

Shire of Dalwallinu

NOTICE OF MEETING

NOTICE is hereby given that the next Ordinary Meeting of Council of the Shire of Dalwallinu will be held on Tuesday, 25 August 2020 in the Council Chambers, Dalwallinu commencing at 3.30pm.

Signed:

Jean Knight

Date

Chief Executive Officer

DISCLAIMER

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SHIRE OF DALWALLINU

AGENDA for the Ordinary Meeting of Council to be held at the Council Chambers, Shire Administration Centre, Dalwallinu on Tuesday 25 August at 3.30pm.

1 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (President) opened the meeting at _____ pm.

2 ANNOUNCEMENTS OF PRESIDING MEMBER

3 ATTENDANCE RECORD

3.1 Present

Shire President	Cr SC Carter
Deputy President	Cr KL Carter
	Cr MM Harms
	Cr KM McNeill
	Cr NW Mills
	Cr BH Boys
	Cr AR Dickins
	Cr KJ Christian
Chief Executive Officer	Ms JM Knight
Executive Assistant	Ms EJ Dutton

3.2 Apologies

3.3 Leave of Absence Previously Granted

4 DECLARATIONS OF INTEREST

5 PUBLIC QUESTION TIME

5.1 Response to Previous Public Questions Taken on Notice

Nil

5.2 Public Question Time



6 MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Council Meeting – 28 July 2020

MOTION

Moved Cr
Seconded Cr

That the Minutes of the Ordinary Meeting of Council held 28 July 2020 be confirmed subject to the following amendment:

Item 14.1

1. Amend Point 2 from 'Accepts the offer from Dallcon of \$24,000 (inc GST) for Lot 603, \$26,000 (inc GST) for Lot 604 and \$22,000 (inc GST) for Lot 607 Pioneer Place, Dalwallinu, subject to any submissions;

To

2. 1. 'Accepts the offer from R & C Sprigg Investments Pty Ltd as trustee for The Sprigg Investment Trust of \$24,000 (inc GST) for Lot 603 and \$26,000 (inc GST) for Lot 604 and the offer from Hilton David Sprigg of \$22,000 (inc GST) for Lot 607 Pioneer Place, Dalwallinu, subject to any submissions;

7 PETITIONS/PRESENTATIONS/DEPUTATIONS/DELEGATES/REPORTS/SUBMISSIONS

7.1 Petitions

7.2 Presentations

7.3 Deputations

7.4 Delegates Reports/Submissions

8 METHOD OF DEALING WITH AGENDA BUSINESS (Show of hands)



9 REPORTS**9.2 PLANNING & DEVELOPMENT****9.2.1 Subdivision Application N° 159662 – Lot 29 Rabbit Proof Fence Rd, Petrudor***

Report Date:	25 August 2020
Applicant:	Noel Wells <i>obo</i> JBA Surveys
File Ref:	Property files – A500
Previous Meeting Reference:	Nil
Author:	Doug Burke, Manager Planning & Development Services
Senior Officer:	Jean Knight, Chief Executive Officer
Voting Requirements:	Simple Majority
Disclosure of Interest:	Nil
Attachments:	Supporting documentation

Purpose of Report

The Western Australian Planning Commission (WAPC) has referred an application for the subdivision of the subject property to Council for comment (refer to attachment 9.2.1). Council has until 17 November 2020 to provide the WAPC with their response.

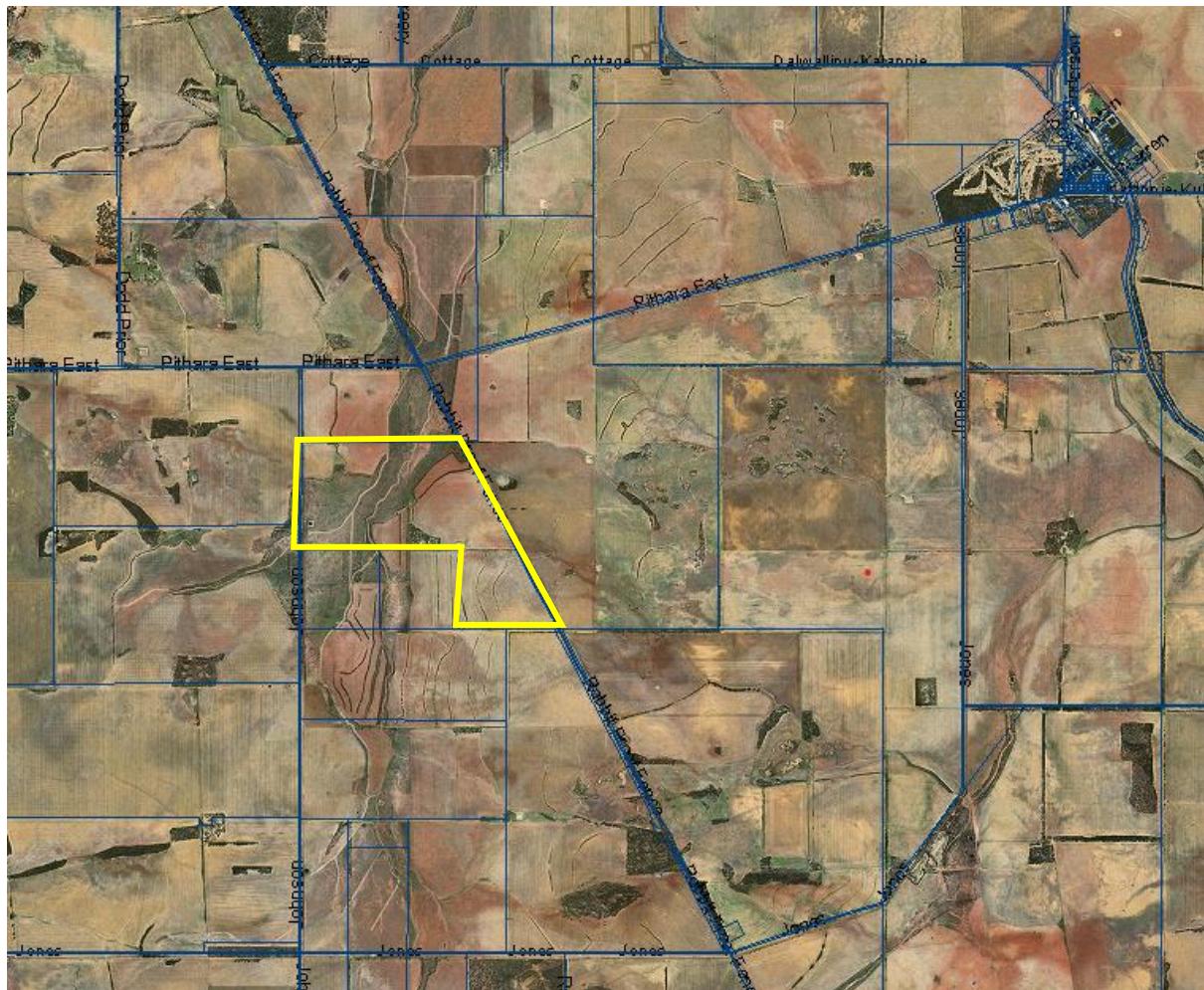
The recommendation is that the WAPC be advised that the Shire of Dalwallinu has no objection to the proposed freehold subdivision.

Background

Subject Property:	Lot 29 Rabbit Proof Fence Road, Petrudor
Land Use Zoning:	Rural
Property Owner:	Cumhluadar P/L of Cara of Waugh Miller McQueen P/L (TB McCreery)
Applicant:	Noel Wells <i>obo</i> JBA Surveys
Consent Authority:	Western Australia Planning Commission
Proposed Development:	Subdivision of parent allotment into two lots – including Homestead Lot
Value of Development:	N/A
Outside Consultation:	Nil

JBA Surveys has submitted a proposal to subdivide the existing land parcel (277ha) into two new titles. The property is located on the Rabbit Proof Fence Road near the junction with East Pithara Road and is situated approximately 8 kilometres from Kalannie. The property is zoned 'Rural' under the Local Planning Scheme. The proposal is to excise the existing dwelling from the property as a 'Homestead Lot'





Location of subject property (SynergySoft)

Policy Requirements

Development Control Policy 3.4 – Subdivision of Rural Land

Legislative Requirements

Planning and Development Act 2005

Shire of Dalwallinu Town Planning Scheme N° 2

Strategic Implications

The Dalwallinu Local Planning Strategy 2013.

Financial Implications

Nil

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.



Environmental implications

There are no known significant environmental implications associated with this proposal.

Comment

A Homestead Lot is a small lot generally ranging from one to four hectares, but may be up to 20 hectares in size depending on site specific circumstances, which is excised from a larger farm holding for separate occupation, such as by a retiring farmer wishing to remain in an approved existing dwelling.

The creation of homestead lots is intended to allow primary producers to continue to occupy their dwelling when they cease to farm, and provide settlement opportunities in areas where land fragmentation is limited and unlikely to increase. Homestead lots are to be created in a manner that is consistent with the rural character and landscape of a locality. Homestead lots may be facilitated through boundary rationalisation or the creation of a new lot. Homestead lots may therefore be created to enable an approved existing house on a rural lot to continue to be occupied provided that:

- (a) The land is in the Homestead lot policy area;
Comment: Dalwallinu Local Government Area is within the Policy catchment area.
- (b) The homestead lot has an area between one and four hectares, or up to 20 hectares to respond to the landform and include features such as existing outbuildings, services or water sources;
Comment: The proposed lot is approximately 8.2ha in area.
- (c) There is an adequate water supply for domestic, land management and fire management purposes;
Comment: There is a dam located adjacent to the access way and potable water is tank stored from roof top catchment.
- (d) The dwelling is connected to a reticulated electricity supply or an acceptable alternative is demonstrated;
Comment: Electrical power is provided via mains system
- (e) The homestead lot has access to a constructed public road;
Comment: the proposed allotment will be created as a 'battle axe block' with direct access to a public thoroughfare.
- (f) The homestead lot contains an existing residence that can achieve an appropriate buffer from adjoining rural land uses;
Comment: the lot contains an existing residence that is currently inhabited.
- (g) A homestead lot has not been excised from the farm in the past.
Comment: No evidence on record of a prior excision for a Homestead Lot



Officer Recommendation

That Council endorse the proposed subdivision and advise the Western Australian Planning Commission that they have no objection to the proposal for Lot 29 Rabbit Proof Fence Road, Petrudor as per the plan of subdivision accompanying the Application No: 159662.

Resolution

Moved	Cr
Seconded	Cr



9.3 CORPORATE SERVICES
9.3.1 Accounts for Payment for July 2020*

Report Date	25 August 2020
Applicant	Shire of Dalwallinu
File Ref	FM/9 Financial Reporting
Previous Meeting Reference	Nil
Prepared by	Christie Andrews, Senior Finance Officer
Supervised by	Hanna Jolly, Manager Corporate Services
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Summary of Accounts for Payment

Purpose of Report

Council is requested to consider the acceptance and approval of the Schedule of Accounts for Payment.

Background

A list of invoices paid for the month of July 2020 from the Municipal Account, to the sum of \$652,357.27 paid by EFT are attached together with a list of bank fees, payroll, direct debit payments and loan payments. These payments total \$935,858.56. There were no payments from the Trust Account. Total payments from all accounts being \$935,858.56 have been listed for Council's ratification.

Consultation

In accordance with the requirements of the *Local Government Act 1995* a list of accounts paid, by approval of the Chief Executive Officer under Council's delegated authority, is to be completed for each month showing:

- The payees names
- The amount of the payments
- Sufficient information to identify the payment
- The date of the payment

The attached list meets the requirements of the Financial Regulations,

In addition to the above statutory requirements, Financial Management Regulation Section 13(4) requires 'the total of the other outstanding accounts be calculated and a statement be presented to Council at the next Council meeting'.

Legislative Implications

State

Local Government Act 1995

Local Government (Financial Management) Regulations 1996



Policy Implications

Nil

Financial Implications

Payments are in accordance with the adopted budget for 2020/21.

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment**Economic implications**

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

Accounts for Payments are in accordance with the adopted budget for 2020/21 or authorised by separate resolution.

Officer Recommendation

That Council, in accordance with the requirements of sections 13(1), 13(3), and 13(4) of the Local Government (Financial Management) Regulations 1996 a list of payments made in July 2020 under Chief Executive Officer's delegated authority is endorsed in respect to the following bank accounts:

1. Municipal Fund Account totalling \$935,858.56 consisting of:

EFT Payments (EFT 10938 – EFT 11028)	\$652,357.27
EFT Payments (Payroll)	\$116,731.00
Direct Debit – Superannuation (DD15652.1-8 and DD15674.1-9)	\$24,050.78
Direct Debit – Credit Card (DD15668.1)	\$3,018.86
Direct Debit – Gym Equipment (DD15657.1)	\$5,144.45
Direct Debit – Payments to Dept of Transport	\$108,601.65
Bank Fees	\$703.83
Loan payments and Guarantee Fee	\$25,250.72

Resolution

Moved Cr
Seconded Cr



9.3.2 Monthly Financial Statements for June 2020*

Report Date	25 August 2020
Applicant	Shire of Dalwallinu
File Ref	FM/9 Financial Reporting
Previous Meeting Reference	Nil
Prepared by	Hanna Jolly, Manager Corporate Services
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Monthly Statements of Financial Activity, Variance Report, Investments Held and Bank Reconciliations

Purpose of Report

Council is requested to receive and accept the Financial Reports for the month end 30 June 2020.

Background

There is a statutory requirement that Financial Reports be recorded in the Minutes of the meeting to which they are presented. The financial Reports, as circulated, give an overview of the current financial position of the Shire and the status of capital income and expenditure.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995

Local Government (Financial Management) Regulations 1996 s34(1), s19(1)(2) and s34(2)

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.



Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

Financial Reports as at last day of business of the previous month are appended, for the period ending 30 June 2020. It is to be noted that these financial statements are not the final statements for the 2019-2020 financial year as further adjustments will be required for yearend accruals.

Attached for council's consideration are:

1. Statement of Financial Activity
2. Variance Reports
3. Investments Held
4. Bank Reconciliations

As per Council resolution, all items that have a variance of more than \$10,000 have been noted on the variance reports.

Council is also to note that lease liabilities have been incorrectly presented in the monthly reports during 2019/20. On 1 July 2019 AASB 16 changed so that all leases will bring to account a right-of-use asset (ROU) and lease liability on the balance sheet. Shire of Dalwallinu has two current leases, one for two photocopiers at the Administration Centre and another one for Gymnasium Equipment. Correction of this has been done in June 2020. Below table shows the incorrectly represented amounts during 2019/20:

Date	Lease Details	ROU Asset	Current Lease Liability	Non-Current Lease Liability
1/07/2019	Gymnasium Equipment	71,455.70	17,255.26	54,200.44
1/07/2019	Two Photocopiers	19,948.11	4,972.38	14,975.73
Total as at 1/7/2019		91,403.81	22,227.64	69,176.17
30/06/2020	Gymnasium Equipment	53,555.12	17,655.98	36,544.46
30/06/2020	Two Photocopiers	14,733.09	5,132.98	9,842.75
Total as at 30/6/2020		68,288.21	22,788.96	46,387.21



Officer Recommendation

That the Council accept the Financial Reports as submitted for the month ending 30 June 2020 and note the changes the lease liability changes during 2019/20.

Resolution

Moved Cr
Seconded Cr



9.3.3 Monthly Financial Statements for July 2020*

Report Date	25 August 2020
Applicant	Shire of Dalwallinu
File Ref	FM/9 Financial Reporting
Previous Meeting Reference	Nil
Prepared by	Hanna Jolly, Manager Corporate Services
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Monthly Statements of Financial Activity, Variance Report, Investments Held and Bank Reconciliations

Purpose of Report

Council is requested to receive and accept the Financial Reports for the month end 31 July 2020.

Background

There is a statutory requirement that Financial Reports be recorded in the Minutes of the meeting to which they are presented. The financial Reports, as circulated, give an overview of the current financial position of the Shire and the status of capital income and expenditure.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995

Local Government (Financial Management) Regulations 1996 s34(1), s19(1)(2) and s34(2)

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.



Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

Financial Reports as at last day of business of the previous month are appended, for the period ending 31 July 2020. It is to be noted that that opening balances on these financial statements might need further adjustments as the year ending 30 June 2020 has not been finalised yet.

Attached for council's consideration are:

1. Statement of Financial Activity
2. Variance Reports
3. Investments Held
4. Bank Reconciliations

As per Council resolution, all items that have a variance of more than \$10,000 have been noted on the variance reports.

Officer Recommendation

That the Council accept the Financial Reports as submitted for the month ending 31 July 2020.

Resolution

Moved	Cr
Seconded	Cr



9.3.4 Fee for Kalannie oval use for football season 2020

Report Date	25 August 2020
Applicant	Kalannie Football Club
File Ref	CU/6 – Customer Service requests
Previous Meeting Reference	Nil
Prepared by	Hanna Jolly, Manager Corporate Services
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

Council is requested to consider a request from Kalannie Football Club (KFC) to set a fee for football season 2020. This item is brought to council as Officer's have no authority to alter fees and charges.

Background

Fees and charges for 2019-2020 were adopted in March 2019 including a fee for Kalannie Football Club – All home games and training sessions at \$1,504 (inc GST) per annum.

A booking form was received from KFC on 25 June 2020 advising that only junior training would commence on 25 June until 24 September 2020 during school terms. In July 2020, confirmation was received from KFC President Garry Crossman, that all other activities has been cancelled for the season.

KFC has paid the fee of \$1,504 in full 19 March 2020 but that payment was refunded to the club in June 2020 due to the 2020 season being cancelled.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995 – section 6.16

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable



Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

The fee for the season 2020 will need to cover the cleaning of the toilets and cost of the oval usage. Cleaning is estimated to cost around \$380 for the 13 training sessions and to add the cost for the oval usage it is estimated that annual fee can be reduced by 70% to \$450 (inc GST). As it is only junior training that is taking place in 2020 season, it is recommended to reduce this by further 50% as per Fees & Charges junior sport discount.

Officer Recommendation

That Council:

1. Direct the Chief Executive Officer to advise the Kalannie Football Club that the fee for the 2020 season will be reduced by 85% to \$225.60 (in GST) to cover all training sessions until 24 September 2020;
2. Direct the Chief Executive Officer to advise the Kalannie Football Club that fees for the hire of Kalannie Sports Pavilion for any other activity than training will be charged separately as per the adopted fees & charges for 2020-2021.

Resolution

Moved Cr

Seconded Cr



9.3.5 Request to waive fees – Dalwallinu Discovery Centre Kitchen*

Report Date	25 August 2020
Applicant	Dalwallinu Baptist Church
File Ref	CU/6 – Customer Service requests
Previous Meeting Reference	Nil
Prepared by	Hanna Jolly, Manager Corporate Services
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Letter from Dalwallinu Baptist Church

Purpose of Report

Council is requested to consider a request from Dalwallinu Baptist Church to waive fees on the use of Dalwallinu Discovery Centre (DDC) Kitchen. This item is brought to Council as Officer's have no authority to alter fees and charges.

Background

Pastor Daniel Wojcik has written in the attached letter that that Dalwallinu Baptist Church will be running youth group again seven fortnightly evenings starting 14 August to 27 November 2020 from 7pm to 9pm. They are looking to use the DDC kitchen to serve light refreshments.

Adopted fees & charges for 2020/21 has a fee for use of the DDC community room including the kitchen set at \$79 per day.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995 – section 6.12

Policy Implications

Nil

Financial Implications

Should the council support the officer's recommendation there will be a loss of revenue from the fees associated with the hire totalling \$502.73.

Strategic Implications

Shire of Dalwallinu Strategic Community Plan 2017-2027

Outcome 1.4 – Improve youth activities and services

Site Inspection

Site inspection undertaken: Not applicable



Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

Youth activities may have a positive impact on the social wellbeing of the youth in the community.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

Improved youth activities and services is included in the Strategic Community Plan for 2017-2027. As the waiver is requested for youth activities, it would be reasonable for the Council to support this. Waiver has been granted previously to use the kitchen free of charge for the youth group activities in 2018 (Motion 9172) if the venue wasn't hired out with applicable fees.

Officer Recommendation

That Council:

1. Direct the Chief Executive Officer to advise the Dalwallinu Baptist Church that the fee for the Dalwallinu Discovery Centre kitchen hire is waived for the requested Fridays 14/08, 28/8, 11/9, 16/10, 30/10, 13/11 and 27/11/2020 from 7pm to 9pm subject to the venue not being hired with applicable fees;
2. Direct the Chief Executive Officer to advise the Dalwallinu Baptist Church that they are responsible for the cleaning of the kitchen after each use.

Resolution

Moved Cr
Seconded Cr



9.4 CHIEF EXECUTIVE OFFICER
9.4.1 Annual Leave – Chief Executive Officer

Report date	25 August 2020
Applicant	Shire of Dalwallinu
File ref	PE/139 – Personnel File
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Financial Interest
Voting requirements	Simple Majority
Attachments	Nil

Purpose of Report

Council is requested to note the dates for the Chief Executive Officer's approved annual leave.

Background

At the Ordinary Meeting of Council held 20 December 2016, Council authorised the Shire President to approve all future leave requests for the Chief Executive Officer.

Consultation

Shire President

Legislative Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

As at 21 August 2020, the Chief Executive Officer had forty three (43) annual leave days accrued. This request is for four (4) days.



The Shire President has approved the Chief Executive Officer's leave for Tuesday 29 September 2020 to Friday 2 October 2020 being a total of four (4) days.

Mr Will Taylor, Manager Works & Services will be appointed as Acting Chief Executive Officer during this period of leave.

Officer Recommendation

That Council:

1. Notes the Chief Executive Officer's approval annual leave from Tuesday 29 September 2020 to Friday 2 September 2020;
2. Notes that Mr Will Taylor (Manager Works & Services) will be the Acting Chief Executive Officer during the period of leave above.

Resolution

Moved Cr
Seconded Cr



10 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION

Moved Cr
Seconded Cr

That the application for leave of absence of Cr _____ to the Ordinary Meeting of Council to be held on _____ 2020 be approved.

11 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

13 NEW BUSINESS OF AN URGENT NATURE (INTRODUCED BY DECISION OF THE MEETING)

14 MEETING CLOSED TO THE PUBLIC – CONFIDENTIAL BUSINESS AS PER LOCAL GOVERNMENT ACT, 1995, SECTION 5.23(2)

PROCEDURAL MOTION

Moved Cr
Seconded Cr

That Council moves into a confidential session to discuss:

14.1 CONFIDENTIAL: Offer to Purchase Lots 605 Pioneer Place, Dalwallinu under the terms of the *Local Government Act 1995, Section 5.23(2)*:

e. *a matter that if disclosed, would reveal-*

 (ii) *information that has a commercial value to a person; or*
 (iii) *information about business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.”-*



14. CONFIDENTIAL
14.1 Offer to purchase Lot 605 Pioneer Place, Dalwallinu*

Report Date 25 August 2020
Applicant 1. Mr S Sutherland
2. Ms J Dickins
File Ref A1024
Previous Meeting Reference Nil
Prepared by Jean Knight, Chief Executive Officer
Supervised by Jean Knight, Chief Executive Officer
Disclosure of interest Nil
Voting Requirements Simple Majority
Attachments Offer from S Sutherland & J Dickins

Purpose of Report

Council is requested to consider offers received for Lot 605 Pioneer Place, Dalwallinu.

Resolution

Moved Cr
Seconded Cr

PROCEDURAL MOTION

Moved Cr
Seconded Cr

That the meeting come from behind closed doors.

15 SCHEDULING OF MEETING

The next Ordinary Meeting of Council will be held on 22 September 2020 at Council Chambers, Dalwallinu commencing at 3.30pm.

16 CLOSURE

There being no further business, the Chairperson closed the meeting at _____ pm.

