



# MINUTES

ORDINARY COUNCIL MEETING

**Tuesday  
26 April 2016**

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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, 26 April 2016.

### **1.0 OPENING & ANNOUNCEMENT OF VISITORS**

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

### **2.0 ATTENDANCE RECORD**

#### **2.1 Present**

Shire President	Cr SC Carter
Deputy President	Cr KL Carter
	Cr RS Nixon
	Cr GH Sanderson JP
	Cr IW Hyde
	Cr AR Dickins
	Cr NW Mills

#### **IN ATTENDANCE**

Chief Executive Officer	Mr AJR Doust
Deputy Chief Executive Officer	Mr KT Jones
Executive Support Officer	Mrs GC Matias

#### **2.2 Apologies**

Cr KM McNeill JP

#### **2.3 Leave Of Absence Previously Granted**

Nil

### **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 – 22<sup>nd</sup> March 2016**

**MOTION 8572**

Moved Cr AR Dickins  
Seconded Cr KL Carter

That the Minutes of the Ordinary Meeting of Council held 22<sup>nd</sup> March 2016 be confirmed.

**CARRIED 7/0**

**6.0 NOTICES OF URGENT BUSINESS**

There is one (1) late item under section 17.0 Urgent Business by Decision of the Meeting to be dealt with:

**6.1 (17.1) Supply Spray and Roll Bitumen/Emulsion**

**7.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED**

Nil

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

Nil

**9.0 MEMBERS REPORTS**

**9.1 Declarations of Interest**

Nil

## 10.0 MATTERS FOR CONSIDERATION – WORKS

### 10.1 Preliminary Road Works Construction Programme 2016/17

Applicant: Shire of Dalwallinu  
File No: FM/19 Financial Management – Budget – Annual Budget  
Previous Meeting Reference: Works & Plant Committee – (Discussion item 6.1) 15<sup>th</sup> March 2016; 19 April 2016  
Attachments: Nil  
Author: Mr Anthony Doust  
  
Disclosure of Interest: Nil  
Date of Report: 11<sup>th</sup> April 2016  
Senior Officer: Mr Anthony Doust

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#### Purpose of Report

To consider estimated costs for Road Construction works on roads in the Shire, for inclusion in the 2016/17 Budget estimates.

#### Background

The Works & Plant Committee identified works required resulting from Road Inspection on 1<sup>st</sup> March 2016 and also items that were not completed in the 2014/15 financial year, and requested preliminary costs be prepared for future consideration.

Comment

Preliminary estimates of cost have now been prepared for the Committee consideration:

<b>ROADS AND WORKS POPOSED</b>	<b>PRELIMINARY ESTIMATE</b>
Locke Road – construction and prep for first time seal 7m	262,516.
Dinnie Road Reseal – 4m wide slk. 0-13.7	254,978.
Pithara West Reseal from slk. 5.19 – 8.48	100,578.
Dalwallinu-North Road - reseal slk. 10.66 – slk. 14.69	84,018.
Goatcher Road – reseal slk 0 – slk. 7.41	117,813.
Various Fish Tails from 15/16 reseals	261,350.
Warren Road – widen shoulders to 7-10m through lakes areas	203,200.
Sanderson Road – Gravel res-sheeting between Warren and Leeham	136,008.
Struggle Street – verge clearing 15km hit and miss	50,897.
Simonson Road – verge clear hit and miss – 4km	20,620.
Bunketch East – Re-sheet 1.5km	68,128.
Leeson Road – 3.6m wide seal to Martin Road – Prime coat seal	59,569.
Cottage Road – Truncation , realignment and fish tail	61,738.
Sanderson – Warren Road – Truncation, re-alignment	58,653.
Carter Road – Truncation, Verge clear and shoulder reconstruction	79,560.
Goodlands Road – Glamoff Intersection widening and seal	84,050.
Counsel Road – Gravel Re-sheet, hit and miss approx. 3km	95,000.
Rabbit Proof Fence Road – Intersection re-alignment – Pithara East	194,846.
Bell Road – Hit and miss verge clear, shoulder reconstruction , fish tail GNH	106,921.
James Street – seal cul de sac	43,030.
Cousins Street – Rip and reseal 200m.	68,375.
Goodlands Road – CBH – seal Shoulders	32,250.
Leeson Road - re-sheet pavement and seal 3.6m wide	60,433.
Goodlands Road – Verge clearing and shoulder reconstruction hit and miss	133,761.
Hathway Drive – Kerbing and minor verge reconstruction	60,313.
Leahy Street – Reseal right side of street and intersections	68,005.
Buntine East – Verge clearing & shoulder reconstruction – 8km hit and miss (slk. 0-20.33)	91,232.
Goodlands Road – Reseal and shoulder works from Glamoff towards GNH	98,242.
Rabbit Proof Fence – Reseal and shoulder reconstruction and verge clear – GNH end	124,964.
Verge, mowing and spraying on all class A & B roads (3xmonths, 2xmen and plant)	117,687.
Re-sheeting Dalwallinu Town Laneways with metal	46,303.
Laneway between Roche Street and Locke Street	56,193.
Dickins Road – Verge clearing 5km hit and miss, shoulder work	26,172.
Sanderson Road – remove trees from middle of road – GNH end	48,004.
Kalannie Kulja – Reconstruction – through Lake areas and Gypsum Road - fish tail	287,221.
Dally _ Kalannie – widen road and prime seal 600 mm each side	123,880.
Dally West - Sealing shoulders from both sides	140,154.
Dowerin – Kalannie – Reconstruct pavement and seal (*RRG)	414,756.
<b>TOTAL: Estimated Cost</b>	<b>4,341,418.</b>



Please note the above estimates are preliminary and subject to review during the preparation of this 2016/17 Draft Budget. As a guide to the Committee the following level funding was provided in the revised Budget 2015/16 together with the estimated funding for 2016/17:

<u>Road Construction</u> <u>Source of Funding</u>	<u>Actual</u> <u>2015/16</u>	<u>Estimated</u> <u>2016/17</u>
Regional Road Group (Including Shire Matching)	\$ 222,936.	\$ 274,317.
Roads to Recovery	1,505,733.	1,739,569.
Own Resource (based on revised Budget 2015/16)	<u>1,311,056.</u>	<u>1,300,000.</u>
Total:	<u>\$ 3,039,725.</u>	<u>\$3,313,886.</u>

Given the level of funding in 2016/17, the works costed will need to be reviewed and reduced by approximately \$1,000,000.

It is suggested that the Committee establish a priority for the total works proposed as this will also be useful when programming after the adoption of the 2016/17 Budget.

Policy Requirements

No Specific Policy

Legislative Requirements

No requirement for the establishment of the Programme of Construction Works. Allocations will need to be included in funding programme in due course.

Strategic Implications

Important to maintain the level of expenditure of Road Construction to maintain the road assets.

Sustainability Implications

*Environment*

Environmental requirement to be considered as a part of the implementation of the 2016/17 adopted Road Construction Programme.

*Economic*

Sound-safe roads contribute to the economic environment in the Shire.

*Social (Community Consultation)*

Nil

Financial Implications

As per the comment section of the report.

Voting Requirements

Simple Majority

## Officer Recommendation

That Council adopts the following as the Preliminary Road Works Programme for 2016/17 subject to final preparation of the 2016/17 Draft Budget:

ROADS AND WORKS POPOSED	PRELIMINARY ESTIMATE
Locke Road – construction and prep for first time seal 7m	262,516.
Dinnie Road Reseal – 4m wide slk. 0-13.7	254,978.
Pithara West Reseal from slk. 5.19 – 8.48	100,578.
Dalwallinu-North Road - reseal slk. 10.66 – slk. 14.69	84,018.
Goatcher Road – reseal slk 0 – slk. 7.41	117,813.
Various Fish Tails from 15/16 reseals	261,350.
Warren Road – widen shoulders to 7-10m through lakes areas	203,200.
Sanderson Road – Gravel res-sheeting between Warren and Leeham	136,008.
Struggle Street – verge clearing 15km hit and miss	50,897.
Simonson Road – verge clear hit and miss – 4km	20,620.
Bunketch East – Re-sheet 1.5km	68,128.
Leeson Road – 3.6m wide seal to Martin Road – Prime coat seal	59,569.
Cottage Road – Truncation , realignment and fish tail	61,738.
Sanderson – Warren Road – Truncation, re-alignment	58,653.
Carter Road – Truncation, Verge clear and shoulder reconstruction	79,560.
Goodlands Road – Glamoff Intersection widening and seal	84,050.
Counsel Road – Gravel Re-sheet, hit and miss approx. 3km	95,000.
Rabbit Proof Fence Road – Intersection re-alignment – Pithara East	194,846.
Bell Road – Hit and miss verge clear, shoulder reconstruction , fish tail GNH	106,921.
James Street – seal cul de sac	43,030.
Cousins Street – Rip and reseal 200m.	68,375.
Goodlands Road – CBH – seal Shoulders	32,250.
Leeson Road - re-sheet pavement and seal 3.6m wide	60,433.
Goodlands Road – Verge clearing and shoulder reconstruction hit and miss	133,761.
Hathway Drive – Kerbing and minor verge reconstruction	60,313.
Leahy Street – Reseal right side of street and intersections	68,005.
Buntine East – Verge clearing & shoulder reconstruction – 8km hit and miss (slk. 0-20.33)	91,232.
Goodlands Road – Reseal and shoulder works from Glamoff towards GNH	98,242.
Rabbit Proof Fence – Reseal and shoulder reconstruction and verge clear – GNH end	124,964.
Verge, mowing and spraying on all class A & B roads (3xmonths, 2xmen and plant)	117,687.
Re-sheeting Dalwallinu Town Laneways with metal	46,303.
Laneway between Roche Street and Locke Street	56,193.
Dickins Road – Verge clearing 5km hit and miss, shoulder work	26,172.
Sanderson Road – remove trees from middle of road – GNH end	48,004.
Kalannie Kulja – Reconstruction – through Lake areas and Gypsum Road - fish tail	287,221.
Dally _ Kalannie – widen road and prime seal 600 mm each side	123,880.
Dally West - Sealing shoulders from both sides	140,154.
Dowerin – Kalannie – Reconstruct pavement and seal (*RRG)	414,756.
<b>TOTAL: Estimated Cost</b>	<b>4,341,418.</b>

Note: List to be edited to report items omitted or reduced.

The Committee considered the above and decided to amend or delete the following proposed works:

Locke Road – construction for seal (lime route funding possible)	\$ -262,516.
Dinnie Road Reseal –. 0.13 slk (further investigation required)	-254,978.
Sanderson – Warren Road – Junction Realignment (future budget)	-58,653.
Rabbit Proof Fence Road and Pithara East Road Junction (further engineering advice required)	-194,846.
Sanderson Road – remove trees –(Revised estimate)	-40,000.
Leahy Street – Reseal right side of street and intersections (delay until Water Corporation)	-68,005.

works completed)

Kalannie Kulja – Reconstruction (further inspection required)

-287,221.

Dowerin – Kalannie – Reconstruct pavement and reseal (Reduced to approved RRG funding)

-140,439.

**Total**

**\$ -1, 306, 658.**

**Committee Recommendation/Resolution**

**MOTION 8573**

Moved Cr KL Carter  
Seconded Cr RS Nixon

That Council adopts the following as the Preliminary Road Works Programme for 2016/17 subject to final preparation of the 2016/17 Draft Budget; and the items removed or reduced be reconsidered during the consideration of the 2016/17 Budget estimates:

<b>ROADS AND WORKS POPOSED</b>	<b>PRELIMINARY ESTIMATE</b>
Pithara West Reseal from slk. 5.19 – 8.48	100,578.
Dalwallinu-North Road - reseal slk. 10.66 – slk. 14.69	84,018.
Goatcher Road – reseal slk 0 – slk. 7.41	117,813.
Various Fish Tails from 15/16 reseals	261,350.
Warren Road – widen shoulders to 7-10m through lakes areas	203,200.
Sanderson Road – Gravel res-sheeting between Warren and Leeham	136,008.
Struggle Street – verge clearing 15km hit and miss	50,897.
Simonson Road – verge clear hit and miss – 4km	20,620.
Bunketch East – Re-sheet 1.5km	68,128.
Leeson Road – 3.6m wide seal to Martin Road – Prime coat seal	59,569.
Cottage Road – Truncation , realignment and fish tail	61,738.
Carter Road – Truncation, Verge clear and shoulder reconstruction	79,560.
Goodlands Road – Glamoff Intersection widening and seal	84,050.
Counsel Road – Gravel Re-sheet, hit and miss approx. 3km	95,000.
Bell Road – Hit and miss verge clear, shoulder reconstruction , fish tail GNH	106,921.
James Street – seal cul de sac	43,030.
Cousins Street – Rip and reseal 200m.	68,375.
Goodlands Road – CBH – seal Shoulders	32,250.
Leeson Road - re-sheet pavement and seal 3.6m wide	60,433.
Goodlands Road – Verge clearing and shoulder reconstruction hit and miss	133,761.
Hathway Drive – Kerbing and minor verge reconstruction	60,313.
Buntine East – Verge clearing & shoulder reconstruction – 8km hit and miss (slk. 0-20.33)	91,232.
Goodlands Road – Reseal and shoulder works from Glamoff towards GNH	98,242.
Rabbit Proof Fence – Reseal and shoulder reconstruction and verge clear – GNH end	124,964.
Verge, mowing and spraying on all class A & B roads (3xmonths, 2xmen and plant)	117,687.
Re-sheeting Dalwallinu Town Laneways with metal	46,303.
Laneway between Roche Street and Locke Street	56,193.
Dickins Road – Verge clearing 5km hit and miss, shoulder work	26,172.
Sanderson Road – remove trees from middle of road – GNH end	8,004.
Dally _ Kalannie – widen road and prime seal 600 mm each side	123,880.
Dally West - Sealing shoulders from both sides	140,154.
Dowerin – Kalannie – Reconstruct pavement and seal (*RRG)	274,317.
<b>TOTAL: Estimated Cost</b>	<b>3,034,760.</b>

*Note: List to be edited to report items omitted or reduced.*

**CARRIED 7/0**

## 10.2 Temporary Closure of Roads after Rainfall

Applicant: J & B Sawyer  
File No: RO/9 Road Closures – Temporary  
Previous Meeting Reference: Works & Plant Committee – 19 April 2016  
Attachments: Nil  
Author: Mr Anthony Doust

Disclosure of Interest: Nil  
Date of Report: 12<sup>th</sup> April 2016  
Senior Officer: Mr Anthony Doust

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### Purpose of Report

To consider a letter expressing concerns about the temporary road closures over the Easter Weekend 2016 and the guidelines set by in Council.

### Background

The following letter has been received from J&B Sawyer:

*“We are writing to express concerns over the handling of the rain event in relation to road closures and also the guidelines set out in the Totally Locally.*

*The guidelines state that roads can be closed following a 10mm rain event, but that is not a very major rain for this area.*

*Whilst there is no doubt a number of gravel roads within the Shire needed to be closed due to the conditions, we felt a blanket cover for four days was detrimental to the running of our farming business. Most of the Goodlands area received less than 20mm of rain and a road inspection would have shown that the majority of roads in that area did not require closures. We are asking Council to revise their procedures for future rain events, as if this should occur in the middle of our seeding programme it could have a major long term effect on our livelihoods.*

*The guidelines published in Totally Locally state:*

*“Shire offices will minimise the disruption to the affected proponents (farmers and contractors) while still maintaining a functional unsealed road network by ensuring the least amount of the Shire is affected for the shortest possible period of time.”*

*We believe that this was not the case over the Easter weekend, especially the Monday and Tuesday. We believe that the blanket was done as there was no Shire Officers available to actually go out and inspect the conditions. We did go out to check our fences were all still in good order due to our sheep and found that the roads to mostly in good condition which was somewhat frustrating as we were unable to even refuel our tractors.*

*Most farmers and people within the district are aware of how lucky we are to have such good roads throughout the Shire and we try to do our best to help keep them that way.”*

Comment

The Council has delegated responsibility to the Chief Executive Officer to close roads on a temporary basis, i.e.:

**DELEGATION NUMBER** - **E02**

**LEGISLATIVE POWER** - *Local Government Act 1995 (Section 5.42)*

*Local Government (Functions and General Regulations- Part 2  
– Thoroughfares*

**DELEGATION SUBJECT** - *Temporary Closure of Thoroughfares to Vehicles*

**DELEGATE** - *Chief Executive Officer*

*The Chief Executive Officer is delegated authority to give the necessary notices and take all appropriate actions to temporarily close any thoroughfare for any period not exceeding three (3) months. The Chief Executive Officer, in exercising delegated authority, shall observe the requirements of Section 3.50 and 3.50a of the Local Government Act.*

*Any proposal to close a thoroughfare for any period exceeding three (3) months shall be referred to Council for determination.*

*The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995 has delegated this power to the Manager Assets and Works and the Works Supervisor.*

The action taken was by Manager of Works & Services as per the above delegation. The Chief Executive Officer must also accept responsibility for any council delegation.

When considering Council Policy 5.15 the title: refers to **Temporary Closure of “Unsealed Roads”**, I believe, has been overlooked.

Whilst Council may choose to revise the policy 5.15, the CEO will also be revising all delegations including the removal from Council adoption the “On Delegation”, On-going delegation is a matter for the CEO to determine including additional requirements that the CEO feels necessary.

## **5.15 Temporary Closure of Unsealed Road During/After Rainfall Events**

<b>POLICY</b>	Unless otherwise stated, Council shall practice its rights and obligations to partially or wholly close, and subsequently re-open, any road under its responsibility in accordance with provisions of the <i>Local Government Act 1995, and the Local Government (Functions and General) Regulations 1996</i> .
<b>OBJECTIVE</b>	To restrict the winter use of unsealed roads by certain vehicles to preserve the Shire's assets during and/or after adverse weather conditions.
<b>GUIDELINES</b>	<p>Specifically, Council may close roads to all vehicles greater than 3 tonnes gross when conditions arise where damage to the structure and/or surface of the road is likely to occur. This would usually occur in winter after grading and when 10mm or more of rain is forecast.</p> <p>Rain events greater than 10mm may require unsealed roads to be closed until road conditions are suitable, as determined by the Chief Executive Officer under Delegated Authority.</p> <p>Shire Officers will minimise the disruption to the affected proponents (farmers and contractors) while still maintaining a functional unsealed road network by ensuring the least amount of the Shire is affected for the shortest possible period of time.</p> <p>Notifications of weather related road closures will be made to adjoining shires, and notices will be posted at the Shire Administration Office and published in the next edition of the <i>Totally Locally</i> and <i>Kalannie Kapers</i>.</p> <p>Restricted Access Vehicle permit holders with current Letters of Approval from the Shire, local carriers and any other interested parties will be notified of weather related road closures by facsimile or SMS text message. A media release will be sent to media outlets.</p> <p>Where Council is required to issue local public notice, the issue of local public notice shall be in accordance with Section 1.7 of the <i>Local Government Act 1995</i>. Where a road closure inadvertently exceeds a period of twenty eight (28) days, the Council shall meet its obligations under 1.7 &amp; 3.50(4) of the <i>Local Government Act 1995</i> and S4, Part 2 of the <i>Local Government (Function and General) Regulations 1996</i>.</p>
<b>HISTORY</b>	No former policy exists – adopted September 2011 via motion 7202

Legislative Requirements

No legislative requirement for closing roads for periods up to four (4) weeks.

Strategic Implications

Important to ensure roads are not damaged. However, also important not to place unreasonable requirement on property owners.

Sustainability Implications

*Environment*

Protect roads from damage during strong weather conditions.

*Economic*

Protection of Infrastructure assets.

*Social (Community Consultation)*

Recent advertising of Policy 5.15 in Local publications.

Financial Implications

N/A

Voting Requirements

Simple Majority

Officer Recommendation

For Committee consideration.

**MOTION 8574**

Moved           Cr RS Nixon  
Seconded       Cr KL Carter

That Policy 5.15 Temporary Closures of Unsealed Roads During or After Rainfall Events (amended as follows) be adopted.

**5.15 Temporary Closure of Unsealed Road During/After Rainfall Events**

**POLICY**           Unless otherwise stated, the Shire shall practice its rights and obligations to partially or wholly close, and subsequently re-open, any road under its responsibility in accordance with provisions of the *Local Government Act 1995, and the Local Government (Functions and General) Regulations 1996*.

**OBJECTIVE**       To restrict the winter use of unsealed roads by certain vehicles to preserve the Shire’s assets during and/or after adverse weather conditions.

**GUIDELINES**      Specifically, the Shire may close roads to all vehicles greater than 3 tonnes gross when conditions arise where damage to the structure and/or surface of the road is likely to occur.

The Chief Executive Officer will minimise the disruption to the affected proponents (farmers and contractors) while still maintaining a functional unsealed road network by ensuring the least amount of the Shire is affected for the shortest possible period of time.

Notifications of weather related road closures will be made to adjoining shires, and notices will be posted at the Shire Administration Office and published in the next edition of the *Totally Locally* and *Kalannie Kapers*.

Restricted Access Vehicle permit holders with current Letters of Approval from the Shire, local carriers and any other interested parties will be notified of weather related road closures by facsimile or SMS text message. A media release will be sent to media outlets.

Where the Shire is required to issue local public notice, the issue of local public notice shall be in accordance with Section 1.7 of the *Local Government Act 1995*. Where a road closure inadvertently exceeds a period of twenty eight (28) days, the Council shall meet its obligations under 1.7 & 3.50(4) of the *Local Government Act 1995* and S4, Part 2 of the *Local Government (Function and General) Regulations 1996*.

**HISTORY**           Existing policy – reviewed 27<sup>th</sup> October 2015 (Motion 8457)

**CARRIED 7/0**



### 10.3 Water Corporation AA Dams

Applicant: Water Corporation  
File No: WS/8 Water Supply – Water Corporation – AA Dams  
Previous Meeting Reference: Council Meeting 22<sup>nd</sup> March 2016 (Motion 8548)  
Attachments: Nil  
Author: Mr Anthony Doust

Disclosure of Interest: Nil  
Date of Report: 21<sup>st</sup> April 2016  
Senior Officer: Mr Anthony Doust

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#### Purpose of Report

To consider the inclusion of an additional Water Corporation AA Dam offered to the shire, in the list established by Council in March 2016.

#### Background

The Water Corporation offered the following AA Dams (Reserves) to the Shire of Dalwallinu:

<i>Pithara Dams No. 1 &amp; 2</i>	<i>Reserve 24671 (Lot 2706) Great Northern Hwy, Pithara</i>
<i>Unnamed Rock Catchment</i>	<i>Reserve 9238 (Lot 8) Gamoff Road, Xantippe</i>
<i>AA Dam No 060 Stricklands</i>	<i>Reserve 13817 (Lot 1802) Centre Road, Pithara</i>
<i>AA Dam No 061 Petrudor</i>	<i>Reserve 9423 (Lot 1449) Petrudor Street, Petrudor</i>
<i>AA Dam No 121 Buntine</i>	<i>Reserve 15467 (Lot 6409) Buntine East Road, Buntine</i>
<i>AA Dam No 306 Wubin</i>	<i>Reserve 11159 (Lot 53) Manuel Road, Wubin</i>
<i>AA Dam No 340 Dambouring</i>	<i>Reserve 17602 (Lot 1031) Damboring East Road, Marne</i>
<i>AA Dam No 349 East Pithara</i>	<i>Reserve 17823 (Lot 424) Pithara East Road, Pithara</i>
<i>AA Dam No 422 Xantippe Tank</i>	<i>Reserve 15463 Petrudor Road, Xantippe</i>
<i>AA Dam No 449 Cousins (Dam)</i>	<i>Reserve 18307 (Lot 112) Sutcliffe Rd, Pithara</i>
<i>AA Dam No 449 Cousins (Catchment)</i>	<i>Reserve 18307 (Lot 2819) Sutcliffe Rd, Pithara</i>
<i>AA Dam No 460 Jibberding</i>	<i>Reserve 21367 Pithara West Road, Jibberding</i>
<i>AA Dam No 494 South Jibberding</i>	<i>Reserve 22119 (Lot 3785) Wubin East Road, Jibberding</i>
<i>AA Dam No 483 Ryans</i>	<i>Reserve 21740 (Lot 3773) Jones Rd, Petrudor”</i>

Council, at its meeting on 22<sup>nd</sup> March 2016, adopted the Works & Plant Committee recommendation:

**MOTION 8548**

Moved Cr KL Carter

Seconded Cr RS Nixon

That the Water Corporation be advised that Council would like to consider fully the implications and responsibility for the following Dams prior to making a final decision in July 2016:-

*Pithara Dams No. 1 & 2 Reserve 24671 (Lot 2706) Great Northern Hwy, Pithara*

*AA Dam No 121 Buntine Reserve 15467 (Lot 6409) Buntine East Road, Buntine*

*AA Dam No 422 Xantippe Tank Reserve 15463 Petrudor Road, Xantippe*

*AA Dam No 494 South Reserve 22119 (Lot 3785) Wubin East Road, Jibberding*

**CARRIED 8/0**

Comment

The Water Corporation have confirmed the request for the Shire to undertake its due diligence investigation and confirm our position in July 2016.

Recently the Chief Executive Officer was requested to approve use of two reserves in the Shire for use by the Dalwallinu District & Districts Tourist Association. Both reserves are included in the original list provided by the Water Corporation (AA Dams) they no longer require. Council has identified one of the reserves as a facility they wish to consider. The other Reserve 9423 (Lot 1149) AA dam No. 061, including the Petrudor Rock (Picnic Area), which is promoted as a tourist attraction in the Shire of Dalwallinu.

The Chief Executive Officer has advised the Water Corporation of the Shire's interest in also acquiring this reserve. Confirmation has now been received from Water Corporation for Reserve 9423 to be included in the list for evaluation by the Shire.

Policy Requirements

No Specific Policy.

Legislative Requirements

No specific legislation offer than the need to ensure the facilities are required for Shire services and meet the required standards.

Strategic Implications

Water supplies throughout the shire are a valuable resource.

## Sustainability Implications

### *Environment*

*The retention of the facilities are important in the management environmental requirements*

### *Economic*

*The cost of the taking responsibility for any of the Dams will be an additional expense however there may be longer term economic benefits giving the decreasing level of water in the State.*

### *Social (Community Consultation)*

Nil

## Financial Implications

The financial cost of taking responsibility for any of the dams will need to be assessed prior to a final decision being made.

## Voting Requirements

Simple Majority

## Officer Recommendation/ Resolution

### **MOTION 8575**

Moved           Cr NW Mills  
Seconded       Cr KL Carter

That the Chief Executive Officer's action in advising the Water Corporation of the Shire's interest in including Reserve 9423 (AA Dam No 061, Petrudor) in the list of Reserves/AA Dams the Shire wishes to undertake a due diligence investigation, be endorsed.

**CARRIED 7/0**

## 11.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES

Nil

## 12.0 MATTERS FOR CONSIDERATION – TOWN PLANNING

### 12.1 Proposed Scheme Amendment N° 1

Applicant:	Gray & Lewis
File No:	LP/10 – Land Use and Planning
Previous Meeting Reference:	Council Meeting December 2015 MOTION 8491 Council Meeting February 2016 MOTION 8514
Attachments:	Nil
Author:	Mr Doug Burke
Disclosure of Interest:	Nil
Date of Report:	12 <sup>th</sup> April 2016
Senior Officer:	Mr Anthony Doust

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#### Purpose of Report

To seek the Committee's resolution to support the proposed Amendment N° 1 to the *Shire of Dalwallinu Town Planning Scheme N° 2* without modification.

#### Background

Council resolved at the February 2016 meeting to advertise the proposed amendment to the Planning Scheme for a period of 42 days in observance of the requirements of the *Planning & Development (Local Planning Schemes) Regulations 2015* seeking submissions from any interested parties.

## **MOTION 8514**

Moved            Cr AR Dickins  
Seconded       Cr KL Carter

That Council adopt the following resolution:

Resolved that the Shire of Dalwallinu Council pursuant to section 75 of the *Planning and Development Act 2005* amend the above Local Planning Scheme by rezoning Lot 3 Douglas Street, Buntine from 'Public purposes' to 'Townsite R2' as depicted on the Scheme Amendment Map.

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

1. The amendment relates to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve; *and*
2. The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; *and*
3. The amendment would have minimal impact on the land in the Scheme area that is not the subject of the amendment; *and*
4. The amendment does not result in any significant environmental, social, economic or governance impacts in the Scheme area.

**CARRIED 8/0**

### Comment

Notice of the proposed Amendment N<sup>o</sup> 1 to the *Shire of Dalwallinu Town Planning Scheme N<sup>o</sup> 2* was circulated throughout the Dalwallinu local government area by undertaking the following methods:

- a) publishing the notice in a newspaper circulating in the scheme area;
- b) displaying a copy of the notice in the offices of the local government for the period for making submissions set out in the notice;
- c) giving a copy of the notice to each public authority that the local government considers is likely to be affected by the amendment;
- d) publishing a copy of the notice and the amendment on the website of the local government

As no submissions were received during the nominated period (2<sup>nd</sup> March 2016– 15<sup>th</sup> April 2016) from either members of the public nor those public authorities so notified, it would be practical to pursue the proposed amendment in its current form.

Policy Requirements

Nil

Legislative Requirements

*Planning & Development (Local Planning Schemes) Regulation 2015*

Strategic Implications

Nil

Sustainability Implications

*Environment*

Nil

*Economic*

Nil

*Social*

Nil

Financial Implications

Costs associated with the proposed amendment will be borne by the proponent unless otherwise stipulated by Council.

Voting Requirements

Simple Majority

Officer Recommendation/Resolution

**MOTION 8576**

Moved           Cr RS Nixon  
Seconded       Cr AR Dickins

That Council adopt the following resolution:

Resolved: That Council pursuant to Section 75 of the *Planning and Development Act 2005*, resolve to amend the *Shire of Dalwallinu Town Planning Scheme No. 2* as detailed in the proposed Amendment No. 1 by:

1. Re-classifying Lot 53 Douglas Street Buntine within Reserve 17704 from Local Scheme Reserve 'Public Purposes' to 'Townsite' zone with an R2 density code as depicted on the Scheme Amendment map.
2. Determine the Amendment 'Standard' under the provisions of Clause 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
  - a) The amendment would have minimal impact on land in the scheme area that is not subject of the amendment.
  - b) The amendment does not result in any significant environmental, social, economic or governance impact on land in the scheme area
3. Request the Minister for Planning to grant final consent to the Amendment.
4. Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation and affix the common seal of the Shire of Dalwallinu to the documentation.

**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:	Nil
Attachments:	Building Approvals March 2016
Author:	Mr Doug Burke
Disclosure of Interest:	Nil
Date of Report:	12 <sup>th</sup> April 2016
Senior Officer:	Mr Anthony Doust

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#### Purpose of Report

To consider receiving building approvals report made by the Shire of Dalwallinu Building Surveyor under Council's 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 February 2016 is herewith attached for Council information.

Building running totals for the financial year to date are as follows:

Residential:	\$ 1,654,105.00
Industrial:	\$ 1,622,214.90

#### Policy Requirements

Nil

#### Legislative Requirements

Section 374 Local Government (Miscellaneous Provisions) Act 1960

#### Strategic Implications

Nil



Sustainability Implications

Environment

Nil

Economic

Unknown

Social (Community Consultation)

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation/Resolution

**MOTION 8577**

Moved            Cr IW Hyde  
Seconded       Cr AR Dickins

That the report detailing building approvals for the month of March 2016 be received.

**CARRIED 7/0**

## 13.2 Pithara Hall – Supper Room – Heritage Listing

Applicant: Shire of Dalwallinu  
File No: CP/23 Pithara Hall - Supper Room - Policy  
Previous Meeting Reference: Community Services & Economic Development Committee  
1<sup>st</sup> March 2016 – items for Discussion – 6.2  
Attachments: Report on Pithara Hall dated 10<sup>th</sup> March 2016  
Author: Mr Anthony Doust  
  
Disclosure of Interest: Nil  
Date of Report: 11<sup>th</sup> April 2016  
Senior Officer: Mr Anthony Doust

### Purpose of Report

To consider a report on the existing condition of the Pithara Hall and Supper Room following advice that the Buntine Hall now been included in the Shire register of Heritage Places on a permanent basis.

### Background

The Pithara Hall – Supper Room have been under discussion for some years and the Council has passed /considered the following resolutions:

At the 27 May 2008 meeting, Council resolved:

#### **SUBSTANTIVE MOTION 6060**

Moved Cr Carter  
Seconded Cr Hyde

That Council authorise the demolition of the Pithara Town Hall (investigating the possibility of retaining the façade) and the Pithara Bowling Club in 2008/09 financial year unless a viable use is demonstrated within the first 6 months of that financial year.

**CARRIED 7/3**

Following at the 28 April 2009 meeting, Council further resolved:

#### **MOTION 6361**

Moved Cr. Huggett  
Seconded Cr. Harry Hyde

That Council accept a quote obtained from SRB Dingo contracting for the Demolition of the Pithara Town Hall at a cost of \$36,182 plus GST. Cost includes demolition of the whole building except retaining the façade, the two front rooms (including weatherproofing) and the supper room.

**CARRIED 9/1**

At the 23 June 2009 meeting, Council further resolved:

**MOTION 6415**

Moved            Cr. McFarlane  
Seconded       Cr. H Hyde

That Council:

1. Accept the Heritage Council of Western Australia's resolution from their meeting on 12 June 2009;
2. Agree to continue the postponement all demolition works at the Pithara Hall Site, pending the investigation of the Heritage Council;
3. Authorise the payment of the contractor awarded these works his outstanding costs;
4. Authorise the creation of a reserve titled "Pithara Hall Reserve"; and
5. Approve, BY ABSOLUTE MAJORITY, a budget variation to allocate the unspent balance of expenditure account E111341 as at 30 June 2009 to the Pithara Hall Reserve.

**LOST AS ABSOLUTE MAJORITY NOT ACHIEVED 5/4**

At the 28 July 2009 meeting, Council further resolved:

**MOTION 6445**

Moved            Cr. B E McAlpine  
Seconded       Cr. H J Hyde

That Council:

1. Accept the Heritage Council of Western Australia's resolution from their meeting on 12 June 2009;
2. Authorise the Chief Executive Officer to write to the Heritage Council of WA, stating that it has "no objections" to the issuing of a temporary Conservation Order – to allow the Heritage Council to conduct a formal assessment
3. Respectfully request that the Pithara Hall be listed for a priority assessment; and
4. Agree to cooperate fully with the Heritage Council during its assessment program.

**Carried 8/0**

At the 27 October 2009 meeting, Council further resolved:

**MOTION 6538**

Moved            Cr Carter  
Seconded       Cr McAlpine

That Council nominate Cr. Dinnie to attend the Heritage Council of Western Australia's meeting to consider the proposed registration of Pithara Hall, and; that the comments in the attached response to the draft assessment be endorsed.

**CARRIED 9/0**

At the 26 October 2010 meeting, Council further resolved:

**MOTION 6900**

Moved           Cr. WM Dinnie  
Seconded       Cr. DH McFarlane

That the Minister for Local Government, Multicultural Interests and Heritage be informed that Council's intention is still to redevelop the site, including partial demolition of the Pithara Hall, in a way that;

- a)               preserves the Heritage Value of the site, by retaining the front two rooms of the hall, its façade and marking its position on the site;
- b)               allows the site to be used as the first stop on the proposed "Wildflower Highway";
- c)               acknowledges the significance of McIntosh Park; and
- d)               preserves the use of the "Supper Room" as a community meeting place.

**CARRIED 9/0**

At the Council meeting, 27<sup>th</sup> October 2015,  
Resolution

**MOTION 8464**

Moved           Cr AR Dickins  
Seconded       Cr NW Mills

That the Shire of Dalwallinu advises the Heritage Council of Western Australia that it has no objections to the proposed permanent registration of P0667 – Pithara Hall & supper Room and does not wish to attend the Heritage Council meeting during which the permanent registration will be considered.

**CARRIED 8/0**

## Comment

The Community Services & Economic Development Committee considered the following discussion item at its meeting held 15<sup>th</sup> March 2016.

### **5.1 Pithara Hall & Supper Room – Heritage Listing**

The State Heritage Office has advised that the Pithara Hall & Supper Room has now been entered in the Register of Heritage Places on a permanent basis.

The State Heritage Office provides the following information relating to the hall:-

#### “STATEMENT OF SIGNIFICANCE

*Pithara Hall & Supper Room*, a single- storey rendered brick Town Hall in the Inter War Free Classical style (1931) with a symmetrical facade and gabled parapet, together with supper room and kitchen (1956), has cultural heritage significance for the following reasons:

Pithara Hall is a good and intact representative example of a regional Town Hall in the Inter War Free Classical architectural style:

the place demonstrates the once central importance of town halls to rural communities. The loss of this function of the place reflects a change to a distinctive way of life or custom which is a result of declining rural populations;

the place is highly valued by the community of Pithara and surrounding area, for the sense of place and memories of civic and social events that have taken place in Pithara since 1931;

Pithara Hall is associated with World War II, and with the feared Japanese invasion of Western Australia, through its use as an army hospital in the early 1940's;

the place is a landmark in Pithara as a prominent building with a distinctive presence, and forms an integral part of the Pithara streetscape, together with nearby buildings of a similar era; and,

Pithara Hall was designed by well-known firm of Western Australia architects, Powell, Chisholm & Cameron.”

The Committee were advised that a report on the present condition of the building was being prepared. The Committee requested the report be presented at the next meeting.

The Report is now provided and attached for the Committee's consideration and recommendation.

## BUILDING INSPECTION AND REPORT OF THE PITHARA HALL

<b>Inspection For:</b>	Shire of Dalwallinu	
<b>Date of Inspection:</b>	Thursday, 10 March 2016	
<b>Weather:</b>	Fine and sunny, 40c	
<b>Overview:</b>	Brick and corrugated iron single storey hall with a decorative façade and gabled parapet frontage and comprising a main hall with stage and dressing rooms, an entry foyer, two front cloak (or storage) rooms and a ticket box with projector room over (accessed by stairs)	
<b>Year Built:</b>	Designed by architects Powell, Cameron & Chisholm and built by Henley Builders in 1931	
<b>Orientation:</b>	The hall faces east	
<b>BUILDING COMPONENT</b>	<b>DESCRIPTION</b>	<b>CONDITION</b>
<b>Footings/Base:</b>	Unable to determine but would assume concrete strip footings in excavated trenches	Unknown
<b>Floor:</b>	Timber boards on timber bearers and joists on brick piers	Generally sound
<b>Walls:</b>	Brick with strengthening piers	Fairly sound. Some movement to north wall with serious cracking to one pier. Minor cracking above every in north wall
<b>Roof Frame:</b>	Steel trusses with timber purlins and ceiling joists	Generally sound
<b>Roof Cover:</b>	Galvanised iron custom orb short (1800) sheets	Very poor condition. Severe rusting and deterioration. Sheets are leaking and should be replaced
<b>Ceilings:</b>	Plasterboard	Very poor condition. Should be replaced
<b>Fascia:</b>	Timber fascia with quarter round gutter support	Generally sound
<b>Eaves:</b>	Unlined	
<b>Gutter:</b>	Galvanised iron	Fair condition. Some sections should be replaced
<b>Downpipes:</b>	Galvanised iron	Fair condition. Some sections should be replaced
<b>Windows:</b>	Steel framed with obscure glazing	Generally sound. Frames should be scraped and painted
<b>Doors:</b>	Timber. The landings and stairs have been removed from the two external doors at the rear of the building	Generally sound

### COMMENT AND RECOMMENDATIONS

Overall I consider the Pithara Hall to be in fair to good condition and generally to be of fair to good integrity.

The roof covering should be removed and replaced with new full length steel sheets to prevent further water damage to the structure and lessen the risk of sheets being subjected to movement during a storm or willy-willy.

The ceiling should be removed before there is further degradation and collapse. If the hall is not going to be used it would be unnecessary to replace the ceiling. It is important to repair the external brick pier at the north-east corner of the structure as soon as possible.

All other cracks in brickwork should be repaired.

Ensure that all storm-water is directed away from the building.

Repaint all exposed painted surfaces.

Remove all rubbish and debris from inside the building.

*Inspections, comments and recommendations by Len deGrussa – Registered Building Surveyor*

## BUILDING INSPECTION AND REPORT OF THE PITHARA SUPPER ROOM

<b>Inspection For:</b>	Shire of Dalwallinu
<b>Date of Inspection:</b>	Thursday, 10 March 2016
<b>Weather:</b>	Fine and sunny, 40c
<b>Overview:</b>	Brick and super-six asbestos single storey hall comprising a dining hall and kitchen
<b>Year Built:</b>	1956
<b>Orientation:</b>	The supper room faces east

BUILDING COMPONENT	DESCRIPTION	CONDITION
<b>Footings/Base:</b>	Unable to determine but would assume concrete strip footings in excavated trenches	Unknown
<b>Floor:</b>	Timber boards on timber bearers and joists on brick piers	Generally sound
<b>Walls:</b>	Brick with strengthening piers	Fairly sound. Evidence of rising damp, particularly in north wall. Some minor cracking to rear wall. Rising damp issues should be addressed and treated by a structural engineer.
<b>Roof Frame:</b>	Steel trusses with timber purlins and ceiling joists	Generally sound
<b>Roof Cover:</b>	Corrugated asbestos super-six sheets and ridge capping	Generally sound
<b>Ceilings:</b>	Suspended plasterboard panels	Generally sound
<b>Fascia:</b>	Timber	Generally sound
<b>Eaves:</b>	Unlined	
<b>Gutter:</b>	Galvanised iron	Fair condition
<b>Downpipes:</b>	Galvanised iron	Fair condition
<b>Windows:</b>	Steel framed with obscure glazing	Generally sound
<b>Doors:</b>	Timber	Generally sound

### COMMENT AND RECOMMENDATIONS

Overall I consider the Pithara Supper Room to be in fair to good condition and generally to be of fair to good integrity  
 Repair any minor cracking to brick walls  
 Address and treat rising damp issues  
 Ensure that all storm-water is directed away from the building

*Inspections, comments and recommendations by Len deGrussa - Registered Building Surveyor No 165*

Policy Requirements

No special policy requirements.

Legislative Requirements

Heritage of Western Australia Act 1960 – Section 51(2)

Strategic Implications

Nil

Sustainability Implications

Environment

Preservation of Historic and Heritage facilities

Economic

No specific economic advantages – Cost to maintain if Council decides accordingly.

Social (Community Consultation)

Pithara Community input some time ago.

Financial Implications

Retention of the building and ongoing maintenance if Council determines to keep in in good order.

Voting Requirements

Simple Majority

Officer Recommendation/Resolution

**MOTION 8578**

Moved           Cr IW Hyde  
Seconded       Cr RS Nixon

That Council notes the registration of the Pithara Hall and Supper room in the Western Australian Register of Heritage on a permanent basis, and to ensure the main structure does not fall into disrepair, costings for the placement of the roof sheeting, gutter and downpipes be obtained for consideration in the 2016/17 Budget Estimates.

**CARRIED 5/2**



## **14.0 MATTERS FOR CONSIDERATION – ECONOMIC DEVELOPMENT**

Nil

## **15.0 MATTERS FOR CONSIDERATION – FINANCE**

### **15.1 Accounts for Payment for March 2016**

Applicant:	Shire of Dalwallinu
File No:	FM/6 - Expenditure Reports
Previous Meeting Reference:	Finance & Audit Committee meeting – 19 April 2016
Attachments:	Nil
Author:	Mrs Hanna Jolly
Disclosure of Interest:	Nil
Date of Report:	14 April 2016
Senior Officer:	Mr Anthony Doust

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#### Purpose of Report

To consider the acceptance and approval of the Schedule of Accounts for Payment.

#### Background

A list of invoices paid for the month of March 2016 from the Municipal Account, to the sum of \$82,239.94 paid by cheque and \$1,531,611.86 paid by EFT are attached, together with a list of Bank Fees, Payroll, Direct Debit Payments and transfers to Reserve. These payments total \$1,808,198.74. In addition, payments of \$116,174.15 were made from the Trust Account. The total payments from all accounts being \$1,924,372.89 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

Account payments are in accordance with the adopted budget for 2015/16 or authorized by separate resolution.

Voting Requirements

Simple Majority

Officer/Committee Recommendation/Resolution

**MOTION 8579**

Moved           Cr NW Mills  
Seconded       Cr KL 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 March 2016 under the CEO's delegated authority is endorsed in respect to the following Bank accounts:

(a)   Municipal Fund Account totalling \$1,808,198.74 consisting of:

Cheque Numbers 34892 – 34908	\$82,239.94
Electronic Fund Transfers 5034 – 5153	\$1,531,611.86
<i>(excluding Trust EFT 5141 and 5152)</i>	
Electronic Fund Transfers Payroll	\$163,767.00
Bank Fees	\$783.40
Direct Debit Payments (Superannuation)	\$29,796.54

(b)   Trust Account payments totalling \$116,174.15 consisting of

Cheque Numbers 520 - 527	\$1,016.65
Electronic Funds Transfers 5031-5033,5141,5152	\$23,802.00
Direct Debits	
-   Payments to DPI	\$91,355.50

**CARRIED 7/0**

## 15.2 Monthly Financial Statements for March 2016

Applicant: Shire of Dalwallinu  
File No: FM/6 - Expenditure Reports  
Previous Meeting Reference: Finance & Audit Committee meeting – 19 April 2016  
Attachments: Nil  
Author: Mrs Hanna Jolly

Disclosure of Interest: Nil  
Date of Report: 14 April 2016  
Senior Officer: Mr Anthony Doust

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### Purpose of Report

To receive the Financial Reports for the month ending 31 March 2016.

### 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 31 March 2016.

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.

### 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/Committee Recommendation/Resolution

**MOTION 8580**

Moved            Cr RS Nixon

Seconded       Cr KL Carter

That the Financial Reports as submitted for the month ending 31 March 2016 be accepted.

**CARRIED 7/0**

### 15.3 Outstanding Rates Debtors Report for March 2016

Applicant: Shire of Dalwallinu  
File No: FM/6 - Expenditure Reports  
Previous Meeting Reference: Finance & Audit Committee meeting – 19 April 2016  
Attachments: Nil  
Author: Miss Christie Andrews

Disclosure of Interest: Nil  
Date of Report: 8 April 2016  
Senior Officer: Mr Anthony Doust

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#### Purpose of Report

To receive the Outstanding Rates Debtors Reports as at 31 March 2016.

#### 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 31 March 2016 appends.

The 2015/16 Rates were raised and issued on 7 August 2015.

Important dates are as follows:

Rates due date	11 September 2015
Instalment option selection date	11 September 2015
Final Notices issued	23 September 2015
Second instalment due	11 November 2015
Third instalment due	11 January 2016
Fourth instalment due	11 March 2016

Breakdown of unpaid rates debtors as at 31 March 2016

Rates	129,449.45
Rubbish	12,106.66
Sewerage	6,042.48
ESL	4,444.80
Paid in Advance	-39,312.97
Total Outstanding	112,730.42

As we achieved an unpaid rates percentage of 3.07% as at 30 June 2015, we aim to have a similar percentage as at the 30 June 2016, notwithstanding that 3% outstanding is an acceptable industry average. We will strive to better this figure and at the close of the 2015/16 financial year aim to have an unpaid rates percentage no higher than 1.5%.

Policy Requirements

Nil

Legislative Requirements

Nil

Strategic Implications

Nil

Sustainability Implications

*Environment*

There are no known environmental implications.

*Economic*

There are no known economic implications.

*Social (Community Consultation)*

There has been no community consultation.

Financial Implications

As at 31 March 2016 rates outstanding were \$112,730.42 in respect to collectable rates of which \$108,259.66 has been carried forward from 2014/15 or prior rating years, with 2015/16 rates raised being \$3,636,383.60.

Ratio =	<u>Total Outstanding</u> Collectable
=	<u>112,730.42</u> 3,744,643.26
=	3.01%
Ratio =	<u>Total Overdue</u> Collectable
=	<u>126,688.14</u> 3,744,643.26
=	3.38%

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

Voting Requirements

Simple Majority

Officer/Committee Recommendation/Resolution

**MOTION 8581**

Moved           Cr KL Carter

Seconded       Cr NW Mills

That the Outstanding Rates Debtors Reports as at 31 March 2016 for ratepayers with unpaid balances be accepted.

**CARRIED 7/0**



## 15.4 Round 2 – Community Grants Scheme Allocation

Applicant: Shire of Dalwallinu  
 File No. CU/1 Customer Service Requests  
 Previous Meeting Reference Finance & Audit Committee meeting – 19 April 2016  
 Attachments: Nil  
 Author: Mr Keith Jones

Disclosure of Interest: Nil  
 Date of Report: 11 April 2016  
 Senior Officer: Mr Anthony Doust

### Purpose of Report

To consider the allocation of the second portion (\$10,000) of community grant scheme funding for the 2015/2016 financial year.

### Background

Council have provided for \$20,000 in this financial year for community project grants to be allocated in two yearly amounts at \$10,000 each time.

Applications from community groups were called in the first round 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	% Shire Funded
Kalannie Bowling Club	\$nil	\$ 1,500	<b>\$1,260</b>	\$2,760.00	45.6 %
Dalwallinu Toy Library	\$ 409	\$ 0	<b>\$ 409</b>	\$817.82	50%
Kalannie Recreation & Sporting Club Inc	\$5,000	\$12,690 \$26,500	<b>\$3,182.36</b>	\$47,372.36	6.7%

### Comment

Two (2) applications qualify for grant funding as they are all of a capital nature. One (1) application is asking for special compensation due to extenuating circumstances with Corella damage on the Bowling Green.

#### **Kalannie Bowling Club**

**Total cost \$2,760.00**

Protect further damage to green caused by Corellas.

This group last received a community grant in the first round of 2012/13 totalling \$6,600 (50% of the total cost).

#### **Dalwallinu Toy Library**

**Total cost \$ 817.82**

Educational toys for young children.

This group has not received a community grant in the past 10 years.

**Kalannie Recreation & Sporting Club Inc.**

Upgrade of kitchen flooring

**Total cost    \$47,372.36**

This group last received a community grant in the second round of 2012/13 totalling \$7,500 (15% of the total cost).

Policy Requirements

Policy 2.4                      Community Grants Scheme

Conditions applicable to Applicants

- a. Applications must be received at the Shire Office prior to the advertised closing date.
- b. Expenditure to be on capital improvements ONLY.
- c. Grants will only be approved for future projects/purchases and will not be approved for projects/purchases carried out prior to date of application to Council for financial assistance.
- d. All Community Grants are approved on the basis of discretionary contribution from the Council on the nett cost of the project after deducting Grants, subsidies or donations from any other source.
- e. Voluntary labour content will be considered at the discretion of the Council.
- f. All applications are subject to individual assessment by the Council.
- g. Payment of Community Grants will only be made upon receipt of invoices and statements.
- h. Grants will be up to 50% of total costs net of other grants, subsidies or donation.

Legislative Requirements

Nil

Strategic Implications

Nil

Sustainability Implications

*Environment*

There are no known environmental implications.

*Economic*

There are no known economic implications.

*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 \$20,000 is available in the 2015/16 budget.

To date \$11,250 has been allocated and expended

Voting Requirements  
Simple Majority

Officer/Committee Recommendation/Resolution

**MOTION 8583**

Moved            Cr RS Nixon  
Seconded       Cr KL Carter

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

Kalannie Bowling Club (netting for protection of bowling green)	\$1,260.00
Dalwallinu Toy Library (educational toys for young children)	\$ 409.00
Kalannie Recreation & Sporting Club Inc. (upgrade to kitchen flooring)	\$3,182.36

**CARRIED 6/1**

## 15.5 Sports Club Equipment Shed

Applicant:	Dalwallinu Sports Club Inc.
File No.	CP/5 Council Properties – Sports Centres
Previous Meeting Reference	Finance & Audit Committee meeting – 19 April 2016
Attachments:	Nil
Author:	Mr Keith Jones
Disclosure of Interest:	Nil
Date of Report:	11 April 2016
Senior Officer:	Mr Anthony Doust

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### Purpose of Report

To consider the request to have a new shed erected for the purpose of housing the Golf and Bowling clubs maintenance equipment.

### Background

The previous equipment shed was destroyed by fire and the equipment inside was also destroyed. The area of the previous shed was made up of two separate sheds totalling around 120m<sup>3</sup>.

The proposed shed is approximately similar in size to the previous sheds but in one structure.

### Comment

The request for a replacement shed has only provided one quotation.

There is no provision for expenditure in the current financial year and it may be prudent to delay the decision for two months until the next budgeting period.

### Legislative Requirements

Nil

### Strategic Implications

Nil

## Sustainability Implications

### *Environment*

There are no known environmental implications.

### *Economic*

There are no known economic implications.

### *Social (Community Consultation)*

There has been no community consultation. There is positive social impact on providing facilities for community recreation purposes.

## Financial Implications

There is no provision for a contribution towards a new shed and as such whatever amount is determined will impact on the 2015/2016 financial figures.

## Voting Requirements

Absolute Majority

## Officer Recommendation

That a contribution up to the value of \$\_\_\_\_\_ be made to the Dalwallinu Sporting Club Inc. for the purposes of replacing the equipment shed lost in a fire August 2015.

## Committee Recommendation/Resolution

### **MOTION 8584**

Moved           Cr NW Mills  
Seconded       Cr KL Carter

That a contribution up to the value of \$20,000 be made to the Dalwallinu Sporting Club Inc. for the purposes of replacing the equipment shed lost in a fire August 2015.

**CARRIED 6/1**

## 15.6 Maureen Gillbard – request for compensation

Applicant:	Maureen Gillbard
File No.	FM/4 Financial Management - Accounts
Previous Meeting Reference	Nil
Attachments:	Email from M Gillbard
Author:	Mr Keith Jones
Disclosure of Interest:	Nil
Date of Report:	21 April 2016
Senior Officer:	Mr Anthony Doust

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### Purpose of Report

To consider the request by Maureen Gillbard for compensation due to a double booking causing her income loss by not being able to run exercise classes.

### Background

On a few previous occasions Shire staff have inadvertently double booked the indoor basketball area and not notified Mrs Gillbard.

Mrs Gillbard is asking for some financial recompense from the Shire in the form of a week's rent. Weekly rental is \$150.00.

### Comment

It does not seem unreasonable to allow a week's rental of \$150.00 given the circumstances encountered by Mrs Gillbard.

### Legislative Requirements

Nil

### Strategic Implications

Nil

### Sustainability Implications

#### *Environment*

There are no known environmental implications.

#### *Economic*

There are no known economic implications.

#### *Social (Community Consultation)*

There has been no community consultation. As a goodwill gesture and recognition of the services provided to the community by Mrs Gillbard.

Financial Implications

The income for hire of facilities will be reduced by \$150.00.

Voting Requirements

Absolute Majority

Officer/Committee Recommendation/Resolution

**MOTION 8585**

Moved            Cr KL Carter  
Seconded       Cr AR Dickins

That an offer of one week's rental (\$150.00) be made to Mrs Gillbard as a gesture to compensate for her income loss due to double booking errors.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

## 15.7 Rabobank Lease Level 1 Dalwallinu Discovery Centre

Applicant: Shire of Dalwallinu  
File No: CP/6 – Council Properties –Acquisition & Disposal –  
Leasing  
Previous Meeting Reference: Council Meeting – 22<sup>nd</sup> March 2016; Finance & Audit  
Committee Meeting 15<sup>th</sup> March 2016  
Attachments: Nil  
Author: Mr Anthony Doust  
  
Disclosure of Interest: Nil  
Date of Report: 21<sup>st</sup> April 2016  
Senior Officer: Mr Anthony Doust

### Purpose of Report

To consider a request from Rabobank Australia Limited to renew the lease of the area of the Dalwallinu Discovery Centre that is currently leased from the Shire of Dalwallinu for a period of one (1) year.

### Background

The existing lease with Rabobank Australia Limited for the commercial office space (the entire area of level 1, including tea preparation area, landing and stairs) at the Dalwallinu Discovery Centre, expires on the 31<sup>st</sup> May 2016. Rabobank have options under the existing lease for two further periods of three years expiring on the 31<sup>st</sup> May 2019 and 31<sup>st</sup> May 2022. The options can be exercised by Rabobank given the Shire notice at least three months prior to the expiration of the lease.

Rabobank in response to a request from the Chief Executive Officer have advised that they have conducted a review of their branch network and it has been assessed that the area of premises required in Dalwallinu is half the existing 108 sq. metres they currently lease and occupy. The Bank requests the opportunity to explore a reduction in space.

Council at its meeting on 22<sup>nd</sup> March 2016 considered and adopted the following recommendation from the Finance & audit Committee:

### **MOTION 8564**

Moved Cr IW Hyde  
Seconded Cr NW Mills

1. That Council is of the opinion that the facility (area) on Level 1 of the Dalwallinu Discovery Centre building is not suitable for the separate tenancies and is not prepared to consider this proposal;
2. Council will consider Rabobank subletting a portion of the area they currently lease, in any renewal of the existing lease, subject to the facilities not being altered without Council's prior approval.
3. Rabobank be advised that there is an alternative smaller area for lease on the ground floor of the Dalwallinu Discovery Centre building.

**CARRIED 8/0**



## Comment

Rabobank Australia Limited have now advised:

*“At this time the bank is presently engaged in a review of our long term strategy for Dalwallinu. In these circumstances we request a renewal of term for our current tenancy of one (1) year.”*

It is recommended that the request be agreed to on the basis of the conditions of that the existing lease remain including rental indexation and Rabobank be advised that the Shire will commence advertising for future tenants for the area they lease for the period after 31<sup>st</sup> May 2017, immediately.

## Policy Requirements

No existing policy

## Legislative Requirements

Local Government Act 1995

### 3.58. Disposing of property

- (1) In this section —  
*dispose* includes to sell, lease, or otherwise dispose of, whether absolutely or not;  
*property* includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
  - (a) the highest bidder at public auction; or
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
  - (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned; and
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition —
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
  - (d) any other disposition that is excluded by regulations from the application of this section.

#### The Local Government (Functions & General) Regulations 1996 – Regulation 30

##### **Dispositions of property excluded from Act s. 3.58**

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
- (a) the land is disposed of to an owner of adjoining land (in this paragraph called the *transferee*) and —
    - (i) its market value is less than \$5 000; and
    - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;
 or
  - (b) the land is disposed of to a body, whether incorporated or not —
    - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
    - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;
 or
  - (c) the land is disposed of to —
    - (i) the Crown in right of the State or the Commonwealth; or
    - (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or

- (iii) another local government or a regional local government;
  - or
  - (d) it is the leasing of land to an employee of the local government for use as the employee's residence; or
  - (e) it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or
  - (f) it is the leasing of land to a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession to be used for carrying on his or her medical practice; or
  - (g) it is the leasing of residential property to a person.
- (2a) A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —
- (a) put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or
  - (b) the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or
  - (c) the subject of Statewide public notice under section 3.59(4) of the Act, and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —
    - (i) the names of all other parties concerned; and
    - (ii) the consideration to be received by the local government for the disposition; and
    - (iii) the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.
- (2b) Details (*see section 3.58(4) of the Act*) of a disposition of property under subregulation (2a) must be made available for public inspection for at least 12 months from the initial auction or tender, as the case requires.
- (3) A disposition of property other than land is an exempt disposition if —
- (a) its market value is less than \$20 000; or
  - (b) the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.

### Sustainability Implications

#### *Environment*

Nil

#### *Economic*

It is important to ensure the facilities at the Dalwallinu Discovery Centre are utilized fully to maximise the revenue to be received.

*Social (Community Consultation)*  
Dalwallinu Discovery Centre Management Committee

Financial Implications

The revenue from the area rented to Rabobank Australia Limited is currently \$22,000 per annum. Any reduction in this level of revenue will impact on existing and future budgets.

Voting Requirements

Simple Majority

Officer Recommendation/Resolution

**MOTION 8586**

Moved           Cr KL Carter  
Seconded       Cr RS Nixon

That:

1. the request by Rabobank Australia Limited (Ltd) for a one (1) year extension of the existing lease be agreed to on the basis that the existing lease conditions are maintained, including the rental increase requirement;
2. Rabobank Australia Ltd. be advised that the Shire will be immediately commencing advertising for future tenants to lease Level 1 of the Dalwallinu Discovery Centre for the period after the 31<sup>st</sup> May 2017.

**CARRIED 7/0**

## 15.8 Purchase of Lot 172 Harris Street Dalwallinu

Applicant: Shire of Dalwallinu  
File No: CP/1 Council Properties Acquisition and Sales  
Previous Meeting Reference: Council Meetings 24<sup>th</sup> March 2015 (Motion 8280) and 22<sup>nd</sup> March 2016 (Motion 8563); Finance & Audit Committee Meeting 15<sup>th</sup> March 2016 and 19<sup>th</sup> April 2016 (Discussion item)  
Attachments: Nil  
Author: Mr Tony Doust  
Disclosure of Interest: Nil  
Date of Report: 21<sup>st</sup> April 2016  
Senior Officer: Mr Anthony Doust

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### Purpose of Report

To consider the requirement under the transfer of the above lot to the Shire to either upgrade the existing building to meet the electrical standards or demolish the building.

### Background

Council at its meeting on the 24<sup>th</sup> March 2015 considered the purchase of land in the industrial area of Dalwallinu for future use by the Shire. Council resolved accordingly:

### **MOTION 8280**

Moved Cr IW Hyde  
Seconded Cr AR Dickins

That:

(a) potential sites be prioritised in the following order:

1. F Pratt – Lot 172 Harris Street
2. L Jones – Lot 400 Garland Street
3. Lot 1003 Deacon Street (Depot)
4. Depot Site – Lot 1002 Roberts Road
5. L Donnes – Lot 175 Dowie Street

(b) that the Chief Executive Officer be delegated authority to negotiate purchase of the Pratt Estate to a maximum amount of \$200,000 and sourced from L& B Reserve.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

Tenders were invited for the sale of Lot 172 Harris Street Dalwallinu and in accordance with the Council's decision on the 24<sup>th</sup> March 2015 the Chief Executive Officer submitted a tender for \$200,000 for the property. The Shire's offer has been accepted.

Given the existing building on the property does not have the appropriate Residual Current Devices (RCDs), as required by the Electricity Regulations 1947, the condition of the acceptance of the tender required a signed agreement that the Shire will either demolish the building within (6) months of the transfer or install the RCDs as required.

The Chief Executive Officer discussed the requirement with the Shire President and it was agreed that the condition be accepted.

Council at its meeting on 22<sup>nd</sup> March 2016 resolved accordingly:

**MOTION 8563**

Moved           Cr KM McNeill  
Seconded       Cr AR Dickins

1. That Council endorses the action taken by the Shire President and Chief Executive Officer in accepting the condition with regard to either the demolition of the existing buildings on Lot 172 Harris Street Dalwallinu within six months of the transfer date or alternatively agrees to install RCDs that are required to ensure the buildings comply with the Electricity regulations 1947
2. That \$200,000 be transferred from the Shire of Dalwallinu Land & Buildings reserve to the Municipal Fund to meet the cost of the purchase of Lot 172 Harris Street Dalwallinu.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

Comment

The Chief Executive Officer has obtained costs for the alternative of demolishing the buildings and or bring the facilities to the requirements of the Electricity Regulations 1947.

Cost to demolish all buildings	\$15,000. (not inc GST)
Cost to install RCDs and smoke alarms	359. (not inc GST)

The matter was discussed at the Finance & Audit Committee meeting on 19<sup>th</sup> April 2016; and it was recommended that RCDs and smoke alarms be installed.

Policy Requirements

Nil

Legislative Requirements

Local Government Act 1996  
Electricity regulations 1947  
Transfer of Land Act

Strategic Implications

Adequate industrial land for Council use and the development of the Shire is important.

Sustainability Implications

*Environment*

Nil

*Economic*

Nil

*Social (Community Consultation)*

Nil

Financial Implications

Funding for action recommended is within budget.

Funding for demolition of buildings is not included in the existing budget.

Voting Requirements

Simple Majority

Officer Recommendation/Resolution

**MOTION 8587**

Moved            Cr NW Mills

Seconded       Cr RS Nixon

That Council approve the installation of RCDs and smoke alarms to meet the requirements of the conditions placed upon the Shire when purchasing Lot 172 Harris Street, Dalwallinu.

**CARRIED 7/0**

## 16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION

### 16.1 Appointment of Bush Fire Control Officers

Applicant:	Shire of Dalwallinu
File No:	ES/9 Emergency Services – Bush Fires Advisory Committee
Previous Meeting Reference:	Nil
Attachments:	Meeting Minutes 7 April 2016
Author:	Mr Keith Jones
Disclosure of Interest:	Nil
Date of Report:	11 April 2016
Senior Officer:	Mr Anthony Doust

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#### Purpose of Report

To appoint Fire Control Officers as per the recommendations of the brigades and Bushfire Advisory Committee.

#### Background

The Bush Fires Advisory Committee has met on the 7 April 2016 and determined the following Fire Control Officers which it submits for Council ratification.

#### Comment

Each Brigade has proposed two Fire Control Officers. There is also a recommendation for three changes to the Advisory Committee members from the ones Council accepted on 20 October 2015.

#### Policy Requirements

Nil

#### Legislative Requirements

Local Government Act 1995  
Standing Orders Local law  
Bush Fires Act 1954  
Emergency Management Act 2005

#### 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

Absolute Majority

## Officer Recommendation

That:

1. The Bush Fire Control Officers be comprised of the following:

Chief Bush Fire Control Officer	Mr Gary Butcher
1 <sup>st</sup> Deputy Chief Bush Fire Control Officer	Mr Michael Dodd
2 <sup>nd</sup> Deputy Chief Bush Fire Control Officer	Mr Aaron Mills
Wubin Brigade	Mr Colin Cail
Wubin Brigade	Mr Gareth Barnes
Wubin Brigade	Mr Don Nankivell
Pithara Brigade	Mr Gary Butcher
Pithara Brigade	Mr Shannon Fry
Dalwallinu Brigade	Mr James Butcher
Dalwallinu Brigade	Mr Aaron Mills
Kalannie Brigade	Mr Alan Dodd
Kalannie Brigade	Mr Steve Wasmann
Kalannie Brigade	Mr Graeme Hathway
Kalannie Brigade	Mr Travis Stanley
Buntine Brigade	Mr Ross Fitzsimons
Buntine Brigade	Mr Michael Dodd
Buntine Brigade	Mr Shaun Fitzsimons

2. The Bush Fire Advisory Committee be amended by the following changes:

Mr Shannon Fry and Mr Shaun Fitzsimons are added and

Mr Gareth Barnes replaces Mr Peter Reudavey.

## Resolution

## **MOTION 8588**

Moved            Cr NW Mills  
Seconded       Cr KL Carter

That:

1. The Bush Fire Control Officers 2016/17 be comprised of the following:

Chief Bush Fire Control Officer	Mr Gary Butcher
1 <sup>st</sup> Deputy Chief Bush Fire Control Officer	Mr Michael Dodd
2 <sup>nd</sup> Deputy Chief Bush Fire Control Officer	Mr Aaron Mills
Wubin Brigade	Mr Colin Cail
Wubin Brigade	Mr Gareth Barnes
Wubin Brigade	Mr Don Nankivell
Pithara Brigade	Mr Gary Butcher
Pithara Brigade	Mr Shannon Fry
Dalwallinu Brigade	Mr James Butcher
Dalwallinu Brigade	Mr Aaron Mills
Kalannie Brigade	Mr Alan Dodd
Kalannie Brigade	Mr Steve Wasmann
Kalannie Brigade	Mr Graeme Hathway
Kalannie Brigade	Mr Travis Stanley
Buntine Brigade	Mr Ross Fitzsimons
Buntine Brigade	Mr Michael Dodd
Buntine Brigade	Mr Shaun Fitzsimons
  
2. The Bush Fire Advisory Committee be amended by the following changes:  
Mr Shannon Fry and Mr Shaun Fitzsimons are added and  
Mr Gareth Barnes replaces Mr Peter Reudavey.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

16.2 **Western Australian Local Government Association – Annual Convention 2016**

Applicant: Western Australian Local Government Association  
 File No: GR/4 – Government Relations - Local & Regional Liaison-  
 WALGA  
 Previous Meeting Reference: Nil  
 Attachments: Convention information and notices  
 Author: Mr Anthony Doust  
 Disclosure of Interest: Nil  
 Date of Report: 26<sup>th</sup> April 2016  
 Senior Officer: Mr Anthony Doust

**Purpose of Report**

To provide Council with information and sessions to be held during the 2016 Western Australian Local Government Convention and determine any action required. .

**Background**

The convention commences on Wednesday 3<sup>rd</sup> August 2016. The tentative schedule is as follows:

<b><u>Wednesday 3 August</u></b>	<b><u>START</u></b>	<b><u>FINISH</u></b>
Special State and Local Government Forum	8.30am	12.30pm
Registration for AGM and collection of voting keypads	10.00am	1.30pm
Honour Recipients Luncheon	12.00pm	1.00pm
WALGA AGM opening (including Honours Awards Presentations)	1.30pm	5.30pm
Convention & Trade Exhibition Welcome Reception	5.30pm	7.00pm
<b><u>Thursday 4 August</u></b>		
ALGWA AGM and Breakfast	7.00am	8.30am
Opening and Convention Sessions	9.00am	5.30pm
Sundowner	5.30pm	7.00pm
Mayors & president Reception – Government House (by Prior invitation)	6.00pm	7.30pm
<b><u>Friday 5 August</u></b>		
Convention Breakfast	7.30am	8.45am
Convention Sessions	9.00am	4.30pm
Convention Gala Dinner	7.00pm	11.30pm

## Comment

The Annual General meeting of the Western Australian Local Government Association (WALGA) is to be held on the 3<sup>rd</sup> August 2016 at 1.30pm.

Councils are invited to submit any motion that meet the requirements outlined in the attachment, by the 7<sup>th</sup> June 2016.

The delegates will need to be appointed to vote on motions put forward for consideration in the AGM.

The 2016 State and Local Government Forum is to be held on 3<sup>rd</sup> August 2016 from 8.30am to 12.30pm. Invitations are extended to the Shire President and Chief Executive Officer to attend this session. Information about this is also included in the attachment. Registration for the forum is required by the 5<sup>th</sup> May 2016.

## Policy Requirements

### **1.9 Members Conference/Course Attendance and Partners Expenses**

#### **POLICY**

Council shall pay registration fees for members attending approved conferences.

Council shall not pay conference registration fees for partners.

Members wishing to attend a course/conference will obtain Council resolution at a convened meeting of Council prior to committing to attend. In circumstances requiring a decision before the next monthly Council meeting members will seek authority from the Shire President and Chief Executive Officer before committing approval of registration.

#### **OBJECTIVES**

To clarify what costs can be incurred/ recouped by Members.

#### **GUIDELINES**

Members wishing to attend a course/conference shall obtain Council approval by resolution at a meeting of Council prior to committing to attendance, and in circumstances requiring a decision before the next ordinary meeting, shall seek authority from the President and Chief Executive Officer.

## **1.10 Members Accommodation/Meal Expenses**

### **POLICY**

Council shall pay all accommodation for members and partners and in-house meal expenses up to \$200 per day.

On those days where no accommodation is required, meal expenses, as evidenced by receipts, shall be reimbursed.

Council shall pay WALGA conference dinner expenses for Members and partners subject to prior approval by Council.

### **OBJECTIVES**

To clarify what costs can be incurred/recouped by Members.

### **GUIDELINES**

Members wishing to attend a course/conference shall obtain Council approval by resolution at a meeting of Council prior to committing to attendance, and in circumstances requiring a decision before the next ordinary meeting, shall seek authority from the President and Chief Executive Officer.

#### Legislative Requirements

No special legislative requirement.

#### Strategic Implications

Nil

#### Sustainability Implications

##### *Environment*

Nil

##### *Economic*

Nil

##### *Social (Community Consultation)*

Nil

#### Financial Implications

Funding is provided in the Annual Budget for delegates and Chief Executive Officer to attend the Annual Convention. .

#### Voting Requirements

Simple Majority

## Officer Recommendation

That:

- (1) the Shire of Dalwallinu Delegates for the WALGA Annual General Meeting to be held on Wednesday, 3<sup>rd</sup> August 2016 be Crs \_\_\_\_\_ and Cr \_\_\_\_\_;
- (2) The Shire President and the Chief executive Officer be authorised to attend the State Local Government Forum;
- (3) Crs \_\_\_\_\_ attend the Local Government Convention to be held 3<sup>rd</sup> August to 5<sup>th</sup> August 2016.
- (4) The Council meet the costs of registration for all delegates and Chief Executive Officer including accommodation expenses for delegates' partners.
- (5) Any items for consideration by Council for inclusion in the WALGA AGM be submitted to the Chief executive Officer by 10<sup>th</sup> May 2016 for discussion at the Council meeting on the 24<sup>th</sup> May 2016.

## Resolution

### **MOTION 8589**

Moved            Cr RS Nixon  
Seconded       Cr AR Dickins

That:

- (1) the Shire of Dalwallinu Delegates for the WALGA Annual General Meeting to be held on Wednesday, 3<sup>rd</sup> August 2016 be Crs SC Carter and Cr KL Carter;
- (2) The Shire President and the Chief Executive Officer be authorised to attend the State Local Government Forum;
- (3) Crs SC Carter, KL Carter, GH Sanderson JP, RS Nixon, and KM McNeill JP attend the Local Government Convention to be held 3<sup>rd</sup> August to 5<sup>th</sup> August 2016.
- (4) The Council meet the costs of registration for all delegates and Chief Executive Officer including accommodation expenses for delegates' partners.
- (5) Any items for consideration by Council for inclusion in the WALGA AGM be submitted to the Chief Executive Officer by 10<sup>th</sup> May 2016 for discussion at the Council meeting on the 24<sup>th</sup> May 2016.

**CARRIED 7/0**

### 16.3 Renewal of 'Grazing' Lease No L717428 – Lot 404 Jibberding

Applicant: Department of Lands  
File No: CU/1 Customer Service – Public Reaction - Requests  
Previous Meeting Reference: N/A  
Attachments: Map & Letter from Neville Watson, State Land Officer  
Author: Mr Anthony Doust

Disclosure of Interest: Nil  
Date of Report: 19<sup>th</sup> April 2016  
Senior Officer: Mr Anthony Doust

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#### Purpose of Report

To provide comment on the renewal of grazing Lease No. L717428 being Lot 404 (Monger's Lake) on Deposited Plan 229462 in Jibberding

#### Background

The Department of Lands has advised that Lease No. L717428 expires on 30<sup>th</sup> June 2016 and they have written to the current lessee to enquire whether they wish to enter into a new five (5) year lease.

The Department of Lands is seeking comments as to whether the Shire of Dalwallinu has any comment on or objection to the proposed lease renewal.

#### Comment

As can be seen from the attached map, Lot 404 is located in Jibberding. The current lessee is N & P Bywaters.

#### Policy Requirements

Nil

#### Legislative Requirements

Land Administration Act 1995

#### Strategic Implications

Nil

## Sustainability Implications

### *Environment*

Not aware of any environmental issues

### *Economic*

There are no known economic implications.

### *Social (Community Consultation)*

There has been no community consultation.

## Financial Implications

Should the lessee not renew and no one else takes up the lease, there will be a small reduction in rates to be received.

## Voting Requirements

Simple Majority

## Officer/Community Recommendation/Resolution

### **MOTION 8590**

Moved            Cr KL Carter

Seconded       Cr NW Mills

That the Department of Lands be advised that the Shire has no objections to the Grazing lease No L717428, Lot 404 on Deposited Plan 229462 being renewed.

**CARRIED 7/0**



## **PROCEDURAL MOTION 8591**

Moved           Cr RS Nixon  
Seconded       Cr NW Mills

That Council consider one (1) item of late/urgent business.

**CARRIED 7/0**

## **17.0 URGENT BUSINESS BY DECISION OF THE MEETING**

### **17.1 Supply Spray and Roll Bitumen/Emulsion**

Applicant:                               Shire of Dalwallinu  
File No:                                   RO/15 – Tendering –Bitumen/Emulsion  
Previous Meeting Reference: Council Meetings 1<sup>st</sup> & 22<sup>nd</sup> March 2016 (Motions 8544 & 8549)  
Attachments:                            Nil  
Author:                                    Mr Anthony Doust  
  
Disclosure of Interest:                Nil  
Date of Report:                         21<sup>st</sup> April 2016  
Senior Officer:                         Mr Anthony Doust

#### Purpose of Report

To consider the “E Quotes” received for the supply/spraying of Emulsion and spreading/rolling of Aggregate, for the sealing works approved by Council on the 1<sup>st</sup> & 22<sup>nd</sup> March 2016 and determine the successful applicant.

#### Background

Council at its meeting on the 1<sup>st</sup> March 2016 resolved accordingly:-

*“Council approves the following additional works, estimated cost \$1,000,000, to be included in the 2015/16 RTR Road Construction Programme and where practical these works be undertaken by contractors/suppliers engaged under the WALGA Preferred Supply Program and local cartage contractors be used for the delivery of aggregate:-*

- 1. Reseal up to 15km of the Nugadong West Road*
- 2. Reseal up to 10km of the Pithara East Road*
- 3. Reseal up to 15km of the Buntine Marchagee Road*
- 4. Reseal up to 10km of the Glamoff Road”*

Following further estimates by the Shire staff it was considered the cost of the works on the above roads would be below the funding allocated and Council at its meeting on the 22<sup>nd</sup> March 2016 resolved accordingly:-

*“Council approve resealing up to 16kms on the Wubin Gunyidi Road in the additional works programme approved by Council on the 1<sup>st</sup> March 2016.”*

#### Comment

The estimated volume of Emulsion required for the resealing works is 705,000 litres.

“E Quotes” from suppliers registered with the WALGA preferred supplier arrangements were invited and closed at 12 noon on Friday, 22<sup>nd</sup> July 2016.

“E Quotes” have been received from the following suppliers:

	Total Price (exc GST)
• COLAS Pty Ltd – Guilford WA	\$624,420
• BORAL Asphalt - Welshpool WA	\$755,550
• BITUTEK Pty Ltd - Ellenbrook WA	\$795,600
• DOWNER EDI WORKS – Canning Vale WA	\$711,590
• FULTON HOGAN Pty Ltd - Midland WA	\$791,041

Please note after the closure of “E quotes” at 4,09pm on Friday 22<sup>nd</sup> April 2016 Boral Asphalt submitted a revised price of \$636,550 advising they have found several errors in their calculation. Given the “E quotes” process had closed the revised quote of Boral Asphalt was not considered

The “E Quotes” received have been assessed by the Chief Executive Officer and Works Supervisor and it is recommended that the proposal submitted by Colas Pty Ltd be accepted.

#### Policy Requirements

Policy 3.5 Purchasing Policy – Purchases over the value of \$150,000 by tender. Section 1.7.1 of the Policy provides an exemption for the tender process if the WALGA Preferred Supplier Programme is used to obtain the requirements.

The Council has delegated authority to the Chief Executive Officer to purchase goods to the value of \$100,000. It is recommended that this should be up to the value of \$150,000 which is the level that tenders need to be invited.

#### Legislative Requirements

Local Government Act Section 3.57 - Provision of goods and services

Local Government (Functions & General) Regulations 1996 – Regulation 11 (2) (b) Tenders do not have to be invited if the WALGA Preferred Supplier Program is used to obtain the requirements.

Strategic Implications

Nil

Sustainability Implications

*Environment*

Sealing and resealing of the Shire's road assets will prolong the life of the asset.

*Economic*

Sealing and resealing of the Shire's road assets in a timely manner is excellent financial management and outstanding asset management practice.

*Social (Community Consultation)*

Nil

Financial Implications

The 2015/16 amended Budget has allocated funds for the supply of these goods and services.

Voting Requirements

Absolute Majority

Officer Recommendation/ Resolution

**MOTION 8592**

Moved            Cr RS Nixon  
Seconded       Cr IW Hyde

1. That the of supply/spraying of Emulsion and spreading/rolling of Aggregate for the sealing works approved by Council on the 1<sup>st</sup> & 22<sup>nd</sup> March 2016 be awarded to Colas Western Australia Pty Ltd as per their submitted "E quote dated 20<sup>th</sup> April 2016, at a cost of \$624,240.
2. That the delegation to, the Chief Executive Officer A01, be amended to increase the amount the Chief Executive Officer is delegated to accept renders or quotations, to \$150,000.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

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

**PROCEDURAL MOTION 8593**

Moved Cr IW Hyde  
Seconded Cr NW Mills

“That Council close the meeting to the public at this time, being 4.18pm to discuss staff matters.”

**CARRIED 7/0**

**4.18pm Mr KT Jones and Mrs G Matias left the Council Chambers.**

**PROCEDURAL MOTION 8594**

Moved Cr RS Nixon  
Seconded Cr IW Hyde

“That Council re-open the meeting to the public at this time, being 4.27pm.”

**CARRIED 7/0**

**4.28pm Mr KT Jones and Mrs G Matias returned to the Council Chambers.**

The Chairperson/President read out the following motion carried during the session closed to the public:

**18.1 Appointment of a Senior Employee – Manager of Works & Services**

Officer Recommendation/Resolution

**MOTION 8595**

Moved Cr AR Dickins  
Seconded Cr KL Carter

That the Chief Executive Officer’s recommendation to employ Mr Pascal Balley in the position of Manager of Works & Services for a period of three (3) years commencing on the 16<sup>th</sup> May 2016, with a starting salary/package of \$150,225, be accepted and implemented.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

## 19.0 SCHEDULING OF MEETING

### **MOTION 8596**

Moved            Cr KL Carter  
Seconded       Cr NW Mills

That an Ordinary Meeting of Council be held on 24 May 2016 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 4.34pm.

## 21.0 CERTIFICATION

I, **Steven Clifford CARTER**, certify that the Minutes of the meeting held on 26<sup>th</sup> April 2016, as shown on page numbers 1 to 65 were confirmed as a true record at the meeting held on the 24<sup>th</sup> May 2016.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE