

SHIRE OF DALWALLINU



UNCONFIRMED MINUTES

ORDINARY COUNCIL MEETING

26 July 2011

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SHIRE OF DALWALLINU

MINUTES for the Ordinary Meeting of Council held at the Council Chambers, Shire Administration Centre, Dalwallinu on Tuesday 26 July 2011.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (President) opened the meeting at 3.35 pm.

2.0 ATTENDANCE RECORD

2.1 Present

Shire President

Cr RS Nixon
Cr GH Sanderson JP
Cr BE McAlpine (From 3.36pm)
Cr SC Carter
Cr MC Huggett
Cr J Martin
Cr IW Hyde

IN ATTENDANCE

Chief Executive Officer
Manager of Works
Economic Development &
Marketing Officer
Accountant
Executive Support Officer

Mr PJ Crispin
Mr AG Butcher

Mr R Milloy
Miss EJ Lofthouse
Miss KL Bootsma

Members of Public

Mr S McAlpine (Until 4.43pm)

2.2 Apologies

Cr WM Dinnie OAM JP
Cr GN Jones

2.3 Leave Of Absence Previously Granted

Cr DH McFarlane JP

Cr B McAlpine entered the Council Chambers at 3.36pm

3.0 PUBLIC QUESTION TIME

Nil

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5.0 MINUTES OF PREVIOUS MEETINGS

5.1 Ordinary Council Meeting – 28 June 2011

MOTION 7139

Moved Cr J Martin
Seconded Cr SC Carter

That the Minutes of the Ordinary Meeting of Council held 28 June 2011 be confirmed.

CARRIED 7/0

5.2 Special Council Meeting – 5 July 2011

MOTION 7140

Moved Cr GH Sanderson
Seconded Cr BE McAlpine

That the Minutes of the Special Meeting of Council held 5 July 2011 be confirmed.

CARRIED 7/0

6.0 NOTICES OF URGENT BUSINESS

Four (4) items of urgent business by decision of the meeting at 17.1 regarding WALGA Annual General Meeting, 17.2 regarding WALGA State Council Agenda, 17.3 regarding Planning Application for Jorobi Natural Fertilisers Pty Ltd and 17.4 regarding Interim Audit Report.

7.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

Nil

**8.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/
SUBMISSIONS**

Mr S McAlpine – Presentation regarding Regional Repopulation Project

9.0 MEMBERS REPORTS

9.1 Declarations of Interest

Nil

10.0 MATTERS FOR CONSIDERATION – WORKS

There were no matters for consideration.

11.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES

11.1 Conditional Purchase Lease of Lot 607 Dungey Rd, Dalwallinu

Applicant:	Department of Regional Development & Lands
File No:	CP/6 Acquisition & Disposals - Leasing
Previous Meeting Reference:	CS and ED Committee Meeting July 2011
Attachments:	Previously supplied at the CS & ED Committee Meeting
Author:	Mr Peter Crispin
Disclosure of Interest:	Nil
Date of Report:	14 July 2011
Senior Officer:	Mr Peter Crispin

Purpose of Report

For Council to consider the offer from the Department of Regional Development and Lands of a conditional purchase lease over lot 607 on deposited plan 209872 Dungey Road, Dalwallinu.

Background

On 14 December 2010, the Shire of Dalwallinu responded to correspondence from the Department of Regional Development and Lands seeking Council's views on acquiring lot 607 on deposited plan 209872 Dungey Rd, Dalwallinu advising that they would be interested in this land for the purpose of housing.

The Department of Regional Development and Lands has now offered the land to the Shire under a "conditional lease" arrangement. The conditions on the lease are that a rent of \$25,000 (including GST) needs to be paid in two instalments (\$2,500 including GST on 1 August 2011 and \$22,500 on 1 August 2013) and that a dwelling needs to have been constructed (to lock up stage) by 1 August 2013. When these conditions have been met, the lease can be converted to freehold with no other payments due (see clause 11.3 (d)).

Comment

The Shire of Dalwallinu advised the Department of Regional Development and Lands of their interest in this land for the purpose of building a dwelling. This land has always been vacant and is currently UCL (Unimproved Crown Land).

Acceptance and signing of this agreement would commit the Shire to the initial payment of \$2,500 including GST, with the added requirement of building a dwelling on this land (at least to lock up stage) by August 2013.

There is currently no budget for this expenditure, but it could be funded from the Land & Building Reserve.

Building of a dwelling could be progressed in the 2011/12 financial year by using Land & Building Reserve or Royalties For Regions Funds, or could be included in the 2012/13 budget.

Policy Requirements

Nil

Legislative Requirements

Local Government Act 1995
Land Administration Act 1997
Transfer of Land Act 1893

Strategic Implications

The Shire has long held the view that there is a lack of quality housing and land in the town of Dalwallinu and this lease would make available a further block and dwelling.

Sustainability Implications

Environment

There are no known environmental implications.

Economic

The development of another dwelling in Dalwallinu will enable another resident to live in or their own home.

Social (Community Consultation)

There are no known social implications.

Financial Implications

As this lease was not included in the 2011/12 adopted budget, it could be funded from the Land & Building Reserve (\$2,500 including GST for the first rent payment plus any building costs that may be commenced in the 2011/12 financial year).

Voting Requirements

Absolute Majority

Officer/ Committee Recommendation/ Resolution

MOTION 7141

Moved Cr IW Hyde
Seconded Cr MC Huggett

That;

- the Shire President and Chief Executive Officer be authorised to sign the Conditional Purchase Lease over lot 607 on deposited plan 209872 Dungey Road, Dalwallinu with the first rent payment (\$2,500 including GST) be funded from the Land & Building Reserve
- the Community Services & Economic Development Committee research and make a recommendation on the most appropriate size and type of dwelling to erect on this site.

CARRIED BY ABSOLUTE MAJORITY 7/0

11.2 Amalgamation of Lots 124 & 113 Kalannie

Applicant: Department of Regional Development & Lands
File No: LP/11 Planning – Amalgamation of Property Lots
Previous Meeting Reference: CS and ED Committee Meeting July 2011
Attachments: Letter from Kylie Binks
Author: Mr Peter Crispin

Disclosure of Interest: Nil
Date of Report: 14 July 2011
Senior Officer: Mr Peter Crispin

Purpose of Report

For Council to advise the Department of Regional Development and Lands whether they have any objections to Lot 124 (Dodd Street, Kalannie) being amalgamated with Lot 113 (Rolinson Drive, Kalannie) and whether there are any other unallocated crown land (UCL) or unmanaged reserves in Kalannie that may require progress through the native title clearances at the same time.

Background

Following a complaint raised, the Department of Regional Development and Lands wrote to residents in Kalannie (in Rolinson Drive) who were using the UCL situated over their back fences for varying purposes and requested they be cleaned up and not used.

As a result of this, one of the adjoining landowners (Lot 113 – Mr BW & Mrs SK Burton) has requested that they be allowed to purchase Lot 124 and amalgamate it with their existing Lot 113. The Department of Regional Development and Lands has requested that the Shire of Dalwallinu advise whether they have any objections to this amalgamation.

Comment

Consideration needs to be given to the resultant lot (being approximately 80 metres long and 25 metres wide) and whether a second access point will be expected/needed from Dodd Street.

Any other unallocated crown land (UCL) or unmanaged reserves in Kalannie that could be progressed through native title if there is a need (i.e. they would need to be developed within two (2) years or the native title clearance will need to be done again) could be progressed with this request if supported.

At the Community Services & Economic Development Committee this item was discussed. Ms Kylie Binks from the Department of Regional Development & Land was able to address the meeting on the background and technical aspects of amalgamation and other options.

The committee were concerned that allowing this amalgamation would reduce the future number of available building lots and would also set a precedent that may trigger other requests for the same type of amalgamation. It was decided that another option may be a better solution.

The voting resulted in the Officer Recommendation being LOST 0/5. Although another committee recommendation was not voted on, a new Officer Recommendation has been prepared summing up the discussion that took place at the committee meeting.

Policy Requirements

Nil

Legislative Requirements

Local Government Act 1995

Land Administration Act 1997

Strategic Implications

Support of this request would result in only one less future residential lot in Kalannie.

Sustainability Implications

Environment

There are no known environmental implications.

Economic

There are no known economic implications.

Social (Community Consultation)

There are no known social implications.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation to Committee (Lost 0/5)

That the Department of Regional Development and Lands be advised that the Shire of Dalwallinu has no objection with Lot 124 on Deposited Plan 209937 being amalgamated with Lot 113 on Deposited Plan 209937, Kalannie and that there is currently no other known residential, industrial or community purpose native title clearances that may be required in the near future.

Officer Recommendation/ Resolution

MOTION 7142

Moved Cr IW Hyde
Seconded Cr SC Carter

That the Department of Regional Development and Lands be advised that the Shire of Dalwallinu does not support Lot 124 on Deposited Plan 209937 being amalgamated with Lot 113 on Deposited Plan 209937, Kalannie, and suggest that a alternative arrangement (such as a “low impact licence”) be considered for two (2) years to allow for alternative storage arrangements to be found.

CARRIED 6/1

12.0 MATTERS FOR CONSIDERATION – TOWN PLANNING

12.1 Approval of Reduced Setback For Lot 501 Salmon Gum Place, Dalwallinu

Applicant:	Mr Dennis Dyer
File No:	DB/3 Development & Building Controls - Planning
Previous Meeting Reference:	Nil
Attachments:	Map, Site Plan, email & attachments - (Len deGrussa)
Author:	Mr Peter Crispin
Disclosure of Interest:	Nil
Date of Report:	20 July 2011
Senior Officer:	Mr Peter Crispin

Purpose of Report

For Council to consider approving reduced front setbacks for the residence to be built on Lot 501 Salmon Gum Place, Dalwallinu, to 2.411m for a short distance on Salmon Gum Place.

Background

Lot 501 Salmon Gum Place, Dalwallinu was initially developed as part of a subdivision that was bounded by Annetts Road, McNeill Street, Myers Street and James Street. This lot is the last housing lot to be developed.

The land is currently owned by Mr Dennis Dyer, who has been considering designs for a residence to be built on this lot.

Comment

Lot 501 Salmon Gum Place, Dalwallinu is an odd shaped lot with road frontage on three (3) sides being James Street, Annetts Rd and Salmon Gum Place. Mr Dyer and his builder (WA Country Builders) have been trying different layouts to attempt to fit in with the required 7.5 metre setback. The design attached is the closest they were able to achieve whilst still retaining the essential needs of Mr Dyer.

Mr Len deGrussa (Manager Building Services – Shire of Wongan-Ballidu) has reviewed the plans in conjunction with the Dalwallinu Town Planning Scheme No. 1 and his comments are attached.

Policy Requirements

Nil

Legislative Requirements

Town Planning Scheme No. 1 and Residential Design Codes.

Strategic Implications

Nil

Sustainability Implications

Environment

There are no known environmental implications.

Economic

There are no known economic implications.

Social (Community Consultation)

There are no known social implications.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation/ Resolution

MOTION 7143

Moved Cr IW Hyde
Seconded Cr SC Carter

That Council approve reduced front setbacks for the dwelling to be built on Lot 501 Salmon Gum Place, Dalwallinu as shown in the attached drawings from WA Country Builders (on behalf of Mr Dennis Dyer).

CARRIED 7/0

13.0 MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

13.1 Building Approvals

Applicant:	Shire of Dalwallinu
File No:	DB/1 Development & Building Controls
Previous Meeting Reference:	CS and ED Committee Meeting July 2011
Attachments:	Previously supplied at the CS & ED Committee Meeting
Author:	Mr Peter Crispin
Disclosure of Interest:	Nil
Date of Report:	14 July 2011
Senior Officer:	Mr Peter Crispin

Purpose of Report

For Council to consider receiving building approvals report made by the Shire of Dalwallinu Building Surveyor under Councils delegated authority.

Background

The Shire's Building Surveyor has received delegated authority to approve building applications on behalf of Council. The Shire of Dalwallinu's Building Surveyor has a responsibility to advise Council on a regular basis on the building approvals issued under this delegated authority.

Comment

A list of building approvals for the month of June 2011 is herewith attached for Council information.

Policy Requirements

Nil

Legislative Requirements

Section 374 Local Government (Miscellaneous Provisions) Act 1960

Strategic Implications

Nil

Sustainability Implications

Environment

Nil

Economic

Nil

Social (Community Consultation)

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer/ Committee Recommendation/ Resolution

MOTION 7144

Moved Cr IW Hyde
Seconded Cr MC Huggett

That the report detailing building approvals for the month of June 2011 be received.

CARRIED 7/0

14.0 MATTERS FOR CONSIDERATION – ECONOMIC DEVELOPMENT

There were no matters for consideration.

15.0 MATTERS FOR CONSIDERATION – FINANCE

15.1 Outstanding Rates Debtors Report for June 2011

Applicant:	Shire of Dalwallinu
File No:	FM/6 - Expenditure Reports
Previous Meeting Reference:	Nil
Attachments:	Outstanding Rates Debtors Reports as at 30 June 2011
Author:	Miss Christie Andrews
Disclosure of Interest:	Nil
Date of Report:	7 July 2011
Senior Officer:	Mr Peter Crispin

Purpose of Report

For Council to receive the Outstanding Rates Debtors Reports as at 30 June 2011.

Background

Council's Policy Clause 3.6(vi) requires a report to be submitted at each Ordinary Council meeting detailing the current outstanding rates and the progress made towards their collection.

Reports on Rates Debtors contain totals for Rates, Rubbish, Sewerage and Emergency Services Levy (ESL). The ESL is a State Government charge for provision of emergency services which, due to legislation, the Shire is required to collect and forward on to the Fire & Emergency Services Authority (FESA).

Comment

Report on Outstanding Rates Debtors as at 30 June 2011 appends.

The 2010/11 Rates were raised and issued on 9 July 2010.

Important dates are as follows:

Rates due date	13 August 2010
Instalment option selection date	13 August 2010
Final Notices issued	7 September 2010
Second instalment due	13 October 2010
Third instalment due	13 December 2010
Fourth instalment due	14 February 2011

Breakdown of outstanding rates debtors as at 30 June 2011

Rates	40,858.09
Rubbish	3,865.18
Sewerage	5,811.58
ESL	1,801.68
Paid in Advance	-17,711.33
Total Outstanding	34,625.20

As there has been no response to previous correspondence, there are five properties (A132, A312, A8982, A8983 & A31401) which we wish to send to our debt collection agency Austral Mercantile for further recovery action.

There are seventeen (17) separate claims currently with our debt collection agency, Austral Mercantile for further recovery action. Of these seventeen claims there are ten separate properties, several of these have been referred to the debt collector on more than one occasion and two properties which have been placed on hold as they are making regular payments to the Shire. These properties are currently at various stages of recovery.

As we achieved an outstanding rates percentage of 2.52% as at 30 June 2010, we aim to have a similar percentage as at the 30 June 2011, notwithstanding that 3% outstanding is an acceptable industry average. We will strive to better this figure and at the close of the 2010/11 financial year aim to have an outstanding rates percentage no higher than 1.5%.

Policy Requirements

Nil

Legislative Requirements

Nil

Strategic Implications

Nil

Sustainability Implications

Environment

Nil

Economic

Nil

Social (Community Consultation)

Nil

Financial Implications

As at 30 June 2011 rates outstanding were \$34,625.20 in respect to collectable rates of which \$69,136.59 has been carried forward from 2009/10 or prior rating years, with 2010/11 rates raised being \$2,851,479.80

Ratio =	<u>Total Outstanding</u> Collectable
=	<u>34,625.20</u> 2,920,616.39
=	1.19%

The total rates overdue figure is the figure that we are currently trying to recover.

Voting Requirements

Simple Majority

Officer Recommendation/ Resolution

MOTION 7145

Moved Cr BE McAlpine
Seconded Cr SC Carter

- That the Outstanding Rates Debtors Reports as at 30 June 2011 for ratepayers with outstanding balances be accepted.
- To send five properties (A132, A312, A8982, A8983 & A31401) with outstanding debts to Austral Mercantile for further recovery action.

CARRIED 7/0

15.2 Write Off Outstanding Rates Debtors

Applicant: Shire of Dalwallinu
File No: FM/14 Debt Recovery
Previous Meeting Reference: Nil
Attachments: Nil
Author: Miss Christie Andrews

Disclosure of Interest: Nil
Date of Report: 14 July 2011
Senior Officer: Mr Peter Crispin

Purpose of Report

The purpose of this report is to consider writing off a debt of \$0.07 on non rated property.

Background

The property A6106 was sold back to the WA Land Authority on the 17 June 2011. At the time of settlement the property had a small amount of interest owing.

Comment

Assessment A6106 has outstanding interest charges of \$0.07 owing, however the WA Land Authority are exempt from paying rates and the \$0.07 will remain unpaid on the assessment.

Policy Requirements

Nil

Legislative Requirements

Nil

Strategic Implications

Nil

Sustainability Implications

Environment

Nil

Economic

Nil

Social (Community Consultation)

Nil

Financial Implications

The Shire will be forgoing the small interest charge of \$0.07.

Voting Requirements
Simple Majority

Officer Recommendation/ Resolution

MOTION 7146

Moved Cr IW Hyde
Seconded Cr MC Huggett

That Council write off the interest charge of \$0.07 on A6106.

CARRIED 7/0

15.3 Round 1 – Community Grants Scheme Allocation

Applicant:	Shire of Dalwallinu
File No.	CU/1 Customer Service Requests
Previous Meeting Reference	Nil
Attachments:	Various Application Forms & Previous Grants
Author:	Mr Peter Crispin
Disclosure of Interest:	Nil
Date of Report:	19 July 2011
Senior Officer:	Mr Peter Crispin

Purpose of Report

For Council to consider the allocation of the first portion (\$12,500) of community grant scheme funding for the 2011/12 financial year.

Background

Council have previously agreed to provide \$25,000 per financial year for community project grants to be allocated twice yearly at \$12,500 each time.

Applications from community groups were called seeking projects worthy of financial assistance, and which are consistent with Council's policy objective. At the closing date, three (3) applications were received, namely:

Applicant	Cash	In Kind / Other	Shire	Total	% Funded
Kalannie Bowling Club	\$3,000	\$3,620	\$5,000	\$11,620	43%
Wubin Progress Association (Inc)	\$1,625	\$1,200	\$2,000	\$ 4,825	41%
Dalwallinu Scrappers	\$ 576	\$ 0	\$ 480	\$ 1,076	45%

Comment

The three (3) applications for grants (being a total of \$7,480) are detailed below:

Kalannie Bowling Club Upgrade of Northern End of bowling green
(Total \$11,620)

The Kalannie Bowling Club has a current membership of 32 senior members. The group is asking for the Shire to provide 43% of the costs to upgrade the northern end of the bowling green by removing and replacing the asbestos fence with colourbond, and removing the grass and sprinkler system and replacing it with paving bricks. This group has received \$8,000 in the first round of funding in 2010/11.

Wubin Progress Association Inc Completion of Pathway (Total \$4,825)

The Wubin Progress Association Inc has 3 life, 12 families and 5 single members. They are asking for funding to complete the pathway connecting the wheatbin museum with the machinery shed. They have previously received grant funding totalling \$18,053, being 2005/06

round 1 - \$8,337, 2006/07 round 1 - \$1,000, 2007/08 round 2 - \$3,216, 2008/09 round 1 - \$2,500, and 2010/11 round 1 - \$3,000.

Dalwallinu Scrappers

Purchase of Tables (Total \$480)

The Dalwallinu Scrappers is unofficial committee that meets to run scrapbooking weekends in Dalwallinu three (3) times per year. They are not for profit and pay full hire charges for the recreation centre when their weekends are held. They have just completed the purchase of twelve (12) moulded tables that are left at the recreation centre for use by the agricultural society, and are now asking for the Shire to purchase a further ten (10) moulded table that would be available for the use of all hirers of the recreation centre. This group has never received community grant funding.

Policy Requirements

Policy 2.4

Community Grants Scheme

Policy (2.4) states that funding is made available for local projects to assist with the provision of services costing up to \$5,000 solely at the discretion of Council, with grants totalling up to 50% of total costs net of other grants, subsidies or donations.

Legislative Requirements

Nil

Strategic Implications

Nil

Sustainability Implications

Environment

Nil

Economic

Nil

Social (Community Consultation)

The community grants help the smaller community groups (usually volunteers) who are not always able to fund projects that can improve and enhance lifestyle and liveability in the community.

Financial Implications

A provision of \$25,000 is available in the 2011/12 budget.

Voting Requirements

Simple Majority

PROCEDURAL MOTION 7147

Moved Cr IW Hyde
Seconded Cr BE McAlpine

That Standing Orders be suspended to allow an in depth discussion of item 15.3.

CARRIED 6/1

PROCEDURAL MOTION 7148

Moved Cr IW Hyde
Seconded Cr BE McAlpine

That Standing Orders be reinstated.

CARRIED 7/0

Officer Recommendation/ Resolution

MOTION 7149

Moved Cr GH Sanderson
Seconded Cr J Martin

That community grant scheme funding (from the first round of applications) be allocated to the following projects:

\$5,000 to Kalannie Bowling Club – upgrade of northern end of bowling green;
\$2,000 to Wubin Progress Association Inc – pathway connecting museum/shed;
\$480 to Dalwallinu Scrappers – purchase of moulded tables.

CARRIED 7/0

15.4 Accounts for Payment for June 2011

Applicant:	Shire of Dalwallinu
File No:	FM/6 - Expenditure Reports
Previous Meeting Reference:	Nil
Attachments:	Summary of Accounts for Payment
Author:	Miss Elizabeth Lofthouse
Disclosure of Interest:	Nil
Date of Report:	21 July 2011
Senior Officer:	Mr Peter Crispin

Purpose of Report

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

Background

A list of invoices paid for the month of June 2011 from the Municipal Account, to the sum of \$734,627.76 is attached, together with a list of Electronic Fund Transfers (Bank Fees) and Direct Debit Payments. These payments total \$745,153.21. In addition, payments from the Trust Account have been listed for Council's ratification.

Comment

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

- a) The payees names
- b) The amount of the payments
- c) Sufficient information to identify the payment
- d) The date of the payment

The attached list meets the requirements of the Financial Regulations.

In addition to the above statutory provisions, 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'.

Policy Requirements

Nil

Legislative Requirements

Local Government (Financial Management) Regulations Act 1996, Regulation 12; and Regulations 13(3) (a) (b); 13(1); and 13(4).

Strategic Implications

Nil

Sustainability Implications

Environment

Nil

Economic

Nil

Social (Community Consultation)

Nil

Financial Implications

The list of creditors paid for the month of June 2011, from the Municipal Account amounts to \$734,627.76, Electronic Funds Transfers from the Municipal Account amounts to \$558.81, the Direct Debits to the Municipal Account amounts to \$9,966.64, and there were payments of \$100,218.75 from the Trust Account. The total payments from all accounts being \$845,371.96.

Voting Requirements

Simple Majority

Officer Recommendation/ Resolution

MOTION 7150

Moved Cr BE McAlpine
Seconded Cr SC Carter

That in accordance with the requirements of section 13(1), 13(3) and 13(4) of the Local Government (Financial Management) Regulations 1996 a list of payments made in June 2011 under the CEO's delegated authority is presented in respect to the following Bank accounts:

(a) Municipal Fund Account totalling \$745,153.21 consisting of

Cheque Numbers 32520-32679	\$734,627.76
Electronic Fund Transfers	\$558.81
Direct Debits	\$9,966.64; and

(b) Trust Account payments totalling \$100,218.75 consisting

Cheque Numbers 00255-00264	\$10,619.40
Direct Debits	\$89,599.35

CARRIED 7/0

15.5 Monthly Financial Statements for June 2011

Applicant: Shire of Dalwallinu
File No: FM/6 - Expenditure Reports
Previous Meeting Reference: Nil
Attachments: Monthly Statement of Financial Activity, Variance Reports, Investments Held and Bank Reconciliations
Author: Miss Elizabeth Lofthouse

Disclosure of Interest: Nil
Date of Report: 21 July 2011
Senior Officer: Mr Peter Crispin

Purpose of Report

For Council to receive the Financial Reports for the month ending 30 June 2011.

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.

Comment

Financial Reports as at last day of business of the previous month are appended, for the period ending 30 June 2011.

Attached for Council's consideration are:

- Statement of Financial Activity
- Variance Reports
- Investments Held
- Bank Reconciliations

As per Council resolution, all items that have a variance of more than \$5,000 have been noted on the variance reports.

Please note that the 30 June 2011 financial figures are still subject to change until the financial audit has been completed.

Policy Requirements

Nil

Legislative Requirements

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)

Strategic Implications

Nil

Sustainability Implications

Environment

Nil

Economic

Nil

Social (Community Consultation)

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation/ Resolution

MOTION 7151

Moved Cr BE McAlpine
Seconded Cr MC Huggett

That the Financial Reports as submitted for the twelve (12) months ending 30 June 2011 be accepted.

CARRIED 7/0

16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION

16.1 Regional Repopulation Advisory Committee Minutes

Applicant: Shire of Dalwallinu
File No: ED/18
Previous Meeting Reference: Nil
Attachments: Committee Minutes
Author: Mr Richard Milloy

Disclosure of Interest: Nil
Date of Report: 20 July 2011
Senior Officer: Mr Peter Crispin

Purpose of Report

For Council to accept the minutes for the Regional Repopulation Advisory Committee.

Background

The Regional Repopulation Advisory Committee was formed as a response to an identified opportunity to attract a range of skilled labour into the area through migrant attraction. The committee is made up of Councillors, staff, and local community members and aims to oversee the management of functions pertaining to Regional Repopulation, migrant attraction job training, employment, and retention.

Comment

At the July meeting a range of topics were discussed including the report from the Katanning investigatory trip, employment of the Migrant Attraction & Retention Officer, and the Chairs update on any meetings with businesses. The largest discussion topic was the potential for housing development within the town sites and what possibilities were available for immediate housing. A plan was developed, similar to that of the 5 Step Accommodation plan discussed in June, and potential blocks were discussed within the committee meeting. The idea is to be progressed at future committee meetings.

As part of these minutes, the Perth Working Groups Terms of Reference were discussed and a variety of changes were recommended by the committee. These have now been communicated to the Office of Multicultural Interests (as Chair of the group) to enable the first official meeting to take place.

Policy Requirements

Nil

Legislative Requirements

Nil

Strategic Implications

Directly aligns with Priority 1, 2, and 3 from the Shire's Plan for the Future 2009 – 2014.

Sustainability Implications

Environment

Nil

Economic

This project will provide significant economic benefits for the Shire through employment attraction to infrastructure investment.

Social (Community Consultation)

The influx of new community members will bring a revitalisation to our all towns.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation/ Resolution

MOTION 7152

Moved Cr IW Hyde
Seconded Cr BE McAlpine

That the July Regional Repopulation Advisory Committee minutes be accepted.

CARRIED 7/0

16.2 Wheatbelt Planning Strategy

Applicant: Shire of Dalwallinu
File No: LP/12
Previous Meeting Reference: CS&ED Committee Meeting 19 April 2011
Full Council Meeting 27 April 2011
Attachments: Previously Distributed
Author: Mr Peter Crispin

Disclosure of Interest: Nil
Date of Report: 21 July 2011
Senior Officer: Mr Peter Crispin

Purpose of Report

For Council to review its position and provide feedback on the Draft Wheatbelt Land Use Planning Strategy developed by the WA Planning Commission.

Background

The Wheatbelt Land Use Planning Strategy Draft for public comment has been release for public comment. Initially the period to provide comments closed on 1 July 2011 but this has since been extended to Friday 19 August 2011 (although it has also been advised that late submissions will be accepted).

Comment

The Wheatbelt Land Use Planning Strategy will provide the basis of many significant planning documents and development for the foreseeable future in the Wheatbelt region.

The document was released on 4 April 2011 but given the amount of documentation, it has not been possible for staff to scrutinise everything. Some Councils and politicians have already spoken out about the document, and it is hoped that some further papers will be available before the meeting. Council considered this matter previously at the 27 April 2011 meeting and passed the following resolution:

MOTION 7061

Moved Cr SC Carter
Seconded Cr IW Hyde

That approval be given to the Chief Executive Officer to make a submission on behalf of Council regarding the Draft Wheatbelt Planning Strategy incorporating the comments and issues raised by Council.

CARRIED 10/0

Given that the comment period has been extended to 19 August 2011, Council should review its position based on any up to date information received.

Policy Requirements

Nil

Legislative Requirements

Nil

Strategic Implications

The Wheatbelt Planning Strategy will have an effect on Council's long term vision. It is important that the region is well represented and that opportunities are not prevented by the content of this overarching document.

Sustainability Implications

Environment

The contents of this document may have profound implications on environmental management/restrictions into the future.

Economic

The contents of this document may result in economic development being directed in certain ways that hinder economic development in other town sites.

Social (Community Consultation)

Further research is required to establish the social implications of the contents of this document.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation/ Resolution

MOTION 7153

Moved Cr BE McAlpine
Seconded Cr SC Carter

That approval be given to the Chief Executive Officer (in consultation with the Shire President) to make a submission on behalf of Council regarding the Draft Wheatbelt Land Use Planning Strategy incorporating the comments and issues raised by Council.

CARRIED 7/0

17.0 URGENT BUSINESS BY DECISION OF THE MEETING

MOTION 7154

Moved Cr SC Carter
Seconded Cr IW Hyde

That four (4) items of urgent business be considered.

CARRIED 7/0

Mr S McAlpine left the Council Chambers at 4.43pm and did not return.

17.1 WALGA Annual General Meeting 2011

Applicant:	Shire of Dalwallinu
File No:	GR/4 Local & Regional Liaison - WALGA
Previous Meeting Reference:	Nil
Attachments:	Extract from 6 August 2011 Agenda
Author:	Mr Peter Crispin
Disclosure of Interest:	Nil
Date of Report:	22 July 2011
Senior Officer:	Mr Peter Crispin

Purpose of Report

For Council to provide voting instructions for their delegates at the Western Australian Local Government Association (WALGA) Annual General Meeting (AGM) to be held 6 August 2011.

Background

The AGM for WALGA is held during the Local Government convention each year. This year the meeting is scheduled to be held on Saturday 6 August 2011 commencing at 1.00pm. At this meeting member councils have provided agenda items for consideration.

Council's registered voting delegates for this meeting are Cr Robert Nixon and Cr Graham Sanderson.

Comment

There are seven (7) items presented for consideration (attached) as follows:

- 3.1 Proposed Amendments to the Western Australian Local Government Association Constitution (Executive)
- 3.2 Container Deposit Legislation (Shire of Boddington)
- 3.3 Local Government Amendment (Regional Subsidiaries) Bill 2010 (Shire of Kulin)
- 3.4 Licensing of Scrap Metal Yards (Shire of Dardanup)
- 3.5 Review of Dog Registration Fees (Shire of Dardanup)
- 3.6 Rate Exemptions Charitable Bodies (Shire of Dardanup)
- 3.7 Local Government Award Coverage (Shire of Perenjori)

Policy Requirements

Nil

Legislative Requirements

Nil

Strategic Implications

Nil

Sustainability Implications

Environment

Some of the items to be voted on (such as container deposit legislation) may have positive environmental implications.

Economic

It is unknown whether any items will have economic implications.

Social (Community Consultation)

It is unknown whether any items will have social implications.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That the delegates to the Western Australian Local Government Association (WALGA) Annual General Meeting (AGM) to be held 6 August 2011 be advised to vote as follows:

- 3.1 Support / Against / Listen
- 3.2 Support / Against / Listen
- 3.3 Support / Against / Listen
- 3.4 Support / Against / Listen
- 3.5 Support / Against / Listen
- 3.6 Support / Against / Listen
- 3.7 Support / Against / Listen

Resolution

MOTION 7155

Moved Cr GH Sanderson
Seconded Cr J Martin

That the delegates to the Western Australian Local Government Association (WALGA) Annual General Meeting (AGM) to be held 6 August 2011 be advised to vote as follows:

- 3.1 Listen
- 3.2 Support
- 3.3 Listen
- 3.4 Listen
- 3.5 Support
- 3.6 Support
- 3.7 Support

CARRIED 7/0

17.2 WALGA State Council Agenda August 2011

Applicant: Shire of Dalwallinu
File No: GR/4 Local & Regional Liaison - WALGA
Previous Meeting Reference: Nil
Attachments: Extract from 7 August 2011 Agenda
Author: Mr Peter Crispin

Disclosure of Interest: Nil
Date of Report: 22 July 2011
Senior Officer: Mr Peter Crispin

Purpose of Report

For Council to provide voting instructions for their delegate (Cr Robert Nixon) to the Avon Midland Country Zone meeting to be held 3 August 2011 prior to the Western Australian Local Government Association (WALGA) State Council Meeting to be held 7 August 2011.

Background

The Avon Midland Country Zone of the Western Australian Local Government Association (WALGA) normally considers items on the State Council agenda prior to the WALGA State Council meeting. In most circumstances, the agenda arrives too late for Council to consider any items for attention and it is left for the delegate (currently Cr Robert Nixon) to vote without any discussion by Council. The next meeting is scheduled to be held on Wednesday 3 August 2011 prior to State Council meeting to be held Sunday 7 August 2011 commencing at 10.30am.

Comment

There are three (3) matters for decision (attached) as follows:

- 5.1 Submission into Review of Caring for our Country
- 5.2 Business Case for a Safer Regional Roads and Urban Intersections Program
- 5.3 Licensing Agent Commission Model Review

Policy Requirements

Nil

Legislative Requirements

Nil

Strategic Implications

Nil

Sustainability Implications

Environment

The review of the Caring for Our Country program will have environmental implications.

Economic

There are no perceived economic implications.

Social (Community Consultation)

The Safer Regional Roads and Urban Intersections Program will have social implications.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That the delegate to the Avon Midland County Zones of the Western Australian Local Government Association (WALGA) meeting to be held 3 August 2011 be advised to vote as follows:

5.1 Support / Against / Listen

5.2 Support / Against / Listen

5.3 Support / Against / Listen

Resolution

MOTION 7156

Moved Cr J Martin
Seconded Cr BE McAlpine

That the delegate to the Avon Midland County Zones of the Western Australian Local Government Association (WALGA) meeting to be held 3 August 2011 be advised to vote as follows:

5.1 Support

5.2 Support

5.3 Listen

CARRIED 7/0

17.3 Planning application for Jorobi Natural Fertilisers Pty Ltd

Applicant:	Mr Robert Harris
File No:	LP/10 Land Use and Planning
Previous Meeting Reference:	Nil
Attachments:	Application
Author:	Mr Peter Crispin
Disclosure of Interest:	Nil
Date of Report:	22 July 2011
Senior Officer:	Mr Peter Crispin

Purpose of Report

For Council to consider granting planning consent to Mr Robert Harris on behalf of Jorobi Natural Fertilisers Pty Ltd for the production of “humified compost” at “Lake Tana”, Dalwallinu.

Background

The Shire of Dalwallinu has received an application for planning approval by Mr Robert Harris on behalf of Jorobi Natural Fertilisers Pty Ltd for the production of “humified compost” at “Lake Tana”, Dalwallinu.

This production site will require Department of Environment and Conservation approval. It is sited at location 1937 (696 Dalwallinu West Road) and can be seen clearly marked in the application.

The proposed compost production facility is planned to produce up to 15,000 tons of compost per annum.

Comment

The site of the proposed production facility is zoned “Rural”. According to our town planning consultant, Mr Paul Bashall, the use would be “public utility” which is an “AA” in a “Rural” zone (meaning that Council may, at its discretion, allow the use).

Mr Bashall also advised that according to the EPA (Environmental Protection Authority) Guidance No. 3 (buffer zones) notes, a 1kilometre buffer is all that is needed for this type of production.

Mr Bashall questioned where the clay would be coming from (i.e. whether there would also be an extractive industry for the clay). Mr Robert Harris has advised that the clay to be used will come from the cleaning of dams on the property. It is expected that this will last for several years at which stage the dams will be ready for cleaning again.

The only other question that Mr Bashall raised was whether there will be any significant increase in vehicles accessing the property. Mr Robert Harris was advised that he is already having chicken manure delivered and by mixing it, it will go further. He does not envisage that they will be any significant increase in vehicles using Dalwallinu West Road.

Council has discretion with respect to approving this application as it is zoned “AA” under the Dalwallinu Town Planning Scheme No. 1.

Policy Requirements

Shire of Dalwallinu Policy on Verandah’s over Footpaths.

Legislative Requirements

Shire of Dalwallinu Town Planning Scheme No.1

Strategic Implications

Nil

Sustainability Implications

Environment

All foreseen environmental implications have been addressed in the application.

Economic

This application could lead to the development of another business in the Shire.

Social (Community Consultation)

There are no known social implications from this application.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation/ Resolution

MOTION 7157

Moved Cr MC Huggett
Seconded Cr J Martin

That planning consent be granted to Mr Robert Harris (on behalf of Jorobi Natural Fertilisers Pty Ltd) for the establishment of a compost processing facility at Lot 1937 (696 Dalwallinu West Road, Dalwallinu), subject to;

1. Compliance with the Shire of Dalwallinu Local Planning Scheme No.1,
2. Compliance with Department of Environment and Conservation standards and licence conditions.

CARRIED 7/0

17.4 Interim Audit Report

Applicant: Shire of Dalwallinu
File No: FM/6 - Audit
Previous Meeting Reference: Nil
Attachments: Interim Audit Report
Author: Ms Elizabeth Lofthouse

Disclosure of Interest: Nil
Date of Report: 26 July 2011
Senior Officer: Mr Peter Crispin

Purpose of Report

For Council to consider the interim audit report as supplied by the Shire's auditor

Background

As a part of the Shire's audit process, each year the Shire's auditors undertake an interim audit. This part of the audit looks at documentation with a view to ascertaining where legislation, policies and procedures are a being followed.

Any issues raised during the interim audit are checked for correction during the final audit, which will take place on Monday 5 September 2011.

Comment

The interim audit was conducted on Wednesday 18 May 2011. The Interim Audit Report was received by the Shire on 14 July 2011.

The issues raised in the interim audit were that the copy of the receipt of returns letter for Primary/Annual Returns was not signed in the register. While on site the auditors sighted a signed original copy and told that signed copies are held in the central records system. Also raised was that the local laws had not been reviewed within a period of 8 years. The local laws review was initiated in February 2011.

Policy Requirements

Nil

Legislative Requirements

Local Government (Audit) Regulations provide the legislative framework for Shire Audits. There is no requirement for Council to act on the interim audit, or indeed report its findings. The Shire President, Chief Executive Officer and Chair of the Audit Committee must receive a copy of the report from the auditor

Strategic Implications

Nil

Sustainability Implications

Nil

Environment

Nil

Economic

Nil

Social (Community Consultation)

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Committee Recommendation/ Resolution

MOTION 7158

Moved Cr BE McAlpine

Seconded Cr IW Hyde

That the interim audit report provided by Anderson, Munroe and Wylie be received.

CARRIED 7/0

PROCEDURAL MOTION 7159

Moved Cr SC Carter
Seconded Cr IW Hyde

That the meeting be closed to the public to discuss confidential business.

CARRIED 7/0

18.0 CONFIDENTIAL BUSINESS - As per Local Government Act 1995, Section 5.23(2)

18.1 Appointment of Deputy Chief Executive Officer

MOTION 7160

Moved Cr J Martin
Seconded Cr MC Huggett

That the appointment of Mr Keith Jones as the Deputy Chief Executive Officer (as recommended by the Chief Executive Officer and the Shire President) be accepted.

CARRIED 7/0

PROCEDURAL MOTION 7161

Moved Cr IW Hyde
Seconded Cr BE McAlpine

That the meeting re-open the doors to the public.

CARRIED 7/0

The CEO read out the resolution that was passed behind closed doors.

MOTION 7162

Moved Cr J Martin
Seconded Cr SC Carter

That the CEO be authorised to make arrangements with MRG International to proceed with promotional filming of the Russell Goodrick's Best Country Towns with \$8,000 to be expended from the Tourism and the Economic Development budgets.

CARRIED 6/1

19.0 SCHEDULING OF MEETING

MOTION 7163

Moved Cr J Martin
Seconded Cr GH Sanderson

That an Ordinary Meeting of Council be held on 23 August 2011 at Council Chambers, Dalwallinu commencing at 3.30pm.

CARRIED 7/0

20.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 5.15pm.

21.0 CERTIFICATION

I, Robert Stanley NIXON, certify that the Minutes of the meeting held on the 26 July 2011, as shown on page numbers _ to _ were confirmed as a true record at the meeting held on the 23 August 2011.

CHAIRPERSON

DATE