



Shire of  
**Dalwallinu**

---

*Place of wheat and wattle*

**Minutes**

**Tuesday, 17 December 2019 at 3.30pm**



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## SHIRE OF DALWALLINU

**MINUTES** of the Ordinary Meeting of Council held at the Council Chambers, Shire Administration Centre, Dalwallinu on Tuesday 17 December 2019.

### **1 OPENING & ANNOUNCEMENT OF VISITORS**

The Chairperson (President) opened the meeting at 3.30pm.

### **2 ANNOUNCEMENTS OF PRESIDING MEMBER**

### **3 ATTENDANCE RECORD**

#### **3.1 Present**

Shire President  
Deputy President

Cr SC Carter  
Cr KL Carter  
Cr MM Harms  
Cr KM McNeill  
Cr JA Huggett  
Cr NW Mills  
Cr AR Dickins  
Cr BH Boys

Chief Executive Officer  
Deputy Chief Executive Officer

Mrs JM Knight  
Mr KT Jones

#### **Public**

Bill Stewart - DDHS Deputy Principal	(left 4.05pm)
Petrina Bean – DDHS Principal	(left 4.05pm)
Barbara Dinnie	(left 4.05pm)
Bill Dinnie	(left 4.05pm)
Tammy Schaper	(left 4.05pm)
Georgia Schaper	(left 4.05pm)
Robyn Forshaw	(left 4.05pm)
Ian Hyde	(left 4.25pm)

#### **3.2 Apologies**

Cr KJ Christian



**7.3 Deputations**

Nil

**7.4 Delegates Reports/Submissions**

Nil

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



### **Financial Implications**

An allocation has been included in the 2019-2020 budget with revenue of \$12,000 for the trade in of the existing 2012 Ford Territory (DL131).

### **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**

Tenders closed on 4pm 14 November 2019. The tenders were opened on 15 November 2019 with the Manager Works & Services, Deputy Chief Executive Officer and the Accounting Officer in attendance. One tender was received from Joanne Jones for \$6,750 (inc GST).

It is to be noted that there was one (1) late tender which was not considered.

The purchase of the vehicle to replace the current vehicle currently used by the Deputy Chief Executive Officer has been placed on hold until mid-2020. Given this, it is recommended that the tender be declined and that the vehicle be used as a trade in when the time arises.

### **Officer Recommendation/Resolution**

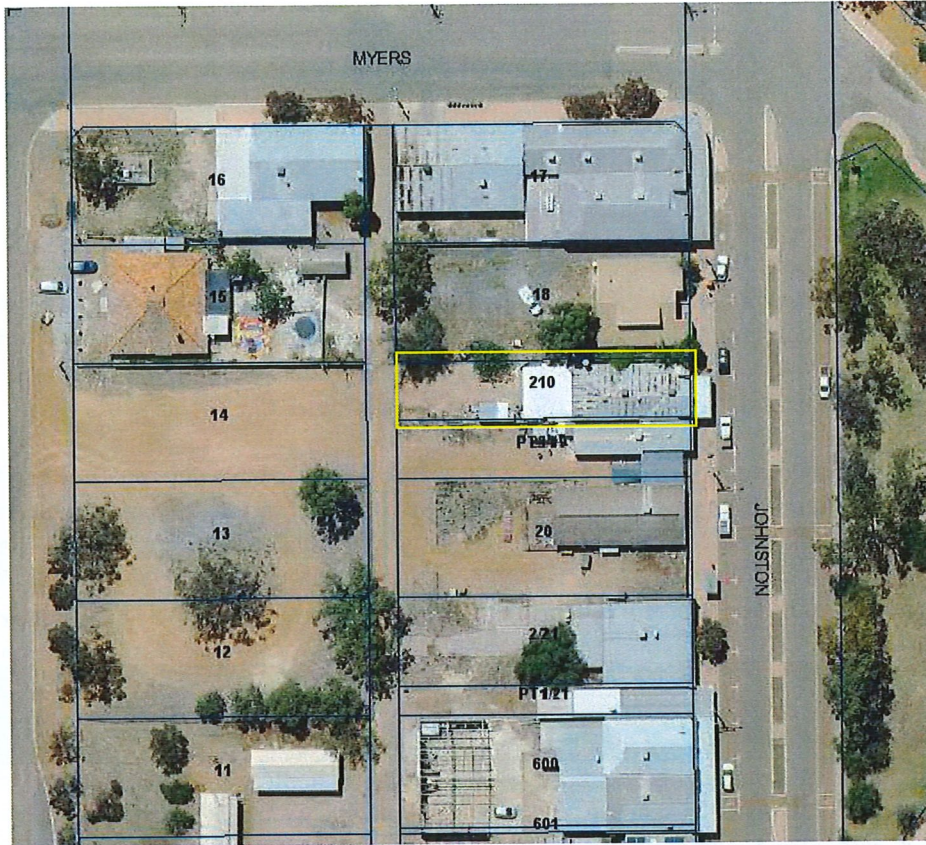
#### **MOTION 9483**

Moved           Cr AR Dickins  
Seconded       Cr KL Carter

That Council decline the tender of \$6,750 (inc gst) from Joanne Jones for the purchase of the 2012 Ford Territory (DL131).

**CARRIED 8/0**





*Aerial view of development site (Synergysoft)*



*View of the Rear of the Subject Premises (google map)*



and the additional and permitted uses identified in this Scheme for the reserve	
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 works are for infill development that will retain the existing height and orientation of the existing building and structures.
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	(i) Nil impact envisaged as the site has been developed and operated as a retail space for a number of decades. The proposed work is for infill development. (ii) No impact envisaged. (iii) No impact envisaged
The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	Nil impact
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	The plans submitted do not indicate any planned landscape works.  There is no evidence of significant trees or other vegetation of note that should be retained.
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	The land does not have a history of experiencing these types of events.
The suitability of the land for the development taking into account the possible risk to human health or safety	Deemed compatible with minimal risk to public health or safety
the adequacy of — (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles	The subject property is fronted by a sealed public road.  There is no provision or parking onsite.



### 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 proposed development satisfies the following relevant planning objective for the land use zoning – 'Commercial':

*"To provide for residential uses only where the residential uses are combined with a commercial use, e.g. hotel, or where the residential uses occupy a floor level where it is impracticable or inappropriate to establish a shop or office."*

In the cover letter submitted with the development application, the proponent states that the proposed development is to help support the existing commercial activity by providing necessary accommodation onsite for utilisation by staff employed directly by the business entity.

The proposed siting of the dwelling is at the rear of the property. A site inspection has revealed that a large portion of the property is currently under-utilised. The addition of the dwelling would not unreasonably curtail further development of the site by way of the inclusion of, or by the expansion of the existing shopfront/office.

The application has been assessed in accordance with the requirements of the *Planning & Development Act 2005* (the Act) and the associated regulations. In this regard:

- 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.

### **Conclusion**

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.





## 9.3 CORPORATE SERVICES

### 9.3.1 Accounts for Payment for November 2019\*

<b>Report date</b>	17 December 2019
<b>Applicant</b>	Shire of Dalwallinu
<b>File ref</b>	FM/9 Financial Reporting
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Hanna Jolly, Accounting Officer
<b>Supervised by</b>	Keith Jones, Deputy Chief Executive Officer
<b>Disclosure of interest</b>	Nil
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	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 November 2019 from the Municipal Account, to the sum of \$570,253.07 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 \$788,075.76. In addition, payments of \$72,899.21 were made from the Trust Account. The total payments from all accounts being \$860,974.97 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 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

#### **Strategic Implications**

Nil



### 9.3.2 Monthly Financial Statements for November 2019\*

<b>Report date</b>	17 December 2019
<b>Applicant</b>	Shire of Dalwallinu
<b>File ref</b>	FM/9 Financial Reporting
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Hanna Jolly, Accounting Officer
<b>Supervised by</b>	Keith Jones, Deputy Chief Executive Officer
<b>Disclosure of interest</b>	Nil
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	Monthly Statement 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 November 2019.

#### **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 s1.3 (2)(c)*

*Local Government (Financial Management) Regulations 1996, s34 (1)*

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

*Local Government (Financial Management) Regulations 1996, s34 (2)*

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

#### **Strategic 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.



**9.3.3 Adoption of Annual Report 2018/2019 and setting the Annual General Meeting of Electors.\***

<b>Report date</b>	17 December 2019
<b>Applicant</b>	Shire of Dalwallinu
<b>File ref</b>	FM/7 – Financial Management Audit
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Keith Jones, Deputy Chief Executive Officer
<b>Supervised by</b>	Jean Knight, Chief Executive Officer
<b>Disclosure of interest</b>	Nil
<b>Voting requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	Annual Report including Auditors Report, Management Report

**Purpose of Report**

For Council to accept the Annual Report and Financial Statements for 2018/2019 and set a date, time and place to convene the Annual General Meeting of Electors.

**Background**

The Office of the auditor General (OAG) have completed the audit of the 2018/2019 Financial Reports. *The Local Government Act 1995* requires that Council accept the report no later than 31 December 2019.

Further the Act also requires that the Annual Report be presented to the Annual Electors Meeting no later than 56 days after it is accepted by Council. If the Annual Report is accepted at the OCM on 17 December 2019 the Annual Electors Meeting must be held on or before Tuesday 11 February 2020.

An Audit Exit meeting was held on Wednesday 20 November 2019 where the Auditor gave the Annual Audit Completion Report. Attendees at this meeting were Mr Marius van der Merwe, Mr Mark Ambrose, Cr NW Mills, Cr KL Carter, DCEO Keith Jones and accounting Officer Mrs Hanna Jolly. As this was not an official committee meeting of Council no minutes were kept however the documentation for the Auditor presentation is on record and was presented to the Council at the 26 November 2019 Forum.

**Consultation**

Auditor – Robert Hall Manager of Butler Settineri  
Auditor – Marius van der Merwe Partner of Butler Settineri  
Director OAG – Mr Mark Ammbros

**Legislative Implications**

*Local Government Act 1995*

- S. 5.27 – *Electors' general meetings*
- S. 5.29 – *Convening electors' meetings*
- S. 5.54 – *Acceptance of annual reports*

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil



*In preparing the annual financial report, the CEO is responsible for assessing the Shire's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the State government has made decisions affecting the continued existence of the Shire.*

*The Council is responsible for overseeing the Shire's financial reporting process.*

**Auditor's Responsibility for the Audit of the Financial Report**

*The objectives of my audit are to obtain reasonable assurance about whether the annual financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the annual financial report.*

*As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:*

*Identify and assess the risks of material misstatement of the annual financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.*

*Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Shire's internal control.*

*Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the CEO.*

*Conclude on the appropriateness of the CEO's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Shire's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the annual financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report, as we cannot predict future events or conditions that may have an impact.*

*Evaluate the overall presentation, structure and content of the annual financial report, including the disclosures, and whether the annual financial report represents the underlying transactions and events in a manner that achieves fair presentation.*

*I communicate with the Council and the CEO regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.*



**Officer Recommendation/Resolution**

**MOTION 9487**

Moved           Cr NW Mills  
Seconded       Cr KL Carter

That Council:

1. Accepts the 2018/2019 Annual Audited Financial Statements;
2. Receives the 2018/2019 Independent Audit Report and Management Report;
3. Advise the Chief Executive Officer to convene the Annual Electors Meeting for the 2018/2019 financial year, on 11 February, 2020 commencing 5:30pm in the Council Chambers, Dalwallinu; and
4. Advise the Chief Executive Officer to convene the annual community meeting at Kalannie on 25 February 2020 commencing at 7.00pm.

**CARRIED BY ABSOLUTE MAJORITY 8/0**



**Officer Comment**

As the units were not completed at the time of the adoption of the 2019-2020 Fees and Charges, Council is requested to adopt the new fee in order to allow the administration to advertise the units for rent once completed.

It is proposed to set a fee of \$185.00 per week for each single bedroom unit.

*Local Government Act Section 6.19 states:*

*Local government to give notice of fees and charges. If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give the local public notice of –*

- a) Its intention to do so; and*
- b) The date from which it is proposed the fees or charges will be imposed.*

**Officer Recommendation/Resolution**

**MOTION 9488**

Moved           Cr BH Boys  
Seconded       Cr JA Huggett

That Council:

1. Adopt the rental charge of \$185.00 per week for Units 3 & 4 11 James Street, Dalwallinu effective from 1 January 2020;
2. Direct the Chief Executive Officer to advertise the above.

**CARRIED BY ABSOLUTE MAJORITY 8/0**



Environmental implications

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

**Officer Comment**

All community and sporting groups were contacted in early September 2019 seeking any input into the review of the Sport & Recreation Plan. The closing date for submissions was 30 September 2019 however late input was permitted. Two submissions were received. One from the Kalannie community and the other from the Dalwallinu Football and Hockey Club. Their submissions are attached to this report along with Officer's comments as to whether it has been included in the DRAFT Sport & Recreation Plan.

The Sport and Recreation Plan will next be due for review in October 2021.

**Officer Recommendation/Resolution**

**MOTION 9489**

Moved            Cr BH Boys  
Seconded       Cr MM Harms

That Council endorse the Shire of Dalwallinu Sport and Recreation Plan 2019-2029.

**CARRIED 8/0**



### **Triple Bottom Line Assessment**

#### Economic implications

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

#### Social implications

Sport and recreation opportunities contribute to the health and wellbeing of individuals and communities.

#### Environmental implications

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

### **Officer Comment**

A reconciliation of expenses on the project reconciled with payments to contractors has been undertaken by the Officer and the statements are attached to the agenda item.

There may be additional expenses required dependent on Councils thoughts with regards to whether a different form of seating for the front area is required and installation of bollards to protect areas of the surrounds.

### **Officer Recommendation/Resolution**

#### **MOTION**

Moved  
Seconded

That Council receive the statements of expenditure relating to the recent upgrade of the Dalwallinu Recreation Centre and Precinct.

#### **AMENDMENT**

Moved           Cr KL Carter  
Seconded       Cr AR Dickins

To add a point 2. That Council pass on their congratulations to the Chief Executive Officer and the staff involved in managing the project.

**CARRIED 8/0**

**The amendment now forms part of the substantive motion**





The CEO, Jean Knight declared an interest in Item 9.4.3 and left the meeting at 4.24pm

#### 9.4.3 Annual Leave – Chief Executive Officer

<b>Report date</b>	17 December 2019
<b>Applicant</b>	Shire of Dalwallinu
<b>File ref</b>	PE/139 – Personal File
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Jean Knight, Chief Executive Officer
<b>Supervised by</b>	Jean Knight, Chief Executive Officer
<b>Disclosure of interest</b>	Financial Interest
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	Nil

#### **Purpose of Report**

Council is requested to note the dates for the Chief Executive Officer's approved annual leave over the Xmas Office closure period.

#### **Background**

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

As per Council's Policy, the Administration Centre will close from 3pm Tuesday 24 December 2019 and re-open on Thursday 2 January 2020. This closure results in the Chief Executive Officer having to take three (3) days annual leave as the remaining three will be public holidays.

#### **Consultation**

Nil

#### **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.



**14 MEETING CLOSED TO THE PUBLIC – CONFIDENTIAL BUSINESS as per Local Government Act 1995, Section 5.23(2)**

**PROCEDURAL MOTION 9492**

Moved Cr AR Dickins  
Seconded Cr BH Boys

That Council moves into a confidential session to discuss:

14.1 CONFIDENTIAL: Award of E Quote VP166423 – Purchase of Backhoe and

14.2 CONFIDENTIAL: Award of tender RFT2020 – 01 McNeill Street, sewer upgrade 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 the 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.”-

**CARRIED 8/0**

**14.1 CONFIDENTIAL**

**14.1 Award of E Quote VP166423 – Purchase of Backhoe\***

Report date	17 December 2019
Applicant	Shire of Dalwallinu
File ref	FM/28- Tendering
Previous Meeting Reference	OCM - 22 October 2019(M9442)
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 Comparison Sheet

**Officer Recommendation/Resolution**

**MOTION 9493**

Moved Cr BH Boys  
Seconded Cr KL Carter

That Council:

1. Award E Quote VP166423 to Westrac for the supply of a 432F2 Caterpillar Backhoe for a price of \$165,000 (ex gst) and trade in of the Volvo Backhoe to Westrac for a price of \$51,000 (ex GST);
2. Authorise the Chief Executive Officer to sign the purchase order for the above.

**CARRIED 8/0**



**15 SCHEDULING OF MEETING**

The next Ordinary Meeting of Council will be held on 25 February 2020 at Council Chambers, Dalwallinu commencing at 3.30pm.

**16 CLOSURE**

There being no further business, the Chairperson closed the meeting at 4.29pm

**17 CERTIFICATION**

I, Steven Clifford Carter, certify that the minutes of the Ordinary Council meeting held on the 17 December 2019, as shown on page numbers 1 to 37 were confirmed as a true record at the meeting held on 25 February 2020.

  
\_\_\_\_\_  
CHAIRPERSON

25/2/2020  
DATE

SHIRE OF DALWALLINU	
RECORD FILE	
OFFICER	
FILE NO.	
Ordinary Council Meeting Minutes 17 December 2019	
DATE	

