



# MINUTES

ORDINARY COUNCIL MEETING

Tuesday  
22 August 2017

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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, 22 August 2017.

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

The Chairperson (President) opened the meeting at 3.33pm.

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

Nil

### **3 ATTENDANCE RECORD**

#### **3.1. Present**

|   |  |
|---|--|
| Shire President   | Cr SC Carter<br>Cr RS Nixon<br>Cr GH Sanderson JP (from 3.35pm)<br>Cr KM McNeill JP<br>Cr AR Dickins<br>Cr NW Mills<br>Cr KJ Christian |
| Chief Executive Officer                                 | Ms JM Sutherland   |
| Deputy Chief Executive Officer                          | Mr KT Jones  |
| Executive Support Officer                               | Mrs BGC Matias   |
| Manager Regulations &<br>Development Services<br>Public | Mr D Burke (until 4.15pm)<br>Mr N Wallis<br>Mr L De Grussa (until 4.14pm)  |

#### **3.2. Apologies**

Nil

#### **3.3. Leave Of Absence Previously Granted**

Cr KL Carter

**4 DECLARATIONS OF INTEREST**

**4.1.** Cr KM McNeill – Related Party – 9.1.3 Application for an Extended Camp

**4.2.** Cr NW Mills – Proximity Interest – 9.2.8 Disposal of Shire Property 14 South Street Dalwallinu

**5 PUBLIC QUESTION TIME**

**5.1. Response to Previous Public Questions Taken on Notice**

Nil

**5.2. Public Question Time**

Nil

**6 MINUTES OF PREVIOUS MEETING/S**

**6.1. Ordinary Council Meeting – 25 July 2017**

**MOTION 8879**

Moved Cr AR Dickins

Seconded Cr KM McNeill

That the Minutes of the Ordinary Meeting of Council held 25 July 2017 be confirmed.

**CARRIED 7/0**

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

**7.1 Petitions**

Nil

**7.2 Presentations**

**7.2.1** Cr RS Nixon – 2017 Eminent Service Award (WALGA)

**7.3 Deputations**

**7.3.1** Mr N Wallis – Item 9.1.3 – Application for an Extended Camp

**7.4 Delegates Reports/Submissions**

Nil

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

## 9 REPORTS

### 9.1 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES & ECONOMIC DEVELOPMENT COMMITTEE

#### 9.1.1 Removal of Signage

|                             |   |
|-----------------------------|---|
| Report Date:                | 22 August 2017  |
| Applicant:                  | Shire of Dalwallinu                                   |
| File Ref:                   | CP/12   |
| Previous Meeting Reference: | CS&ED Committee Meeting – 15 August 2017              |
| Author:                     | Doug Burke, Manager Regulation & Development Services |
| Senior Officer:             | Jean Sutherland, Chief Executive Officer              |
| Voting Requirements:        | Simple Majority                                       |
| Disclosure of Interest:     | Nil   |
| Attachments:                | Nil   |

#### **Purpose of Report**

Council is requested to authorise the removal of “Public Conveniences” signage in Pithara and Wubin.

#### **Background**

The Shire owns and maintains a number of public ablutions that are located at various sites within the local government area. They require regular maintenance which includes the replacement/repair of fixtures and fittings, and general cleaning of the facility and replenishment of consumables (toilet paper, hand towels and soap).

A number of ablutions are located within the curtilage of public buildings with which they are associated. Two facilities, of note, are those associated with the Pithara Town Hall and Buntine Town Hall. These halls have very little current use attributable to changing demographics and lifestyle choices. However, due to the location and design of the buildings they do require maintenance resources that far outweigh the apparent usage.

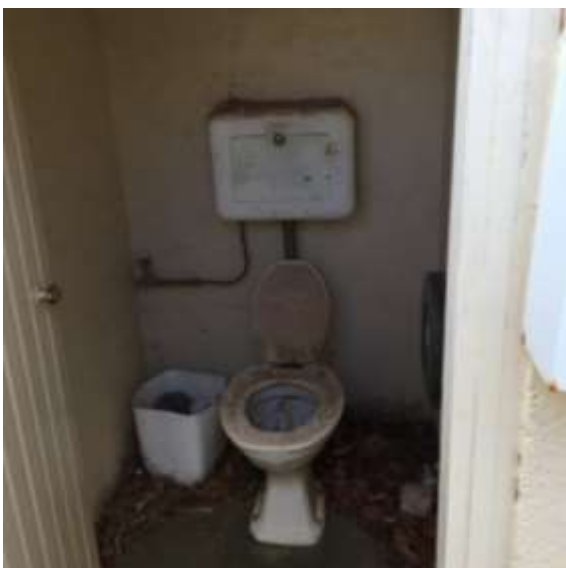
It is noted that these two facilities do have maintenance issues that relate to the design of the facilities and misuse by a number of patrons. The buildings that house the ablutions are fairly open to the elements which increases the need to clean to maintain a minimum acceptable standard. They also have signage that indicates their presence to motorists on the Great Northern Highway or Mullewa-Wubin Road.



Directional signage, Pithara



Pithara Town Hall toilets



Buntine Town Hall toilets

**Policy Requirements**

Nil

**Legislative Requirements**

Nil

**Strategic Implications**

Nil

**Sustainability Implications**

***Environment***

Nil

***Economic***

Nil

***Social***

Nil

**Financial Implications**

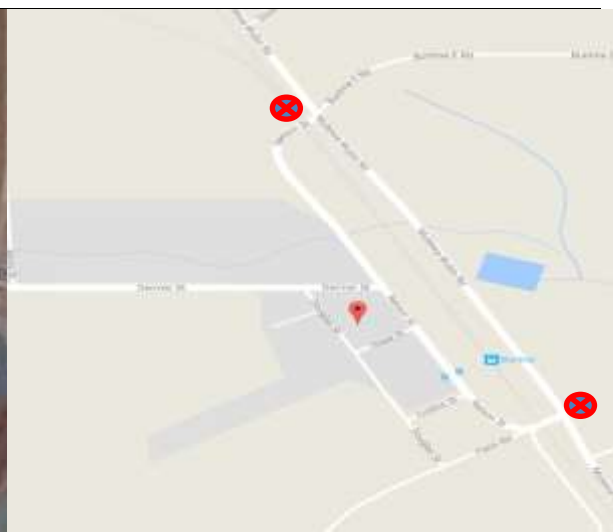
Nil

**Comment**

Removal of the signage that indicates the location of the selected ablution facilities to motorists on the Great Northern Highway and Mullewa-Wubin Road would reduce the requirement to maintain those facilities. It is not envisaged that motorists would be overly inconvenienced as suitable public conveniences are located at Wubin (13kms from Buntine) and Dalwallinu (14kms from Pithara).



*Location of Signage at Pithara*



*Location of Signage at Buntine*



It is still intended to maintain the ablution facilities at Buntine Town Hall and Pithara Town Hall on a monthly basis and coincidental with any planned functions at these community sites.

**Officer/Committee Recommendation/Resolution**

**MOTION 8880**

Moved           Cr AR Dickins

Seconded       Cr RS Nixon

That Council request that the Chief Executive Officer facilitate the removal of the signage indicating 'Public Conveniences' from the following locations:

- Flynn Road/Mullewa-Wubin Road, Buntine
- Nelson Street/Mullewa-Wubin Road, Buntine
- Pithara West Road/Great Northern Highway, Pithara

**CARRIED 4/3**

### 9.1.2 Proposed Subdivision– 1 Wasley Street & 2 Dungey Road, Dalwallinu

|                             |  |
|-----------------------------|--|
| Report Date:                | 22August 2017  |
| Applicant:                  | Shire of Dalwallinu  |
| File Ref:                   | Property files (A41604 & A375)   |
| Previous Meeting Reference: | Council meeting – 25 July 2017; CS&ED Committee Meeting – 15 August 2017 |
| Author:                     | Doug Burke, Manager Regulation & Development Services                    |
| Senior Officer:             | Jean Sutherland, Chief Executive Officer                                 |
| Voting Requirements:        | Simple Majority  |
| Disclosure of Interest:     | Nil  |
| Attachments:                | Nil  |

#### **Purpose of Report**

To provide advice to Council as to the subdivision of land options relating to increasing the housing stock on the subject properties.

#### **Background**

The Shire is actively seeking to increase its housing stock to better accommodate staff. An opportunity exists to utilise freehold property currently under Shire ownership. A report was tabled at the July meeting giving detail as to the potential amalgamation of 1 Wasley Street and 2 Dungey Road, Dalwallinu. The proposed consolidation would allow for the development of a number of group dwellings on otherwise underutilised land.

The matter was resolved as follows.

#### **'MOTION 8856**

*Moved*                *Cr KL Carter*  
*Seconded*           *Cr KM McNeill*

*That the report be brought back to the next Committee meeting with alternative subdivision solutions.*

***CARRIED 7/0'***

#### **Policy Requirements**

Nil

#### **Legislative Requirements**

Nil

#### **Strategic Implications**

Nil

## Sustainability Implications

### *Environment*

Nil

### *Economic*

Nil

### *Social*

Nil

## Financial Implications

Freehold registration

- Subdivision application fees (\$2,263)
- Survey costs (approx. \$2,000)
- Landgate registration (\$168)

Strata title registration

- Subdivision application fees (\$3,137 plus \$71.60 per lot)
- Survey costs (approx. \$5,000)
- Landgate registration (\$748)

## Comment

The property on Dungey Road (Lot 607) has been developed with a freestanding single dwelling. The allotment has an area of 1004m<sup>2</sup> with 510m<sup>2</sup> of open space at the rear. Wasley Street (Lot 360) is a similar development with 560m<sup>2</sup> of open space at the rear.



*Location of existing allotments 1 Dungey Road (Lot 607) and 2 Wasley Street (Lot 360)*

The original proposal was for the two properties to be amalgamated, however it is understood that it is Council's intention to sell the Dungey Road property. The following alternative proposals involve the 'excision' of the dwelling located on Dungey Road and a boundary adjustment between the allotments on Dungey Road and Wesley Street.

Under the *State Planning Policy 3.1 – Residential Design Codes*, the minimum size of subdivision for areas zoned 'Residential 10/30' is 300m<sup>2</sup>. To maximise the potential area of the remnant block, it is suggested that the boundary adjustment allow 560m<sup>2</sup> for the creation of a new land title with frontage to Dungey Road. This area will contain the existing dwelling and provide for 78m<sup>2</sup> private open space at the rear, which is compliant with the Codes.

The balance allotment resultant of the boundary adjustment (incorporating all of Lot 360 and a portion of Lot 607) would provide approximately 924m<sup>2</sup> of undeveloped open space in which to situate 1-2 new grouped dwellings. The new residences would be serviced by extending existing facilities and could be metered as separate entities if required. The additional dwellings would have connection to the public road via a common driveway situated adjacent to the northern boundary. It is intended that the dwellings would be occupied by Shire staff.



*Proposed boundary adjustment betwixt Lot 607 and Lot 360*

The second proposal is for the balance allotment to be created as a single tier survey - strata scheme. The boundaries of survey strata lots are surveyed by a licensed land surveyor and shown on the survey-strata plan. The lots on a survey strata plan look much the same as lots that are shown on surveys for non-strata freehold titles.

The benefits of having the balance block under strata title are:

- Restrictions may be created, added to, varied or removed with appropriate consents and lodgement of documents with Landgate.
- The sharing of access to services such as water, sewerage and electricity and often these services would pass through common property.
- Creation of the Body Corporate is automatic on the issue of the titles.
- Each unit of the strata title may be transferred independent of the other units and common property entitlements.
- The units may later be converted into non-strata freehold title if all of the units satisfy contemporary requirements for lot size, road frontage minimums, etc.

The drawbacks of having the land under strata title is that:

- The Body Corporate must take out joint insurance of buildings and insure for public liability in respect of common property.
- Imposition of strata levies and fees
- The alterations of any structure on a strata lot must be approved by the other lot owners in writing or the Body Corporate by a resolution without dissent at a general meeting



**Key – Strata Title**

- |          |                   |
|----------|-------------------|
| Unit 1 – | Unit 3 -          |
| Unit 2 – | Common Property - |

**Officer Recommendation**

That Council request that the Chief Executive Officer initiate the process of obtaining subdivision approval pursuant to affecting a boundary adjustment between Lot 607 Dungey Road and Lot 360 Wasley Street and:

Option 1: creating a strata title scheme with three units and common area over the balance allotment.

Or

Option 2: creating a single freehold title over the balance allotment.

**Committee Recommendation/ Resolution**

**MOTION 8881**

Moved           Cr RS Nixon

Seconded       Cr KM McNeill

That Council request that the Chief Executive Officer initiate the process of obtaining subdivision approval pursuant to affecting a boundary adjustment between Lot 607 Dungey Road and Lot 360 Wasley Street and creating a strata title scheme with three units and common area over the balance allotment.

**CARRIED 6/1**

3.58 pm Cr KM McNeill declared a related party interest and left the Council Chambers.

### 9.1.3 Application for an Extended Camp

|                             |  |
|-----------------------------|--|
| Report Date:                | 22 August 2017   |
| Applicant:                  | Len De Grussa obo N&L  |
| File Ref:                   | Property File (A354)   |
| Previous Meeting Reference: | CS&ED Committee Meeting – 15 August 2017   |
| Author:                     | Doug Burke, Manager Regulation & Development Services  |
| Senior Officer:             | Jean Sutherland, Chief Executive Officer   |
| Voting Requirements:        | Simple Majority  |
| Disclosure of Interest:     | Nil  |
| Attachments:                | Application received 15 June 2017 (I.COR.15271)<br>Application received 19 July 2017 (I.COR.15500) |

#### Purpose of Report

A development application has been received requesting consideration for the temporary residential use of a caravan situated within the townsite boundary of Dalwallinu.

Council has the authority and discretion under the *Caravan Parks and Camping Grounds Act 1995* to approve (without conditions) or refuse an application for extended camping outside of a designated caravan park or camping ground.

The recommendation is to refuse the application on the basis that the proposal does not satisfy Council policy objectives.

#### Background

Len deGrussa, on behalf of Nathaneal and Leticia Wallis, has applied for “*ancillary accommodation, being a 9m x 2.4m x 2.9m overall height caravan, situated on the owners residential lot at 30 Annetts Road Dalwallinu*” to be “*used to house new employees for several weeks until a permanent residential house or unit can be sourced*”.



*Aerial view of 30 Annetts Road, Dalwallinu*

### **Policy Requirements**

Though Council does not have a policy that directly identifies and controls the use of caravans as a temporary residence within the townsite boundaries, equitable inference can be drawn from the adopted planning policy; *Local Planning Scheme N° 2 Policy N° 5 – Moveable Buildings*.

The Policy states that:

*'The Council shall not permit the establishment, occupation or erection of donga type structures for residential type purposes within a town boundary site in Scheme Area, unless the site is set aside for Group Housing Accommodation and used as a campsite for accommodating a workforce.'*

A 'Donga Type' structure is defined as:

*'usually designed to provide for workforce accommodation in small individual units. The structures are generally those with skid mountings, metal sandwich panel and flat roof design.'*

The only discernible physical difference between a caravan and a donga is that one is designed and constructed so as to be towed rather than conveyed to its destined siting.





*The caravan, subject of the application, insitu at 30 Annetts Road Dalwallinu*

### **Legislative Requirements**

The current proposal was also considered as a potentially justifiable application under *The Planning and Development Act 2005*. The *Shire of Dalwallinu Local Planning Scheme N° 2* allows for the development of ‘Grouped Housing’ as a permitted land use in areas appropriately zoned ‘Residential’, provided said development satisfies the set criteria.

The terms ‘Grouped Dwelling’ and ‘Group Housing Accommodation’ have morphed over time and through recent legislation (*Planning and Development [Local Planning Schemes] Regulations 2015*) to be contemporarily identified as ‘Workforce Accommodation’.

**workforce accommodation** means premises, which may include modular or relocatable buildings, used —

(a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and

(b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

The definition states that the premises, including modular or relocatable buildings, may be considered in lieu of a permanent building - which though unstated is understood. It was noted and accepted that caravans were not uniquely identified in the definition of being inclusive as acceptable Workforce Accommodation nor do they qualify as being a 'building' under Part 1.2.1 of the *Australian Building Code Volume Two*.

The applicant asks that this most recent proposal be considered under the *Caravan Parks and Camping Grounds Regulations 1997*. The Regulations allow a person to camp (conditionally) other than at a caravan park or camping ground for up to 3 nights in any period of 28 consecutive days without approval from the local government or the applicable Minister.

Council, as the appropriate decision maker, may approve a longer period of time subject to the following constraint:

*'if such approval will not result in the land being camped on for longer than three months in any period of 12 months.'*

The proposal is for the caravan to be used to *'house new employees for several weeks until a permanent rental house or unit can be sourced'*. The applicant also remarks in the covering letter that there is *'an acute shortage of rental accommodation in Dalwallinu'*.

It is generally accepted that demand for permanent style accommodation within the townsite is at a premium which may stem supply within the anticipated timeframe. However, it also needs to be acknowledged that there are ready alternatives available for temporary accommodation within reasonable proximity.

### **Strategic Implications**

Nil

### **Sustainability Implications**

#### ***Environment***

Nil

#### ***Economic***

Nil

#### ***Social***

Nil

### **Financial Implications**

Nil

## Comment

The original application dated 12 June 2017, requested consideration for approval of the caravan to be used for 'ancillary accommodation' under the *State Planning Policy 3.1 - Residential Design Codes*. The proposal was refused on the basis that it did not comply with the provisions of the Codes.

This current application seeking approval under Cl. 11 subregulation 2(a) of the *Caravan Parks and Camping Grounds Regulations 1997* should be refused on the basis that the proposal does not satisfy the objectives of Council policy and any such approval would be onerous to the Shire to monitor and enforce, and could set a precedent that would be adverse to statutory planning principles.

## Officer/Committee Recommendation

### **MOTION**

Moved            Cr NW Mills  
Seconded        Cr

That Council use its discretion (Cl. 11 subregulation 2(a) of the *Caravan Parks and Camping Grounds Regulations 1997*) and refuse the application to allow a caravan to be used for an extended period of temporary accommodation at 30 Annetts Road, Dalwallinu (Lot 121) on the basis that the proposal does not satisfy the objectives of Council's planning policy.

**LAPSED DUE TO NO SECONDER**

## Resolution

### **ALTERNATIVE MOTION 8882**

Moved            Cr RS Nixon  
Seconded        Cr GH Sanderson

That Council use its discretion (Cl. 11 subregulation 2(a) of the *Caravan Parks and Camping Grounds Regulations 1997*) and approve the application from N&L Wallis to allow a caravan to be used for an extended period of temporary accommodation at 30 Annetts Road, Dalwallinu (Lot 121) for a period of no longer than three months in any period of 12 months.

**CARRIED 5/1**

*Reasons for the alternative motion:*

1. *There is no Council policy that provides grounds to reject it.*
2. *It is permitted in the Cl 11 subregulation 2(a) of the Caravan Parks and Camping Grounds Regulations 1997)*
3. *There is a shortage of short term accommodation in Dalwallinu.*

[Click here to access the attachments 9.1.3](#)

- 4.14pm Mr L De Grussa left the Council Chambers and did not return.  
4.15pm Mr D Burke left the Council Chambers and did not return.  
4.15pm Cr KM McNeill returned to the Council Chambers.

## **9.2 MATTERS FOR CONSIDERATION – FINANCE**

### **9.2.1 Accounts for Payment for July 2017**

|                             |  |
|-----------------------------|--|
| Date of Report:             | 22 August 2017                                 |
| Applicant:                  | Shire of Dalwallinu                            |
| File Reference:             | FM/6 – Expenditure Reports                     |
| Previous Meeting Reference: | F&A Committee meeting -15 August 2017          |
| Author:                     | Mrs Hanna Jolly, Accounting Officer            |
| Senior Officer:             | Mr Keith Jones, Deputy Chief Executive Officer |
| Voting Requirements:        | Simple Majority                                |
| Disclosure of Interest:     | Nil  |
| Attachments:                | Summary of Accounts for Payment                |

#### **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 July 2017 from the Municipal Account, to the sum of \$58,967.64 paid by cheque and \$837,008.42 paid by EFT are attached, together with a list of Bank Fees, Payroll, Direct Debit Payments and transfers to Reserves & Term Deposit. These payments total \$1,098,864.76. In addition, payments of \$67,764.80 were made from the Trust Account. The total payments from all accounts being \$1,166,629.56 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***

Nil

**Financial Implications**

Account payments are in accordance with the adopted budget for 2017/18 or authorised by separate resolution.

**Officer/Committee Recommendation/Resolution**

**MOTION 8883**

Moved           Cr RS Nixon  
Seconded       Cr KJ Christian

That in accordance with the requirements of section 13(1), 13(3) and 13(4) of the Local Government (Financial Management) Regulations 1996 a list of payments made in June 2017 under the CEO's delegated authority is endorsed in respect to the following Bank accounts:

(a) Municipal Fund Account totalling \$1,098,864.76 consisting of:

|  |              |
|--|--------------|
| Cheque Numbers 35092 – 35100                       | \$58,967.64  |
| Electronic Fund Transfers 6899 – 7017              | \$837,008.42 |
| Direct Debit Payments – Credit Card DD13529.1      | \$223.93     |
| Electronic Fund Transfers Payroll                  | \$156,001.00 |
| Bank Fees  | \$1,144.60   |
| Loan Payment Loan 64 and Guarantee Fee Loans 156 & | \$16,992.05  |
| Direct Debit Payments (Superannuation)             | \$28,527.12  |

(b) Trust Account payments totalling \$67,764.80 consisting of:

|                                 |             |
|---------------------------------|-------------|
| Cheque Numbers 595-596          | \$1,292.00  |
| Direct Debits - Payments to DPI | \$66,472.80 |

**CARRIED 7/0**

[Click here to access the attachments 9.2.1](#)

## 9.2.2 Monthly Financial Statements for July 2017

|                             |  |
|-----------------------------|--|
| Date of Report:             | 22August 2017  |
| Applicant:                  | Shire of Dalwallinu  |
| File No:                    | FM/6 - Expenditure Reports   |
| Previous Meeting Reference: | F&A Committee Meeting – 15 August 2017   |
| Author:                     | Hanna Jolly, Accounting Officer  |
| Senior Officer:             | Keith Jones, Deputy Chief Executive Officer  |
| Voting Requirements:        | Simple Majority  |
| Disclosure of Interest:     | Nil  |
| Attachments:                | Monthly Statement of Financial Activity, Variance Reports, Investments Held and Bank Reconciliations |

### **Purpose of Report**

To receive the Financial Reports for the month ending 31 July 2017.

### **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.

### **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***

Nil

### **Financial Implications**

Nil

### **Comment**

Financial Reports as at last day of business of the previous month are appended, for the period ending 31 July 2017.

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 \$10,000 have been noted on the variance reports.

### **Officer/Committee Recommendation/Resolution**

#### **MOTION 8884**

Moved           Cr NW Mills  
Seconded       Cr KM McNeill

That the Financial Reports as submitted for the month ending 31 July 2017 be accepted.

**CARRIED 7/0**

[Click here to access the attachments 9.2.2](#)



### **9.2.3 Outstanding Rates Debtors Report for July 2017**

|                             |   |
|-----------------------------|---|
| Date of Report:             | 22 August 2017                              |
| Applicant:                  | Shire of Dalwallinu                         |
| File No:                    | FM/6 – Expenditure Reports                  |
| Previous Meeting Reference: | F&A Committee Meeting – 15 August 2017      |
| Author:                     | Christie Andrews, Finance Officer           |
| Senior Officer:             | Keith Jones, Deputy Chief Executive Officer |
| Voting Requirements:        | Simple Majority                             |
| Disclosure of Interest:     | Nil   |
| Attachments:                | Report on Rates Debtors as at 31 July 2017  |

#### **Purpose of Report**

To receive the Outstanding Rates Debtors Reports as at 31 July 2017.

#### **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 Department of Fire & Emergency Services (DFES).

#### **Policy Requirements**

Nil

#### **Legislative Requirements**

Nil

#### **Strategic Implications**

Nil

#### **Sustainability Implications**

##### ***Environment***

Nil

##### ***Economic***

Unknown

##### ***Social***

Nil

### Financial Implications

As at 30 June 2017 rates outstanding were \$83,579.67 in respect to collectable rates of which \$69,472.57 has been carried forward from 2015/16 or prior rating years, with 2016/17 rates raised being \$3,680,823.00.

Ratio = Total Outstanding  
Collectable

= 83,579.67  
3,750,295.57

= 2.23%

Ratio = Total Overdue  
Collectable

= 122,204.15  
3,750,295.57

= 3.26%

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

### Comment

Report on Outstanding Rates Debtors as at 31 July 2017 appends.

The 2016/17 Rates were raised and issued on 12 August 2016. The 2017/2018 rates will be raised 11 August 2017.

Important dates are as follows:

|                                  |                   |
|----------------------------------|-------------------|
| Rates due date                   | 15 September 2017 |
| Instalment option selection date | 15 September 2017 |
| Final Notices issued             |                   |
| Second instalment due            | 17 November 2017  |
| Third instalment due             | 19 January 2018   |
| Fourth instalment due            | 16 March 2018     |

Breakdown of unpaid rates debtors as at 31 July 2017.

|                          |            |
|--------------------------|------------|
| Rates                    | 91,189.96  |
| Rubbish                  | 8,089.72   |
| Sewerage                 | 2,944.69   |
| ESL                      | 3,420.55   |
| Deferred Pensioner Rates | 16,560.07  |
| Paid in Advance          | -38,625.32 |
| Total Outstanding        | 83,579.67  |

As we achieved an unpaid rates percentage of 2.35% as at 30 June 2016, we aim to have a similar percentage as at the 30 June 2017, notwithstanding that 3% outstanding is an acceptable industry average. We will strive to better this figure and at the close of the 2016/17 financial year aim to have an unpaid rates percentage no higher than 1.5%.

**Officer/Committee Recommendation/Resolution**

**MOTION 8885**

Moved           Cr NW Mills

Seconded       Cr RS Nixon

That the Outstanding Rates Debtors Reports as at 31 July 2017 for ratepayers with unpaid balances be accepted.

**CARRIED 7/0**

[Click here to access the attachments 9.2.3.1](#)

[Click here to access the attachments 9.2.3.2](#)

4.18pm Mr KT Jones left the Council Chambers.

#### **9.2.4 Junior Basketball - Request to Write Off Electricity Account**

|                             |   |
|-----------------------------|---|
| Report Date:                | 22 August 2017                              |
| Applicant:                  | Dalwallinu Junior Basketball Association    |
| File Ref:                   | FM/14 – Debt Recovery                       |
| Previous Meeting Reference: | F&A Committee Meeting – 15 August 2017      |
| Author:                     | Keith Jones, Deputy Chief Executive Officer |
| Senior Officer:             | Jean Sutherland, Chief Executive Officer    |
| Voting Requirements:        | <b>Absolute Majority</b>                    |
| Disclosure of Interest:     | Nil   |
| Attachments:                | Invoice 6010; letter from club              |

#### **Purpose of Report**

To consider a request to write off part of Invoice 6010 for \$400.00.

#### **Background**

In December 2016 Council struck an hourly fee of \$20.00 for lighting the new outside courts.

Tax Invoice 6010 was raised 21 March 2017 for the 2017 season. As part of invoice 6010, the Junior Basketball Association have been charged 50% of \$629.00 (\$314.50) which is for 6 months use of the indoor and outdoor courts, including one hiring of kitchen per week. The balance of \$400.00 has been calculated by assuming 2 hours usage per night over 10 weeks used throughout the six month period.

#### **Policy Requirements**

*3.9 – Overdue Rates and Charges Collection*

#### **Legislative Requirements**

*Local Government Act – s6.12(c) Power to defer, grant discount, waive or write off debts*

#### **Strategic Implications**

Nil

#### **Sustainability Implications**

##### ***Environment***

Nil

##### ***Economic***

Nil

##### ***Social***

Nil

### **Financial Implications**

If written off the income for the Recreation Reimbursements in 2017/18 will reduce by \$400.00 (ex gst)

### **Comment**

Each time a key is given out by the Administration staff the person collecting the key is informed about the light costs which were determined by a Council Resolution in December 2016.

### **"MOTION 8751**

Moved                    Cr KL Carter

Seconded              Cr NW Mills

*That Council set a bond for the tennis nets of \$34.00 (refundable on return) and an hourly fee of \$20.00 for the use of lighting over the courts at night for basketball, netball or tennis use. Access to the courts during daylight hours to be free of charge.*

***CARRIED BY ABSOLUTE MAJORITY 9/0"***

The amount charged to the Junior Basketball Association seems fair and reasonable.

### **Officer Recommendation**

That Council decline the request to write off \$400.00 and direct the Chief Executive Officer to carry out the necessary process as deemed in the Policy 3.9 ~ Overdue Rates and Charges Collection to secure the outstanding account.

### **Committee Recommendation/Resolution**

#### **MOTION 8886**

Moved                    Cr KM McNeill

Seconded              Cr RS Nixon

That Council

1. authorise a 50% reduction on the \$400 requested writing off \$200.00 on invoice 6010 ; and
2. direct the Chief Executive Officer to advise the Dalwallinu Junior Basketball Association that Council had already discounted the fee by 50% and in the future only the standard 50% reduction in light costs will apply, being \$10 per hour (as per current fees and charges).

**CARRIED BY ABSOLUTE MAJORITY 6/1**

[Click here to access the attachments 9.2.4.1](#)

[Click here to access the attachments 9.2.4.2](#)

## 9.2.5 Request to Write Off Medical Centre Debts

|                             |  |
|-----------------------------|--|
| Report Date:                | 22 August 2017   |
| Applicant:                  | Dalwallinu Medical Centre                                  |
| File Ref:                   | FM/14 – Debt Recovery                                      |
| Previous Meeting Reference: | F&A Committee Meeting – 15 August 2017                     |
| Author:                     | Hanna Jolly, Accounting Officer                            |
| Senior Officer:             | Jean Sutherland, Chief Executive Officer                   |
| Voting Requirements:        | <b>Absolute Majority</b>                                   |
| Disclosure of Interest:     | Nil  |
| Attachments:                | Tax invoices 29016DMC1, 30729DMC1, 31358DMC1 and 31741DMC1 |

### Purpose of Report

To consider to write off Medical centre Invoices 31741DMC1 for \$35, 29016DMC1 for 165.46, 31358DMC1 for \$177.05 and 30729DMC1 for \$81.60.

### Background

Tax invoices were raised from Dalwallinu Medical Centre to cover the cost of the services provided however the patients have not settled their accounts. Debts have been chased by the Dalwallinu Medical Centre staff by phone and via mail but no payment or correspondence have been received for following accounts:

| Tax Invoice | Date of issue | Service Provided                    | Amount (ex GST) | Comment   |
|-------------|---------------|-------------------------------------|-----------------|---|
| 29016DMC1   | 5/11/2015     | Commercial Drivers Licence          | 165.46          | The patient informed the Medical Centre that the employer is responsible of the payment however the employer says the opposite. Patient has since left the town and no current address or phone number are available. |
| 30729DMC1   | 24/10/2016    | Level B Consult                     | 81.60           | The patient has left the town and no current address or phone number are available.   |
| 31358DMC1   | 22/02/2017    | Level B Consult and minor operation | 177.05          | The patient has left the town and no current address or phone number are available.   |
| 31741DMC1   | 10/05/2017    | Transfer of Records                 | \$35.00         | The patient have been contacted by phone, refuses to pay the account. No current address available.   |

### Policy Requirements

Nil

### Legislative Requirements

*Local Government Act – s6.12(c) Power to defer, grant discount, waive or write off debts*

### **Strategic Implications**

Nil

### **Sustainability Implications**

#### ***Environment***

Nil

#### ***Economic***

Nil

#### ***Social***

Nil

### **Financial Implications**

If written off the income for the Dalwallinu Medical Centre in 2017/18 will reduce by \$459.11 (ex GST).

### **Comment**

Any further action may incur legal & collection fees which may not be able to be recovered.

### **Officer/Committee Recommendation/Resolution**

#### **MOTION 8887**

Moved           Cr NW Mills  
Seconded       Cr AR Dickins

That Council authorise that Invoices 29016DMC1, 30729DMC1, 31358DMC1 and 31741DMC1 for the total amount of \$459.11 for Dalwallinu Medical Centre fees be written off.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

[Click here to access the attachments 9.2.5](#)

4.21pm Mrs BGC Matias left the Council Chambers.  
4.23pm Mr KT Jones returned to the Council Chambers.

### **9.2.6 Offer to Purchase Shire Property – 70 McNeill Street Dalwallinu**

|                             |  |
|-----------------------------|--|
| Report Date:                | 22 August 2017   |
| Applicant:                  | David and Hanna Jolly  |
| File Ref:                   | CP/1 – Council Properties – Acquisition & Disposal                 |
| Previous Meeting Reference: | F&A Committee Meeting – 15 August 2017                             |
| Author:                     | Keith Jones, Deputy Chief Executive Officer                        |
| Senior Officer:             | Jean Sutherland, Chief Executive Officer                           |
| Voting Requirements:        | <b>Absolute Majority</b>   |
| Disclosure of Interest:     | Nil  |
| Attachments:                | Offer of purchase - David and Hanna Jolly<br>email – Mark Gillbard |

#### **Purpose of Report**

To consider an offer from David and Hanna Jolly to purchase 70 McNeill Street, Dalwallinu for the amount of \$165,000.

#### **Background**

The house and land are owned by the Shire and currently used for employee housing. The building was constructed in 1980 and is a weatherboard and metal clad constructed 4 bedroom dwelling with attached carport on concrete slab with ducted evaporative air conditioning and solar hot water system.

The Swimming Pool Manager and his wife are the current residents and have lived there since commencing employment with the Shire on 1 August 2012. The Shire currently budgeted rental income \$9,516 p.a. which is the net amount after staff discount.

All the Shire owned land and buildings have just be revalued by Griffin Valuation Advisory and this property has been deemed to be worth \$115,000 for the building and \$60,000 for the land. Property at 14 South Street is the same age and built with the same materials as 70 McNeill Street and has been valued at \$110,000 building and \$65,000 land.

Operating Costs of \$3,010 and Maintenance Costs of \$3,835 for this property have been budgeted in the 2017/2018 Annual Budget.

A proposal has been received on 9 August 2017 from the current resident offering a “rent-to-buy” scenario. There was an indication to offer a weekly repayment of \$200 but no timeframe as to the completion of the contract. The Chief Executive Officer had previously indicated to the Pool Manager on 26 July 2017 that “Council would rather sell the property outright as we wish to use the funds to construct two new employee dwellings.”



The Chief Executive Officer has indicated to the Pool Manager that a 3 bed x 1 bathroom would become available at 11A Anderson Way, ensuring that the employee would still have a Shire provided property to reside in. This house would also be cheaper than the current rental property at 70 McNeill Street.

### **Policy Requirements**

Nil

### **Legislative Requirements**

*Local Government Act – Section 3.58(3)*

### **Strategic Implications**

Nil

### **Sustainability Implications**

#### ***Environment***

Nil

#### ***Economic***

Additional ratepayer created in the Shire.

#### ***Social***

Nil

### **Financial Implications**

It is anticipated that the income received on sale of this property would be deposited into the Land and Buildings Reserve and used to offset costs in the construction of two new employee houses. This has been budgeted for in the 2017/2018 Annual Budget.

The sale of this property would allow the Shire to build another house for employee purposes, thus increasing the accommodation available within the Shire. In addition to this, it is an excellent opportunity to retain current employees at the Shire.

### **Comment**

***Local Government Act 1995 Section 3.58. Disposing of property states:***

- (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.*

This is an opportunity to secure a new ratepayer and establish a long term resident in the Shire.

Although the current tenants have indicated an interest in the property, they have not made an offer to directly purchase but merely to continue renting and pay off the house over an unspecified period. Councillors have indicated in previous Committee meetings they did not wish to consider this type of option.

#### **Officer Recommendation**

That Council:

1. Accept the offer of \$165,000 from David and Hanna Jolly for the purchase of 70 McNeill Street, Dalwallinu;
2. Direct the Chief Executive Officer to carry out the disposal as per the requirements of the Local Government Act 1995;
3. Subject to not receiving any submissions, authorise the Chief Executive Officer to finalise the disposal of 70 McNeill Street, Dalwallinu.

*The Officer Recommendation was put to the Committee and was lost 0/4.*

**PROCEDURAL MOTION 8888**

Moved           Cr RS Nixon  
Seconded       Cr AR Dickins

That Council suspend standing orders to facilitate open discussion on this item.

**CARRIED 7/0**

**PROCEDURAL MOTION 8889**

Moved           Cr AR Dickins  
Seconded       Cr KM McNeill

That Council resume standing orders

**CARRIED 7/0**

**Resolution**

**ALTERNATIVE MOTION 8890**

Moved           Cr RS Nixon  
Seconded       Cr AR Dickins

That Council

1. decline the offer of \$165,000 from David and Hanna Jolly for the purchase of 70 McNeill Street, Dalwallinu ;
2. decline the offer from M & M Gilbard of \$200 per week on a rent to buy basis for an unspecified time limit;
3. direct the Chief Executive Officer to formulate a policy on purchasing of shire owned residential properties by employees.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

*Reason: due to being tenanted by another Shire employee and the second offer from the current tenant was not a financially acceptable offer.*

[Click here to access the attachments 9.2.6.1](#)

[Click here to access the attachments 9.2.6.2](#)

7/0

## 9.2.7 Adoption of New Policy – 3.11 Related Party Disclosures

|                             |   |
|-----------------------------|---|
| Report Date:                | 22 August 2017                              |
| Applicant:                  | Shire of Dalwallinu                         |
| File Ref:                   | GO/21 – Policies                            |
| Previous Meeting Reference: | F&A Committee Meeting – 15 August 2017      |
| Author:                     | Keith Jones, Deputy Chief Executive Officer |
| Senior Officer:             | Jean Sutherland, Chief Executive Officer    |
| Voting Requirements:        | Simple Majority                             |
| Disclosure of Interest:     | Nil   |
| Attachments:                | DRAFT Policy 3.11 Related Party Disclosures |

### Purpose of Report

Council is requested to adopt the new Policy 3.11 Related Party Disclosures.

### Background

From 1 July 2016, Council must disclose related party relationships, transactions and outstanding balances, including commitments, in its annual financial statements to comply with *Australian Accounting Standard AASB124 – Related Party Disclosures*.

### Policy Requirements

*1.1 Policy Manual Amendments*

### Legislative Requirements

*Local Government Act – Section 2.7(2)(b)*

### Strategic Implications

Nil

### Sustainability Implications

#### *Environment*

Nil

#### *Economic*

Nil

#### *Social*

Nil

### Financial Implications

Nil

### Comment

The adoption of the policy will guide staff on what processes are to be followed and what Council directive is relating to this requirement. As this is a statutory directive compliance with the process is necessary.

**Officer/Committee Recommendation/Resolution**

**MOTION 8891**

Moved           Cr RS Nixon  
Seconded       Cr NW Mills

That Council:

1. adopt Policy 3.11 Related Party Disclosures as attached to this report;
2. endorse the following as ordinary citizen transactions (OCT), as defined by AASB 124 – Related Party Disclosures, that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, and are unlikely to influence the decisions that users of the Council’s financial statements make.
  - Paying rates.
  - Transactions relating to the registration and control of domesticated animals as defined in the Dog Act 1976 and Cat Act 2011.
  - Transactions whereby a Fee or Charge is incurred and that are included as part of Councils endorsed Schedule of Fees and Charges.
  - Fines.
  - Use of Shire owned facilities such as Recreation Centre, Discovery Centre, library, parks, ovals and other public open spaces (whether charged a fee or not).
  - Attending council functions that are open to the public.

**CARRIED 7/0**

[Click here to access the attachments 9.2.7](#)

4.39 pm Cr NW Mills declared a proximity interest due to being a neighbour and left the meeting.

### **9.2.8 Disposal of Property – 14 South Street, Dalwallinu**

Report Date: 22 August 2017  
Applicant: Shire of Dalwallinu  
File Ref: CP/1 – Council Properties – Acquisition & Disposal  
Previous Meeting Reference: F&A Committee Meeting – 18 July 2017, Council Meeting 25 July 2017 (Motion 8864)  
Author: Jean Sutherland, Chief Executive Officer  
Senior Officer: Jean Sutherland, Chief Executive Officer  
Voting Requirements: **Absolute Majority**  
Disclosure of Interest: Nil  
Attachments: Copy of Submission

#### **Purpose of Report**

Council is requested to consider the submission received after the advertising of the disposal of 14 South Street, Dalwallinu, as required under Section 3.58 of the *Local Government Act 1995*.

#### **Background**

An offer was received from the current tenants of the property, Gerardo & Baby Grace Matias to purchase the property for \$150,000.

The offer was presented to Council at their Ordinary Meeting held 25 July 2017 and Council resolved the following:

#### **'MOTION 8864**

*Moved* Cr KM McNeill  
*Seconded* Cr KJ Christian

*That Council:*

- 1. Advise Gerardo and Baby Grace Matias that Council are willing to accept an offer of \$165,000 for the purchase of 14 South Street, Dalwallinu;*
- 2. Subject to acceptance of the counter offer in point 1 above by Gerardo and Baby Grace Matias, direct the Chief Executive Officer to carry out the disposal as per the requirements of the Local Government Act 1995;*
- 3. Subject to not receiving any submissions, authorise the Chief Executive Officer to finalise the disposal of 14 South Street, Dalwallinu.*

***CARRIED BY ABSOLUTE MAJORITY 7/0'***

Following the Council meeting, the applicants were presented with the counter offer which they advised they would accept.

As per the *Local Government Act 1995*, a public notice was placed in the Shire Bulletin and appeared in the *Totally Locally & Kalannie Kapers* for two editions commencing Monday 31 July 2017. A notice was also placed on the noticeboard in the Administration Centre.

The closing date for submission was 4pm, Wednesday 16 August 2017.

On 16 August 2017, a submission was received from Luke Sutherland. An extract from the correspondence is as follows:

*'I would like to view the house and land at 14 South St, Dalwallinu so that I can make an informed decision on putting in an offer to purchase'.*

#### **Policy Requirements**

Nil

#### **Legislative Requirements**

*Local Government Act – Section 3.58(3)*

#### **Strategic Implications**

Nil

#### **Sustainability Implications**

##### ***Environment***

Nil

##### ***Economic***

Nil

##### ***Social***

Nil

#### **Financial Implications**

Costs associated with the settlement of the property can be accommodated under GL E145055 (Legal Costs) in the 2017-2018 budget.

#### **Comment**

Upon receiving the submission, advice was sought from WALGA.

The *Local Government Act 1995* states that local public notice is to be given of the proposed disposal of property. The reasoning is to advise the community that Council has made the decision to dispose of the property and are seeking submissions as to why they shouldn't dispose of that property for that price. The purpose of the public notice is not to open it up for further offers.

The rationale behind accepting the offer for property is as follows:

- Council's desire to turn over their older housing stocks to enable construction of new employee housing (this property is 37 years old);
- The applicant is a tenant of the property and has been employed by the Shire of Dalwallinu for five (5) years;
- Encourage employees to remain in the Shire of Dalwallinu and become ratepayers;
- Ability to retain the employee's knowledge and skills;
- In the longer term, the Shire would not need to keep as many housing assets as employees would be given the opportunity to purchase their own property, thus reducing the burden on ratepayers.

After receiving the advice from WALGA, correspondence was forwarded to Luke Sutherland advising of the advice received, being that advertising the disposal is not to open it up for additional offers but to seek submissions on the actual disposal.

On 17 August 2017, an email was received from Luke Sutherland (copy attached) expressing his concern that the property was being sold well below the median price and that the property should have been put out to the public market.

Although this submission came in after the closing date, the concerns are addressed below:

- Council cannot dispose of a property without going to public auction, calling for tenders or disposing of it in the way that we are proposing to in this instance;
- The property houses an employee and was not put out to public tender as should another tenderer be successful, the employee would be without a house;
- The property may be perceived to be below the median price, however, this is what the recent "fair value" has been determined as by a licensed valuer.

#### **Officer Recommendation**

##### **MOTION**

Moved           Cr RS Nixon  
Seconded       Cr GH Sanderson

That Council direct the Chief Executive Officer to advise Mr Luke Sutherland that they have considered his submissions in relation to the disposal of 14 South Street, Dalwallinu, however it is their intention to dispose of the property to Gerardo & Baby Grace Matias for the sum of \$165,000.



**Resolution**

**PROCEDURAL MOTION 8892**

Moved        Cr AR Dickins  
Seconded    Cr KJ Christian

Item lay on the table subject to the Chief Executive Officer formulating a policy on purchasing shire owned properties.

**CARRIED 4/2**

[Click here to access the attachments 9.2.8](#)

[Click here to access the attachments 9.2.8.1](#)

4.49 pm Cr NW Mills returned to the meeting.  
4.50 pm Mrs BGC Matias returned to the meeting.

## **9.4 MATTERS FOR CONSIDERATION – WORKS**

### **9.3.1 Request for Tender – Flood Recovery Minor Works (AGRN714)**

|                             |  |
|-----------------------------|--|
| Report Date:                | 22 August 2017                           |
| Applicant:                  | Shire of Dalwallinu                      |
| File Ref:                   | RP/28 – WANDRRA Flood Damage             |
| Previous Meeting Reference: | W&P Committee Meeting – 15 August 2017   |
| Author:                     | Jean Sutherland, Chief Executive Officer |
| Senior Officer:             | Jean Sutherland, Chief Executive Officer |
| Voting Requirements:        | Simple Majority                          |
| Disclosure of Interest:     | Nil                                      |
| Attachments:                | Tender Documentation                     |

#### **Purpose of Report**

Council is requested to authorise the calling of tenders for the provision of Flood Recovery Minor Works (AGRN 714) and to set the tender qualitative criteria.

#### **Background**

A surface trough triggered thunderstorms leading to heavy rainfall and widespread flooding over northern and central parts of the State on 19-27 March 2016. The Shire of Dalwallinu suffered considerable damage to its road network as a consequence of the flood event.

The Shire of Dalwallinu has been successful in receiving Western Australian Natural Disaster Relief Recovery Arrangements (WANDRRA) grant funding for flood damage received in March 2016 and wish to engage suitably qualified, experienced and equipped contractors to undertake the flood works at various locations across the road network.

Council recently appointed Civil Engineering Project Management Pty Ltd (Vincent Kwong) to oversee these flood recovery works.

#### **Policy Requirements**

3.5 Purchasing

#### **Legislative Requirements**

*Local Government (Functions and General) Regulations 1996*

#### **Strategic Implications**

Nil

## Sustainability Implications

### *Environment*

Nil

### *Economic*

Unknown

### *Social*

Nil

## Financial Implications

The 2017-2018 annual budget has made an allocation for the provision of this service. Apart from opening up works, the expenditure is funded by WANDRRA grand funding.

## Comment

In order to move forward with flood damage works, a tender for the next funded works is to be called.

Council previously set the qualitative criteria when calling for tenders for flood recovery works. The criteria used in 2016 were as follows:

|                            |     |
|----------------------------|-----|
| Relevant Experience        | 15% |
| Key Personnel              | 10% |
| Tenderer's Resources       | 20% |
| Safety & Health Management | 5%  |
| Price                      | 50% |

After discussions between the Engineering Consultant and the Manager Works & Services a revised qualitative criteria is presented to Council.

Major changes relate to:

- Relevant Experience – increased by 10% as experience in WANDRRA flood recovery works is deemed to be essential;
- Key Personnel – increased by 15% as personnel that are experienced in WANDRRA flood recovery works is deemed to be essential;
- Tenderer's Resources – increased by 5%;
- Price – reduced by 30% as pricing should not have such a high weighting.

|  |            |
|--|------------|
| <p><b>Relevant Experience</b><br/> Describe your experience in completing/supplying similar works. Provide details of similar work in a table format listing:</p> <ol style="list-style-type: none"> <li>I. Client</li> <li>II. Project Name</li> <li>III. Project value</li> <li>IV. Description of your involvement</li> </ol> <p>Supply details and label it<br/> <b>“Relevant Experience”</b></p>  | <b>25%</b> |
| <p><b>Key Personnel</b><br/> Tenderers should provide as a minimum, information of proposed personnel to be allocated to this project, such as:<br/> Their role in the performance of the Contract<br/> Curriculum vitae<br/> Membership to any professional or business association<br/> Qualifications, with particular emphasis on experience of personnel in projects of a similar requirement; and<br/> Any additional information.</p> <p>Supply details in an attachment and label it<br/> <b>“Key Personnel”</b></p>   | <b>25%</b> |
| <p><b>Tenderer’s Resources</b><br/> Tenderers should demonstrate their ability to supply and sustain the necessary:</p> <ol style="list-style-type: none"> <li>a) Plant, equipment and materials;</li> <li>b) Ability to provide two teams at the one time (one road crew and one drainage crew); and</li> <li>c) Any contingency measures or back up resources including personnel (where applicable)</li> </ol> <p>As a minimum, Tenderers should provide a current commitment schedule and plant/equipment schedule in an attachment and label it <b>“Tenderer’s Resources”</b></p> | <b>25%</b> |

|  |                   |
|--|-------------------|
| <p><b>Safety &amp; Health Management</b></p> <p>Tenderers should demonstrate that they promote, manage and maintain a safe workplace for all employees, contractors and the public in accordance with the requirements of the Occupational Safety &amp; Health Act 1984. As a minimum, Tenderers should provide the following;</p> <ul style="list-style-type: none"> <li>a) A statement outlining how the tenderer manages safety and health requirements including examples of compliance, e.g Lost Time Injury statistics over the past 3 years;</li> <li>b) A copy of the table of contents of their Occupational Safety &amp; Health Management Plan;</li> <li>c) A sample Job Safety Analysis (JSA) for the type of project to be encountered on this project.</li> <li>d) The above documents should be attached and labelled <b>“Safety &amp; Health Management”</b>.</li> </ul> | <p><b>5%</b></p>  |
| <p><b>Price</b></p> <p>Tenderers must complete the following “Price Schedule”. Before completing the Price Schedule, Tenderers should ensure that they have read the entire request.</p> <p>Supple details and label it <b>“Price Schedule”</b></p>  | <p><b>20%</b></p> |

The tender will be advertised in the West Australian on Saturday 26 August 2017 with the closing date for tenders being Wednesday 13 September 2017 at 2pm.

Once the tender process has been completed a report will be presented to Council at the Ordinary Meeting to be held on 26 September 2017.

**Officer/Committee Recommendation/ Resolution**

|   |
|---|
| <p><b><u>MOTION 8893</u></b></p> <p>Moved           Cr KM McNeill<br/> Seconded       Cr KJ Christian<br/> That Council:</p> <ol style="list-style-type: none"> <li>1. Authorise the calling of tenders for the provision of Flood Recovery Minor Works (AGRN 714);</li> <li>2. Set the qualitative criteria for the tender for the provision of Flood Recovery Minor Works as: <ul style="list-style-type: none"> <li>Relevant Experience – 25%</li> <li>Key Personnel – 25%</li> <li>Tenderer’s Resources – 25%</li> <li>Safety &amp; Health Management – 5%</li> <li>Price – 20%</li> </ul> </li> </ol> <p style="text-align: right;"><b>CARRIED 7/0</b></p> |
|---|

[Click here to access the attachments 9.3.1](#)

### **9.3.2 Elected Member attendance at National Local Roads & Transport Congress 2017**

Report Date: 22 August 2017  
Applicant: Shire of Dalwallinu  
File Ref: CM/1 – Corporate Management –Conferences  
Previous Meeting Reference: W&P Committee Meeting – 15 August 2017  
Author: Jean Sutherland, Chief Executive Officer  
Senior Officer: Jean Sutherland, Chief Executive Officer  
Voting Requirements: Simple Majority  
Disclosure of Interest: Nil  
Attachments: Provisional Program

#### **Purpose of Report**

Council is requested to authorise Cr Keith Carter to attend the National Local Roads and Transport Congress 2017 which is to be held in Albany from 6-8 November 2017.

#### **Background**

The National Local Roads & Transport Congress is held every year. The previous two years have been held in Tamworth and Ballarat.

These congresses have a reputation for influencing significant change. For example, the very first Congress resulted in the establishment of the Roads to Recovery program in 2000. Also the 2011 Congress' campaign to renew the Roads to Recovery program was instrumental in securing the renewal of the program to 2019.

#### **Policy Requirements**

1.7 – Members Conference/Course Attendance & Partners Expenses.

#### **Legislative Requirements**

Nil

#### **Strategic Implications**

Nil

#### **Sustainability Implications**

##### ***Environment***

Nil

##### ***Economic***

Nil

##### ***Social***

Nil

### **Financial Implications**

Costs associated with Elected Members attendance at conferences have been budgeted for under GL E041141 in the 2017-2018 budget.

### **Comment**

As Cr Carter is the Shire's Representative on the Wheatbelt North Regional Road Group, his attendance at the Congress would be beneficial to keep abreast of matters relating to roads and transport issues, particularly funding.

The Hon Darren Chester MP, Minister for Infrastructure and Transport and the Hon Anthony Albanese MP have both been invited to speak at the Congress.

Will Taylor, Manager Works & Services, will be attending the conference with Cr Carter.

### **Officer Recommendation**

That Council authorise Cr Keith Carter to attend the National Local Roads and Transport Congress 2017 which to be held in Albany from 6-8 November 2017.

### **Committee Recommendation**

That Council authorise Cr Keith Carter (or proxy if unavailable) to attend the National Local Roads and Transport Congress 2017 which to be held in Albany from 6-8 November 2017.

### **Resolution**

#### **MOTION 8894**

Moved           Cr RS Nixon  
Seconded       Cr NW Mills

That Council authorise Cr Keith Carter and Cr Steven Carter (or proxy if unavailable) to attend the National Local Roads and Transport Congress 2017 which to be held in Albany from 6-8 November 2017.

**CARRIED 7/0**

[Click here to access the attachments 9.3.2](#)

**9.5 MATTERS FOR CONSIDERATION – ADMINISTRATION**  
Nil

**10 APPLICATIONS FOR LEAVE OF ABSENCE**

**10.2 Cr AR Dickins – 26 September 2017**

**MOTION 8895**

Moved Cr RS Nixon  
Seconded Cr NW Mills

That the application for leave of absence of Cr AR Dickins to the Ordinary Meeting of Council to be held on September 2017 be approved.

**CARRIED 7/0**

**11 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED**  
Nil

**12 QUESTIONS FROM MEMBERS WITHOUT NOTICE**  
Nil

**13 NEW BUSINESS OF AN URGENT NATURE (introduced by decision of the meeting)**

**PROCEDURAL MOTION 8896**

Moved Cr RS Nixon  
Seconded Cr NW Mills

That Council receive one item of urgent business.

**CARRIED 7/0**

**13.2 Congratulations Letter – Dalwallinu & Districts Agricultural Society, Inc.**

**MOTION 8897**

Moved Cr RS Nixon  
Seconded Cr AR Dickins

That the Chief Executive Officer writes to the Dalwallinu & Districts Agricultural Society, Inc. congratulating them on conducting another successful show.

**CARRIED 7/0**



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

**15 SCHEDULING OF MEETING**

**MOTION 8898**

Moved Cr AR Dickins  
Seconded Cr KM McNeill

That an Ordinary Meeting of Council be held on 26 September 2017 at Council Chambers, Dalwallinu commencing at 3.30pm.

**CARRIED 7/0**

**16 CLOSURE**

There being no further business, the Chairperson closed the meeting at 5.04pm.

**17 CERTIFICATION**

I, **Steven Clifford CARTER**, certify that the Minutes of the meeting held on 22 August 2017, as shown on page numbers 1 to 46 were confirmed as a true record at the meeting held on 26 September 2017.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE