affixed to the wall of the building. | |

As the sign is not an Exempted sign as shown in Schedule Five then Planning Approval is required under Part 9 of The Shire of Wickepin Town Planning Scheme Number 4

Section 5.20.3 of the Shire of Wickepin Town Planning Scheme Number 4 States that:

- Council shall refuse an application for planning approval where in its opinion the proposed development will adversely affect the rural landscape or will adversely impact upon the agricultural use of the land.

In accordance with the provisions of Part 9 of the Scheme Council must undertake the following actions:

Section 9.4 Advertising of applications

9.4.1 Where an application is made for planning approval to commence a use or commence or carry out development which involves a use which is –

- (a) An ‘A’ use as referred to in clause 4.3.2; or

- (b) A use not listed in the Zoning Table,

The local government is not to grant approval to that application unless notice is given in accordance with clause 9.4.3.

9.4.2 Despite clause 9.4.1, where application is made for a purpose other than a purpose referred to in that clause, the local government may require notice be given in clause 9.4.3.

9.4.3 The local government may give notice or require the applicant to give notice of an application for planning approval in one or more of the following ways –

- (a) notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval, stating that submissions may be made to the local government by a specified date being not less than 14 days from the day the notice is served;
- (b) notice of the proposed use or development published in a newspaper circulating in the Scheme area stating that submissions may be made to the local government by a specified day being not less than 14 days from the day the notice is published;
- (c) A sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.

9.4.4 The notice referred to in clause 9.4.3(a) and (b) is to be in the form prescribed in Schedule 8 with such modifications as are considered appropriate by the local government.

9.4.5 Any person may inspect the application for planning approval referred to in the notice and the material accompanying that application at the offices of the local government.

9.4.6 After the expiration of the specified period from the serving of notice of the application for planning approval, the publication of the notice or the erection of a sign or signs, whichever is the later, the local government is to consider and determine the application.

This development is not listed in the Zoning Table as mentioned in 9.41b and therefore needs to be advertised for fourteen days in accordance with Section 9.4.3.

Lot 305 is in the name of Kenneth and Shirley Mutton and is zoned General Agriculture, under the Shire of Wickepin Town Planning Scheme Number 4 this development would require a fifty (50) Meter setback as it would be fronting a major road being the Wickepin Pingelly Road.

Table extracted from the Shire of Wickepin Town Planning Scheme Number 4 showing setback requirements.

| Land Use Zones | Min Lot Area (m ²) | Min Effect Frontage (m) | Min Boundary Setbacks (m) | | | Maximum Plot Ratio ⁽⁴⁾ | Min Car Parking Spaces ⁽⁵⁾ | Min Landscaping (% of Site) ⁽⁷⁾ |
|----------------------------|--|-------------------------|---------------------------|------|---------------------|--|---|---|
| | | | Front ⁽²⁾ | Rear | Side ⁽³⁾ | | | |
| Town Centre ⁽⁶⁾ | - | - | As determined by Council | | | 0.8 | 1/15m ² of GLA for retail/commercial; 1/25m ² of GLA for office; 2/practitioner for consulting rooms; 1/5m ² of public areas; 1/bedroom for accommodation; or combination of above as determined by Council. | As determined by Council. |
| Rural Townsites | - | - | As determined by Council | | | 0.5 | | As determined by Council. |
| Industry | | | | | | | 1 per 50m ² of GLA or as determined by Council. | |
| Warehouses | 1000 | 25 | 15 | 7.5 | 5 | 0.60 | | 15 |
| Light | 1000 | 25 | 11 | 7.5 | 5 | 0.60 | | 15 |
| Factory Units | 2000 | 30 | 11 | 5.0 | 5 | 0.60 | | 15 |
| General | 2000 | 30 | 15 | 7.5 | 5 | 0.50 | | 20 |
| Residential | In accordance with the Residential Design Codes as varied by Scheme provisions | | | | | | | |
| Rural Residential | | 25 | 15 | 10 | 10 | Residences, outbuildings within defined building envelopes or as determined by Council | n/a | As determined by Council or Scheme provisions and Council's Natural Resource Management Policy. |
| General Agriculture | | n/a | 20 (50 to major road) | 20 | 20 | n/a | n/a | In accordance with Scheme provisions and Council's Natural Resource Management Policy. |
| Development | See Clause 5.22 | | | | | | | |
| Special Use | As determined by Council | | | | | | | |

In assessing applications for development and/or subdivision within the General Agriculture zone, Council must consider the following:

- The availability of services required to support the proposed development or subdivision and the economic impact of the provision of, extension or upgrading of those services that may be required;
- the adequacy of the roads, existing or proposed in the area which may be needed to support the amount of road traffic expected to be generated by the development or subdivision; and
- The need to enforce such conditions as Council deems appropriate in order to minimise any adverse effect the development or subdivision may have on the general environment of the area.

Council shall refuse an application for planning approval where in its opinion the proposed development will adversely affect the rural landscape or will adversely impact upon the agricultural use of the land.

Council may vary the fifty (50) Meter set back under Section 5.5 Variations to site and development standards and requirements.

In considering any variation to the setbacks for this application for planning approval, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site the local government is to –

- consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and
- Have regard to any expressed views prior to making its determination to grant the variation.

The power conferred by this clause may only be exercised if the local government is satisfied that –

- approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and
- The non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

Council in considering this application for planning approval is to have due regard to such of the following matters as are in the opinion of the Council relevant to the use or development the subject of the application–

- (a) The aims and provisions of the Scheme and any other relevant local planning schemes operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any relevant proposed new local planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;
- (c) Any approved statement of planning policy of the Commission;
- (d) Any approved environmental protection policy under the Environmental Protection Act 1986;
- (e) Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;
- (f) any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;
- (g) In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
- (h) the conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage list under clause 7.1, and the effect of the proposal on the character or appearance of a heritage area;
- (i) The compatibility of a use or development with its setting;

- (j) Any social issues that have an effect on the amenity of the locality;
- (k) The cultural significance of any place or area affected by the development;
- (l) The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;
- (m) whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;
- (n) The preservation of the amenity of the locality;
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;
- (p) Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;
- (q) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (r) Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
- (s) Whether public utility services are available and adequate for the proposal;
- (t) Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (u) Whether adequate provision has been made for access by disabled persons;
- (v) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (w) Whether the proposal is likely to cause soil erosion or land degradation;
- (x) The potential loss of any community service or benefit resulting from the planning approval;
- (y) Any relevant submissions received on the application;
- (z) The comments or submissions received from any authority consulted under clause 10.1.1;
- (Za) any other planning consideration the local government considers relevant.

In determining this application for planning approval Council may grant approval with or without conditions; or refuse to grant approval.

Council should consider placing the following conditions on any approval given for the placement of the advertising sign on Lot 305 Wickepin Pingelly Road Zoned General Agriculture.

CONDITIONS

1. Development shall be in accordance with the approved plans dated 25 July 2012 with a reduced set back of two (2) Metres.
2. The Endorsed plan is not to be modified without the prior approval of the Shire of Wickepin.
3. Approval is issued only to Paramount Australia of Balcatta WA and is NOT transferable to any other person or to any other land parcel. Should there be a change of owner or occupier on the land in respect of which this planning approval is issued this approval shall no longer be valid.
4. Council reserves the right to direct the advertising content to be removed if it is offensive and/or objectionable whether or not the sign has Council consent.

Notes

The approval to commence the construction of the advertising is for a two (2) year period from the date of approval and approval will be deemed to have lapsed if the development is not substantially commenced before the expiration of the two year (2) period.

The reducing of the set back to two (2) Metres should not be an issue as the Road Reserve is reasonably wide in this area and should not cause any major issues in relation to site distances for traffic.

Statutory Environment:

Shire of Wickepin Town Planning Scheme Number 4 Section

4.2 Objectives of the zones

The objectives of the zones are –

(e) General Agriculture Zone

- *To protect areas of broadacre agricultural significance for sustainable production.*
- *To encourage processing and value adding industries to be located within the zone.*
- *To encourage intensive agriculture where it can be demonstrated that off-site impacts (if any) will not adversely affect existing agricultural activities.*
- *To protect and enhance rural landscapes.*
- *To protect the natural environment and biodiversity while ensuring appropriate development opportunities within the zone are realised.*
- *To promote the sustainable management of natural resources including energy, water, land, minerals and basic raw materials by preventing land degradation and integrating land and catchment management with land use planning.*

Shire of Wickepin Town Planning Scheme Number 4 Section

5.5 Variations to site and development standards and requirements

- 5.5.1 *Except for development in respect of which the Residential Planning Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.*
- 5.5.2 *In considering an application for planning approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to –*
- (a) *consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and*
 - (b) *Have regard to any expressed views prior to making its determination to grant the variation.*
- 5.5.3 *The power conferred by this clause may only be exercised if the local government is satisfied that –*
- (a) *Approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and*
 - (b) *The non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.*

Shire of Wickpin Town Planning Scheme Number 4 Section

5.15 Advertisements

For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land and buildings for that purpose is development within the definition of the Town Planning and Development Act and requires the planning approval of Council in accordance with the provisions of Part 9 of the Scheme, unless an exempted advertisement as listed in Schedule 5.

Shire of Wickpin Town Planning Scheme Number 4 Section

8.1 Requirement for approval to commence development

Subject to clause 8.2, all development on land zoned and reserved under the Scheme requires the prior approval of the local government. A person must not commence or carry out any development without first having applied for and obtained a planning approval of the local government under Part 9.

Note: 1 - The planning approval of the local government is required for both the development of land (subject of this Part) and the use of the land (subject of Part 4).

Note: 2 - Development includes erection, placement and display of any advertisements.

Shire of Wickpin Town Planning Scheme Number 4 Section

9.4 Advertising of applications

9.4.1 *Where an application is made for planning approval to commence a use or commence or carry out development which involves a use which is –*

- (a) *An 'A' use as referred to in clause 4.3.2; or*

(b) *A use not listed in the Zoning Table,*

The local government is not to grant approval to that application unless notice is given in accordance with clause 9.4.3.

9.4.2 *Despite clause 9.4.1, where application is made for a purpose other than a purpose referred to in that clause, the local government may require notice be given in clause 9.4.3.*

9.4.3 *The local government may give notice or require the applicant to give notice of an application for planning approval in one or more of the following ways –*

(a) *notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval, stating that submissions may be made to the local government by a specified date being not less than 14 days from the day the notice is served;*

(b) *notice of the proposed use or development published in a newspaper circulating in the Scheme area stating that submissions may be made to the local government by a specified day being not less than 14 days from the day the notice is published;*

(c) *A sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.*

9.4.4 *The notice referred to in clause 9.4.3(a) and (b) is to be in the form prescribed in Schedule 8 with such modifications as are considered appropriate by the local government.*

9.4.5 *Any person may inspect the application for planning approval referred to in the notice and the material accompanying that application at the offices of the local government.*

9.4.6 *After the expiration of the specified period from the serving of notice of the application for planning approval, the publication of the notice or the erection of a sign or signs, whichever is the later, the local government is to consider and determine the application.*

Local Government Act 1995

Main Roads Act 1930

Main Roads (control of advertisements) Regulations 1996

Policy Implications: The Shire of Wickpin has no Policies in relation to Advertising signs as they are covered in the Shire of Wickpin Town Planning Scheme Number 4

Financial Implications: Nil

Strategic Implications:

The application is considered minor in nature and does not have any major strategic implications under the Shire of Wickpin Strategic Plan 2009.

Summary:

Council is being requested to approve an application from Paramount Australia of Balcatta Western Australia for the placement of an Advertising Sign on the South East Portion of Lot 305 Wickpin Pingelly Road owned by Kenneth and Shelley Mutton.

Recommendation:

1. That the Chief Executive Officer proceed with a fourteen day (14) day advertising period in the local papers inviting comment regarding the proposed advertising sign at Lot 305 Wickepin Pingelly Road, Wickepin.
2. That Council delegate to the Chief Executive Officer the capacity to grant formal Planning Approval (following fourteen (14) day advertising period and no written objections being received during the that time) for an advertising sign on the South East Portion of Lot 305 Pingelly Wickepin Road, Wickepin, subject to the following conditions:
 1. Development shall be in accordance with the approved plans dated 25 July 2012 with a reduced set back of two (2) Metres.
 2. The Endorsed plan is not to be modified without the prior approval of the Shire of Wickepin.
 3. Approval is issued only to Paramount Australia of Balcatta WA and is NOT transferable to any other person or to any other land parcel. Should there be a change of owner or occupier on the land in respect of which this planning approval is issued this approval shall no longer be valid.
 4. Council reserves the right to direct the advertising content to be removed if it is offensive and/or objectionable whether or not the sign has Council consent.

Notes

The approval to commence the construction of the advertising is for a two (2) year period from the date of approval and approval will deemed to have lapsed if the development is not substantially commenced before the expiration of the two year (2) period.

Voting Requirements: Simple majority

Resolution No 150812-06**Moved Cr Lansdell / Seconded Cr Easton**

1. That the Chief Executive Officer proceed with a fourteen day (14) day advertising period in the local papers inviting comment regarding the proposed advertising sign at Lot 305 Wickepin Pingelly Road, Wickepin.
2. That Council delegate to the Chief Executive Officer the capacity to grant formal Planning Approval (following fourteen (14) day advertising period and no written objections being received during the that time) for an advertising sign on the South East Portion of Lot 305 Pingelly Wickepin Road, Wickepin, subject to the following conditions:
 1. Development shall be in accordance with the approved plans dated 25 July 2012 with a reduced set back of two (2) Metres.
 2. The Endorsed plan is not to be modified without the prior approval of the Shire of Wickepin.
 3. Approval is issued only to Paramount Australia of Balcatta WA and is NOT transferable to any other person or to any other land parcel. Should there be a change of owner or occupier on the land in respect of which this planning approval is issued this approval shall no longer be valid.
 4. Council reserves the right to direct the advertising content to be removed if it is offensive and/or objectionable whether or not the sign has Council consent.

Carried 7/0

Technical Services

10.1.03 – Acceptance Tender 01/2012-13 Supply and Lay of Bituminous Products (Including Aggregate)

| | |
|------------------------------------|-------------------------------------|
| Submission To: | Ordinary Council |
| Location / Address: | Whole Shire |
| Name of Applicant: | Mark J Hook Chief Executive Officer |
| File Reference: | 2627 |
| Author: | Mark J Hook Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 8 August 2012 |

Enclosure / Attachment: Nil

Background:

Tenders were invited from suitable organisations for the supply and lay of bituminous products including aggregate under the following specifications:

TECHNICAL SPECIFICATION

This contract is for the application of bitumen spray seals and includes:

- Seal design;
- Supply and application of hot sprayed cutback bitumen;
- Supply, precoat and spread of aggregate;
- Pre and post seal application sweeping;
- Rolling;
- Traffic control during spray seal works.

All materials supplied are to conform to Main Roads WA Standard 71-06-135 for bituminous surface treatments.

RATE OF DELIVERY

For tender purposes sprayed cutback bitumen seal works are to be estimated at the following application rates:

Class 170 Bitumen

| Surface Type | Binder Application Rate (BAR) @ 15°C (L/m²) | Aggregate Spread Rate (m²/m³) |
|---------------------|---|--|
| Primer Seal – 10mm | 2.0 | 100 |
| Primer Seal– 14mm | 2.2 | 90 |
| Two Coat Seal | | |
| First Coat – 10mm | 1.5 | 100 |
| Second Coat – 7mm | 1.1 | 130 |
| Reseal 10mm | 1.8 | 100 |
| Reseal 14mm | | |
| 60/40 Tack Coat | 0.6 | N/A |
| Two Coat Seal | | |
| First Coat 14mm | 2.0 | 90 |
| Second Coat 7mm | 1.5 | 130 |

The grade of bitumen, binder mix, size of aggregate and rate of binder and aggregate application shall be confirmed with the Principal prior to work commencing and a copy of all design calculations supplied.

The reseals and primer seals are generally carried out together. The order of works and timing will be made available when the year's Works Programme schedule has been finalised.

The Contractor shall ensure that all sprayed bitumen work is undertaken in accordance with current Main Roads WA guidelines and safety standards for Safe Handling of Bituminous Products.

Faulty work is to be attended to immediately as any delay will compromise the standard of the finished product.

The contractor is to avoid unsightly blemishes on new work and existing surfaces, protect structures (kerbs etc.) and existing seal works from overspray. For work done near the end of the day ensure that adequate time is given for rolling and traffic control. On heavily trafficked and tourist roads, the contractor is to avoid working Fridays or the day before public holidays.

Reseals

The Principal, prior to reseal works being carried out, shall correct all surface defects within these areas. The contractor is to thoroughly sweep the reseal pavement surfaces. The swept area is to extend at least 300mm outside the sprayed area. Wind direction and strength are to be taken into consideration to avoid swept off material falling onto the work area or new work.

Primer seals

The contractor is to lightly sweep any loose material from the prepared gravel surface. The swept area is to extend at least 300mm outside the sprayed area. Wind direction and strength are to be taken into consideration to avoid swept off material falling onto the work area or new work. If required a light water spray will be carried out by the Principal. All reseals shall be marked out by the Principal (start and finish) and widths confirmed with the contractor. For primer seals the Principal shall mark out the start and finish as well as an edge line. The design of all reseals and primer seals shall be carried out by the contractor in terms of the latest Australian Asphalt Paving Association (AAPA) design guidelines. Traffic counts and other relevant information shall be supplied by the Principal. The grade of bitumen, binder mix, size of aggregate and rate of binder and aggregate application shall be confirmed with the Principal prior to work commencing and a copy of all design calculations supplied.

Spraying may only commence when the binder has reached the appropriate temperature, ground temperature conditions are conducive, all traffic management is in place and sufficient aggregate is on site (loaded onto spreader trucks). Binder is to be covered with aggregate within 10 minutes (in air temperatures not exceeding 250 Celsius) or within 15 minutes (in air temperatures exceeding 250 Celsius). This time limit includes all 'wet ends' left for joining purposes.

Hand spraying is to be left to a minimum and care is to be taken by operators not to overspray on fishtails, tight radii and local widening's. Spray rates are to be recorded and submitted to the Principal with tax invoices for payment purposes on completion of works.

The aggregate used for seal works shall be crushed basalt or granite and consist of clean, tough, durable fragments free from an excess of thin or elongated pieces, free from soft or disintegrated pieces, stone coated with dirt or other deleterious matter. The properties of the crushed aggregate, including its rock source, shall meet the requirements of Main Roads WA Standard 71-06-135.

The Tenderer is to provide details of the source of the aggregate and supplier. Prior to the on-site delivery of crushed aggregate the Tenderer is to provide certification to the Principal that the aggregate conforms to the specified requirements. Should it be found on testing that the material does not conform to the specifications it is to be removed from site and replaced at the Contractor's cost.

Precoat

All aggregate used on seals is to be precoat with distillate precoat fluid conforming to and applied in accordance with Main Roads WA Standard 71-06-135. The aggregate shall be precoat at least 24 hours but not more than seven days before its intended use. For tender purposes precoat shall be estimated at an application rate of precoat agent between 4 - 6 litres/m³.

Aggregate Application

Aggregate is to be spread by way of truck mounted box spreaders controlled either from the cab or at the tailgate. Only experienced operators and truck drivers are to be used. Sufficient aggregate is to be on site, loaded in the trucks, prior to the commencement of spraying any binder. Aggregate is to be covered as set out in Section 2.1.7 (spraying) above. Aggregate quantities are to be recorded and the rate of application checked against the design. Variations in the aggregate application rate are not to exceed 10m² per m³.

Rolling

Rolling is to be carried out by pneumatic rubber tyred self-propelled multi-wheel roller. Rolling is to take place closely behind the aggregate spreaders while the binder is still fluid enough to adhere to the aggregate, and should cover the full width of the sprayed area. As a general rule 10 passes with a rubber tyred roller is required.

Schedule of works is indicative only and may be subject to change.

| Location | Length (m) | Width (m) | Area (m ²) | Material Cover | Seal Type | Cover Size (mm) 1 st Coat | Cover Size (mm) 2 nd Coat |
|------------------------|------------|-----------|------------------------|----------------|-----------|---|---|
| Wickepin/Pingelly rd | 2,390 | 7 | 16,730 | Aggregate | Primer | 14 | |
| Wickepin/Corrigin rd | 2,000 | 7 | 14,000 | Aggregate | Primer | 14 | |
| Cuballing East rd | 2,760 | 7 | 19,320 | Aggregate | Reseal | 10 | |
| Wickepin North rd | 5,200 | 4 | 20,800 | Aggregate | Primer | 14 | |
| Johnston Street | 275 | 7 | 1,925 | Aggregate | Reseal | 10 | |
| Wickepin/Harrismith rd | 8,370 | 7 | 58,590 | Aggregate | Final | 10 | |
| Fence rd | 9,780 | 7 | 68,460 | Aggregate | Final | 10 | |
| Fence rd | 2770 | 5 | 13,850 | Aggregate | Primer | 14 | |
| Lomos South rd | 3,710 | 4 | 14,840 | Aggregate | Primer | 14 | |
| Lomos South rd | 850 | 8 | 6,800 | Aggregate | Primer | 14 | |
| Lomos South rd | 6,280 | 7 | 43,960 | Aggregate | Final | 10 | |
| Various locations | | | 10,000 | Aggregate | Primer | 14 | |

Comment:

Council forwarded the request for tender 01/2012-13 supply and lay of bituminous products (including aggregate) to the following firms:

| 1 - 2012/13 TENDERS | | | | | |
|--------------------------------|------------------|--|--------------------------------|-----------------------------------|------------|
| Request for information | | | | | |
| Name | Company | Email | Phone | Tender Info Sent | Date Sent |
| Chris Paton | Bitutek Pty Ltd | chris@bitutek.com.au | 0447 766 099 (08)9296 6411 | Tender 1 Bitumen/Aggregate Tender | 16/07/2012 |
| Peter Fleury | Fulton Hogan | Peter.Fleury@fultonhogan.com.au | 0427 943 315 (08) 9721 9305 | Tender 1 Bitumen/Aggregate Tender | 16/07/2012 |
| Katherine R. Vetus | BCI Australia | k.vetus@bciaustralia.com | 07 3188 6693 | Tender 1 Bitumen/Aggregate Tender | 16/07/2012 |
| Vijay Pawar | Downer Australia | vijay.pawar@downerediworks.com.au | 08 9365 9912 0417 907 374 | Tender 1 Bitumen/Aggregate Tender | 17/07/2012 |
| Brenden Knapton | Boral | Brenden.Knapton@boral.com.au | (08) 9458 0400 0401893485 | Tender 1 Bitumen/Aggregate Tender | 18/07/2012 |
| Richard | RNR Contracting | Richard@rnrcontracting.com.au | 9367 0111 | Tender 1 Bitumen/Aggregate Tender | 25/07/2012 |
| | | | | | |
| | | | | | |

At the closing date of the tenders on Friday 3rd August 2012 council received five tenders for supply and lay of bituminous products "a" (including aggregate) "b" (excluding aggregate).

The tenders received have been assessed in accordance with the qualitative criteria specified in the Tender.

| Description of Qualitative Criteria | Weighting |
|--|-----------|
| (a) Demonstrated experience by tenderer to meet the requirements as set out in specification. | 50% |
| (b) A maintenance service best suited to the Principal's requirements that demonstrates a commitment to customer service and a professional corporate image. | 25% |
| (c) Demonstrated ability and procedures to ensure public and employee safety by way of Occupational Safety and Health, and adherence to the Traffic Management for Roadworks Code of Practice. | 25% |

SHIRE OF WICKEPIN - Tender Received Tender 1 - 2012/2013 Bitumen *All Prices Include GST*

| | Description | Downer EDI Works Fixed Price | | Downer EDI Works Alternate >150000m2 Fixed Price | | Bitutek Pty Ltd Fixed Price | | Bitutek Pty Ltd Alternate rise and Fall Clause | | Boral Rise and Fall Clause | | Fulton Hogan Fixed Price | | RNR Contracting Fixed Price | |
|----|--|------------------------------|---------------------|--|---------------------|-----------------------------|---------------------|--|---------------------|----------------------------|---------------------|--------------------------|---------------------|-----------------------------|---------------------|
| | | Price Inc Aggregate | Price Exc Aggregate | Price Inc Aggregate | Price Exc Aggregate | Price Inc Aggregate | Price Exc Aggregate | Price Inc Aggregate | Price Exc Aggregate | Price Inc Aggregate | Price Exc Aggregate | Price Inc Aggregate | Price Exc Aggregate | Price Inc Aggregate | Price Exc Aggregate |
| 1A | 10mm Primer Seal (= > 5000m2) | \$5.67 | \$4.57 | \$5.27 | \$4.17 | \$4.20 | \$3.51 | \$3.97 | \$3.28 | \$6.42 | \$5.30 | \$8.20 | \$7.35 | \$4.50 | \$3.75 |
| 1B | 10mm Primer Seal (= < 5000m2) | \$8.80 | \$7.69 | | | \$6.23 | \$5.49 | \$5.98 | \$5.25 | \$8.37 | \$7.25 | \$5.60 | \$4.75 | \$7.45 | \$6.65 |
| 2A | 14mm Primer Seal (= > 5000m2) | \$6.04 | \$4.81 | \$5.64 | \$4.41 | \$4.74 | \$3.85 | \$4.49 | \$3.60 | \$6.12 | \$4.88 | \$8.60 | \$7.75 | \$4.95 | \$4.05 |
| 2B | 14mm Primer Seal (= < 5000m2) | \$9.17 | \$7.94 | | | \$6.69 | \$5.75 | \$6.42 | \$5.49 | \$9.27 | \$8.04 | \$5.70 | \$4.85 | \$7.65 | \$6.75 |
| 3A | 10mm reseal (= > 5000m2) | \$5.50 | \$4.34 | \$5.04 | \$3.94 | \$3.86 | \$3.12 | \$3.56 | \$2.86 | \$4.35 | \$3.23 | \$8.15 | \$7.30 | \$3.95 | \$3.25 |
| 3B | 10mm reseal (= < 5000m2) | \$8.57 | \$7.46 | | | \$5.94 | \$5.20 | \$5.72 | \$4.97 | \$8.38 | \$7.26 | \$4.60 | \$3.75 | \$6.75 | \$6.10 |
| 4A | Two Coat Seal 10mm + 7mm (= >5000m2) | \$7.29 | \$5.29 | \$6.90 | \$4.90 | \$6.06 | \$4.73 | \$5.75 | \$4.41 | \$7.34 | \$5.32 | \$11.05 | \$10.20 | \$7.40 | \$6.00 |
| 4B | Two Coat Seal 10mm + 7mm (= <5000m2) | \$10.57 | \$8.56 | | | \$9.03 | \$7.63 | \$8.71 | \$7.32 | \$10.33 | \$8.29 | \$8.10 | \$7.25 | \$9.25 | \$7.85 |
| 5A | Two Coat Seal 14mm + 7mm (= >5000m2) | \$8.46 | \$6.34 | \$8.07 | \$5.95 | \$7.59 | \$6.06 | \$7.17 | \$5.65 | \$9.25 | \$7.12 | \$11.90 | \$11.05 | \$8.60 | \$7.00 |
| 5B | Two Coat Seal 14mm + 7mm (= <5000m2) | \$11.74 | \$9.61 | | | \$10.37 | \$8.79 | \$9.94 | \$8.36 | \$11.76 | \$9.60 | \$9.10 | \$8.25 | \$10.50 | \$8.90 |
| 6 | 60/40 Primer, 60% Kero and 40% Bitumen (= >5000m2) | \$2.70 | \$2.70 | \$2.31 | \$2.31 | \$1.48 | \$1.45 | \$1.43 | \$1.42 | \$1.50 | \$1.50 | \$3.07 | \$3.07 | \$1.60 | \$1.60 |
| 7A | 14mm reseal (= > 5000m2) | \$5.45 | \$4.34 | \$5.04 | \$3.94 | \$4.21 | \$3.33 | \$4.00 | \$3.11 | \$5.63 | \$4.41 | \$8.55 | \$7.70 | \$4.45 | \$3.65 |
| 7B | 14mm reseal (= < 5000m2) | \$8.57 | \$7.46 | | | \$7.00 | \$6.06 | \$6.78 | \$5.84 | \$8.90 | \$7.67 | \$5.65 | \$4.70 | \$7.15 | \$6.35 |
| | Variation To Application Rate | | | | | | | | | | | | | \$1.24 | \$1.24 |
| | Variation to the binder application rates in excess of 7.5% of rates detailed in item 2.1.2 of Specification | \$1.15 | \$1.15 | \$1.15 | \$1.15 | \$1.22 | \$1.11 | \$1.14 | \$1.14 | \$1.24 | \$1.24 | \$1.08 | \$1.08 | \$1.06 | \$1.06 |

Tender 1 - 20212/2013 Bitumen

| CRITERION | A | | B | | C | | TOTAL SCORE | | Ranking |
|--|--|----------------|--|----------------|---|----------------|-------------|----------------|---------|
| | Demonstrated experience by tenderer to meet the requirements as set out in specification | | A maintenance service best suited to the Principal's requirements that demonstrates a commitment to customer service and a professional corporate image. | | Demonstrated ability and procedures to ensure public and employee safety by way of Occupational Safety and Health, and adherence to the Traffic Management for Road works Code of Practice. | | | | |
| | weighting | 50% | weighting | 25% | weighting | 25% | | | |
| TENDERER | raw score | weighted score | raw score | weighted score | raw score | weighted score | raw score | weighted score | |
| Downer EDI Fixed Price | 5.0 | 2.5 | 3.0 | 0.8 | 3.0 | 0.8 | 11.00 | 4.00 | 5 |
| Downer EDI Works Alternate >150000m2 Fixed Price | 5.0 | 2.5 | 3.0 | 0.8 | 3.0 | 0.8 | 11.00 | 4.00 | 6 |

| | | | | | | | | | |
|---|-----|--------------|--|-----|-----|-----|-------|------|----------|
| Bitutek Pty Ltd Fixed Price | 5.0 | 2.5 | 4.0 | 1.0 | 4.0 | 1.0 | 13.00 | 4.50 | 2 |
| Bitutek Pty Ltd Alternate rise and Fall Clause | 5.0 | 2.5 | 4.0 | 1.0 | 4.0 | 1.0 | 13.00 | 4.50 | 1 |
| Boral Rise and Fall Clause | 5.0 | 2.5 | 4.0 | 1.0 | 3.0 | 0.8 | 12.00 | 4.25 | 4 |
| Fulton Hogan Fixed Price | 5.0 | 2.5 | 3.0 | 0.8 | 3.0 | 0.8 | 11.00 | 4.00 | 7 |
| RNR Contracting Fixed Price | 5.0 | 2.5 | 4.0 | 1.0 | 4.0 | 1.0 | 13.00 | 4.50 | 3 |
| | | | | | | | | | |
| | | Score | Description of Score | | | | | | |
| | | 0 | Offer did not address the criterion | | | | | | |
| | | 1 | offer contained insufficient/unclear information | | | | | | |
| | | 2 | Acceptable offer | | | | | | |
| | | 3 | Good offer | | | | | | |
| | | 4 | Very Good offer | | | | | | |
| | | 5 | Excellent offer | | | | | | |

| | |
|--------------------------------|---|
| Statutory Environment: | Local Government Act 1995 |
| Policy Implications: | Nil |
| Financial Implications: | Costs are included in Councils 2012/2013 Adopted Budget |
| Strategic Implications: | Nil |

Summary:

Council is being requested to accept Request for Tender 01/2012-13 supply and lay of bituminous products (Including and Excluding aggregate) for 202/13 Works Program

Recommendation:

That council accepts the tender submitted from Bitutek Pty Ltd with the Alternate rise and Fall Clause in accordance with Councils tender specifications, Request for Tender 01/2012-13 supply and lay of bituminous products (including aggregate).

Voting Requirements: Simple majority.

Resolution No 150812-07**Moved Cr Lansdell / Seconded Cr Easton**

That council accepts the tender submitted from Bitutek Pty Ltd with the Alternate rise and Fall Clause in accordance with Councils tender specifications, Request for Tender 01/2012-13 supply and lay of bituminous products (including aggregate).

Carried 7/0

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 August 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.

- Operating Statement by Function and Activity
- Bank Balances and Investments
- 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: Not applicable

Financial Implications: Not applicable

Strategic Implications: Not applicable

Recommendation: That the financial statements tabled for the period ending 31 July 2012 as presented be received.

Voting Requirements: Simple majority

Resolution No 150812-08

Moved Cr Astbury / Seconded Cr Allan

That the financial statements tabled for the period ending 31 July 2012 as presented be received.

Carried 7/0

Bank Balances

As at 31/07/2012

| | Bank Statement | Adjusted |
|-------------------|-----------------------|-----------------------|
| Municipal Fund | 1,226,578.63 | 1,174,914.05 |
| Petty Cash | 500.00 | 500.00 |
| Reserves | 450,558.03 | 450,558.03 |
| Total | \$1,677,636.66 | \$1,625,972.08 |
| Trust Fund | 11,141.79 | 10,941.79 |
| Transport Account | 2,016.60 | 0.00 |

Debtors

Rates as at 31/07/2012

| | | |
|--------------|--------------------|--------------|
| Account 7461 | Rates | 1,274,455.38 |
| Account 6051 | Sewerage | 39,947.45 |
| Account 7451 | Ex Receipts | -262.68 |
| Account 7441 | Pensioners Rebates | 4,234.57 |
| Account 7481 | Domestic Rubbish | 26,534.09 |
| Account 7491 | Commercial Rubbish | 5,524.79 |
| Account 7201 | Refuse Site Levy | 18,540.62 |

Sundry Debtors as at 31/07/2012

| | |
|--------------|-------------------|
| Current | 289,768.78 |
| 1 Month | 128,398.00 |
| 2 Months | 380.00 |
| 3 Months | 3,221.75 |
| Total | 421,768.53 |

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 August 2012 |

Enclosure / Attachment: List of Accounts

Background: Please find following the List of Accounts remitted during the period from 5 July – 5 August 2012

| | <u>Vouchers</u> | <u>Amounts</u> |
|--------------------------|------------------------|----------------------------|
| Municipal Account | | |
| Cheques | 14383 - 14398 | 40,603.85 |
| EFTPOS | 2846 -2908 | 197,230.54 |
| Other Transfers | Payroll July 2012 | 60,180.00 |
| Trust Account | | |
| EFTPOS | Transfers | 560.00 |
| Cheques | | |
| TOTAL | | <u>\$298,574.39</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 \$298,574.39 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 \$143,568.20 as advised be noted.

Voting Requirements: Simple majority

Resolution No 150812-09

Moved Cr Allan / Seconded Cr Russell

That Council acknowledges that payments totaling \$298,574.39 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 \$143,568.20 as advised be noted.

Carried 7/0

Governance, Audit and Community Services

10.2.03 - EHO/Building Surveyor's Report

| | |
|------------------------------------|-------------------------------------|
| Submission To: | Ordinary Council |
| Location / Address: | Whole Shire |
| Name of Applicant: | Allan Ramsay, EHO/Building Surveyor |
| File Reference: | 706 / 2203 |
| Author: | Allan Ramsay, EHO/Building Surveyor |
| Disclosure of any Interest: | Nil |
| Date of Report: | 7 August 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 August 2012.

Policy Implications: Not Applicable

Financial Implications: Not Applicable

Strategic Implications: Not Applicable

Recommendation: Not Applicable

Voting Requirements: Not Applicable

Governance, Audit and Community Service

10.2.04 – Community Development Officer's Report

Submission To: Ordinary Council
Location / Address: Whole Shire
Name of Applicant: Natalie Manton, Community Development Officer
File Reference: 202
Author: Natalie Manton, Community Development Officer
Disclosure of any Interest: Nil
Date of Report: 9 August 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. • Collected new fridge shelves from Perth. • Follow up maintenance items at Hall. <p>Yealering Cemetery</p> <ul style="list-style-type: none"> • Discussions and site meeting with Ross Easton. • Revised budget. • Requested funding from Ellen King Trust. • Design and layout discussion and site meeting with Sara Hills. • Investigated landscaping supplies and visited tree nursery and paving suppliers. • Obtained information and quotes on plaques for new niche wall. • Prepared draft letter to families with project update. <p>Townscape</p> <ul style="list-style-type: none"> • Attended Townscape meeting. • Follow up orders from 2011/12 Townscape budget. • Obtained background information on War memorial. <p>Other</p> <ul style="list-style-type: none"> • Investigated funding opportunities. • Send out information to community members on community events including Harrismith Photo competition. • Attended site meeting with NBN consultants regarding potential locations for tower. • Attended Arts and crafts meeting regarding proposed Art Trail in March next year and investigated funding opportunities. • Attended Yealering Progress Association AGM and explained projects. • Preliminary discussions with Volunteer Resource Centre regarding movie night. • Requested variation of Country Local Government funding for 10/11 projects. • Watershed notes. • Collected new portable PA equipment from Perth. • Collected new accommodation unit keys. |
| Community Safety and Crime | <p>Dedicated Deputy Project</p> <ul style="list-style-type: none"> • Liaise with Tam McKeown on project details. |

| | |
|--|---|
| Prevention | R U 2 Close Project <ul style="list-style-type: none"> • Arranged payment of invoice and grant. |
| Economic Development | Living Lakes Project <ul style="list-style-type: none"> • Discussions with Ian Hills on progress of draft report. • Followed up report of repairs to Wickepin saleyards. |
| Tourism Marketing and Promotion | <ul style="list-style-type: none"> • |
| Sport and Recreation | Synthetic Bowling Green <ul style="list-style-type: none"> • Submitted CSRFF monthly report to Dept Sport and Rec. Yealering Bike Skills Track <ul style="list-style-type: none"> • Arranged for collection of Yealering Bike Skills Track fence • Consultation with Bike Track committee and update on project progress. • Contacted Roadtech regarding construction timeline. Kidsport <ul style="list-style-type: none"> • Entered Kidsport forms on database. • Forwarded information and explained scheme to community members and clubs. • Liaise with Dept Sport and Rec and Town of Narrogin. Healthy Communities Project <ul style="list-style-type: none"> • Met with Project Co-ordinator regarding Healthy Communities Project. • Attended Healthy Communities launch in Wickepin. • Responded to queries on Healthy Communities Project and provided information and Co-ordinator contact details. |
| Special Needs Groups inc; Youth, Disabled and Older People. | <ul style="list-style-type: none"> • Responded to queries from community group regarding funding. |
| Heritage | <ul style="list-style-type: none"> • Heritage precinct walk trail and old machinery display. |
| Other | <ul style="list-style-type: none"> • |

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: Not applicable.

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Recommendation:

That council notes the report from the Community Development Officer dated 9 August 2012.

Voting Requirements: Simple majority.

Resolution No 150812-10

Moved Cr Coxon / Seconded Cr Lansdell

That council notes the report from the Community Development Officer dated 9 August 2012.

Carried 7/0

Governance, Audit & Community Services

10.2.05 - Strategic Community Plan 2012-2022

| | |
|------------------------------------|-------------------------------------|
| Submission To: | Ordinary Council |
| Location / Address: | Whole Shire |
| Name of Applicant: | Mark J Hook Chief Executive Officer |
| File Reference: | 401 |
| Author: | Mark J Hook Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 7 August 2012 |

Enclosure / Attachment: Shire of Wickepin Strategic Community Plan 2012-2022

Background:

The Local Government (Administration) Regulations 1996 has been amended to require each local government to adopt a Strategic Community Plan. Section 5.56(1) and (2) of the Act requires that each local government is 'to plan for the future of the district', by developing plans in accordance with the regulations. The new regulations specify what a 'plan for the future' should involve. In particular, local governments will be formally required to develop and adopt two new planning instruments. The new regulations also require each local government to include in its Annual Report any changes to either of the plans. This will keep the community informed of any specific changes it would otherwise be unaware of.

When the Shire of Wickepin was part of the Regional Transition Group KPMG were selected as the preferred consultants to carry out the preparation of a regional business plan along with some strategic planning and asset management planning. As part of this process KPMG were to present a Strategic Community Plan for each members of the RTG. Matt Forbes of KPMG as part of the RTG deliverables has presented to the Shire of Wickepin the attached Strategic Community Plan 2012-2022.

The Strategic Community Plan outlines the community's long term (10+ years) vision, values, aspirations and priorities, with reference to other local government plans, information and resourcing capabilities.

The Strategic Community Plans is not static and must be reviewed regularly.

The plan:

- Establishes the community's vision for the local government's future, including aspirations and service expectations
- Drives the development of local government Area/Place/Regional Plans, resourcing and other informing strategies, e.g. Workforce, Asset Management and Services
- Will ultimately be a driver for all other planning

The integration of asset, service and financial plans means the local government's resource capabilities are matched to their community's needs.

Comment:

The Chief Executive Officer is not fully conversant with the amount of Community consultation or Community input into the 2012-2022 Strategic Community Plan.

The Draft Strategic Community Plan for 2012-2022 needs to be advertised for Community Consultation and input.

The Draft Strategic Community Plan for 2012-2022 should be forwarded to each of the Local Progress Associations in the various towns for comment.

The Shire of Wickepin is in the process of introducing a more comprehensive and integrated approach to strategic and corporate planning, as part of the State Government's local government reform initiative.

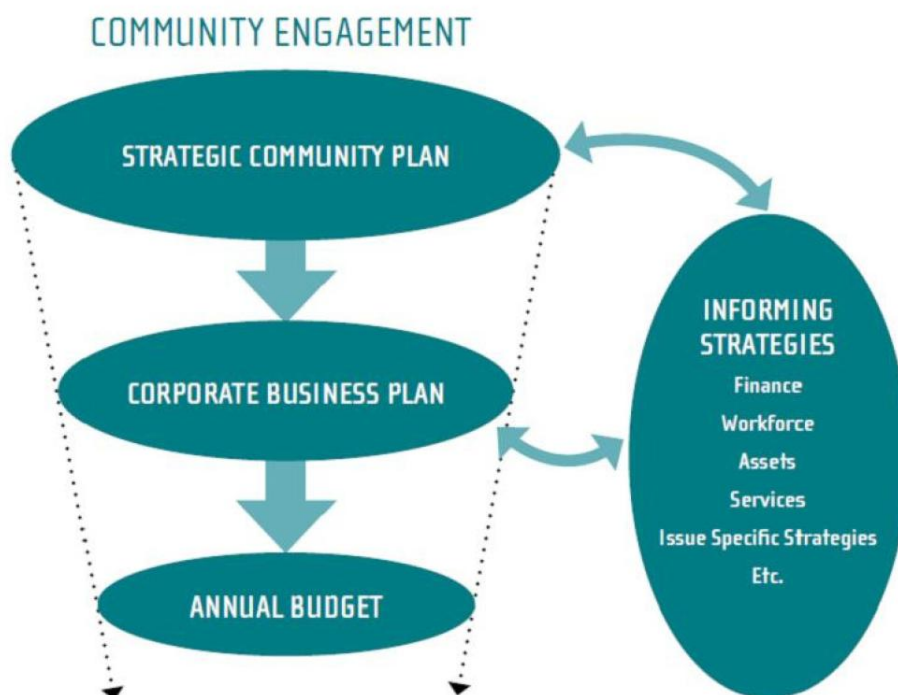
Community engagement will be a regular but important part of Council's commitment to engagement and collaboration with the community along with other key stakeholders on all issues.

Community Engagement simply refers to a process of two-way communication between Council and community prior to Council making a decision about any issue in question.

Community Engagement aims to:

- Provide a consistent approach across the Shire as to how the Shire engages with the community and other key stakeholders;
- Strengthen the relationship between the Shire, government stakeholders, service providers, local organisations, and the community through ongoing community engagement; and

Improve communication and information sharing between the Shire and the community.



Statutory Environment: Nil

Policy Implications: Council currently has no Communication Policy in place

Financial Implications: Nil

Strategic Implications:

The adoption of the Shire of Wickepin Strategic Community Plan 2012-2022 will:

- Establish the community's vision for the Shire of Wickepin's future, including aspirations and service expectations over the next ten years.
- Drive the development of the Shire of Wickepin's Area/Place/Regional Plans, resourcing and other informing strategies.
- Ultimately drive all other planning in the Shire of Wickepin.

Summary:

The Shire of Wickepin is being requested to adopt a Strategic Community Plan outlining the community's long term (10+ years) vision, values, aspirations and priorities, with reference to other local government plans, information and resourcing capabilities.

Recommendation:

1. That the Shire of Wickepin advertise the Shire of Wickepin Strategic Community Plan for public Consultation and Comment with submissions being received up to 4.00pm, Friday 5th October 2012.
2. That all submissions received be presented to the next Governance, Audit and Community Services Committee Meeting being held on the 7th November 2012.

Voting Requirements:

Simple majority

Resolution No 150812-11**Moved Cr Allan / Seconded Cr Russell**

1. That the Shire of Wickepin advertise the Shire of Wickepin Strategic Community Plan for public Consultation and Comment with submissions being received up to 4.00pm, Friday 5th October 2012 and that the Wickepin Strategic Community Plan be sent to all local key community and sporting groups.
2. That all submissions received be presented to the next Governance, Audit and Community Services Committee Meeting being held on the 7th November 2012.

Carried 7/0

Resolution differs from the Officers Recommendation as Council felt that the Wickepin Strategic Community Plan should be sent to all the key people within the community.

Governance, Audit & Community Services**10.2.06 – Wickepin Ladies Hockey Club Waiving Fees and Charges**

| | |
|------------------------------------|-------------------------------------|
| Submission To: | Ordinary Council |
| Location / Address: | Whole Shire |
| Name of Applicant: | Mark J Hook Chief Executive Officer |
| File Reference: | 532 |
| Author: | Mark J Hook Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 7 August 2012 |

Enclosure / Attachment: Nil**Background:**

The Wickepin Ladies Hockey Club is holding a club fund raising event taking family photos and they are using the Wickepin Playgroup Building for this fund raising event.

The Wickepin Ladies Hockey Club has also booked the Wickepin Town Hall for this fund raising event if they receive a large group of people wishing to have their family photo taken.

The Wickepin Ladies Hockey Club is requesting Council to waive the fee for the Wickepin Town Hall if it is required due to the large number of bookings received as it is a fundraiser for a Local Sporting Club.

Comment:

The Town Hall has been booked to ensure the venue is available if required. The normal hire charge for this would be \$80.00

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 fundraising for a Local Sporting Group it is recommended by the Chief Executive Officer that the fees of \$80.00 be waived in this instance.

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.**

Financial Implications:

Loss of income for the hire of the Wickepin Town Hall \$80.00.

Strategic Implications:

Nil

Summary:

Council is being requested to waive the hire fee of \$80.00 if the Wickepin Hall is utilized for the fundraising event of taking family photos.

Recommendation:

That if the Wickepin Hall is utilized for the fundraising event of taking family photos the hire fee of \$80.00 be waived.

Voting Requirements:

Absolute majority

Resolution No 150812-12

Moved Cr Allan / Seconded Cr Russell

That if the Wickepin Hall is utilized for the fundraising event of taking family photos the hire fee of \$80.00 be waived.

Carried 7/0

Council Services

10.2.07 – Lake Yealering Progress Association – Swimming Hole

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: 7 August 2012

Enclosure / Attachment: Nil

Background:

The following Agenda item was presented to Council at its Ordinary Meeting of Council on the 21 September 2011 and Council resolved the following

Resolution No 210911-10**Moved Cr Easton / Seconded Cr Allan**

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.

Carried 6/0

Council Services

Lake Yealering Progress Association – Swimming Hole Future

Submission To: Ordinary Council
Location / Address: Whole Shire
Name of Applicant: Lake Yealering Progress Association
File Reference: 1710
Author: Alan Leeson, Chief Executive Officer
Disclosure of any Interest: Nil
Date of Report: 15 September 2011

Enclosure / Attachment: Letter from LYPA

Background:

Letter received from the Lake Yealering Progress Association requesting Council cooperation in determining the future of the Lake Yealering Swimming Hole.

The CEO attended the recent AGM of the Lake Yealering Progress Association where the future of the swimming hole was discussed at length. From the shires perspective the CEO outlined that there are concerns with shires statutory responsibility in terms of water quality and how this can be maintained at acceptable levels, given the swimming hole is a manmade feature and not part of the naturally built environment.

Statutory Environment:
Local Government Act 1995

The swimming hole is part of Reserve 9610 which is vested with the Shire of Wickepin for the purpose of recreation. At the LYPA AGM I posed the question to them;

“Would the Lake Yealering Progress Association on behalf of the community accept a “management order” and ultimately the public liability that would come with keeping the swimming hole in future years. I stated that consideration of this question should ultimately determine the community’s preferences in relation to the future of the swimming hole. The letter from LYPA clearly states that they have no wish to take control of the swimming hole and ultimately provision of public liability insurance.

Policy Implications: Nil

Financial Implications:

Currently there are not any financial implications to be considered. Moving forward should there be an outcome of agreement to have the swimming hole removed and return the lake to its naturally built state, there will be the cost of having the banks of the swimming hole removed. Councils Community Development Officer, Natalie Manton has identified grant funding that may be applicable to such a project. Natalie has drafted a funding application to the State Natural Resource Management Program Community Grants 2011/2012 (refer attached). The application provides a detailed background in relation to the swimming hole’s history.

Strategic Implications:

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

Comment:

Whilst there is cultural significance associated with the swimming hole and its history within the local community, the swimming hole in the authors view is an avoidable legal exposure to the Council and ultimately the community. Given it is man made with the aim of attracting people to swim in the hole, there is not water quality control, signage which warns the community not to put head under water etc., the best outcome would be to have the swimming hole removed.

Summary:

At this juncture, it is proposed that Council accede to the request of the LYPA to hold an onsite meeting in order to ensure Council engages and consults with the community with respect to the future of the Lake Yealering Swimming Hole.

Recommendation:

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.

Voting Requirements: Simple majority

The following was listed in the Status report presented to Council at its Ordinary Meeting of Council held on the 18th July 2012.

| 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> |

Comment:

The Chief Executive Officer attended the Lake Yealering Progress Association AGM on Wednesday 25th July 2012 at the Yealering Hall.

At this meeting the CEO advised that there was still some confusion over the fate of the swimming hole and asked the Yealering Progress Association their views on this matter and advised if the Yealering Progress Association would like to meet with Council to discuss this issue.

The issue was well debated at the Yealering Progress Association AGM and the Lake Yealering Progress Association felt they had discussed the filling in of the swimming hole with the Shire and they sent flyers out to the community advising of the current position with the swimming hole at Lake Yealering.

The Lake Yealering Progress Association took a vote on the filling in of the swimming hole at Lake Yealering and it was decided that they advise the Shire of Wickepin to fill in the Lake Yealering Swimming Hole subject to confirmation from the Living Lakes project coordinator that it would not affect their project.

The Chief Executive officer has received advice from Mr Ian Hill that the Living Lakes Project would prefer for the Yealering Lake Swimming Hole to be filled in.

The Chief Executive Officer has requested a quote from Aussie Fulford for the filling in of the Lake Yealering Swimming Hole and the verbal quote received is \$25,000 to \$28,000.

The Chief Executive will hold discussions with Councils Community Development Officer to ascertain if there is any grant application opportunities to fill in the Lake Yealering Swimming Hole and if there the Chief Executive officer will submit a grant application

| | |
|--------------------------------|---|
| Statutory Environment: | Nil |
| Policy Implications: | Nil |
| Financial Implications: | Cost to be part of the Annual Budget Estimates. |
| Strategic Implications: | Nil |

Summary:

Council is being requested to apply for grant funding to fill in the Lake Yealering swimming hole and if unsuccessful place funds in the 2012/13 Budget Estimates to fill in the Lake Yealering Swimming Hole.

Recommendation:

1. That the Shire of Wickpin apply for grant funding to fill in the Lake Yealering Swimming Hole and if successful the Shire of Wickpin Fills in the Lake Yealering Swimming Hole.
2. That if the grant funding is unsuccessful the Shire of Wickpin place funds in the 2013/2014 Budget Estimates to fill in the Lake Yealering Swimming Hole.

Voting Requirements: Simple majority.

Resolution No 150812-13**Moved Cr Coxon / Seconded Cr Allan**

1. That the Shire of Wickpin apply for grant funding to remove the Lake Yealering Swimming Hole and if successful the Shire of Wickpin remove the Lake Yealering Swimming Hole.
2. That if the grant funding is unsuccessful the Shire of Wickpin place funds in the 2013/2014 Budget Estimates to remove the Lake Yealering Swimming Hole.

Carried 7/0

Resolution differs from the Officers Recommendation as Council felt the words 'fill in' should be changed to 'remove'.

Governance, Audit and Community Services

10.2.08 - Gumnut Cottage - Lot 7 fisher Street, Wickpin

| | |
|-----------------------------|--------------------------------------|
| Submission To: | Ordinary Council |
| Location / Address: | Whole Shire |
| Name of Applicant: | Mark J Hook, Chief Executive Officer |
| File Reference: | 524 |
| Author: | Mark J Hook, Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 8 August 2012 |

Enclosure / Attachment:

Two Offer and Acceptance forms under separate cover marked Confidential

Back Ground:

Council passed the following resolution at the 16 May 2012 Ordinary Meeting of Council.

Resolution No 160512-16

Moved Cr Coxon / Seconded Cr Lansdell

That Council authorise the Chief Executive Officer to list Gumnut Cottage Lot 7 Fisher Street, Wickpin 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.

Carried 7/0

Comment:

The Professionals Real Estate agent Mr Les Chitty has inspected the property and the Chief Executive Officer has instructed Mr Chitty to list the property for \$100,000 in accordance with Councils resolution and Section 3.58 of the Local Government Act 1995.

Council has received two offers for Gumnut Cottage situated at Lot 7 Number 56 Fisher /street Wickpin.

OFFER ONE

Offer one is for \$98,000 with settlement after finance has been approved and has the following conditions on the offer and acceptance;

- Timber Pest Pre Purchase Inspection at purchasers expense;
- Satisfactory Building Inspection within ten days of finance approval;
- Two bay garage being within property boundary;
- Roof of back car port being repaired prior to settlement.

OFFER TWO

Offer Two is for \$90,000 cash with \$20,000 deposit paid within 3 days of acceptance of offer.

The offer also has the following conditions on the offer and acceptance;

- Buyer acknowledges the offer will go through Local Government procedures as to disposal of Council Land and final council ratification;
- Settlement date will be 30 days after acceptance or 30 days after council ratification whichever is the latest;
- Timber Pest Pre Purchase Inspection and subject to working order prior to settlement;
- Two bay garage being inside the property boundary;

- Roof of back car port being repaired prior to settlement;
- Two bay garage being inside the property boundary and the roof of back car port being repaired prior to settlement shall be at the Vendors Expense.

Statutory Environment:

Council must dispose of the property in accordance with Section 3.58 of the 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: No Policy in relation to this matter

Financial Implications:

The amount received from the sale of the property should be placed in Councils Staff Housing Reserve which currently has a balance of \$191 to enable the future construction of suitable staff housing.

Strategic Implications:

Fits within Objective 5 of Council Strategic Plan 2009 - To Provide Efficient, Effective and Accountable Governance.

| | |
|---|---|
| Provide and maintain adequate residential accommodation to attract and retain quality staff. | Prepare a schedule, which would include timelines, to ensure the timely maintenance of staff housing and improvements as they become necessary. |
| | Provide funding for additional staff housing. |
| | Investigate the possible sale and replacement of aging housing stock. |

Summary:

Council is being requested to accept an offer from two applicants for the purchase of Gumnut Cottage Lot 7 Number 56 Fisher Street, Wickepin held by certificate of title Volume 1904 Folio 370.

Recommendation:

1. That Council accept the offer from Neil Anthony Connah and Sallyanne Cordell of 63 Wogolin Street Wickepin WA 6370 subject to finance and the following conditions imposed on the offer and acceptance;
 - Timber Pest Pre Purchase Inspection at purchasers expense
 - Satisfactory Building Inspection within ten days of finance approval
 - Two bay garage being within property boundary
 - Roof of back car port being repaired prior to settlement

for the sale of Gumnut Cottage Lot 7 Number 56 Fisher Street, Wickepin held by certificate of title Volume 1904 Folio 370.

2. That Council proceeds to advertise its intent to dispose of Gumnut Cottage Lot 7 Number 56 Fisher Street, Wickepin held by certificate of title Volume 1904 Folio 370 to Neil Anthony Connah and Sallyanne Cordell of 63 Wogolin Street Wickepin WA 6370 in accordance with Section 3.58 of the *Local Government Act 1995* through a Local Real Estate Agent.
3. That the proceeds of sale be placed in Council Building Reserve.

Voting Requirements: Simple majority

Resolution No 150812-14**Moved Cr Astbury / Seconded Cr Coxon**

1. That Council accept the offer from Neil Anthony Connah and Sallyanne Cordell of 63 Wogolin Street Wickepin WA 6370 subject to finance and the following conditions imposed on the offer and acceptance;

- Timber Pest Pre Purchase Inspection at purchasers expense
- Satisfactory Building Inspection within ten days of finance approval
- Two bay garage being within property boundary
- Roof of back car port being repaired prior to settlement

for the sale of Gumnut Cottage Lot 7 Number 56 Fisher Street, Wickepin held by certificate of title Volume 1904 Folio 370.

2. That Council proceeds to advertise its intent to dispose of Gumnut Cottage Lot 7 Number 56 Fisher Street, Wickepin held by certificate of title Volume 1904 Folio 370 to Neil Anthony Connah and Sallyanne Cordell of 63 Wogolin Street Wickepin WA 6370 in accordance with Section 3.58 of the *Local Government Act 1995* through a Local Real Estate Agent.
3. That the proceeds of sale be placed in Council Building Reserve.

Carried 7/0

Governance, Audit and Community Services

10.2.09 - Bush Fire Control Officer's Statutory Appointments

| | |
|------------------------------------|--------------------------------------|
| Submission To: | Ordinary Council |
| Location / Address: | Whole Shire |
| Name of Applicant: | Mark J Hook, Chief Executive Officer |
| File Reference: | 702 |
| Author: | Mark J Hook, Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 9 August 2012 |

Enclosure / Attachment:

NOTE: Due to the Bush Fire Control Officer's AGM being rescheduled to 9 August 2012, the Minutes of that meeting will be placed in the 19 September Agenda.

Background:

Council is required annually to make appointments of statutory positions under the requirements of the Bush Fires Act 1954 and associated regulations.

These appointments are recommended from the Bush Fire Control Officer's AGM which was held on the 9 August 2012.

Comment:

Due to the Rate Notices going out in August and the Bush Fire Control Officer's AGM being rescheduled, the fire break requirements have already been distributed with the rate notices.

The Chief Executive Officer wrote to all the adjoining shires requesting Dual Fire Control Officers from adjoining Shires and only received a reply from the Shires of Cuballing and Pingelly.

The Shire of Wickepin shows in its fire break order the following burning periods;

Burning Periods

Restricted Burning – 1 October 2012 to 13 November 2013;
Prohibited Burning – 14 November 2012 to 7 February 2013;
Restricted Burning – 8 February 2012 to 28 April 2013

The burnings periods Gazetted by FESA are as Follows;

| | |
|---|---|
| Municipality's Name: | Wickepin |
| Zone allocated: | Zone 3 - From the 1st day of November in each year to the next following 7th day of February. |
| Prohibited burning time: | 1 November - 7 February |
| Special Commencing Date in Zone: | 14th November |
| Restricted Burning Period in each Year: | 1 October to 14 April |

As you can see the Shire of Wickepin is automatically extending the Restricted Burning Period in April every year.

The Shire if it wants the Restricted Period in each year to be 1 October to 28 April it should apply for the dates to be gazette as 1 October to 28 April.

This matter will be discussed at the Bush Fire Control Officer's AGM on Wednesday 9th August 2012 where the following recommendation has been put forward by the Chief Executive officer to this meeting;

That the Shire of Wickpin request FESA to change the restricted burning period by Gazette to 8 February to 28 April.

The Chief Executive Office will advise Council of the outcomes of all the Recommendations and Motions passed at the Bush Fire Control Officer's AGM on Wednesday 9th August 2012 at the Council Meeting.

Statutory Environment: Bush Fires Act 1954

Policy Implications:

Fire Breaks C4.1

Purpose

To establish guidelines for the enforcement of fire break requirements established by council in accordance with the Bush Fires Act.

Firebreaks

Council shall request Fire Control Officers to inspect fire breaks and report any problems to the administration. Where the administration is notified by a Fire Control Officer of a sub-standard fire break, a notice is to be issued to the property owner advising that the break is to be constructed in accordance with the current fire break order within 7 days. If no action is taken or the break remains unsatisfactory in the assessment of the Fire Control Officer the Chief Executive Officer is to cause the work to be done at the expense of the property owner.

Firebreaks - Townsite Blocks

If townsite blocks are not properly protected then arrangements will be made to have such blocks cleared at the owners expense.

Firebreaks - Notices

Notice of fire break requirements is to be distributed with the rate notice annually.

Harvesting Bans C4.2

Purpose

To establish set dates annually for harvest bans giving consideration to traditional periods of low availability of Fire Brigade members.

Policy

Christmas Day and New Years Day are to be declared days of Total Harvest Ban with no lighting of fires on Good Friday and Easter Sunday within the Shire of Wickpin. This shall be advertised on a yearly basis a week prior to the above mentioned holidays.

(Note: This policy to be discussed at Fire Control Officers meeting annually).

Financial Implications: Not applicable.

Strategic Implications: Not applicable.

Summary:

Council is being requested to adopt the annual Bush Fire Appointments and notice.

Recommendation:

1. Chief Bush Fire Control Officer, Deputy CBFCO Fire Control Officers/Bush Fire Radio Operators/Fire Weather Officers

That the following persons be appointed as Chief Bush Fire Control Officer, Deputy CBFCO Fire Control Officers, Bush Fire Radio Operators and Fire Weather Instrument Officers of the Shire of Wickpin for the 2012/2013 bush fire season:

- Tim Heffernan Chief Bush Fire Control Officer
- David Stacey Deputy CBFCO
- Lachlan White
- Steve Rose
- Keith Parnell
- Barney Langford
- Rex Bergin
- Phillip Russell
- Tim Heffernan
- Roger Butler
- Peter Stacey
- Colin Coxon
- Gordon McDougall
- Wes Astbury
- Daniel White

2. Clover Burning Permits

That the following persons be appointed as Clover Permit Issuing Officers for the 2012/2013 fire season:

- Steve Rose
- Wes Astbury

3. Dual Fire Control Officers from Wickpin

That the following persons be appointed as Dual Fire Control Officers for the 2012/2013 fire season:

Peter Stacey & Colin Coxon
Rex Bergin, Lachlan White & Phillip Russell
Steve Rose, Rex Bergin, Wes Astbury, & Roger Butler
Keith Parnell & Wes Astbury
Lachlan White & Daniel White
Roger Butler, Colin Coxon, & Steve Rose
Wes Astbury/Barney Langford D David Stacey

Shire of Corrigin
Shire of Narrogin
Shire of Cuballing
Shire of Dumbleyung
Shire of Wagin
Shire of Pingelly
Shire of Kulin

4. Dual Fire Control Officers from adjoining Shires

That the following persons be appointed as Dual Fire Control Officers for the 2012/2013 fire season from adjoining Shires:

| | |
|---------------------|--|
| Shire of Pingelly | Rodney Leonard Shaddick Neville Gordon Giles Victor Arthur Lee Kimberley James Melvin Andrew Augustin Marshall |
| Shire of Wagin | Nil |
| Shire of Corrigin | Nil |
| Shire of Cuballing | Mike Burges |
| Shire of Narrogin | Nil |
| Shire of Kulin | Nil |
| Shire of Dumbleyung | Nil |

5. That the following fire break order and burning periods be endorsed for the 2012/2013 season:

Bush Fires Act 1954
Shire of Wickepin
Annual Firebreak Notice 2012/2013

Action is required by owners and/or occupiers of all land in the Shire of Wickepin. Please read this notice carefully. Any queries should be directed to the Shire of Wickepin Administration Centre of Local Shire Bush Fire Control Officer.

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, owners and occupiers of property within the Shire of Wickepin are hereby required on or before 1 October 2012 and thereafter to 28 April 2013 to plough, scarify or otherwise provide and maintain firebreaks clear of all inflammable material at least 2.5 metres wide as follows:

Rural Land

Inside the boundary of all land held by each owner or occupier, their firebreaks need not follow the perimeter of any paddock but will be acceptable following land contours in an endeavour to overcome water erosion;

- To subdivide each holding into lots of no greater than 200 hectares; and
- To surround the homestead, out buildings and fuel storages on any such land.

Townsite Land

All lots within the townsites of Harrismith, Tincurrin, Toolibin, Wickepin and Yealering are required to be cleared and maintained free of all debris or inflammable material. Failure to comply with these requirements renders the owner or occupier liable to a penalty not more than \$400.

Clearing of Fence Lines

When clearing for new fence lines, landholders are asked to consider locating the fence three (3) metres inside their boundary to avoid any clearing on road reserves. Old fences should first be removed. If landholders wish to place their fence on the boundary, they may clear no more than one (1) metre beyond their boundary. This may be varied in special circumstances at the discretion of the CEO and Manager Works & Services. Any timber removed from the road reserve is to be pushed onto the owner's property.

Fencing of Road Reserves

Council encourages farmers to fence off road reserves running through their properties to protect trees on these reserves and to allow new growth of vegetation.

Burning on Roadsides

Should property owners wish to carry out burning of the road reserve adjacent to their property, it is necessary to obtain council approval prior to any burning taking place.

Burning Periods

Restricted Burning – 1 October 2012 to 13 November 2013;

Prohibited Burning – 14 November 2012 to 7 February 2013;

Restricted Burning – 8 February 2012 to 28 April 2013

Harvest and Fire Ban 2012/2013 Season

Harvesting is banned on Christmas Day and New Year's Day

Lighting of fires are banned on Good Friday and Easter Sunday

6. That the Shire of Wickpin request FESA to change the restricted burning period by Gazette to 8 February to 28 April.
7. That an agenda item be presented to DOAC on the changing of the wording up to 14 days under the BUSH FIRES ACT 1954 prohibited and restricted burning periods to allow for brigades to amend the dates annually to more than the Fourteen Day periods.

Voting Requirements: Simple majority

Resolution No 150812-15

Moved Cr Lansdell / Seconded Cr Allan

1. Chief Bush Fire Control Officer, Deputy CBFCO Fire Control Officers/Bush Fire Radio Operators/Fire Weather Officers

That the following persons be appointed as Chief Bush Fire Control Officer, Deputy CBFCO Fire Control Officers, Bush Fire Radio Operators and Fire Weather Instrument Officers of the Shire of Wickpin for the 2012/2013 bush fire season:

- Tim Heffernan Chief Bush Fire Control Officer
- David Stacey Deputy CBFCO
- Lachlan White
- Steve Rose
- Keith Parnell
- Barney Langford
- Rex Bergin
- Phillip Russell
- Tim Heffernan
- Roger Butler
- Peter Stacey
- Colin Coxon
- Gordon McDougall
- Wes Astbury
- Daniel White

2. Clover Burning Permits

That the following persons be appointed as Clover Permit Issuing Officers for the 2012/2013 fire season:

- Steve Rose
- Wes Astbury

3. Dual Fire Control Officers from Wickpin

That the following persons be appointed as Dual Fire Control Officers for the 2012/2013 fire season:

| | |
|---|---------------------|
| Peter Stacey & Colin Coxon | Shire of Corrigin |
| Rex Bergin, Lachlan White & Phillip Russell | Shire of Narrogin |
| Steve Rose, Rex Bergin, Wes Astbury, & Roger Butler | Shire of Cuballing |
| Keith Parnell & Wes Astbury | Shire of Dumbleyung |
| Lachlan White & Daniel White | Shire of Wagin |
| Roger Butler, Colin Coxon, & Steve Rose | Shire of Pingelly |
| Wes Astbury/Barney Langford D David Stacey | Shire of Kulin |

4. Dual Fire Control Officers from adjoining Shires

That the following persons be appointed as Dual Fire Control Officers for the 2012/2013 fire season from adjoining Shires:

| | |
|---------------------|--|
| Shire of Pingelly | Rodney Leonard Shaddick Neville Gordon Giles Victor Arthur Lee Kimberley James Melvin Andrew Augustin Marshall |
| Shire of Wagin | Nil |
| Shire of Corrigin | Nil |
| Shire of Cuballing | Mike Burges |
| Shire of Narrogin | Nil |
| Shire of Kulin | Nil |
| Shire of Dumbleyung | Nil |

5. That the following fire break order and burning periods be endorsed for the 2012/2013 season:

Bush Fires Act 1954
Shire of Wickpin
Annual Firebreak Notice 2012/2013

Action is required by owners and/or occupiers of all land in the Shire of Wickpin. Please read this notice carefully. Any queries should be directed to the Shire of Wickpin Administration Centre of Local Shire Bush Fire Control Officer.

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, owners and occupiers of property within the Shire of Wickpin are hereby required on or before 1 October 2012 and thereafter to 28 April 2013 to plough, scarify or otherwise provide and maintain firebreaks clear of all inflammable material at least 2.5 metres wide as follows:

Rural Land

Inside the boundary of all land held by each owner or occupier, their firebreaks need not follow the perimeter of any paddock but will be acceptable following land contours in an endeavour to overcome water erosion;

- To subdivide each holding into lots of no greater than 200 hectares; and
- To surround the homestead, out buildings and fuel storages on any such land.

Townsite Land

All lots within the townships of Harrismith, Tincurrin, Toolibin, Wickpin and Yealering are required to be cleared and maintained free of all debris or inflammable material. Failure to comply with these requirements renders the owner or occupier liable to a penalty not more than \$400.

Clearing of Fence Lines

When clearing for new fence lines, landholders are asked to consider locating the fence three (3) metres inside their boundary to avoid any clearing on road reserves. Old fences should first be removed. If landholders wish to place their fence on the boundary, they may clear no more than one (1) metre beyond their boundary. This may be varied in special circumstances at the discretion of the CEO and Manager Works & Services. Any timber removed from the road reserve is to be pushed onto the owner's property.

Fencing of Road Reserves

Council encourages farmers to fence off road reserves running through their properties to protect trees on these reserves and to allow new growth of vegetation.

Burning on Roadsides

Should property owners wish to carry out burning of the road reserve adjacent to their property, it is necessary to obtain council approval prior to any burning taking place.

Burning Periods

Restricted Burning – 1 October 2012 to 13 November 2013;
Prohibited Burning – 14 November 2012 to 7 February 2013;
Restricted Burning – 8 February 2012 to 28 April 2013

Harvest and Fire Ban 2012/2013 Season

Harvesting is banned on Christmas Day and New Year's Day

Lighting of fires are banned on Good Friday and Easter Sunday

6. That the Shire of Wickpin request FESA to change the restricted burning period by Gazette to 8 February to 28 April.
7. That an agenda item be presented to DOAC on the changing of the wording up to 14 days under the BUSH FIRES ACT 1954 prohibited and restricted burning periods to allow for brigades to amend the dates annually to more than the Fourteen Day periods.

Carried 7/0

Townscape & Cultural Planning

10.3.01 – Tincurrin Welcome Sign

| | |
|------------------------------------|--------------------------------------|
| Submission To: | Townscape Committee |
| Location / Address: | Whole Shire |
| Name of Applicant: | Townscape Committee |
| File Reference: | 2810 |
| Author: | Mark J Hook, Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 9 August 2012 |

Enclosure / Attachment: Nil

Background:

At the last Townscape meeting, Sue Astbury requested a new sign for the town entry sign, West of Tincurrin.

The Executive Support Officer obtained a quote for the new sign measuring 2200cm by 1500cm, and also took photos and measurements of the current sign for a comparison.

| | | |
|---------------|---------------------|------------------|
| Measurements: | Current sign - | 1400cm by 700cm |
| | Proposed new sign - | 2200cm by 1500cm |

Current sign:



Draft designs of proposed sign:



There is also a sign on the East side of Tincurrin which is exactly the same as that of the West of Tincurrin, which will also need changing if the signs are to match.

Comment:

The quote for the new sign was obtained from *Jason Sign Makers*. Maurice Lowe quoted the sign at \$590.00 plus GST. He also quoted the ARC brackets to fix the sign to standard galvanised post at \$3.50 each plus GST, and noted that 6 brackets will be required.

The amount for one sign will be \$672.10 (including GST). For two signs it would be \$1344.20 (including GST). There will also be an installation cost.

It is noted that the writing on the design of the proposed sign is likely to merge into the faint background picture of the wheat from a distance, which is of a similar colour.

Resolution passed at the 8 August 2012 Townscape and Cultural Planning Committee is as follows;

Moved Cr Astbury /Seconded M. Lang

That it be recommended to Council that the current signage remain the same.

Carried 7/1

Statutory Environment: Nil.

Policy Implications: Not applicable.

Financial Implications:

Cost of each sign \$672.10 (plus installation cost) out of the 2012/13 Townscape Budget

Strategic Implications: Not applicable.

Recommendation:

That the current signage remains the same.

Voting Requirements: Simple majority

Resolution No 150812-16

Moved Cr Astbury / Seconded Cr Easton

That the current signage remains the same.

Carried 7/0

11. President's Report

The President thanked Council for the opportunity to attend the WALGA Local Government Convention.

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: | 8 August 2012 |

GUMNUT COTTAGE 56 FISHER STREET

The Professionals Real Estate agent Mr Les Chitty has received two offers for Gumnut Cottage and these have been placed in Councils August Agenda for a decision.

LOCAL GOVERNMENT 2011 CONVENTION – PERTH 1st to 3rd AUGUST 2012

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

Driving New Ground – Sir Jackie Stewart OBE gave a great presentation on his life story and his efforts to lead the move to safer motor racing in the face of long held practices and powerful interest. He did not just make a sport more professional, he saved lives and while most remember him as a three-time world champion, it is his achievements off the track that should have most salience with anyone facing personal or professional challenges. He was a dyslexic from birth and still has problems but has achieved great outcomes for dyslexics in the Scottish Schools.

Peter Fitzpatrick, Chair - The Waste Authority gave a presentation on the sense of belonging in our changing cities and towns we need to foster active living and sustainability in our neighbourhoods. How do we make a difference in the quality of life, and what strategies can we embrace so as to create more liveable and healthier communities?

Tim Manning, Deputy Administrator for Protection and National Preparedness, FEMA gave a presentation on the ongoing devastating natural events being experienced around our regions there is an increasing focus in Local Government around the strategic direction for emergency management. What happens when your community infrastructure is wiped out by a natural disaster, homes and businesses have been destroyed, and you have to find a way to respond and establish recovery activities? How do other jurisdictions foster shared responsibility and partnerships and implement community engagement strategies to improve disaster resilience?

Paul Everingham, Managing Director - GRA Everingham and Associates and Andrea Burns, Award winning Journalist gave a presentation on the media and how to keep your friends close and your enemies even closer. Knowing how to influence the influential – how to get your concerns to government and your message in the media.

Graham Richardson, former Federal Minister and Glenn Milne, Award winning Journalist held a conversation around the inside of Australian politics - both Federal and State – from two masters of political commentary – what does it all mean for the many and varied issues facing Australians today.

The key note speaker for the conference was Qantas Pilot, Captain Richard de Crespigny Pilot of the A380 Airbus carrying 400 passengers in a successful emergency landing in Singapore, after an uncontained engine explosion. This pivotal event has changed his life forever – a breathtaking tale of leadership amid times of crisis.

The AGM saw the Motions Passed with Minor Amendments but there was two additional Motions presented as late Items.

5.1 - Transport Contributions from Heavy Vehicles Users

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 and request the President to form a working party to advocate to the State Government on behalf of the sector.

5.2 - Consultation Process with State Government

That the Minister for Local Government, when calling for submissions, comment or advise 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.

5.3 - Revaluation of Unimproved Valuation

That this meeting seek an amendment to the Valuation of Land Act 1978 to:-

1. enable individual Local Governments 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.
2. include provision that every Local Government across the State must accept a general UV revaluation at least once every three (3) years.
3. enable individual Local Governments to determine if it is considered necessary for a GRV revaluation every three (3), four (4) or five (5) years.

6.1 - MATTER OF SPECIAL URGENT BUSINESS : Native Vegetation Management

That WALGA press the Minister for the Environment to commit to a timeline to amend the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and the consulting process with Local Governments, with a view to providing a general exemption for the sector in relation to clearing of road reserves.

6.2 - MATTER OF SPECIAL URGENT BUSINESS : Grant Applications

That WALGA requests the State Government to introduce a "One Stop Shop" for Local Government grant applications, dealing with a preregistration process, streamlining of the application process, standardising of the applications and a pre-determined approval/rejection timeline

GEOGRAPHICAL NAMES COMMITTEE

The Minister via the Geographical Name Committee has advised that he has approved GOLFCLUB Road and TANK Road has Road names. The Chief Executive officer is working with Jan Lonsdale Geospatial Information Officer Geographic Names on the other Road names submitted.

FUEL FACILITY

The Chief Executive Officer is working with John Maaskant of Engtech (Aust) Pty Ltd on having the new design for the fuel facility redrawn and resubmitted to the Department of Mines and Minerals for approval. The cost for the new drawings and application is \$900. The pipe assembly for the fuel depot should be installed the week of 13th August 2012.

CLGF REGIONAL FUND BUSINESS CASE WASTE TRANSFER STATIONS

An amended business case for the Dryandra VROC transfer stations project for the 2011/12 Regional CLGF funding allocation has been submitted and is awaiting approval. The areas of concern in the original Business Case have been addressed in the new Business Case.

SYNTHETIC BOWLING GREENS

Work continues on the Wickepin Synthetic Bowling Greens and there has been another variation approved for additional brick pavers of \$1108.78 due to additional pavers being required to replace the areas where the seating was removed. Work has slowed due to the contractor taking eight days off for holidays in Bali and the work should recommence the week commencing 6th August 2012.

LAKE YEALERING PROGRESS ASSOCIATION AGM

The Chief Executive Officer attended the Lake Yealering Progress Association AGM on Wednesday 25th July 2012 at the Yealering Hall. At this meeting the CEO advised that there was still some confusion over the fate of the swimming hole and asked the Yealering Progress Association their views on this matter and advised if the Yealering Progress Association if they would like to meet with Council to discuss this issue. The issue was well debated at the Yealering Progress Association AGM and the Lake Yealering Progress Association felt they had discussed the filling in of the swimming hole with the Shire and they sent flyers out to the community advising of the current position with the swimming hole at Lake Yealering. The Lake Yealering Progress Association took a vote on the filling in of the swimming hole at Lake Yealering and it was decided that they advise the Shire of Wickepin to fill in the Lake Yealering Swimming Hole subject to confirmation from the Living Lakes project coordinator that it would not affect their project.

The Chief Executive officer has been advised by Mr Ian Hill that the Living Lakes project has no problem with the Swimming hole being filled in and it would actually be there preference for the swimming hole to be filled in.

WA KAOLIN HOLDINGS

The Chief Executive Officer has received a phone call from Alan Tingay of WA Kaolin Holdings to confirm that WA Kaolin Holdings Pty Ltd is proposing full-scale mining of kaolin (360,000tpa product) on Mining Lease M70/1143 near Wickepin with the initial processing occurring on-site and final processing at Wedin railway siding 20km south of the mine.

Alan's role is to ensure that all of the necessary approvals are in place for the project to proceed. This will include Development Approvals and Building Licences from the Shire of Wickepin and the WA Planning Commission DAP Process for the Planning Approval for the mine and processing plant at the mine site, final processing plant and stockpile and loading facilities at Wedin railway siding, and a pipeline for transport of clay in suspension between the mine and railway siding.

GRAIN FREIGHT NETWORK PACKAGE LOCAL ROADS WORKSHOP

The Chief Executive officer attended a Grain Freight Network Package Local Roads Workshop at the Dryandra Country Visitor Centre Narrogin on Thursday 26 July 2012.

Purpose of the meeting was to Discuss Targets and any issues along with scope of works requirements, Plans, Dollars and resources available. What support will be coming from Main Roads and what the Reporting requirements will be for the grain freight network program of works.

Issues raised at the workshop by Wickepin were:

| Wickepin - CEO Mark Hook | |
|---------------------------------|--|
| Issues | Land resumption issue – realignment Lomos South – approaching solicitor about forced process. |
| Targets | All to be completed 30/06/2013 |
| Plans | |
| \$\$ | 12/13 \$1.47m budget \$319k will be spent by December. Joanne Jurica to assess amounts of dollars \$ for additional culvert costs associated with Lomos Road |
| Resources | |
| Design | |
| Support | |
| Comments | |

Mohammad Siddiqui the new District Engineer Main Road Narrogin advised that MRWA are Project Managing Local Government Grain Freight Program and they are committed to support and assist where required.

Main Roads ISA contractors are available should the Shires require their services or expertise. Main Roads require Monthly Reports from the Shires on the 2nd week of each month. Future meetings will be held in 2 smaller sub groups and will be held quarterly. The next meeting will be held mid-September with one being in Wickepin and the other in Bruce Rock.

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 | Nil | | |
| A12 | Liquor Consumption on Shire Owned Property | CEO | Nil | | |
| A13 | Hire of Community Halls / Community Centre | CEO | Nil | | |

Recommendations:

That Council endorses the Chief Executive Officers Report dated 8 August 2012.

Voting Requirements:

Simple majority

Resolution No 150812-17**Moved Cr Easton / Seconded Cr Astbury**

That Council endorses the Chief Executive Officers Report dated 8 August 2012.

Carried 7/0**13. Notice of Motions for the Following Meeting****14. Reports & Information**

Cr Russell and Cr Lansdell thanked Council for the opportunity to attend the WALGA Local Government Convention.

Cr Russell reminded Council that the Agricultural Protection Board Officer will be attending the next Council meeting on 19 September 2012 at 3.30pm.

15. Urgent Business**16. Closure**

There being no further business the Presiding Officer declared the meeting closed at 5.01pm.