

Ordinary Council Meeting

26 May 2020



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, 26 May 2020 in the Council Chambers, Dalwallinu commencing at 3.30pm.

Signed:



Jean Knight

Chief Executive Officer

22/5/20
Date

DISCLAIMER

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member of officer of the Shire of Dalwallinu during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Dalwallinu. The Shire of Dalwallinu warns that anyone who has an application lodged with the Shire of Dalwallinu must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Dalwallinu in respect of the application.



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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 26 May 2020 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
Deputy Chief Executive Officer	Mr KJ Jones
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



5.2 Public Question Time

6 MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Council Meeting – 26 May 2020

MOTION

Moved Cr

Seconded Cr

That the Minutes of the Ordinary Meeting of Council held 28 April 2020 be confirmed.

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

9.1.1 Sale of Surplus Plant by Tender

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	PS/9 – Plant & Equipment - Disposal
Previous Meeting Reference	Nil
Prepared by	Will Taylor, Manager Works & 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 the disposal of surplus plant.

Background

The Komatsu Grader was purchased in 2016. In the current financial year it has only done 231 hours compared to the Caterpillar Grader (DL122 Maintenance) of 1,347 hours. Given that Council has gone to contract for the majority of maintenance grading and efforts to employ qualified operators have not been successful, this grader is considered surplus to requirements.



The Mack Tipper/Water truck was purchased in 2009. In the current financial year it has only done 6,730 kms compared to the Mack Prime Mover (DL80) with 26,971 kms. Given that Council has gone to contract for truck hire, this plant item is considered surplus to requirements.

Consultation

Councillors

Legislative Implications

State

Local Government Act 1995 – section 3.58



Policy Implications

Nil

Financial Implications

There has been no allocation in the 2019-2020 budget for income from the disposal of these plant items. The funds received will be used to offset plant purchases budgeted for in the 2020-2021 budget.

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 items will be advertised in The West, Totally Locally, Kalannie Kapers, Shire Facebook Page, Website and a notice will be placed on the Administration Centre noticeboard.

Tenders will close on Thursday 11 June at 2pm.

Officer Recommendation

That Council authorise the Chief Executive Officer to advertise the disposal by way of tender, the following plant items:

1. 2016 Komatsu Grader (DL143)
2. 2009 Mack 6 Wheel Tip/Water Truck (DL1207)

Resolution

Moved	Cr
Seconded	Cr



9.2 PLANNING & DEVELOPMENT
9.2.1 Proposed Industrial Buildings (DA 101920)*

Report Date	26 May 2020
Applicant	Rowe Group <i>obo</i> Hanwha Mining Services Australia Holdings P/L
File Ref	A57
Previous Meeting Reference	Nil
Prepared by	Doug Burke, Manager Planning & Development Services
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Supporting Documentation

Purpose of Report

Council is requested to consider an application for approval to allow for the proposed development of a number of 'industrial buildings' on the subject land as submitted by the applicant on 9 March 2020.

The proposed development requires discretionary approval from the Council.

It is recommended that the proposed development be approved subject to given conditions.

Background

Subject Property:	Lot 115 Thomas Road & Lot 117 Mullewa-Wubin Road, Wubin
Land Use Zoning:	Rural – with additional uses
Property Owner:	Hanwha Mining Services Australia Holdings P/L
Applicant:	Rowe group
Consent Authority:	Shire of Dalwallinu Council
Proposed Development:	Detonator Manufacturing Facility and Storage Magazines
Value of Development:	\$1,984K
Outside Consultation:	Public advertising as per r.64 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>

The proposal is for the construction of a manufacturing facility and storage buildings to be utilised by the existing industrial entity, Hanwha Mining Services. The entity has prior approval (DA 151718) to manufacture ammonium nitrate emulsion for the mining industry.

The proposed buildings are aptly drawn to scale in Attachment 2 of the application document. The development will consist of the following:

1. Detonator assembly building.
2. Base Cap Store
3. Detonator test building



4. Assembly building 5. Magazines (x5) 6. Roads, drainage, fencing & hardstand areas

Industrial buildings are defined under the Planning and Development (Local Planning Schemes) Regulations 2015 as being:

‘premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes —

- (a) the storage of goods;*
- (b) the work of administration or accounting;*
- (c) the selling of goods by wholesale or retail;*
- (d) the provision of amenities for employees;*
- (e) incidental purposes;.*

The subject property is zoned ‘Rural’ under the *Shire of Dalwallinu Planning Scheme N° 2*. General Industry type development is not generally permitted in the Rural land use zone, however, an amendment was made to the planning scheme in 2016 to allow for additional uses on the subject land which allows for the consideration of any proposal that constitutes *‘Storage of dangerous goods and associated manufacturing’*.

Consultation

The proposal was advertised for a period from 27 March 2020 inviting submissions from the public. Adjoining landholders were corresponded with directly. One submission was received from the owner of an adjoining property (refer to attachments).

The identified issues raised by Ms Gail Baker were:

1. Proximity of proposed development to sensitive land uses on adjoining land;
2. Risk of bushfire events on the proposed development.

The applicant was invited to respond to the issues raised in the submission. Rowe Group provided a response to the submission on 7 May 2020 citing outlined management procedures to mitigate perceived risk (refer to attachment).

Legislative Implications

State

Planning and Development Act 2005

The *Planning and Development Act 2005* directs that that any development referred to within the Scheme is not to be commenced or carried out without approval being obtained. Any determination of an application for such development is to be considered under those matters referred to in the *Planning and Development (Local Planning Schemes) Regulation 2015*.

In considering an application for development approval, Council is to have due regard to the following matters to the extent that, in the opinion of Council, those matters that are relevant to the development the subject of the application. In assessing the development application, the matters



listed in Section 67 of the *Planning and Development (Local Planning Schemes) Regulation 2015* have been taken into consideration for the preparation of this report and are addressed as follows:

'Matters for Consideration'	Comments
The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area	<p>The following Schemes are applicable:</p> <p><i>Shire of Dalwallinu Planning Scheme N^o 2</i></p> <p>The applicable objective for the Rural land use zone is:</p> <p><i>'To provide for a range of rural pursuits that are compatible with the capability of the land and retain the rural character and amenity of the location.'</i></p>
The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving.	<p>There are no proposed amendments in progress that would affect a determination.</p> <p>There are no other planning instruments currently being considered.</p>
Any approved State planning policy	Nil identified
Any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	Nil identified.
Any policy of the Commission	Nil applicable
Any policy of the State	Nil applicable
Any local planning policy for the Scheme area	Nil applicable



Any structure plan, activity centre plan or local development plan that relates to the development	Nil applicable
Any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	Nil applicable
In the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	Not applicable
The built heritage conservation of any place that is of cultural significance;	No items of cultural significance noted
The effect of the proposal on the cultural heritage significance of the area in which the development is located;	Nil impact
The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the effect of the height, bulk, scale, orientation and appearance of the development	The proposed development is regarded as being ancillary to existing development on the site and suitable in the context of its siting.
The amenity of the locality including the following — (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development	Nil issues identified
The likely effect of the development on the natural environment or water	The application proposes that storm water runoff from the site would be diverted from the



resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	development and any storm water derived from the development would be diverted to a bio-infiltration basin located adjacent to the work site.
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	<p>The development will require a small footprint on a pre-existing rural (cropping) property. The surrounding land uses are predominantly rural with cropping being the major use.</p> <p>Native vegetation was cleared from the site many years ago to enable agricultural activities. There is no evidence of significant trees or other vegetation of note that should be retained.</p>
The suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk	<p>The land does not have a history of experiencing these types of events.</p> <p>A bushfire management plan has been submitted with the application supplementary to a 'Flammable Onsite Hazards Risk Management Plan'.</p> <p>An application for a Works Approval was approved by the Department of Water and Environmental Regulation.</p>
The suitability of the land for the development taking into account the possible risk to human health or safety	<p>This issue has been addressed in the bushfire management plan prepared by Bushfire Prone Planning.</p> <p>An application for a Works Approval was approved by the Department of Water and Environmental Regulation.</p>
<p>the adequacy of —</p> <p>(i) the proposed means of access to and egress from the site; and</p> <p>(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles</p>	<p>Frontage to a sealed road (Mullewa-Wubin Road) and an unsealed road (Thomas Road).</p> <p>The parking and unloading issues have already been addressed within the scope of the existing development.</p>



<p>The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety</p>	<p>Employee vehicles and those commercial vehicles required to deliver raw material and retrieve and transport any finished product.</p> <p>Given efficiencies built into the newly developed emulsion plant, it is envisioned by the traffic impact assessment that there should not be an increase in heavy vehicle movements to or from the site.</p>
<p>The availability and adequacy for the development of the following —</p> <ul style="list-style-type: none"> (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability 	<p>No public transport services available.</p> <p>Electricity and potable water are available.</p> <p>Solid waste can be adequately stored and removed from site.</p> <p>A wastewater treatment system has been development onsite to service the previously approved development. Given that there is no proposal to increase wastewater generation, no requirement for an expansion of the existing facility is deemed necessary.</p> <p>The development is not a public access facility and as such the provision of equitable access for pedestrians, cyclists and older people or those with a disability is not envisioned nor set as a requirement.</p>
<p>The potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses</p>	<p>Nil impact anticipated.</p>
<p>The history of the site where the development is to be located</p>	<p>Prior use was as a private property previously cleared of native vegetation to allow for cereal cropping.</p>
<p>The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals</p>	<p>Nil identified</p>



Any submissions received on the application	One submission was received after the proposed development was advertised. Copies of the written submission and the applicant's response are in the attachments.
The comments or submissions received from any authority consulted under clause 66	No other statutory, public or planning authority was identified as being necessary for further consultation.
Any other planning consideration the Council considers appropriate	Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

A site inspection was undertaken.

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

An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Act and associated regulations;

A site inspection was conducted and consideration has been given to the potential impacts upon all lands adjoining or located nearby.

Council may determine an application for development approval by —

- (a) granting development approval without conditions; or
- (b) granting development approval with conditions; or



- (c) refusing to grant development approval.

It is recommended that the proposed development be approved subject to given conditions.

Officer Recommendation

That Council approve the development application (DA 101920) for Lot 115 Thomas Road and Lot 117 Mullewa-Wubin Road, Wubin pursuant to Section 68(2) of the *Planning and Development (Local Planning Schemes) Regulation 2015* subject to the following conditions:

1. The development (proposed detonator manufacturing facility and storage magazines) is to be carried out in accordance with the documents endorsed with the Shire's stamp, except where amended by other conditions of this consent. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency;
2. Without further approval from Shire of Dalwallinu Council, in writing, this approval will lapse and have no force or effect after two years of the date of this permit.

Resolution

Moved Cr
Seconded Cr



9.2.2 Review of Planning Policy*

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	DB/3 - Planning
Previous Meeting Reference	Nil
Prepared by	Doug Burke, Manager Planning & Development
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Draft Policy

Purpose of Report

Council is requested to consider authorising the public advertisement of the draft Sea Container Planning Policy.

Background

The existing *Local Planning Scheme Policy N° 5 – Moveable Buildings* has been reviewed and was found to be deficient in addressing specific issues relating to sea containers.

Consultation

Chief Executive Officer
Councillors

Legislative Implications

State

Planning and Development Act 2005

Local

Shire of Dalwallinu Local Planning Scheme N° 2

Policy Implications

Local

Shire of Dalwallinu Local Planning Policy No 5 – Moveable Buildings

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

Local government may prepare a local planning policy in respect of any matter related to the planning and development of the local area.

A local planning policy may apply generally or in respect of a particular class or classes of matters specified in the policy. The draft policy relates specifically to the emplacement of sea containers on property situated within the whole of the Dalwallinu local government area.

If the Council resolves to prepare a local planning policy, the local government is required to publically advertise the proposed policy.

Officer Recommendation

That Council direct the Chief Executive Officer to publically advertise the draft Sea Container Planning Policy in compliance with Schedule 2 Part 2 of the *Planning and Development (Local Planning Schemes) Regulation 2015*.

Resolution

Moved	Cr
Seconded	Cr



9.3 CORPORATE SERVICES

9.3.1 Accounts for Payment for April 2020*

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	FM/9 Financial Reporting
Previous Meeting Reference	Nil
Prepared by	Hanna Jolly, Accounting Officer
Supervised by	Keith Jones, Deputy Chief Executive Officer
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 April 2020 from the Municipal Account, to the sum of \$928,403.52 paid by EFT are attached together with a list of bank fees, payroll, direct debit payments and transfers to reserves & term deposit. These payments total \$1,237,566.47. There were no payments from the Trust Account. Total payments from all accounts being \$1,237,566.47 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 revised budget for 2019/20.

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 revised budget for 2019/20 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 April 2020 under Chief Executive Officer's delegated authority is endorsed in respect to the following bank accounts:

1. Municipal Fund Account totalling \$1,237,566.47 consisting of:

EFT Payments (EFT 10623 – EFT 10707)	\$928,403.52
EFT Payments (Payroll)	\$169,880.00
Direct Debit – Superannuation (DD15510.1-9, DD15524.1-9 And DD15544.1-8)	\$35,125.94
Direct Debit – Credit Card (DD15535.1)	\$2,461.87
Direct Debit – Gym Equipment Lease (DD15519.1)	\$5,144.45
Direct Debit – Payments to Dept of Transport	\$59,986.60
Loan 157 Payment – Discovery Centre	\$35,749.43
Bank Fees	\$814.66

Resolution

Moved Cr
Seconded Cr



9.3.2 Monthly Financial Statements for April 2020*

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	FM/9 Financial Reporting
Previous Meeting Reference	Nil
Prepared by	Hanna Jolly, Accounting Officer
Supervised by	Keith Jones, Deputy 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 April 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 April 2020.

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 30 April 2020.

Resolution

Moved Cr
Seconded Cr



9.3.3 Schedule of Fees and Charges 2020-2021*

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	FM/11 – Budgeting Allocations
Previous Meeting Reference	Nil
Prepared by	Keith Jones, Deputy Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Absolute Majority
Attachments	Draft Schedule of Fees and Charges 2020-2021

Purpose of Report

Council is requested to review the proposed Shire of Dalwallinu Schedule of Fees and Charges for the 2020-2021 financial year.

Background

Each year a local government authority is required to impose a Schedule of Fees and Charges as part of the annual budget process. Reviewing the schedule prior to budget adoption allows Council time to consider the proposed fees and charges separate to assessing the budget, allowing more time for review. Also as the 2020-2021 budget will not be adopted prior to 30 June 2020, adoption of the 2020-2021 Schedule of Fees and Charges now will allow them to take effect from 1 July 2020.

Consultation

Chief Executive Officer
Manager Works and Services
Administration Staff

Legislative Implications

State

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Waste Avoidance and Resource Recovery Act 2007

Policy Implications

Nil

Financial Implications

The schedule of fees and charges, when adopted, sets the level of revenue items contained within the budget.

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

There has been no increase to the Fees and Charges as Council passed a resolution at the April Ordinary Council Meeting as part of their Covid-19 Concessions not to increase fees and charges for the 2020-2021 financial year.

There has however been new fees and charges included in the review such as:

Page 1 - Shire of Dalwallinu Merchandise

Page 2 – Impounded vehicle

Page 8 – Aquarobics Classes

Page 8 – Hire of Inflatable at the Pool

Page 8 – Hire of aquatic centre facility to conduct lessons

Page 9 – Hourly fee for the hire of the Indoor Basketball Court

Page 11 – Fee for Caravan Park at Overflow

An updated Schedule of Fees and Charges is submitted to Council for adoption and inclusion in the budget for the 2020-2021 financial year.

Officer Recommendation

That Council adopt the Schedule of Fees and Charges as presented for the financial year 2020-2021, with all Fees and Charges to come into effect as of 1 July 2020.

Resolution

Moved Cr

Seconded Cr



9.4 CHIEF EXECUTIVE OFFICER
9.4.1 Review of Register of Policies*

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	GO/20 – Governance - Policies
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Absolute Majority
Attachments	Updated Register of Policies

Purpose of Report

Council is requested to endorse the reviewed and updated Shire of Dalwallinu Register of Policies.

Background

In accordance with Section 2.7 (2)(b) of the *Local Government Act 1995*, Council is to determine the Shire's policies.

The last review of the Shire of Dalwallinu Register of Policies was conducted in March 2019.

The Senior Management Team have undertaken a review of the Register of Policies and the updated version is now presented to Council for review and endorsement.

Consultation

Senior Management Team

Legislative Implications

State

Local Government Act 1995 – section 2.7(2)(b)

Policy Implications

Local

Shire of Dalwallinu Policy 1.1

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 existing Register of Policies has been reviewed and any amendments made to any policies are listed below:

Policy #	Comment
1.4	Addition of words "and Christmas Closure period".
1.9	Amendment made to definition of gift with addition of Point (d) Addition of Point 4.3 Personal Communications and Social Media
2.4	Amended Officer title from Community Support Officer to Economic & Community Development Officer Inserted new paragraph to advise groups that if they cannot acquit the grant by 31 May they must notify the Shire to get the funds carried over to next financial year.
2.6	Amended Officer title from Special Projects & Marketing Officer to Economic & Community Development Officer.
3.2	Amendments made to depreciation years
3.5	Revised Policy as per WALGA model including new tender threshold of \$250K
3.6	Revoked. Council no longer operates either the Dalwallinu or Kalannie Caravan Parks
3.11	General Practitioner and Mechanic removed from list of Key Management. Examples of forms removed Removed the sentence relating to management presenting a report annually regarding OCT's. These do not change therefore no requirement to prepare an annual report
3.13	Deleted sentence referring to Medical Centre Invoices as this is no longer relevant
4.3	Additions to the policy: Proof of payment of private rental Employees who own their own homes are not entitled to the subsidy No permission to sublet rooms in Shire housing with CEO approval
4.15	Correction to term 'bi-annually' to bi-ennually, and amended the words 'Federal' to 'National'. Amended 'Council' to 'the Shire'
5.3	Addition of words 'to the public' in the second paragraph.
5.4	Amended to read that the collection is annual not bi-annual(twice a year)
5.5	Removed reference to fee as prescribed in the Fees & Charges and added in the MWS
5.7	No changes to Policy – Forms removed
5.8	Amended Class B long term development to 7m wide deal and 1m wide shoulders each side
5.9	To be revoked – Aus standard exists
5.12	Amended some wording from 'Council' to 'the Shire' and 'developer' to the 'proponent'.
5.14	Amended 'Council' to 'the Shire' and removed the word 'winter' under the objective as roads can be damaged all year round.
5.15	Removed a sentence as the same sentence is stated under the policy.



7.3	Revoked – Council no longer operates caravan Parks in the Shire
7.4	Amended the Department referred to in the policy
7.8	Reinstatement of Caravan Park overflow policy which was revoked in March 2019
7.14	Amended ‘card’ to ‘fob’

It is to be noted that throughout the document ‘Manager Corporate Services’ has been included alongside the Deputy Chief Executive Officer. These two titles need to remain in place as there will be a crossover in the next twelve (12) months of the positions. The Deputy Chief Executive Officer title will be removed during the next review in 2021.

Officer Recommendation

That Council endorse the Shire of Dalwallinu Register of Policies.

Resolution

Moved Cr
Seconded Cr



9.4.2 Workforce Plan 2020-2024*

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	GO/15 – Governance - Reporting
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	DRAFT Workforce Plan 2020-2024

Purpose of Report

Council is requested to endorse the Shire of Dalwallinu Workforce Plan 2020-2024.

Background

The first Shire of Dalwallinu Workforce Plan 2013-2017 was adopted by Council in March 2014. Annual reviews have been undertaken by the administration in May 2018 and June 2019.

The May 2020 review is now being presented to Council for endorsement.

Consultation

Senior Management Team

Legislative Implications

State

Local Government Act 1995

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

There has been a reduction in employee numbers since the last review conducted in June 2019. The savings in the Corporate Services through a restructure has resulted in savings of approximately \$300K.

Department	2020 Review	2019 Review
Office of the CEO	11	9
Corporate Services	7	8
Works & Services	18	18
Planning & Development	1	7
TOTAL:	37	42

The Workforce Plan indicates that the current levels are expected to remain stable over the next four years. The only variance is the year that we intend to employ a Trainee.

Officer Recommendation

That Council endorse the Shire of Dalwallinu Workforce Plan 2020-2024.

Resolution

Moved Cr
Seconded Cr



9.4.3 Renewal of Lease- Unit 1, 18 Huggett Drive, Dalwallinu*

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	CP/6-Council Properties- Acquisition & Disposal-Leasing
Previous Meeting Reference	OCM -23 May 2017, M8829
Prepared by	Joanne Jones, Economic & Community Development Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	DRAFT Lease

Purpose of Report

Council is requested to dispose of Unit 1, 18 Huggett Drive, Dalwallinu to ARRO Enterprises by way of a three year renewal of the existing lease.

Background

At the Ordinary Meeting of Council held 23 May 2017, Council resolved the following:

'MOTION 8829

Moved Cr KM McNeill
Seconded Cr KL Carter

That Council:

- 1. Authorise the Chief Executive Officer to arrange the preparation of a lease agreement between the Shire of Dalwallinu and ARRO Enterprises for Unit 1, 18 Huggett Drive, Dalwallinu for the amount of \$880 per month (including GST) for a three year period, this includes rubbish collection for the first 12 months only.*
- 2. Authorise the Shire President and Chief Executive Office to sign and affix the Common Seal to the lease agreement between the Shire of Dalwallinu and ARRO Enterprises.*

CARRIED 7/0'

ARRO Enterprises now seek to renew the lease for a further period of three (3) years with the existing lease terms to remain unchanged.

Consultation

Andrew Peterson (Principal, Arro Enterprises), 4 May 2020.

Legislative Implications

State

Local Government Act 1995 Section 3.58



Policy Implications

Nil

Financial Implications

Should Council resolve to renew the lease, an annual revenue of \$10,560 (inc GST) will be received.

Strategic Implications

Shire of Dalwallinu Strategic Community Plan 2017-2027

Outcome 2.2 – Additional business development in the commercial and industrial sectors

2.2.1 – Advocate for additional commercial business to set up in towns

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

Renewal of the lease will allow the applicant to continue to use the workshop for maintenance of his own equipment and provide him the ability to continue to offer a service for light fabrication and turning and milling of parts.

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

It is recommended that the request be agreed to on the basis of the conditions of the existing lease.

Officer Recommendation

That Council:

1. Renew the lease with Arro Enterprises for a three (3) year term from 1 July 2020 to 30 June 2023 for the amount of \$880 per month (including GST);
2. Authorise the Chief Executive Officer and Shire President to sign and affix the common seal to the lease document for point 1 above.

Resolution

Moved Cr

Seconded Cr



9.4.4 Use of Common Seal – Reserve 40337

Report Date	28 April 2020
Applicant	Shire of Dalwallinu
File Ref	R40337
Previous Meeting Reference	18 December 2018 (M9288)
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Nil

Purpose of Report

Council is requested to authorise the signing and affixing of the Common Seal to the Transfer of Land for Lot 572 on Diagram 35838 - Reserve 40337 –16 Sawyer Avenue, Dalwallinu.

Background

Correspondence was received on 6 September 2018 from the Department of Planning, Lands & Heritage (DPLH) asking if Council were willing to accept the management of Reserve 40337.

Council had previously identified this property as a possible future residential lot.

At the Ordinary Council Meeting held 18 December 2018, Council resolved the following:

'MOTION 9288

Moved Cr AR Dickins
Seconded Cr KM McNeill

That Council:

1. *Direct the Chief Executive Officer to advise the Department of Planning, Lands & Heritage that the Shire of Dalwallinu accepts the management of Lot 572 on Diagram 35838 – Reserve 40337 – 16 Sawyer Avenue, Dalwallinu;*
2. *Authorise the Chief Executive Officer to lodge a Crown Land Enquiry Form with the Department of Planning, Lands & Heritage to purchase freehold Lot 572 on Diagram 35838 – Reserve 40337 – 16 Sawyer Avenue, Dalwallinu for future residential housing.*

CARRIED 8/0'

The Crown Land Enquiry Form was submitted to DPLH on 19 December 2018.

At the Ordinary Council Meeting held 28 April 2020, Council resolved the following:

'MOTION 9544

Moved Cr KM McNeill
Seconded Cr MM Harms

That Council authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to Contract of Sale for Lot 572 on Diagram 35838 - Reserve 40337 –16 Sawyer Avenue, Dalwallinu



between the Department Planning, Lands & Heritage and the Shire of Dalwallinu for the sum of \$75,000 (inc GST).

CARRIED 8/0'

Consultation

Nil

Legislative Implications

State

Local Government Act 1995 – section 9.49A

Policy Implications

Nil

Financial Implications

An allocation of \$70,000 ex GST has been included in the 2019-2020 for the purchase of this lot.

Strategic Implications

Shire of Dalwallinu Strategic Community Plan 2017-2027

Outcome 2.1 A growing population

2.1.1 Improve and encourage additional accommodation for single workers and families

Outcome 2.4 Increased housing development

2.4.2 Advocate for existing UCL to be released for development

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

Further documentation has been received from our settlement agent with regards to the purchase of this property. The Transfer of Land now requires execution.

Settlement date is scheduled for 6 July 2020.



Officer Recommendation

That Council:

1. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to Transfer of Land for Lot 572 on Diagram 35838 - 16 Sawyer Avenue, Dalwallinu from the State of Western Australia to the Shire of Dalwallinu for the sum of \$75,000 (inc GST).
2. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any other documentation pertaining to the purchase of Lot 572 on Diagram 35838 – 16 Sawyer Avenue, Dalwallinu.

Resolution

Moved Cr
Seconded Cr



9.4.5 Innovation Central Midlands WA Inc*

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	GR/27 – Government Relations – ICMWA/CMC
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	Correspondence from Innovation Central Midlands WA Inc

Purpose of Report

Council is requested to consider correspondence received from Innovation Central Midlands WA Inc (ICMWAI) requesting Council to approve further funding to the Association over the next three (3) financial years.

Background

ICMWAI was established as an Economic Development Alliance between the Shires of Dalwallinu, Wongan Hills and Moora.

The current objectives of the Association are:

- To create an environment of sustainable growth in the Central Midlands Region;
- To identify the economic needs of the Central Midlands Region and make these needs known to key decision makers in Government and private enterprise;
- To foster cooperative and joint venturing initiatives between Member Organisations and appropriate partners on projects of mutual benefit or to further joint interests;
- To concentrate available resources on seeking solutions to identified mutual problems and achieve savings in resources that can be gained through cooperative effort;
- To promote economic development within the Central Midlands Region.

Consultation

Chief Executive Officer – Shire of Moora

Legislative Implications

Nil

Policy Implications

Nil

Financial Implications

ICMIWA have requested \$30,000 from the Shire of Dalwallinu per annum over the next three (3) financial years from 1 July 2020 to 30 June 2020.



Strategic Implications

Shire of Dalwallinu Strategic Community Plan 2017-2027

Goal 2 – Sustainable Living (Economic)

Outcome 2.2 – Additional business development in the commercial and industrial sectors

Outcome 2.4 – Increased housing development

Goal 4 – Civil Leadership (Governance)

Outcome 4.4 – Strategic alliances to best serve Dalwallinu

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

Council received a presentation from Steve Mason, Chief Executive Office of ICMWAI on 25 February 2020. A range of priorities were identified within that presentation which underpins the request for further financial contributions to ICMWAI from the Shires of Dalwallinu, Moora and Wongan Ballidu.

ICMWAI was established as an economic development alliance between the Shires of Dalwallinu, Wongan Ballidu and Moora. To date it is unfortunate that some key projects have not come to fruition. An example was the Aged Housing Development previously approved by the State Government in 2016 to build twenty six (26) independent living units across the three (3) shires. This funding was withdrawn with the change of government. This type of project remains a key focus for the three Shires.

To date Council has contributed \$180,000:

2015-2016	\$100,000
2017-2018	\$50,000
2018-2019	\$30,000.

ICMWAI now seek a further commitment of \$90,000 over the next three (3) years.

It is recommended that the contribution be subject to conditions as follows:

- That the Shires of Moora and Wongan Ballidu also approve the same financial contribution over the same period as the Shire of Dalwallinu;
- Provision of a three (3) year strategic plan with operational forward financial projections to the member Councils prior to 30 June 2020 detailing:
 - Priority projects/key focus areas
 - Key performance measures and outcome areas



- Execution of a Financial Assistance Agreement between the Shires of Dalwallinu, Moora and Wongan Ballidu and ICMWAI for the period 1 July 2020 to 30 June 2023.

Officer Recommendation

That Council:

1. Allocate a financial contribution of \$30,000 (plus GST) per annum to Innovation Central Midlands WA Inc (ICMWAI) over the 2020-2021, 2021-2022, 2022-2023 financial years in keeping with the objectives of the Association, subject to the following conditions;
 - a) That the Shires of Moora and Wongan Ballidu also approve the same financial contribution over the same period as the Shire of Dalwallinu;
 - b) Provision of a three (3) year strategic plan from ICMWAI with operational forward financial projections to the member Councils prior to 30 June 2020 detailing:
 - a. Priority projects/key focus areas
 - b. Key performance measures and outcome areas
 - c) Execution of a Financial Assistance Agreement between the Shires of Dalwallinu, Moora and Wongan Ballidu and ICMWAI for the period 1 July 2020 to 30 June 2023.
2. Authorise the Shire President and Chief Executive Officer to sign the Financial Assistance Agreement between the Shires of Dalwallinu, Moora and Wongan Ballidu and ICMWAI.

Resolution

Moved Cr
Seconded Cr



9.4.6 Tender – Disposal of Buntine Fire Shed

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	FM/28 – Financial Management - Tenders
Previous Meeting Reference	OCM – 28 April 2020 (M9541)
Prepared by	Jean Knight, Chief Executive Officer
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 tenders received for the purchase and removal of the Buntine Fire Shed.

Background

The existing Buntine Fire Shed is no longer fit for purpose. Funding has been received from the Department Fire & Emergency Services (DFES) for the replacement of the fire shed.

At the Ordinary Council Meeting held 28 April 2020, Council resolved the following:

'SUBSTANTIVE MOTION 9541

Moved *Cr NW Mills*
Seconded *Cr KM McNeill*

That Council:

- 1. Award the construction of the Buntine Fire Shed to Jurien Bay Building for the price of \$179,650 (inc GST);*
- 2. Authorise the Chief Executive Officer to sign the purchase order for the above;*
- 3. Authorise the Chief Executive Officer to advertise tenders for the disposal and removal of the existing Buntine Fire Shed.*

CARRIED 8/0'

In order for the new shed to be constructed the existing shed is required to be dismantled and the concrete pad removed.

Consultation

Senior Management Team

Legislative Implications

State

Local Government Act 1995

Policy Implications

Nil



Financial Implications

There has been no allocation in the 20-21 budget for the income from the sale of the Buntine Fire Shed or the expense to have it removed.

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

Advertisements for the disposal of the Buntine Fire Shed were advertised from Wednesday 29 April 2020 on the Shire Website, Facebook Page and in Totally Locally and Kalannie Kapers.

The closing date for the tenders was 4pm, Friday 15 May 2020.

Tenders were opened at the Shire Administration Centre on Friday 15 May 2020 by the Chief Executive Officer with the Senior Finance Officer and Executive Assistant in attendance.

The following tenders were received:

Mr I Nicholls	\$1,000
Mr A Barnes	\$250
Mr S Fitzsimons	\$2,000

The successful tenderer will need to be advised that the shed is to be removed from site within fourteen (14) days from acceptance of the tender so the new shed can be constructed on the site.

Officer Recommendation

That Council accept the offer of \$2,000 (plus GST) from Mr Shaun Fitzsimons for the purchase and removal of the Buntine Fire Shed within fourteen (14) days from acceptance of the tender.

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 RECIEVED

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: Contract – Manager Planning & Development
and

14.2 CONFIDENTIAL: RFT 2020-04 Bitumen Sealing Works
and

14.3 CONFIDENTIAL: Legislative Regulatory Action
under the terms of the *Local Government Act 1995, Section 5.23(2)*:

a. *a matter affecting an employee or employees;*

e.(ii) *a matter that if disclosed, would reveal information that has a commercial value to a person.*

f. *a matter that if disclosed, could be reasonably expected to -*

(i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*



14 CONFIDENTIAL

14.1 Contract – Manager Planning & Development

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	PE/131 – Personal File
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	Nil

Resolution

Moved	Cr
Seconded	Cr

14.2 Award of RFT2020-03 Bitumen Sealing Works

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	FM/28 – Financial Management - Tendering
Previous Meeting Reference	Nil
Prepared by	Will Taylor, Manager Works and Services
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Tender Matrix and Price Comparison

Resolution

Moved	Cr
Seconded	Cr



14.3 Legislative Regulatory Action – 61 Johnston Street, Dalwallinu

Report Date	26 May 2020
Applicant	Shire of Dalwallinu
File Ref	A29601
Previous Meeting Reference	OCM – 24 March 2020 (M9351)
Prepared by	Doug Burke, Manager Planning & Development
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Nil

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 23 June 2020 at Council Chambers, Dalwallinu commencing at 3.30pm.

16 CLOSURE

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

