

Notice of Meeting



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Dear Elected Member

The next Ordinary meeting of the Shire of Pingelly will be held on 21 June 2017 in the Council Chambers, 17 Queen Street, Pingelly commencing at 2.00pm.

The Community Craft Centre will be providing dinner.

Schedule

2pm Council Meeting

A handwritten signature in black ink, appearing to be 'G. Pollock'.

Gavin Pollock
Chief Executive Officer

16 June 2017

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Pingelly for any act, omission or statement or intimation occurring during Council or Committee meetings or during formal/informal conversations with staff. The Shire of Pingelly disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at the person's or legal entity's own risk.

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

AGENDA

Shire of Pingelly
Ordinary Council Meeting
21 June 2017

MISSION STATEMENT

To enhance the quality of life for the people of Pingelly through the provision of leadership, services and infrastructure.

DISCLAIMER


INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

PLEASE NOTE:

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils decision.

A handwritten signature in blue ink, appearing to be 'G. Pollock', written in a cursive style.

**GAVIN POLLOCK
CHIEF EXECUTIVE OFFICER**

COUNCIL MEETING INFORMATION NOTES

Your Council generally handles all business at Ordinary or Special Council Meetings.

From time to time Council may form a Committee to examine subjects and then report to Council.

Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.

Public Question Time. It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Chairman.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and response is included in the Minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.

Councillors may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter trivial, insignificant or in common with a significant number of electors or ratepayers. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Chairman of the meeting will advise the Officer if he/she is to leave the meeting.

Agendas, including an Information Bulletin, are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item, including a recommendation, will then be submitted to Council for consideration. The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

Agendas for Ordinary Meetings are available in the Shire of Pingelly Office, on the website and the Pingelly Library seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.

Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).

Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection from the Shire of Pingelly Office and the Shire of Pingelly website within ten (10) working days after the Meeting.

NOTE:

Unopposed Business

Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.

If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it.

A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.

If a member signifies opposition to a motion the motion is to be dealt with according to this Part.

This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

Question Time

This Policy provides guidance to the Presiding Member (noting the provisions of the *Local Government (Administration) Regulation 7*).

Question time is for the asking of questions. General comments, issues for debate etc. are to be progressed through the normal procedure for submitting Agenda items for Council's consideration. Tabled correspondence will not be accepted.

Unless the person is known to all other persons in the Chamber, the Questioner is to state their name and address prior to asking the question.

The Questioner is to stand to address the Presiding Member, unless illness or a physical or other disability prevents him/her from doing so. All questions are to be addressed to the Presiding Member.

The question must be immediately put and may be followed by a brief statement related to the question.

The Presiding Member may respond to the question or may nominate a Councillor or an Officer to respond.

Debate between the Questioner or public and a Councillor or Officer is not permitted.

Questions may not be put by Councillors to the Questioner or other members of the public except for the purpose of clarification.

If the Presiding Member determines that a full and complete answer is unable to be given at that time, the question may be taken on notice. In that case, an answer will be given in writing to the Questioner within 7 days and the response tabled at the next Ordinary Council meeting.

A summary of the question and the response only is to be recorded in the minutes of the meeting.

QUESTION TIME FOR THE PUBLIC

(Please write clearly)

DATE: _____

NAME: _____

TELEPHONE : _____

ADDRESS: _____

QUESTIONS TO THE PRESIDENT:

GENERAL QUESTION / QUESTION RELATED TO THE AGENDA *(strike out which is not applicable)*

ITEM NO	PAGE NO	QUESTION

PLEASE PASS TO THE CHIEF EXECUTIVE OFFICER FOR REFERRAL TO THE PRESIDENT BY 2.00 PM AT THE MEETING, OR BY 1.45PM ON THE DAY OF THE MEETING AT THE SHIRE OF PINGELLY OFFICE, 17 QUEEN STREET, PINGELLY.

Public Question Time – Statutory Provisions – Local Government Act 1995

Time is to be allocated for questions to be raised by members of the public and responded to at every ordinary meeting of a council; and

Such other meetings of councils or committees as may be prescribed.

Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

9A. Question Time for the Public at Certain Meetings – s5.24 (1) (b) Local Government (Administration) Regulations 1996.

Reg 5 For the purpose of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are:

every special meeting of a council; and

every meeting of a committee to which the local government has delegated a power or duty.

Minimum Question Time for the Public – s5.24 (2)

Reg 6 (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is fifteen (15) minutes.

(2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Procedures for Question Time for the Public – s5.24 (2)

Local Government (Administration) Regulations 1996

Reg 7 (1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6 (1) are to be determined:

by the person presiding at the meeting; or

in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of members, having regard to the requirements of sub regulations (2) and (3).

The time allocated to the asking and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.

Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.

Nothing in sub regulation (3) requires:

A council to answer a question that does not relate to a matter affecting the local government;

A council at a special meeting to answer a question that does not relate to the purpose of the meeting;

or

A committee to answer a question that does not relate to a function of the committee.

SHIRE OF PINGELLY

DISCLOSURE OF INTERESTS

TO THE CHIEF EXECUTIVE OFFICER:

Under the Provisions of Division 6 of Part 5 of the Local Government Act 1995, I hereby disclose a Financial Interest/s in the matter/s listed on this form, which is/are scheduled for consideration at the meeting of Council to be held on:

21 June 2017

(Print Name)

(Signature)

(Date)

NOTE: Members of Council are asked to deliver this completed form to the Chief Executive Officer on the day of the Council Meeting as required by the Act. Where this is not practicable the Disclosure/s may be telephoned to the Council Office on 9887 1066 and/or the form subsequently passed to the Chief Executive Officer prior to the meeting.

ITEM NO	PAGE NO	TYPE	REASON

DISCLOSURE OF FINANCIAL INTEREST, PROXIMITY INTEREST AND/OR INTEREST AFFECTING IMPARTIALITY

Chief Executive Officer, Shire of Pingelly

In accordance with Section 5.60-5.65 of the *Local Government Act* and Regulation 34(B) and 34(C) of the *Local Government (Administration) Regulations* and Regulation 11 of the *Local Government (Rules of Conduct) Regulations*, I advise you that I declare a (appropriate box):

financial interest (Section 5.60A)

A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

proximity interest (Section 5.60B)

A person has a proximity interest in a matter if the matter concerns a proposed —
(a) change to a planning scheme affecting land that adjoins the person's land;
(b) change to the zoning or use of land that adjoins the person's land; or
(c) development (as defined in section 5.63(5)) of land that adjoins the person's land.

interest affecting impartiality (Regulation 11). I disclose that I have an association with the applicant. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.

An interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association but does not include a financial or proximity interest as referred to in section 5.60.

SHIRE OF PINGELLY

Agenda for the Ordinary Meeting of Council to be held in the Council Chambers, 17 Queen Street, Pingelly on Wednesday 21 June 2017 – commencing at 2.00pm.

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman to declare the meeting open.

2. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Noongar people of this area and recognise their continuing connection to land, waters and community. We pay respect to both the Aboriginal and non-Aboriginal people and past and present.

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER

3.1 Council Agenda Reports

Please note that all elected members have been provided with the relevant information pertaining to each Officers reports within today's Agenda and the Officer Recommendations are based on Council Policy and or State Acts and Legislation.

3.2 Reminder

It is the province of knowledge to speak and it is the privilege of wisdom to listen. **Oliver Wendell Holmes**

There are people who, instead of listening to what is being said to them, are already listening to what they are going to say themselves. **Alfred North Whitehead (1861 - 1947)**

4. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

At the Ordinary Meeting of Council held on 17 May 2017 the following was approved:

**12187 Moved Cr Freebairn Seconded Cr Mulroney
that Council approve Cr Wood taking leave from the 22nd June to the 6th August 2017
inclusive.**

Carried 8:0

**12188 Moved Cr Steel Seconded Cr Marshall
that Council approve Cr Walton-Hassell taking leave from the 28th June to the 8th July
2017 inclusive.**

Carried 8:0

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6. PUBLIC QUESTION TIME

7. APPLICATIONS FOR LEAVE OF ABSENCE

8. DISCLOSURES OF INTEREST

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Meeting – 17 May 2017

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

Recommendation:

That the Minutes of the Ordinary Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 17 May 2017 be confirmed.

Moved: _____ Seconded: _____

9.2 Special Meeting – 7 June 2017

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

Recommendation:

That the Minutes of the Special Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 7 June 2017 be confirmed.

Moved: _____ Seconded: _____

10. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

11. REPORTS OF COMMITTEES OF COUNCIL

- Audit Committee Full Council
- Recreation & Cultural Committee Member – Cr Lange
Member – Cr Walton-Hassell
Member – Cr Wood
Member – Cr Marshall
- Bushfire Advisory Committee Member – Cr Freebairn
Deputy – Cr Marshall
- Medical and Aged Care Services Committee Member – Cr Freebairn
Member – Cr Hodges
Member – Cr Lange
Member – Cr Mulroney
Member – Cr Steel
- CEO Performance Review Committee Member – President
Member – Deputy President
Member – Cr Hodges

12. REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES

- Central Country Zone of WALGA
Delegate – President
Delegate – Deputy President
Deputy – Cr Walton-Hassell
- Hotham-Dale Regional Road Sub-Group
Delegate – Cr Lange
Deputy – Cr Marshall
- Pingelly Cottage Homes Committee
Delegate – Cr Freebairn
Deputy – Cr Mulroney
- Development Assessment Panel
Delegate – Cr Mulroney
Delegate – Cr Freebairn
Deputy – Cr Hodges
Deputy – Cr Wood
- Pingelly Tourism Group
Delegate – Cr Freebairn
Deputy – Cr Lange
- Regional Waste Group
Delegate – Cr Mulroney
Deputy – Cr Wood
- Shires of Pingelly and Wandering Joint
Local Emergency Management Committee
Delegate – Cr Lange
Deputy – Cr Hodges
- Aged Care Planning Regional Sub-Group (BBP)
Delegate – Cr Lange
Delegate – Cr Steel
Deputy – Members of Medical &
Aged Care Committee
- Youth Working Group
Delegate – Cr Steel
Delegate – Cr Walton-Hassell
Deputy – Recreation & Cultural
Committee
- Project User Group (PUG)
Delegate– Cr Lange
Deputy – Cr Hodges
- Sport and Recreation Focus Group
Delegate – Cr Lange
Delegate – Cr Walton-Hassell
Deputy – Cr Hodges

13. REPORTS FROM COUNCILLORS

Cr Shirley Lange (President)

Meetings attended

APRIL:

12th Youth Focus Group
12th Agenda Briefing
19th Council Meeting
20th UWA at the CRC
20th PRACC
24th School Anzac Service
25th President Address Anzac Service

MAY

1st Cottage Homes
4th Corporate Discussion
4th Chaplain Farewell morning tea
4th Hotham-Dale Road sub-group
10th Regional Education meeting at Narrogin Alison Ramm
11th Agenda Briefing
12th SES Volunteers – Dinner
13th Market Day – Shire stall
16th PRACC – Tara Whitney
17th Council Meeting
19th PAAA
23rd Breakfast with the new Local Government Minister David Templeman
23rd Inglewood Products visit to see Yellow Stringy Bark being milled
29th BBP – Pingelly
30th Youth Focus Group

JUNE

7th Corporate Discussion
12th PAAA – Pingelly video conference
12th PDA

Cr William Mulroney (Deputy President)

Nil

Cr David Freebairn

Nil

Cr Evan Hodges

Nil

Cr Ray Marshall

Nil

Cr Lee Steel

Nil

Cr Michelle Walton-Hassell

Nil

Cr Peter Wood

Nil

14 OFFICE OF THE CHIEF EXECUTIVE OFFICER

14.1 Council Delegates and Naming of External Committees of Council

File Reference: ADM0310
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: Gavin Pollock, Chief Executive Officer
Date: 26 May 2017
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Council Ordinary Meeting held on 17 August 2016 item 14.2

Summary:

Council to consider reviewing the names of two external committees and the addition of a new external committee and appointing members, delegates and deputies to the Committee.

Background:

Council has the following Committees of Council:

- Audit Committee

Charter:

To:

- assist the auditor and ensure that audits are conducted successfully and timely;
- meet with the auditor at least once a year;
- examine the auditor's report and ensure appropriate action is taken; and
- report on actions taken in respect of any issues raised by the auditor to council.

Recreation & Cultural Committee

Charter:

- To provide recommendations to the Shire of Pingelly on sport and recreation matters

- Bushfire Advisory Committee

Charter:

To advise Council on all matters relating to:

- the prevention, controlling and extinguishing of bush fires;
- prosecutions for breaches of the Bush Fire Act;
- the formation and de-formation of bush fire brigades;
- the co-ordination of the efforts and activities of the bush fire brigades; and
- any other matter relating to bush fire control

- Medical and Aged Care Services Committee

Charter: To investigate health issues relevant to Pingelly

- CEO Performance Review Committee

- **Charter:** To complete the Annual Performance Review of the Chief Executive Officer

Council currently has the following Council Delegates on Council Committees:

- Audit Committee Full Council
- Recreation & Cultural Committee Member – Cr Lange
Member – Cr Walton-Hassell
Member – Cr Wood
Member – Cr Marshall
- Bushfire Advisory Committee Member – Cr Freebairn
Deputy – Cr Marshall
- Medical and Aged Care Services Committee Member – Cr Freebairn
Member – Cr Hodges
Member – Cr Lange
Member – Cr Mulroney
Member – Cr Steel
- CEO Performance Review Committee Member – President
Member – Deputy President
Member – Cr Hodges

Council currently has the following Council Delegates on External Committees:

- Central Country Zone of WALGA Delegate – President
Delegate – Deputy President
Deputy – Cr Walton-Hassell
- Hotham-Dale Regional Road Sub-Group Delegate – Cr Lange
Deputy – Cr Marshall
- Pingelly Cottage Homes Committee Delegate – Cr Freebairn
Deputy – Cr Mulroney
- Development Assessment Panel Delegate – Cr Mulroney
Delegate – Cr Freebairn
Deputy – Cr Hodges
Deputy – Cr Wood

Deputy – Cr Freebairn
- Pingelly Tourism Group Delegate – Cr Freebairn
Deputy – Cr Lange
- Regional Waste Group Delegate – Cr Mulroney
Deputy – Cr Wood
- Shires of Pingelly and Wandering Joint Local Emergency Management Committee Delegate – Cr Lange
Deputy – Cr Hodges

- Aged Care Planning Regional Sub-Group (BBP) Delegate – Cr Lange
Delegate – Cr Steel
Deputy – Members of Medical & Aged Care Committee
- Youth Working Group Delegate – Cr Steel
Delegate – Cr Walton-Hassell
Deputy – Recreation & Cultural Committee
- Project User Group (PUG) Delegate– Cr Lange
Deputy – Cr Hodges
- Sport and Recreation Focus Group Delegate – Cr Lange
Delegate – Cr Walton-Hassell
Deputy – Cr Hodges

Comment:

With the recent formation of the Somerset Alliance, it is considered to be an opportune time to review the names of two other external committees and the addition of a new external committee and appointing members, delegates and deputies to the new external committee.

Consultation:

Chief Executive Officer and Councillors.

Statutory Environment:

Section 5.8 of the *Local Government Act* (Establishment of committees) provides that a local government may establish* committees of three (3) or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

- *Absolute majority required.

Section 5.9 (Types of committees) provides that:

- (1) In this section **other person** means a person who is not a council member or an employee.
- (2) A committee is to comprise —
 - (a) council members only;
 - (b) council members and employees;
 - (c) council members, employees and other persons;
 - (d) council members and other persons;
 - (e) employees and other persons; or
 - (f) other persons only.

Section 5.10 (Appointment of committee members) provides that:

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).
 - *Absolute majority required.
- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

Section 5.11A (Deputy committee members) provides:

- (1) The local government may appoint a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.
 - **Absolute majority required.*
- (2) A person who is appointed as a deputy of a member of a committee is to be —
 - (a) if the member of the committee is a council member — a council member; or
 - (b) if the member of the committee is an employee — an employee; or
 - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
 - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

Section 5.11 (Tenure of committee membership)

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
 - (b) the person resigns from membership of the committee;
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day, whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the term of the person's appointment as a committee member expires;
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day, whichever happens first.

Section 5.12 (Election of presiding members and deputies)

- (1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —
 - (a) to “office” were references to “office of presiding member”;
 - (b) to “council” were references to “committee”; and
 - (c) to “councillors” were references to “committee members”.

- (2) The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —
 - (a) to “office” were references to “office of deputy presiding member”;
 - (b) to “council” were references to “committee”;
 - (c) to “councillors” were references to “committee members”; and
 - (d) to “mayor or president” were references to “presiding member”.

Section 5.15 (Reduction of quorum) provides that the local government may reduce* the number of offices of committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.

- **Absolute majority required.*

Section 5.16 (Delegation of some powers and duties to certain committees) provides that:

- (1) Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.
 - **Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

- (3) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
 - (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.

- (4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

Section 5.17 (Limits on delegation of powers and duties to certain committees)

- (1) A local government can delegate —
 - (a) to a committee comprising council members only, any of the council’s powers or duties under this Act except —
 - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
 - (ii) any other power or duty that is prescribed;
 - (b) to a committee comprising council members and employees, any of the local government’s powers or duties that can be delegated to the CEO under Division 4; and
 - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government’s powers or duties that are necessary or convenient for the proper management of —
 - (i) the local government’s property; or
 - (ii) an event in which the local government is involved.

- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

Section 5.19 (Quorum for meetings) provides that the quorum for a meeting of a council or committee is at least 50% of the number of offices (whether vacant or not) of member of the council or the committee.

Section 7.1A (Audit committee) provides that:

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed * by the local government and at least 3 of the members, and the majority of the members are to be council members.
 - *Absolute majority required.
- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

Section 67 of the *Bush Fires Act* provides that:

- (1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified in this subsection.
- (2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- (3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —
 - (a) make rules for the guidance of the committee;
 - (b) accept the resignation in writing of, or remove, any member of the committee; and
 - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.
- (4) A committee appointed under this section —
 - (a) may from time to time meet and adjourn as the committee thinks fit;
 - (b) shall not transact business at a meeting unless the quorum fixed by the local government is present;
 - (c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

Section 5.8 of the *Local Government Act 1995* and section 38 of the *Emergency Management Act 2005*, establishes the Shires of Pingelly and Wandering Joint Local Emergency Management Committee;

1. In accordance with provisions of Section 5.9 of the *Local Government Act 1995* resolves that the Local Emergency Management Committees are to comprise of Councillors, Staff and Other Persons;

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

N/A

Voting Requirements:

Absolute Majority

Recommendation 1:

That Council discuss the new Somerset Alliance as an External Committee of Council and Council Delegates to be appointing as elected members to the external committee:

- **Somerset Alliance**
Delegate –
Delegate –
Deputy –
Deputy –

Moved: _____ Seconded: _____

Recommendation 2:

That Council endorse the above appointments of Elected Members of Council to the Somerset Alliance Committee as Council Delegates to the External Committee.

Moved: _____ Seconded: _____

Recommendation 3:

That Council endorse

Changing only the names of the following two External Committees of Council and retain the current Council Delegates on these External Committees:

- **Current Youth Working Group *changed to* Youth Focus Group**
- **Current Sport and Recreation Focus Group *changed to* Pingelly Recreation and Cultural Centre Committee**

Moved: _____ Seconded: _____

14.2 2017/18 Budget – Community Submissions

File Reference: ADM0067
Location: Shire of Pingelly
Applicant: Shire of Pingelly Community Groups
Author: Gavin Pollock – Chief Executive Officer
Date: 15 June 2017
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Nil

Summary:

Council to consider community requests for inclusion in the draft 2017/18 Budget.

Background:

Submissions for the draft 2017/18 Budget were invited via the *Pingelly Times* every week during February and March 2017 with submissions requested by 31 March 2017.

Applicant/ Organisation	Request	Budget Amount
Brookton Pingelly Football Club	Looking at covering costs for hire of Community Bus during the 2017 football season. Total \$3,520	\$1,320 – 6 x Bus Hire Only at \$220.00 per time.
Pingelly Development Association	Seeking funding to assist the Pingelly Development Association (PDA) to provide support with insurance cover through LGIS Volunteer Public Liability. Groups included under the PDA banner include Pingelly Hospital Ladies Aux, Museum Group, Townscape Group, Pingelly Men’s Shed, Market Day Group and the PDA Party on the Oval Group. Community Benefit; Continued support of all the groups listed and the activities they undertake to improve our community. Total \$2,500	\$2,500 Only
Pingelly Golf Club	Club is looking to replace the scrapers for their Greens as the old ones are heavy and difficult for the older patrons to use. Purchase of new cups for the Greens as old ones are chipped and worn, the club is replacing these a little at a time. Replacement of current ovens as the ones they currently have are dated and not working well, the cost of repairing them outweighs the purchase of replacing them. Club has had a second hand air conditioner donated to them and are seeking funding to cover the cost of replacing it. Looking to upgrade their television as the current one is small and a larger one will attract more patrons to the club outside of playing hours. Total \$7,114	\$1,800 Only As per policy guidelines requirements of initial application.
Pingelly District Council (Youthcare)	Group is seeking funding towards the following activities: Buzz School Camps \$1,200 PD Training/School Supplies \$1,200 Lunch time craft activities \$1,000 Total \$3,400	\$1,500 Only As per policy guidelines requirements of initial application.

Applicant/ Organisation	Request Details	Budget Amount
Friends of Pingelly Railway Station	The group is endeavouring to finish the internal area of the building by late August 2017, early September 2017 in preparation for the fit outs of Invisi-guard window screens, plumbing inside and outside, door locks and security, sanding and sealing of floor. Total \$15,746.16	\$5,000 Only As per policy guidelines requirements of initial application.
Pingelly Tourism Group	Group is seeking funding towards their Pingelly Art, Craft and Culture weekend in November 2017 and May 2018 to go towards advertising material, printing costs, hessian cloth, bales and stands, along with other incidentals. They are also seeking funding to go towards their historical book, "The 10 Bush Schools of the Pingelly Shire" to cover costs of professional reproduction and enhancement of historical photos, newspaper clippings and memorabilia and incidental costs associated with the production of the book and the book launch itself. Total \$3,000 however it is noted that Pingelly Tourism Group did not meet the standards required for their application.	\$1,000 Only As per policy guidelines requirements of initial application.
Pingelly Museum and Historical Group (under the auspices of the Development Association)	Group are seeking funding support for the following – <ul style="list-style-type: none"> • To host a display in the Town Hall of all the photographs collected from the Lost Pingelly Facebook website. The Display will be similar to the Pingelly Remembers WWA Display held in 2014. • Purchase of appropriate archival polypropylene rodent and water resistant boxes to archive museum documents. • Purchase of appropriate archival photo/slide/document sleeves and albums to start archiving all the old museum collection of photographs/documents from 1900's onwards. • Purchase of PPE for all Museum volunteers, such as dust/lab coats, gloves, hi vis, safety glasses, disposable masks. • Purchase of waterproof and tamperproof outdoor lockable notice board. • Renewal of Museum membership for 2018. • A hard wired unmonitored smoke alarm with an external alarm or siren to be installed in the main museum building. • All electrical equipment requires tagging. • Purchase of a strip door for the front entrance to stop cool air escaping. • The renovation and preservation of the original Pingelly Mourambine Roads Boards rate and Minute Books Stage 2. Total \$5,000	\$2,000 Only As per policy guidelines requirements of initial application.
Pingelly Early Years Network	The Pingelly Early Years Network is seeking a similar level of support to the previous year. During 2017-2018 the Network plans to deliver the following events and programs; <ul style="list-style-type: none"> • Deliver an event for Children's Week for Families, with a proposed performance aimed at young families. • Deliver a breakfast event with a suitable presenter for Dads in the community – exploring fatherhood and the • Dads their role in wellbeing and development of their child/children. • Expand the PEYN Literacy project – 'A Book in Every Pingelly Child's Hands', by running a series of targeted events for the 0-5's and their parents or carers with a focus on literacy, books and activities that help to bring books and reading to life, this will include National Simultaneous Story time, A teddy Bear's Picnic and additional targeted story time events. 	\$1,600 Only As per policy guidelines requirements of initial application.

	<ul style="list-style-type: none"> • Provide access to a Maggie Dent event to be held in wandering by providing a bus or buses to transport parents from our community to and from the event. • Host a First Aid workshop specifically for parents, with a focus on important first aid skills and information for families with young children. <p>Total \$4,900</p>	
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Comment:

A full listing of grant submissions received was presented to Councillors and workshopped at the first budget meeting held in May 2017.

Consultation:

Shire Councillors, Executive Staff and Community Groups.

Statutory Environment:

Section 6.7(2) (Municipal fund) of the *Local Government Act* provides that money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government.

Policy Implications:

Policy 5.15 Financial Assistance Grant Scheme provides that Council may sponsor members of the community or provide financial assistance to community organisations for the provision of services that are of benefit to the community. Requests for financial assistance will be invited in February to March and are to be in writing for consideration by Council at the June meeting

Financial Implications:

Inclusion in the Draft 2017/18 Budget.

Strategic Implications:

Shire of Pingelly Strategic Community Plan.

GOALS	A Healthy and Cohesive Community	Enhanced Natural and Built Environment	Prosperous and Sustainable Local Economy	Effective Governance and Organisation
OUTCOMES	A cohesive and supportive community A safe community Access to recreation sporting and leisure opportunities Development and participation of young people Health and family support services that are accessible and meet the needs of the community Quality of life for the aged and disabled	Protection of the natural environment Assets and infrastructure that meet current and future needs Effective waste management Attractive streetscapes, open spaces, parks and gardens Safe and reliable transport infrastructure Shire of Pingelly buildings and facilities that meet community needs	A diverse and strong economic base Viable businesses providing local employment Infrastructure that supports economic development Sustainable population growth in Pingelly	Effective leadership and governance Skilled, effective and committed staff in a supportive environment Effective information and customer services A financially sustainable Shire Effective and efficient corporate and administrative services

Voting Requirements:

Simple Majority

Recommendation:

That Council:

1. **Endorse the following public submissions for inclusion in the draft 2017/18 Budget for further consideration with the 2017/18 Budget adoption;**
 - **Brookton/Pingelly Football Club** \$1,320
 - **Pingelly Development Association** \$2,500
 - **Pingelly Golf Club** \$1,800
 - **Friends of Pingelly Railway** \$5,000
 - **Pingelly District Council of Youthcare** \$1,500
 - **Pingelly Museum and Historical Group** \$2,000
 - **Pingelly Early Years Network** \$1,600
 - **Pingelly Tourism Group** \$1,000

2. **Approve the Chief Executive Officer of informing all applicants of the status of their submissions and that they will be included in the draft budget for consideration when formally adopting the 2017/18 financial budget.**

Moved: _____ Seconded: _____

14.3 Proposed New Road Name – Pingelly Recreation & Convention Centre

File Reference: ADM0301
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: Tara Whitney – Project Administration Officer
Authorising Officer: Gavin Pollock – Chief Executive Officer
Date: 30 May 2017
Disclosure of Interest: Nil
Attachments: Landgate Notice of Approval (Attachment 1 after green sheet under separate cover)

Summary:

Landgate has approved the naming of the new road, which will lead to the Pingelly Recreation & Convention Centre.

Background:

Council at its Ordinary Meeting held on 16 November 2016 resolved as follows:

“That Council:

1. Request the Geographic Names Committee approve the following list of road names, providing copies of the relevant submissions detailing the background and the source of the name:
 1. Community
 2. Caesia
 3. Mateship”

Subsequent Council discussion agreed on the road types of Community Place, Mateship Court and Caesia Place.

On 5 May 2017, Landgate, by order of the Minister for Lands, approved the road name of Community Place.

Comment:

To acknowledge his contribution in suggesting the road name, Dustin Marshall, will be invited to assist in installation of the new road sign.

Consultation:

Community consultation.
Landgate – Geographic Names Committee.
Shire Councillors.
Shire Executive Staff.

Statutory Environment:

Shire of Pingelly – Local Planning Scheme No. 3.

Policy Implications:

There are no policy implications associated with this proposal. The proposal is consistent with the Master Plan for the PRACC.

Financial Implications:

There are minor costs associated with the fabrication of a new street sign.

Strategic Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That Council:

1. Received the notice of approval of the road name from Landgate.
2. Endorse the new road name of Community Place as the entry road from Somerset Street into the Pingelly Recreation Ground.

Moved: _____ Seconded: _____

14.4 Chief Executive Officer Leave and Appointment of Acting Chief Executive Officer

File Reference: ADM0310
Location: Shire of Pingelly
Applicant: Gavin Pollock, Chief Executive Officer
Author: Gavin Pollock, Chief Executive Officer
Date: 15 July 2017
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider the Chief Executive Officer's request for leave from 30 June 2017 to 17 July 2017 and the appointment of Mr Barry Gibbs as Acting Chief Executive Officer for this period of leave.

Background:

The Chief Executive Officer has discussed the appointment of an Acting Chief Executive Officer with Mr Barry Gibbs and the Executive Team. Mr Barry Gibbs has agreed to undertake the position of Acting Chief Executive Officer while the Chief Executive Officer is on leave.

Comment:

A remuneration salary will be offered to Mr Barry Gibbs within the Band 4 reward package range prescribed by the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Act.

Consultation:

Shire President - Cr Lange, Director Corporate Community Services – Stuart Billingham and Director Technical Services – Barry Gibbs.

Statutory Environment:

Section 5.36 of the *Local Government Act 1995* provides that:

- (1) A local government is to employ —
 - (a) a person to be the CEO of the local government; and
 - (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
- (2) A person is not to be employed in the position of CEO unless the council —
 - (a) believes that the person is suitably qualified for the position; and
 - (b) is satisfied with the provisions of the proposed employment contract.
- (3) A person is not to be employed by a local government in any other position unless the CEO —
 - (a) Believes that the person is suitably qualified for the position; and
 - (b) is satisfied with the proposed arrangements relating to the person's employment.
- (4) Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement into contain such information with respect to the position as is prescribed.
- (5A) Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
- (5) For the avoidance of doubt, subsection (4) does not impose requirement to advertise a position before the renewal of contract referred to in section 5.39.

Regulation 18 of the Local Government (Administration) Regulations provides that:

- (1) If a position of CEO, or of senior employee, of a local government becomes vacant, the local government is to advertise the position —
 - (a) on a notice board exhibited to the public at the local government's offices, if the position is —
 - (i) to be filled on a part time basis by a person who is also employed by another local government; or
 - (ii) an acting position for a term not exceeding one year;
 - or
 - (b) otherwise, in a newspaper circulating generally throughout the State.
- (2) An advertisement referred to in sub regulation (1) is to contain —
 - (a) the details of the remuneration and benefits offered;
 - (b) details of the place where applications for the position are to be submitted;
 - (c) the date and time for the closing of applications for the position;
 - (d) the duration of the proposed contract;
 - (e) contact details for a person who can provide further information about the position; and
 - (f) any other information that the local government considers is relevant.

Policy Implications:

Nil

Financial Implications:

Nil effect on the 2016/17 budget as a provision for higher duties has been allowed for in the budget process.

Strategic Implications:

The appointment of an Acting Chief Executive Officer will meet the requirements of the Local Government Act.

Voting Requirements:

Majority.

Recommendation:

That Council Approve

1. **The Chief Executive Officer's request for leave from 30 June 2017 to 17 July 2017 and the appointment of Mr Barry Gibbs as Acting Chief Executive Officer for this period of leave.**
2. **The Chief Executive Officer offering Mr Barry Gibbs a remuneration salary for the period of stated leave within the Band 4 prescribed range of the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Act.**

Moved: _____ Seconded: _____

Moved: _____ Seconded: _____

That the meeting be closed to members of the public to allow council to discuss a confidential item.

14.5 Confidential Item - Sundry Debtors Write Off

File Reference: ADM0494
Location: Shire of Pingelly
Applicant: Stuart Billingham, Director Corporate and Community Services
Author: Stuart Billingham, Director Corporate and Community Services
Date: 12 June 2017
Disclosure of Interest: Nil
Attachments: Under Separate Cover – Confidential Items
Previous Reference: N/A

Please refer to separate confidential item submitted as a separate attachment.

Moved: _____ Seconded: _____

14.6 Confidential Item - Rates Sale of Land for Unpaid Rates Over Three Years – Assessment A2660

File Reference: A2660
Location: A2660 Pingelly
Applicant: Stuart Billingham, Director Corporate and Community Services
Author: Stuart Billingham, Director Corporate and Community Services
Date: 12 June 2017
Disclosure of Interest: Nil
Attachments: Under Separate Cover – Confidential Items
Valuation Letter, Response from Public Trustee
Previous Reference: N/A

Please refer to separate confidential item submitted as a separate attachment.

Moved: _____ Seconded: _____

14.7 Confidential Item - Rates Debtors Back Rates Write Off

File Reference: ADM0494
Location: Shire of Pingelly
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 15 June 2017
Disclosure of Interest: Nil
Attachments: Nil

Please refer to separate confidential item submitted as a separate attachment.

Moved: _____ Seconded: _____

14.8 Confidential Item - Tender 02/2016-2017 - Construction Services for Pingelly Age Appropriate Accommodation (PAAA).

THIS ITEM WILL BE DISTRIBUTED ON MONDAY 19 JUNE 2017.

Moved: _____ Seconded: _____

Moved: _____ Seconded: _____
That the meeting be again open to the public

15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

15.1 Monthly Statement of Financial Activity

File Reference: ADM0075
Location: Shire of Pingelly
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 12 June 2017
Disclosure of Interest: Nil
Attachments: Monthly Statements of Financial Activity for the period 1 July 2016 to 31 May 2017 (Attachment 2 after blue sheet under separate cover)
Previous Reference: N/A

Summary:

In Accordance with the Local Government Act 1995 Section 5.25 (1) and Local Government (Financial Management) Regulations 1996, Monthly Financial Statements are required to be presented to Council, in order to ensure that income and expenditure is in keeping with budget forecasts.

The Monthly Statements of Financial Activity for the month of May 2017 is attached for Council consideration and adoption.

Background:

In order to prepare the monthly statements, the following reconciliations have been completed and verified:

- Reconciliation of assets, payroll and taxation services;
- Reconciliation of all shire's bank accounts, including term deposits;
- Reconciliation of Rates, including outstanding debtors;
- Reconciliation of Sundry Creditors and Debtors;

Consultation:

Chief Executive Officer

Statutory Environment:

Local Government Act 1995;

Local Government (Financial Management) Regulations 1996

Section 34: Financial Reports to be Prepared

(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -

- (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
- (b) Budget estimates to the end of the month to which the statement relates;
- (c) Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) Material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) The net current assets at the end of the month to which the statement relates.

- (2) Each statement of financial activity is to be accompanied by documents containing -
- (a) An explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) An explanation of each of the material variances referred to in sub regulation (1) (d); and
 - (c) Such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown -
- (a) According to nature and type classification;
 - (b) By program; or
 - (c) By business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), is to be -
- (a) Presented to the council -
 - (i) At the next ordinary meeting of the council following the end of the month to which the statement relates; or
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

Policy Implications:

There are no policy implications.

Financial Implications:

There are no significant trends or issues to be reported. The report and officer recommendation is consistent with Council's adopted Budget 2016/2017.

Strategic Implications:

There are no known significant strategic implications.

Voting Requirements:

Simple Majority

Recommendation:

That with respect to the Monthly Statements of Financial Activity for the month ending 31 May 2017 be accepted and material variances be noted.

Moved: _____ Seconded: _____

15.2 Accounts Paid by Authority

File Reference: ADM0066
Location: Shire of Pingelly
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Rebecca Billingham, Finance Officer
Date: 12 June 2017
Disclosure of Interest: Nil
Attachments: List of Accounts
(Attachment 3 after yellow sheet under separate cover)
Previous Reference: N/A

Summary:

Council endorsement is required for accounts made by authority for the month of May 2017.

Comment:

Unless otherwise identified, all payments have been made in accordance with Council's 2016/17 Budget.

Consultation:

Nil

Statutory Environment:

Regulation 12 of the *Local Government (Financial Management) Regulations* provides that:

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

Regulation 13 of the *Local Government (Financial Management) Regulations* provides that:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the Council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
 - (a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Policy Implications:

There are no policy implications arising from this amendment.

Financial Implications:

There are no known financial implications upon either the Council’s current budget or long term financial plan.

Strategic Implications:

There are no known significant strategic implications relating to the report.

Voting Requirements:

Simple Majority

Recommendation:

That Council endorse the Accounts for Payments for May 2017 as presented:

MAY 2017	
MUNI - 117984856	
EFT 3504 - 3654	\$ 768,755.84
CHEQUE 24430 - 24446	\$ 31,951.83
TRUST ACCOUNTS	
DEPT OF TRANSPORT – 123395691	\$ 48,612.15
TRUST FUND – 1880	\$ 33.00
DIRECT DEBIT -	
DD8876.1 – DD8958.11 – Pay and Super	\$ 33,061.58
CREDIT CARD	
DD8909.1	\$ 856.24
GRAND TOTAL	\$ 883,270.64

Notification	Explanation
Nil	

Moved: _____ Seconded: _____

15.3 Draft 2017/2018 Budget - Fees & Charges

File Reference: ADM0067
Location: Shire of Pingelly
Applicant: Various
Author: Stuart Billingham, Director Corporate and Community Services
Date: 12 June 2017
Disclosure of Interest: Nil
Attachments: Draft Fees and Charges 2017/18 - (Attachment 4 after purple sheet in separate attachments book)
Previous Reference: N/A

Summary:

Council to consider fees and charges for inclusion in the draft 2017/18 Budget.

Background:

It is appropriate that Council gives consideration to fees and charges for 2017/18 to allow the draft 2017/18 budget to be prepared.

Comment:

It is required that generally fees and charges are levied on a cost recovery basis, however in the past the Shire of Pingelly has subsidised the use of community facilities by community and sporting groups in recognition of the overall benefit to the community of the continued existence of these groups. This convention will continue in 2017/18.

Generally charges have increased with increases in CPI or actual cost. Additional charges have been included for 2017/18 to reflect the actual scope of the Shire of Pingelly's operations, with a fee and charge included in the budget for all charges made by the Shire of Pingelly.

Some fees and charges are set by legislation and have been identified in the fees and charges as being charges levied by statute. The Shire of Pingelly has no control over the amounts charged when fees are set by legislation.

Consultation:

Various legislation
Council management and staff

Statutory Environment:

Section 6.16 of the *Local Government Act* provides that:

- (1) a local government may impose (by absolute majority) and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
- (2) A fee or charge may be imposed for the following
 - a. Providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government
 - b. Supplying a service or carrying out work at the request of a person
 - c. Subject to section 5.94, providing information from local government records;
 - d. Receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorization or certificate;
 - e. Supplying goods;
 - f. Such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be –
 - a. Imposed (by absolute majority) during a financial year; and
 - b. Amended (by absolute majority) from time to time during a financial year.

Section 6.17 further provides:

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –
 - a. The cost to the local government of providing the service or goods;
 - b. The importance of the service or goods to the community; and
 - c. The price at which the service or goods could be provided by an alternative provider.
- (2) A high fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service –
 - a. Under section 5.96;
 - b. Under section 6.16 (2) (d); or
 - c. Prescribed under section 6.16 (2) (f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service
- (4) Regulations may –
 - a. Prohibit the imposition of a fee or charge in prescribed circumstances; or
 - b. Limit the amount of a fee or charge in prescribed circumstances.

Regulation 2 of the *Local Government (Financial Management) Regulations* (2) provides that the CEO is to —

- (a) ensure that the resources of the local government are effectively and efficiently managed;
- (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and

Section 6.19 of the *Local Government Act* provides that if a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

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

Section 41 of the *Health Act* provides that every local government may from time to time, as occasion may require, make and levy as aforesaid and cause to be collected an annual rate for the purpose of providing for the proper performance of all or any of the services mentioned in section 112, and the maintenance of any sewerage works constructed by the local government under Part IV. Such annual rate shall not exceed —

- (a) 12 cents in the dollar on the gross rental value; or
- (b) where the system of valuation on the basis of the unimproved value is adopted, 3 cents in the dollar on the unimproved value of the land in fee simple:

Provided that the local government may direct that the minimum annual amount payable in respect of any one separate tenement shall not be less than \$1.

Provided also, that where any land in the district is not connected with any sewer, and a septic tank or other sewerage system approved by the local government is installed and used upon such land by the owner or occupier thereof for the collection, removal, and disposal of nightsoil, urine, and liquid wastes upon such land, the local government may by an entry in the rate record exempt such land from assessment of the annual rate made and levied under this section, and, in lieu of such annual rate, may, in respect of such land, make an annual charge under and in accordance with section 106 for the removal of refuse from such land.

Section 112 of the *Health Act* provides that:

- (1) A local government may, and when the Executive Director, Public Health so requires, shall undertake or contract for the efficient execution of the following works within its district, or any specified part of its district:
 - (a) The removal of house and trade refuse and other rubbish from premises.
 - (b) The supply of disinfectants for the prevention or control of disease, and pesticides for the destruction of pests.
 - (c) The cleansing of sanitary conveniences and drains.
 - (d) The collection and disposal of sewage.
 - (e) The cleaning and watering of streets.
 - (f) The providing, in proper and suitable places, of receptacles for the temporary deposit of refuse and rubbish collected under this section.
 - (g) The providing of suitable places, buildings, and appliances for the disposal of refuse, rubbish and sewage.
 - (ga) The construction and installation of plant for the disposal of refuse, rubbish and sewage.
 - (h) The collection and disposal of the carcasses of dead animals:
Provided that it shall not be lawful to deposit nightsoil in any place where it will be a nuisance or injurious or dangerous to health.
- (2) Any local government which has undertaken or contracted for the efficient execution of any such work as aforesaid within its district or any part thereof may by local law prohibit any person executing or undertaking the execution of any of the work undertaken or contracted for within the district or within such part thereof as aforesaid, as the case may be, so long as the local government or its contractor executes or continues the execution of the work or is prepared and willing to execute or continue the execution of the work.
- (3) After the end of the year 1934 no nightsoil collected in one district shall be deposited in any other district, except with the consent of the local government of such other district, or of the Executive Director, Public Health.

Section 30 of the *Residential Tenancies Act* provides that:

- (1) Subject to this section, the rent payable under a residential tenancy agreement may be increased by the owner by notice in writing to the tenant specifying the amount of the increased rent and the day as from which the increased rent becomes payable, being a day —
 - (a) not less than 60 days after the day on which the notice is given; and
 - (b) not less than 6 months after the day on which the tenancy commenced, or, if the rent has been increased under this section, the day on which it was last so increased, but otherwise the rent shall not increase or be increased.
- (2) The right of the owner to increase rent in accordance with subsection (1) —
 - (a) is not exercisable in relation to an agreement that creates a tenancy for a fixed term during the currency of that term unless the agreement provides that the rent may increase or be increased; and
 - (b) in any case, may be excluded or limited by agreement between the owner and the tenant.
- (3) A notice of increase of rent that has been given in accordance with this section and that has not been withdrawn by the owner varies the residential tenancy agreement to the effect that the increased rent specified in the notice is payable under the agreement as from the day specified in the notice.

Policy Implications:

There are no known policy implications upon either the Council's current budget or long term financial plan.

Financial Implications:

There are no known financial implications upon either the Council's current budget or long term financial plan.

Strategic Implications:

Shire of Pingelly Community Strategic Plan
Outcome 4.4 A Financially Sustainable Shire

Voting Requirements:

Absolute Majority Required

Section 6.16 Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

* Absolute majority required.

Recommendation:

That the Draft fees and charges for 2017/18, as presented be used to prepare the draft 2017/18 budget, for further consideration of adoption as part of the adoption of the 2017/18 annual budget.

NB: Fees and Charges effective from midnight 30 June 2017 after Council adopt the Budget to be backdated.

Moved: _____ Seconded: _____

15.4 Councillor Payments and Allowances

File Reference: ADM0487
Location: Shire of Pingelly
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 12 June 2017
Disclosure of Interest: Nil
Attachments: Determination for Local Government Elected Members Pursuant to Section 7B of the Salaries and Allowances Act 1975 (Attachment 5 after orange sheet under separate cover)

Summary:

For Council to determine the members fees and allowances to be paid to Councillors for the 2017/18 financial year.

Background:

Councillors are currently paid meeting fees and some expense reimbursements for carrying out their duties as Councillors. The amount paid for fees and allowances have been determined in accordance with the *Local Government Act 1995* and the Local Government Operational Guidelines Number 15 Meeting Fees, Allowances and Expenses for Elected Members. A review at this time will allow any revised payment amounts to be included in the draft budget for 2017/18.

Comment:

The member's fees and allowances were last reviewed as part of the 2016/17 budget process.

Fees being paid in 2016/17 are detailed below along with minimum and maximum allowed payments for 2017/18:

Payment Type	Shire of Pingelly	Local Government Act Local Government Regulations		
	Current Payment	Minimum	Maximum	Other
Presidents Allowance	\$1,200.00	\$508	\$19,864	Or up to 0.2% of operating revenue
Deputy Presidents Allowance	\$300.00	Up to 25% of Presidents Allowance	Up to 25% of Presidents Allowance	Up to 25% of Presidents Allowance
<i>Sitting Fees Ordinary and Special Council Meeting & Committee Meeting</i>				
Councillors	\$4,000.00	\$3,553.00	\$9,410.00	Annual Fee
		\$90.00	\$236.00	Per Ordinary or Special Council Meeting
		\$45.00	\$118.00	Per Committee Meeting
President	\$10,000.00	\$3,553	\$19,341.00	Annual Fee
		\$90.00	\$485.00	Per Ordinary or Special Council Meeting
		\$45.00	\$118.00	Per Committee Meeting
Deputy President	\$4,400	\$3,553	\$9,410	Annual Fee

Other Allowances & Payments				
Phone, Fax, Information Technology & Telecommunications Expense	Actual Cost up to max \$1,000 (Shire President only)	\$500	\$3,500.00	Rental Charges only one phone and one fax, ISP fees or annual allowance
Childcare Expenses	Actual Cost or \$25 per hour whichever is the lesser	Actual Cost or \$25 per hour whichever is the lesser	Actual Cost or \$25 per hour whichever is the lesser	Actual Cost or \$25 per hour whichever is the lesser
Other Expenses	Determined as per policy 4.5			

Consultation:

Salaries and Allowances Tribunal

Statutory Environment:

Section 5.98 of the *Local Government Act* provides that:

- (5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
- (a) the annual local government allowance for mayors or presidents; or
 - (b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.

Section 5.98A of the *Local Government Act* provides that a local government may decide to pay the deputy mayor or deputy president of the local government an allowance of up to the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).

Section 5.99A of the *Local Government Act* provides that a local government may decide that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all council members —

- (a) the annual allowance determined by the Salaries and Allowances Tribunal and the Salaries and Allowances Act 1975 section 7B for that type of expense; or
- (b) where the local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for annual allowances for that type of expense, an allowance of that amount, and only reimburse the member for expenses of that type in excess of the amount of the allowance.

Regulations 33 to 34AC of the *Local Government (Administration) Regulations* which was deleted on 13 July 2012 was previously referred to when setting members fees.

The Western Australian Salaries and Allowances Tribunal now provide the determination of certain payments to elected council members with the current determination in effect from April 2017.

Policy Implications:

Shire of Pingelly Policy Manual

4.5 Conference and Meeting Expenses

Where a Councillor is authorised to attend a conference, meeting, course or other Council business, the Shire of Pingelly will pay for:

- fees;
- travel; and
- Councillor's accommodation, meals and other incidentals with these expenses.

Additionally, the Shire of Pingelly will pay for spouses to attend any official partner programme connected with the conference.

Financial Implications:

There are no known financial implications upon either the Council's current budget or long term financial plan.

Strategic Implications:

There are no known strategic implications upon either the Council's current budget or long term financial plan.

Voting Requirements:

Absolute Majority

Recommendation:

That Council adopt Members Fees and Payments for the Financial Year 2017/18 as follows:

- **Presidents Allowance \$1,200**
- **Deputy Presidents Allowance \$300**
- **Ordinary and Special Meeting Sitting Fees - Councillors \$4,000**
- **Ordinary and Special Meeting Sitting Fees – President \$10,000**
- **Ordinary and Special Meeting Sitting Fees – Deputy President \$4,400**
- **Phone, Fax, IT & Telecommunications Allowance - President only max \$1,000**
- **Childcare Expense actual cost of \$25 per hour or whichever is the lesser**
- **Other Expenses to be determined on a case by case basis as per policy 4.5 - Conference and Meeting Expenses.**

Moved: _____ Seconded: _____

16. DIRECTORATE OF TECHNICAL SERVICES

16.1 Application to Keep Three Dogs

File Reference: A20428/ADM0106
Location: Lots 322 & 323 – 6-8 Raglan Street
Applicant: Sheryl Squiers, Administration Officer Technical
Author: Sheryl Squiers, Administration Officer Technical
Date: 9 June 2017
Disclosure of Interest: Nil
Attachments: Map of Location of Property and copy of letter from Applicant (Attachment 6 after grey sheet in separate attachments book)
Previous Reference: N/A

Summary:

An application has been received from Geoff Whale requesting permission to keep three dogs at Lots 322 & 323 – 6- 8 Raglan Street.

Background:

The applicant put in a written application requesting consent from Council to keep three dogs at Lots 322 & 323 – 6-8 Raglan Street.

The applicant uses the three dogs in his work as a rural contractor doing crutching, dipping and other sheep related work.

Comment:

It is a requirement of the Shire of Pingelly's Dogs Local Law (2003) the maximum number of dogs that can be kept on a premise within a town site is two unless an exemption is granted by Council under the provisions of section 26(3) of the Dog Act 1976 (as Amended).

The applicant requires the dogs for his work purposes as a rural contractor involving various sheep work provisions. Three dogs are Huntaway sheep dogs and there are two male dogs Mana and Rip and one female Tui.

Council has approved similar applications in the past where all adjoining neighbours have agreed to the request and the Shire Ranger or other Authorised Council Officer has considered that there are no valid reasons for withholding such approval.

There has been no prior consultation with neighbours for the reason that the common boundary fence to the properties that join Lot 323 – 8 Raglan Street is vacant land, the owner of 6 Raglan St (to the north) which is vacant land owns 8 Raglan St, Lot 321 – 10 Raglan (to the south) is vacant land, and the rear boundary adjoins James Street.

The following conditions to be stipulated on the approval:

- That the exemption be reviewed in twelve months to ensure that no adverse problems have been experienced as a result of the exemption, and
- That Council reserve the right to withdraw the exemption at any time if any major or substantial problems are experienced prior to the review period.
- That the exemption applies only to the dogs nominated by the applicant.
- Each dog on the property must be microchipped and registered with the Shire of Pingelly.
- Upon the death or permanent removal of any of the nominated dogs a maximum of two dogs only will be permitted to be kept on this property.

Consultation:

Dog Act (1976)

Barry Gibbs – Director Technical Services

Statutory Environment:

DOG ACT 1976 - SECT 26

26 Limitation as to numbers

- (1) A local government may, by a local law under this Act —
- (a) limit the number of dogs that have reached 3 months of age that can be kept in or at premises in the local government's district; or
- (b) limit the number of dogs of a breed specified in the local law that can be kept in or at premises in the local government's district.
- (2) A local law mentioned in subsection (1) —
- (a) may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only; and
- (b) cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age; and
- (c) cannot apply to dogs kept at premises that are licensed under section 27 as an approved kennel establishment; and
- (d) cannot apply to dangerous dogs (declared) or dangerous dogs (restricted breed).
- (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —
- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and
- (b) cannot authorise the keeping in or at those premises of —
- (i) more than 6 dogs that have reached 3 months of age; or
- (ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption;
- and
- (c) may be revoked or varied at any time.
- (4) A person must not keep in or at any premises, not being licensed under section 27 as an approved kennel establishment —
- (a) in the case of dogs that have reached 3 months of age, other than dangerous dogs (declared) or dangerous dogs (restricted breed), more than the number of dogs than the limit imposed under —
- (i) a local law mentioned in subsection (1); or
- (ii) an exemption granted under subsection (3);
- or
- (b) more than —
- (i) 2 dangerous dogs (declared); or
- (ii) 2 dangerous dogs (restricted breed); or
- (iii) one of each of those kinds of dangerous dogs, that have reached 3 months of age; or
- (c) any pup, of a dangerous dog (restricted breed), that is under 3 months of age.

Penalty:

- (a) for an offence relating to a dangerous dog —
- (i) a fine of \$10,000, but the minimum penalty is a fine of \$500;
- (ii) for each separate and further offence committed by the person under the Interpretation Act 1984 section 71, a fine of \$500;
- (b) for an offence relating to a dog other than a dangerous dog —
- (i) a fine of \$5,000;
- (ii) for each separate and further offence committed by the person under the Interpretation Act 1984 section 71, a fine of \$100.

- (5) *Any person who is aggrieved—*
- (a) *by the conditions imposed in relation to any exemption under subsection (3); or*
- (b) *by the refusal of a local government to grant such an exemption, or by the revocation of an exemption,*
may apply to the State Administrative Tribunal for a review of the decision.
- (6) *An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.*

[Section 26 amended by No. 23 of 1987 s. 22; No. 14 of 1996 s. 4; No. 24 of 1996 s. 16; No. 55 of 2004 s. 256 and 268; No. 18 of 2013 s. 22.]

Pingelly Shire Council Dogs Local Law (2000) Section 3.2

Limitation on the number of dogs

- 3.2 (1) *This clause does not apply to premises which have been—*
- (a) *licensed under Part 4 as an approved kennel establishment; or*
- (b) *granted an exemption under section 26 (3) of the Act.*
- (2) *The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26 (4) of the Act—*
- (a) *2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite; or*
- (b) *4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside a townsite.*

Policy Implications:

Not Applicable

Financial Implications:

Not Applicable

Strategic Implications:

Dog Act 1976 (As Amended)

Shire of Pingelly's Dogs Local Law (2003)

Voting Requirements:

Simple Majority

Recommendation:

That Council grant an exemption for the keeping of three dogs at 6 – 8 Raglan Street subject to the following conditions:

- **That the exemption be reviewed in twelve months' time to ensure that no adverse problems have been experienced as a result of the exemption.**
- **That Council reserve the right to withdraw the exemption at any time if any major or substantial problems are experienced prior to the review period.**
- **The exemption applies only to the dogs nominated by the applicant.**
- **Each dog must be microchipped and registered with the Shire of Pingelly.**
- **Upon the death or permanent removal of any of the nominated dogs a maximum of two dogs only will be permitted to be kept on this property.**

Moved: _____ Seconded: _____

16.2 Application to Keep Large Animals

File Reference: A2906
Location: Lot 589 – 17 Pitt Street
Applicant: Mr Stuart Hion & Ms Christine Pedlar
Author: Sheryl Squiers, Administration Officer Technical
Date: 12 June 2017
Disclosure of Interest: Nil
Attachments: Policy 13.4 Stocking Rate and Keeping of Large Animals
(Attachment 7 after red sheet in separate attachments book)
Previous Reference: N/A

Summary:

Council to consider an application for approval to keep large animals at Lot 589 – 17 Pitt Street, Pingelly.

Background:

An application from the applicants has been received requesting consent to keep more than the permitted amount of stock as set out in Policy 13.4 Stocking Rates and Keeping of Large Animals at Lot 589 – 17 Pitt Street, Pingelly.

Lot 589 – 17 Pitt Street is zoned Residential and in the current Local Planning Scheme has an RCode rating of R2/R5 which has the opportunity to be redeveloped at higher density residential, the total lot is 0.9687 or 2.39375 acres.

Comment:

The current owners were on the understanding that the lot is Rural Residential, but the lot is zoned Residential under the Local Planning Scheme.

The applicants are requesting to keep four Alpacas and four Dorper sheep on the lot and have indicated a management plan as follows.

Internal fencing has been installed to allow for rotation of the stock. The stock rating for a property of the area of this property without a management plan would be one alpaca or five sheep.

A 23,000L rainwater tank and irrigation and water troughs have been installed, this allows for the grass to be watered hence the paddocks for stock rotation to allow for grass growth to be kept up.

The perimeter of the property has had the boundary fences repaired and native trees planted.

The lot is bounded by the Great Southern Hwy to the east, Pitt St to the north, Philips St to the south and 19 Pitt St to the west, with more than the required 15m from the dwelling on this lot. This eliminates any direct impact on neighbouring properties.

The keeping of the stock and irrigation of the grass is also a great method of hazard reduction during the fire season.

Council letter 8 6

Gavin Pollock
C/- Pingelly Shire Council
Pingelly Western Australia

SHIRE OF PINGELLY	
FILE	A2906
DATE	09 JUN 2017
Officer	A07
Copy to	ICR17217

Dear Gavin,

I am writing to you with some concerns about a private sale at 17 Pitt Street Pingelly which my Partner and Myself purchased from her Mother about a year ago.

The actually measured land measurement is 2.8861 acres or 1.1681 Hectares and when we purchased it from Roma Pedlar on the original title it showed as Rural / Residential. I have attached a snap of the original title and this is what the purchase contract was written from in a private sale, showing green as rural / residential. Roma was never notified that the zoning had changed. Thinking that the property was the same as when Roma and Tom owned the property we purchased the property and decided to repair all the perimeter fences and add some internal fencing as we wanted to run a few Sheep and Alpaca,s.

We bought a 23000 litre tank and an irrigation setup, water troughs were installed and because of the internal fencing this allows us to rotate a paddock at a time to keep up the grass for live stock and to keep dust down.

Around the perimeter of the property we planted 40 plus native shrubs (Callistemons) for our privacy and local traffic astetics.

When Tom and Roma owned the property they had 14 sheep which they ran in the paddocks and because it was zoned as rural / residential we thought when we bought the property we would have a few pets to keep the grass down (as a Hobby)

Christine was talking to one of her friends and was told that we may require permission from the shire to have a few animals on our block of land, what worries us is that we have now spent quite a lot of money thinking that what we were doing was the right thing.

All of our animals being 4 Alapaca,s and 4 Dorper sheep are regularly vet checked and looked after.

The money that we have spent is property improvent and we get numerous people traveling through the town that stop off the highway and say how interesting the Alapaca,s look and would we mind if they took a photo with them, being on a corner block we are not affecting neighbours as the property adjacent is vacant and looks like it need demolishing, our other neighbors with a common fence have come over to meet the Alpacas and dont seem to have a problem at all, and send the grandkids over to say hi.

As we are on the outskirts of town when of course the native Callistemons grow and flower this could only add to the picturesque view of people entering from the south through the town.

In conclusion we take pride in maintaining our Property, Animals, and Home.

Yours Faithfully

Stuart Hion.

17 Pitt St
Pingelly 6308
PH:0428888822

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WESTERN



AUSTRALIA

REGISTER BOOK

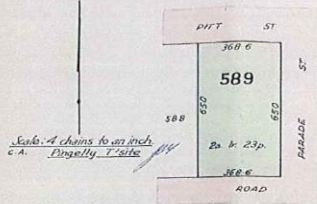
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Certificate of Title

UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED

Alexander Henry Frizzell, Farmer, and Eileen Rosa Frizzell, his wife, both of Pingelly, are now the proprietors as joint tenants of an estate in fee simple subject to the easements and encumbrances notified hereunder in the natural surface and therefrom to a depth of two hundred feet of all that piece of land delineated and coloured green on the map hereon containing two acres one rood and twenty-three perches or thereabouts, being Pingelly Lot 589.

Dated the 17th day of June, 1969.



[Signature]
REGISTRAR OF TITLES.



Application E829083 The registered proprietor is Eileen Rosa Frizzell of 17 Pitt Street, Pingelly, by survivorship. (Alexander Henry Frizzell died 21-6-1991).

11th March 1992



Transfer F399376 to Gavin Cameron Beswick, and Melissa Wendy Pedlar, both of 17 Pitt Street, Pingelly, as joint tenants. Registered 17th December, 1993 at 8.26 hrs.



Application G850230. The correct name of the second proprietor is Melissa Wendy Beswick. Registered 16th July 1998 at 8.56 hrs.

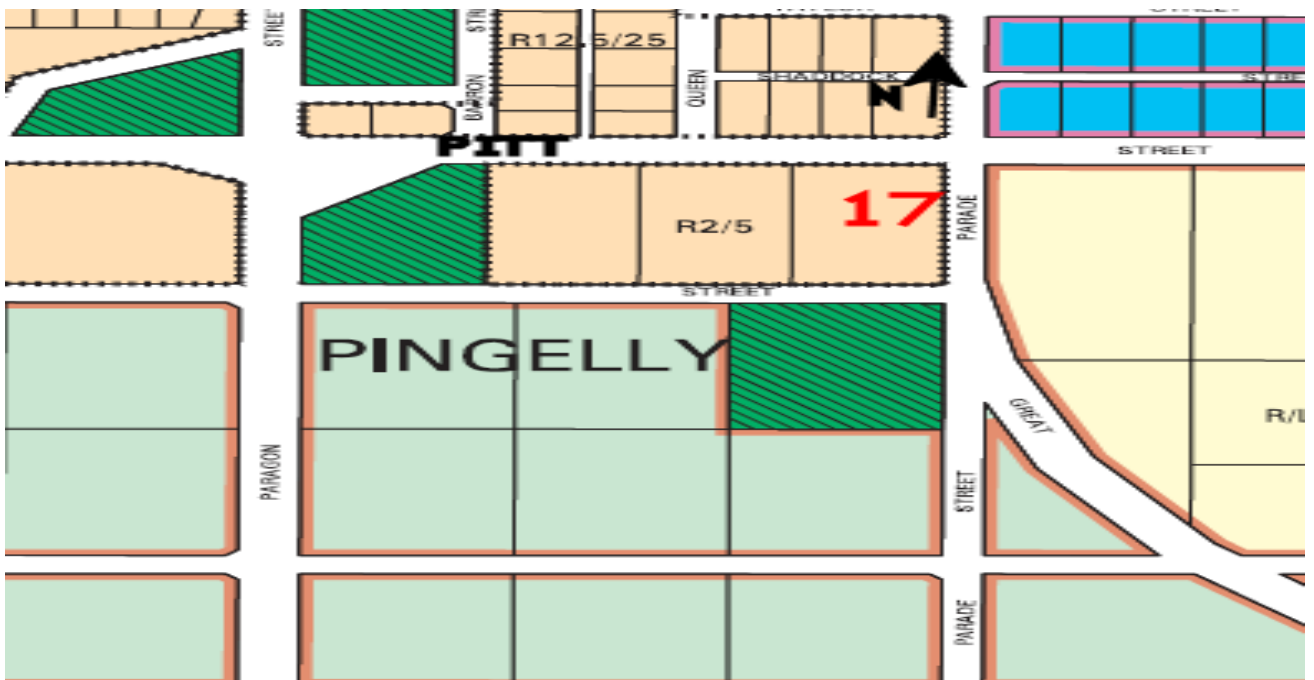


Transfer H766389 to Thomas Charles Pedlar and Roma Shirley Ailsa Pedlar both of 17 Pitt Street, Pingelly, as joint tenants. Registered 1st June 2001 at 15.40 hrs.



ISSUED FOR DISPL. PURPOSES ONLY

SUPERSEDED BY DIGITAL REGISTER



Consultation:

Barry Gibbs – Director Technical Services

Statutory Environment:

Shire of Pingelly Local Planning Scheme No.3.

Policy 13.4 Stocking Rate and Keeping of Large Animals

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation and Council Decision:

Council to grant approval to the applicants to keep four alpacas and four sheep at Lot 589 – 17 Pitt Street, Pingelly on the condition that the Management Plan submitted by the applicants is adhered to and reviewed every 12 months.

Moved: _____ Seconded: _____

17. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

18. NEW BUSINESS OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

19. CLOSURE OF MEETING

The Chairman to declare the meeting closed.