



Shire of Pingelly

Minutes

Ordinary Council Meeting
21 March 2018

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman declared the meeting open at 2.03pm.

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 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.

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

At the Ordinary Council Meeting held on 13 December 2017 the following leave was granted:

**12327 Moved Cr McBurney Seconded Cr Hodges
That Council approve Cr Freebairn taking leave from 21st June to 28th July 2018 inclusive.**

Carried 7:0

At the Ordinary Meeting of Council held on 21 February 2018 the following leave was granted:

**12358 Moved Cr Steel Seconded Cr Hotham
That Cr Walton-Hassell be granted leave from Wednesday 14th March to Tuesday 3rd April 2018 inclusive.**

Carried 8:0

**12376 Moved: Cr Wood Seconded: Cr McBurney
That Cr Walton-Hassell amend the above leave from Monday 26th March to Friday 13th April 2018.**

Carried 8:0

MEMBERS PRESENT

Cr WV Mulroney	President
Cr DI Freebairn	Deputy President
Cr BW Hotham	
Cr J McBurney	
Cr LN Steel	
Cr EJ Hodges	
Cr PJ Wood	
Cr JM Walton-Hassell	

STAFF IN ATTENDANCE

Mr G Pollock	Chief Executive Officer
Mr S Billingham	Director Corporate Community Services
Mr B Gibbs	Director Technical Services
Mrs L Boddy	Executive Assistant

APOLOGIES

Nil

OBSERVERS & VISITORS

Nil

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6. PUBLIC QUESTION TIME

Public question time opened at 2.07. As there were no members of the public present question time closed at 2.07pm.

7. APPLICATIONS FOR LEAVE OF ABSENCE

12377 Moved: Cr Walton Hassell Seconded: Cr Hotham

That Cr McBurney be granted leave from Saturday 30th June to Friday 31st August 2018.

Carried 8:0

12378 Moved: Cr Hodges Seconded: Cr McBurney

That Cr Wood be granted leave for Wednesday 4th April 2018.

Carried 8:0

8. DISCLOSURES OF INTEREST

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Meeting – 21 February 2018

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

12379 Moved: Cr Hodges

Seconded: Cr Wood

Recommendation and Council Decision:

That the Minutes of the Ordinary Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 21 February 2018 be confirmed.

Carried 8:0

10. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

11. REPORTS OF COMMITTEES OF COUNCIL

- Audit Committee Full Council
- Recreation & Cultural Committee Member – Shire President
Member – Deputy President
- Bushfire Advisory Committee Member – Cr Freebairn
Deputy – Cr Hotham
- 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 – President
Deputy – Cr McBurney
- Development Assessment Panel Delegate – Cr Mulroney
Delegate – Cr Freebairn
Deputy – Cr Hodges
Deputy – Cr Wood
- Pingelly Tourism Group Delegate – Cr McBurney
Deputy – Cr Freebairn
- Regional Waste Group Delegate – Cr Mulroney
Deputy – Cr Wood
- Shires of Pingelly and Wandering Joint
Local Emergency Management Committee Delegate – Shire President
Deputy – Cr Hodges
- Aged Care Planning Regional Sub-Group (BBP) Delegate – Shire President
Delegate – Cr Steel
Deputy – Cr Freebairn
- Youth Focus Group Delegate – Cr Walton-Hassell
Delegate – Cr McBurney
Deputy – Cr Steel
- Pingelly Somerset Alliance Delegate – Shire President
Deputy – Cr McBurney

13. REPORTS FROM COUNCILLORS

Cr William Mulroney (President)

Meetings attended:

February 2018

19th BBP (Beverley, Brookton, Pingelly) Re Aged Care accommodation application for funding.
19th Narrogin – One Use Plastic Bag Worksop.
21st Presentation of 25 years Volunteer Award to P Narducci, Morning Tea with Guests and Councillors. Corporate Discussion/Council Meeting. Presentation by Sergeant D Whitney and Council dinner.
26th Meeting with Pingelly Primary School Principal Mr R McArdle, Introduction and way forward with relationship with education and Council.
26th President and CEO Meeting. Current Council issues.
27th Radio Interview with ABC Breakfast Program. PRACC Building and its concept and building Materials.
27th Somerset Alliance Workshop with Peter Kenyon. Forward planning.
27th PRACC Committee meeting- Selection of Colours for internal fittings and flooring.
28th Somerset Alliance Worksop concludes.

March 2018

2nd Pingelly Primary School Faction Swimming Carnival and presentation of Medals.
7th Corporate Discussion.
9th Councillors Retreat. York.
10th Councillors Retreat York concludes.
13th President, Deputy President and CEO Meeting re Council Issues.
13th LEMC Meeting and desk top exercise - Focus on Communications within emergency services and stakeholders at an Incident.
13th PRACC Board Meeting setting up of Board Structure and sample of colours of floor coverings and fittings. Peter Kenyon in attendance.
14th Review Council Agenda.
16th Meeting with President, CEO and Dr Ojo from Agape Ventures relocation to new Health Centre.

Cr David Freebairn (Deputy President)

Nil

Cr Evan Hodges

Nil

Cr Bryan Hotham

Nil

Cr Jackie McBurney

Nil

Cr Lee Steel

Nil

Cr Michelle Walton-Hassell

Nil

Cr Peter Wood

Nil

**12380 Moved: Cr McBurney Seconded: Cr Hodges
that standing orders be suspended**

Carried 7:1

14 OFFICE OF THE CHIEF EXECUTIVE OFFICER

14.1 Shire of Pingelly Council Awards Policy 7.2

File Reference: ADM0487
Location: N/A
Applicant: G Pollock, Chief Executive Officer
Author: G Pollock, Chief Executive Officer
Date: 13 March 2018
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: N/A

Summary:

Council to adopt a change to the Shire of Pingelly Council Awards Policy 7.2.

Background:

The Shire of Pingelly currently has a Council Awards Policy which states that the Chief Executive Officer will issue invitations to the Australia Day Breakfast.

Comment:

The proposed policy alters the wording to allow the Shire President to issue invitations to the nominees of the Australia Day Awards rather than the Chief Executive Officer.

The current policy is shown below:

7.2 Council Awards

Each year, Council may present the following awards:

- (a) Community Service Award*
- (b) Sportsperson of the Year Award*

- 1. Nominations are to be advertised from October and close the first Friday of December.*
- 2. The nominee must accept the nomination prior to it being submitted.*
- 3. Presentations to the award winners shall be made as part of the Australia Day celebrations.*
- 4. Invitations to the Award winners are to be issued by the Chief Executive Officer to the Australia Day breakfast.*

Adopted: 19 January 2005
Reviewed/Amended: 21 April 2010
Reviewed/Amended: 16 March 2011
Amended: 20 March 2013
Reviewed: 17 June 2015, 17 May 2017

The proposed new policy will read:

7.2 Council Awards

Each year, Council may present the following awards:

(c) *Community Service Award*

(d) *Sportsperson of the Year Award*

1. *Nominations are to be advertised from October and close the first Friday of December each year.*
2. *The nominee must accept the nomination prior to it being submitted for consideration.*
3. *Presentations to the award winners shall be made as part of the Australia Day celebrations.*
4. *Invitations to the Award ~~nominees~~winners are to be issued by the Shire President ~~Chief Executive Officer~~ to the Australia Day breakfast each year.*

Consultation:

Shire of Pingelly Executive Staff
Shire of Pingelly Councillors

Statutory Environment:

Shire of Pingelly Policy Manual

Policy Implications:

Policy 2.1 Policy Manual

Council shall maintain a manual and up to date recording of the various policies of Council.

1. Additions, deletions and amendments to Council policy shall only be effected by an absolute majority of Council.
2. Biannual reviews of the Policy Manual shall be conducted in November immediately following the biannual elections, but nevertheless updated as and when a policy is varied by Council.
3. The Policy Manual shall be available for public inspection and comment free of charge at the Shire Administration Office. Copies will be made available for sale at a cost set by the Shire of Pingelly's current fees and charges.

Adopted:	19 January 2005
Reviewed/Amended:	21 April 2010
	19 October 2011
	21 December 2011

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority

Moved: Cr Wood

Seconded: Cr Hodges

Recommendation:

That Council adopt the changes within the report to the Shire of Pingelly Council Awards Policy 7.2.

Moved: Cr Walton Hassell Seconded: Cr Steel

The following amendment:

That number 4, as written above, be altered to winners not nominees and change Shire President and/or Chief Executive Officer as below:

4. *Invitations to the Award winners are to be issued by the Shire President and/or Chief Executive Officer to the Australia Day breakfast each year.*

Lost 3:5

12381 Moved: Cr Freebairn Seconded: Cr McBurney

An amendment to the motion as below:

4. *Invitations to the Award nominees are to be issued by the Shire President and/or Chief Executive Officer to the Australia Day breakfast each year.*

Carried 6:2

Cr Steel and Cr Walton-Hassell requested that their names be recorded as a negative vote.

COUNCIL DECISION:

12382 Cr McBurney Seconded Cr Wood

That Council adopt the changes within the report to the Shire of Pingelly Council Awards Policy 7.2.

Carried 6:2

Cr Steel and Cr Walton-Hassell requested that their names be recorded as a negative vote.

12383 Moved: Cr Wood Seconded: Cr Hodges
That the meeting be adjourned at 3.08pm to resume at 4pm

Carried 8:0

The meeting resumed at 4.05pm with everyone present before the adjournment in attendance.

12384 Moved: Cr Wood Seconded: Cr Hodges
That as per section 5.23(2) of the *Local Government Act 1995* the meeting be closed at 4.05pm to members of the public to allow Council to discuss a confidential item.

Carried 8:0

Stuart Billingham, Barry Gibbs and Lisa Boddy left the meeting at 4.06pm.
Gavin Pollock left the meeting at 4.16pm.

14.2 Confidential Item - Additional Business or Employment

File Reference: 0000
Location: Shire of Pingelly
Applicant: Chief Executive Officer
Author: Chief Executive Officer
Date: 16 March 2018
Disclosure of Interest: Nil
Attachments: Nil
Previous References: Nil

12385 Moved: Cr McBurney Seconded: Cr Walton-Hassell
To re-open the meeting to the public at 4.33pm.

Carried 8:0

Gavin Pollock and Lisa Boddy re-joined the meeting at 4.33pm.

Moved: Cr Wood Seconded: Cr McBurney

Recommendation:
That Council

- 1. receive the Chief Executive Officer report on additional Business or Employment.**
- 2. endorse the Chief Executive Officer request to engage in additional Business or Employment.**

12386 Moved: Cr Hodges Seconded: Cr Walton-Hassell
An amendment as follows:

That Council:

- 1. receive the Chief Executive Officer report on additional Business or Employment.**
- 2. endorse the Chief Executive Officer request to engage in additional Business or Employment.**

3. as Director his involvement in additional business or employment will be subject to the following conditions to reflect section 4.3 of his employment contract:

- **Employment with the Shire of Pingelly is to be your primary priority of employment.**
- **The additional or secondary employment is not to cause a conflict of interest with your current employment.**
- **No Shire information is to be used for your additional business or employment.**
- **If your performance is seen to suffer as a result of the additional or secondary employment a meeting will be required to discuss any concerns and any approval reviewed.**

Carried 8:0

COUNCIL DECISION:

That Council:

- 1. receive the Chief Executive Officer report on additional Business or Employment.**
- 2. endorse the Chief Executive Officer request to engage in additional Business or Employment.**
- 3. as Director his involvement in additional business or employment will be subject to the following conditions to reflect section 4.3 of his employment contract:**

- **Employment with the Shire of Pingelly is to be your primary priority of employment.**
- **The additional or secondary employment is not to cause a conflict of interest with your current employment.**
- **No Shire information is to be used for your additional business or employment.**
- **If your performance is seen to suffer as a result of the additional or secondary employment a meeting will be required to discuss any concerns and any approval reviewed**

Carried 8:0

12387 Moved: Cr Hodges Seconded: Cr Hotham

That the meeting be suspended from 4.39pm for half an hour.

Carried 8:0

The meeting reconvened at 5.08pm with all those present before the adjournment in attendance as well as Barry Gibbs and Stuart Billingham.

15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

15.1 Monthly Statement of Financial Activity – February 2018

File Reference: ADM0075
Location: N/A
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 14 March 2018
Disclosure of Interest: Nil
Attachments: Monthly Statements of Financial Activity for the period 1 July 2017 to 28 February 2018
(Attachment 1 following orange sheet in separate attachments booklet)
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 February 2018 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 2017/2018.

Strategic Implications:

There are no known significant strategic implications.

Voting Requirements:

Simple Majority

12388 Moved: Cr Steel

Seconded: Cr Hotham

Recommendation and Council Decision:

That with respect to the Monthly Statements of Financial Activity for the month ending 28 February 2018 be accepted and material variances be noted.

Carried 8:0

15.2 Accounts Paid by Authority – February 2018

File Reference: ADM0066
Location: Shire of Pingelly
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Rebecca Billingham, Senior Finance Officer
Date: 14 March 2018
Disclosure of Interest: Nil
Attachments: List of Accounts
(Attachment 2 following yellow sheet in separate attachments booklet)
Previous Reference: N/A

Summary:

Council endorsement is required for accounts made by authority for the month of February 2018.

Comment:

Unless otherwise identified, all payments have been made in accordance with Council's 2017/18 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

12389 Moved: Cr Steel

Seconded: Cr Hodges

Recommendation and Council Decision:

That Council endorse the Accounts for Payments for February 2018 as presented:

JANUARY 2018	
MUNI - 117984856	
EFT4515 – 4613	\$892,514.47
CHEQUE 24522 – 24526	\$17,376.48
TRUST ACCOUNTS	
DEPT OF TRANSPORT – DD9549.1 – DD9597.1	\$27,906.20
TRUST FUND – 1920 – 1921	\$250.00
DIRECT DEBIT -	
DD9543.1 – DD9563.10 & EFT 4543 - 4612 – Pay and Super	\$24,518.01
CREDIT CARD	
DD	\$0.00
GRAND TOTAL	\$962,565.16

Notification	Explanation
Nil	

Carried 8:0

15.3 2017/2018 Annual Budget Review

File Reference: ADM0067
Location: Shire of Pingelly
Applicant: N/A
Author: Stuart Billingham, Director Corporate & Community Services
Authorising Officer: Gavin Pollock, Chief Executive Officer
Date: 12 March 2018
Disclosure of Interest: Nil
Attachments: 2017/18 Budget Review
(Attachment 3 after green sheet in attachments book)

Summary:

To consider and adopt the Budget Review as presented for the period 1 July 2017 to 28 February 2018, as presented in the Budget Review (as attached).

Background:

Council adopted its 2017/2018 Municipal Budget at its Special Council meeting held 23 August 2017. It is now appropriate that a review of the Budget be put before Council for consideration and indeed this is required by Legislation.

Nature of Councils Role in the Matter

Council is to consider the review submitted to it and is to determine whether or not to adopt the review, any parts of the review or any recommendations made in the review.

Comment:

The purpose of the budget review is to ensure that that Council is informed of the like financial position of the Shire at 30 June 2018 in terms of its adopted budget. For purposes of annual reporting, Council is required to report against the adopted budget.

In reviewing the 2017/18 Budget and incorporating the amendments and the audited surplus for the 2016/17 financial year, the changes made to the various accounts has resulted in a change in the revised estimated closing balance of \$200,000 to 30 June 2018.

A copy of the 2017/18 Budget Review report and associated attachments include details of the individual amendments and a commentary.

Consultation:

Direct consultation has occurred with the Chief Executive Officer, Directors and input from the Projects Officer.

Statutory Environment:

Local Government Act 1995 Section 6.2 Municipal Budget

Local Government (Financial Management) Regulations 1996 as amended, Regulation 33A, requires local governments conduct a budget review between 1 January and 31 March in each financial year. A copy of the review and determination is to be provided to the Department of Local Government & Communities within 30 days of the adoption of the review.

Regulation 33A Review of Budget

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine whether or not to adopt the review, any parts of the review or any recommendations made in the review.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department of Local Government, Sport & Cultural Industries.

Policy Implications:

There are no policy implications

Financial Implications:

Variances in revenue and expenditure from adopted 2017/18 Budget.

Assuming Council accepts the officer's recommendation to amend the budget as per attached summary, the net impact on the end of year position would result in the end of year estimated Surplus \$200,000. Therefore, it is seen that the proposed budget is prudent given that we have a number of large capital expenditure items in the remaining four months of the financial year.

Strategic Implications:

There are no known significant implications relating to the report or the Officer recommendation

Voting Requirements:

Absolute Majority

12390 Moved: Cr Hodges Seconded: Cr Steel

Recommendation and Council Decision:

That:

- 1. Council, in accordance with Local Government (Financial Management) Regulation 33A and the Local Government Act, Council adopts the 2017/18 Budget Review for the period ending 28th February 2018, as attached to the Agenda.**
- 2. a copy of the Budget Review and determination be submitted to the Department of Local Government, Sport & Cultural Industries Portal within 30 days of determination.**

Carried 8:0

16. DIRECTORATE OF TECHNICAL SERVICES

16.1 Withdraw Ranger Authorisation

File Reference: ADM0306
Location: Shire of Pingelly
Applicant: Shire of Pingelly
Author: Sheryl Squiers
Date: 7 March 2018
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Ranger Authorisation, 13 December 2017 Ordinary Meeting of Council

Summary:

Council to withdraw all delegations to act as an authorised officer from Mr Kevan Sercombe from WA Contract Ranger Services.

Background:

Mr Kevan Sercombe was endorsed by Council as an authorised officer while employed by WA Contract Ranger Services.

12340 Moved: Cr Hodges Seconded: Cr Hotham

Recommendation and Council Decision:

That:

Council endorse the appointment of Mr Kevan Sercombe as an Authorised Officer for the Shire of Pingelly pursuant to the following Acts:

- **Dog Act 1976**
- **Cat Act 2011**
- **Bush Fire Act 1954**
- **Litter Act 1979**
- **Caravan and Camping Act 1995**
- **Control of Vehicles (Off Road Areas) Act 1978**
- **Local Government Act 1995**
- **Local Government (Miscellaneous Provisions) Act 1960**
- **Animal Welfare Act 2002**

Carried 7:0

Comment:

Mr Sercombe no longer works for or is employed by WA Contract Ranger Services.

Consultation:

WA Contract Ranger Services
Director Technical Services

Statutory Environment:

Section 39 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

12391 Moved: Cr Freebairn

Seconded: Cr McBurney

Recommendation and Council Decision:

That Council:

Endorse Mr Kevan Sercombe being withdrawn as an Authorised Officer for the Shire of Pingelly relating to the following Acts :

- **Dog Act 1976**
- **Cat Act 2011**
- **Bush Fire Act 1954**
- **Litter Act 1979**
- **Caravan and Camping Act 1995**
- **Control of Vehicles (Off Road Areas) Act 1978**
- **Local Government Act 1995**
- **Local Government (Miscellaneous Provisions) Act 1960**
- **Animal Welfare Act 2002**

Carried 8:0

16.2 Proposed Oversized Industrial Shed – Lot 853 - 2 Paragon Street, Pingelly

File Reference: A7634
Location: Lot 853 – 2 Paragon Street, Pingelly
Applicant: N & T Shepherd Investments Pty Ltd
Author: Sheryl Squiers, Administration Officer Technical
Date: 8 March 2018
Disclosure of Interest: Nil
Attachments: Nil

Summary:

Council to consider an application for planning approval for a proposed second oversized industrial shed on Lot 853- 2 Paragon Street, Pingelly.

Background:

An application for planning consent for a proposed second oversized industrial shed adjoining the existing storage shed on a Mixed Use Zoned property for the purposes of storage for commercial use only.

Comment:

The applicants are seeking planning consent to construct a second oversized industrial shed on Lot 853 – 2 Paragon Street, by the current owners Noel and Tash Shepherd trading as Pingelly Trading Co - Landmark.

There is currently a 475m² Zinalume enclosed shed, and transportable office at Lot 853 – 2 Paragon Street, with the area of the proposed second oversized industrial shed to be 785m² giving a total outbuilding area of 1260m² with a wall height of 5 metres and gable height of 7.0 metres.

The proposed second oversized industrial shed will be located in the southern side of lot 853 – 2 Paragon Street, and will be jointed to the existing shed with access where existing roller doors are located on the northern and western sides of the shed, these roller doors will be removed when the new shed is built. The new shed will have a setback of 5m from the southern property boundary and 23m from the western property boundary.

The proposed oversized industrial shed will have a total area of 785m², Lot 853 – 2 Paragon Street is zoned Mixed Use and is within the Gazetted Town Site. The area of the lot is 5564m², with two street frontages the primary street being Review Street facing north with the secondary street being Paragon Street to the west. The southern boundary of the property joins onto Lots 9 – 10, 8 & 6 Quiver Street which is part of the Late Estate of I R Williams. Lot 854 on the eastern boundary is managed by the Shire of Pingelly as part of our Road Reserve for Quadrant Street.

Lot 853 – 2 Paragon Street is in the Mixed Use Zone of the *Shire of Pingelly's Planning Scheme No.3*:

Mixed Use Zone

To provide for a range of commercial activities including showrooms and other forms of bulk retailing/display in strategically located areas.

To ensure an orderly transition from and compatibility with existing residential uses.

5.18 DEVELOPMENT IN THE MIXED USE ZONE

- 5.18.1** Development in the Mixed Use Zone shall be in accordance with the standards indicated in the Development Table - General unless varied by the provisions of the Scheme.
- 5.18.2** Where residential development is proposed in the Mixed Use Zone, and an R Code is not indicated on the Scheme Map and where other provisions of the Scheme do not prevail, the R20 Code will apply for a single residential dwelling and the R30 Code will apply for duplexes or other attached houses which Council may approve subject to conditions and at its discretion.
- 5.18.3** For mixed use development comprising a combination of residential and non- residential uses, the provisions of Part 4.2 of the Residential Design Codes will apply to the residential component of the development (at R25 code), and the provisions of this Scheme to the non-residential component of the development. Council will not support commercial or industrial uses in the Mixed Use Zone where the predominant established use is for residential purposes unless their impacts can be adequately buffered.
- 5.18.4** Change of Use to Existing Premises
Within the Mixed Use Zone, the Council at its discretion may vary the application of the relevant development standards in respect of any development involving a change of land use of an existing building.

The proposed oversized industrial shed is for a storage shed for products relating to the current Landmark retail business operating from Lot 853 – 2 Parade Street. In the Zoning Table for Land Use under the Mixed Use Zone of the *Shire of Pingelly's Local Planning Scheme No.3* the proposed shed fits the description of warehouse which is a 'D' use in the Mixed Use Zone.

'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval;

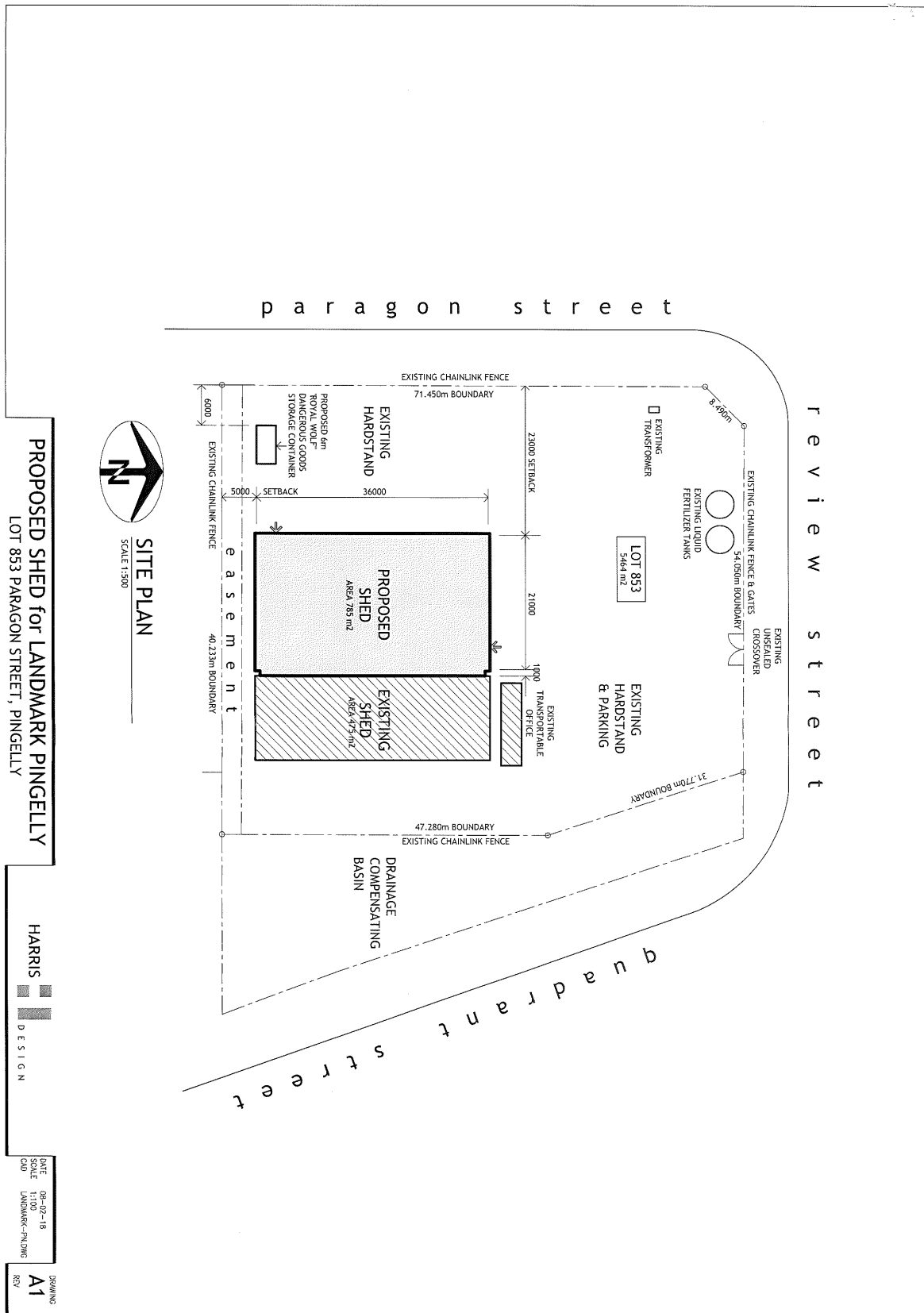
The proposed oversized shed was advertised in the Shire News via the Pingelly Times, the Shire of Pingelly Website and the Shire of Pingelly's Facebook page for public comment with any submissions to be submitted by 1 March 2018.

A letter was sent to the Executor of the Estate of IR Williams Lots 10 & 9 Quiver Street as the adjoining property owner and a notice placed at Lot 853 – 2 Paragon Street for community feedback. The Shire of Pingelly has not received any feedback regarding this proposed new shed on Lot 853 – 2 Paragon Street.

Barry Gibbs – Director Technical Services spoke to the Executor of the Estate of the Late IR Williams who has no objections to the proposed oversized shed.

There will be an over shadowing issue with neighbouring properties because of the height of the new shed which will cast a shadow over the northern portion of Lots 10 & 9 Quiver Street but will not affect the dwelling fronting Quiver street.



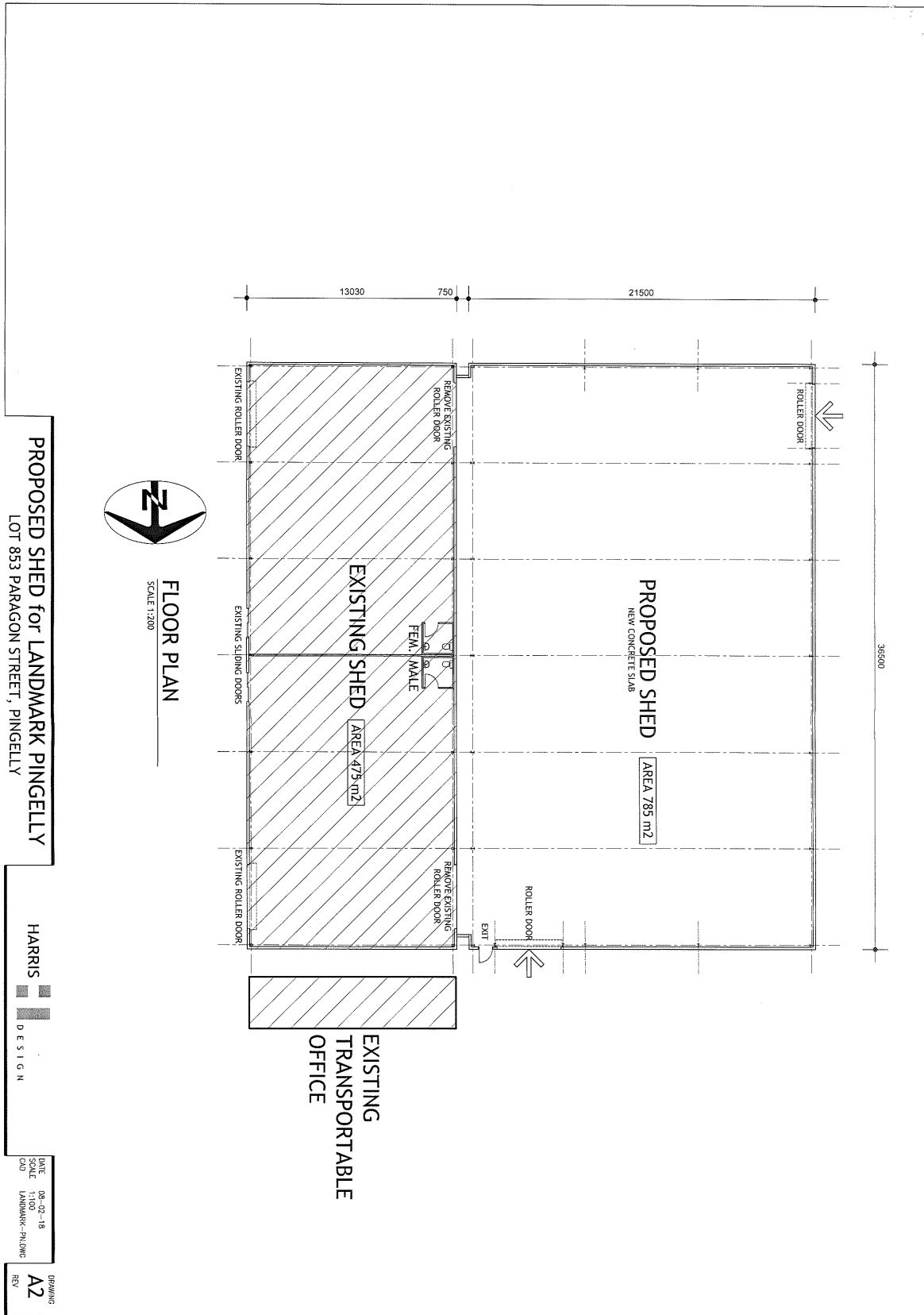


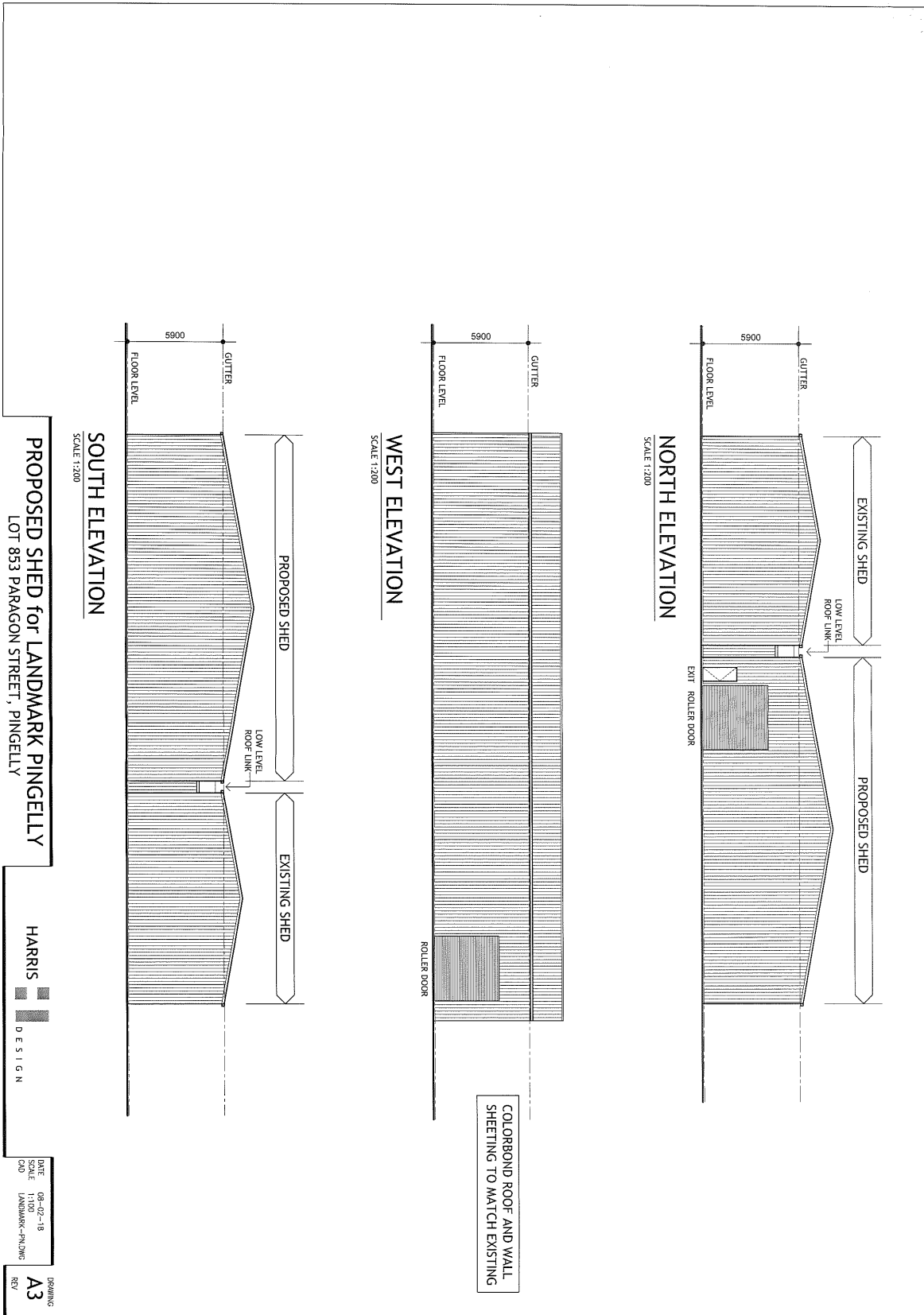
PROPOSED SHED for LANDMARK PINGELLY
LOT 853 PARAGON STREET, PINGELLY

HARRIS
DESIGN

DATE: 08-07-18
DRAWN BY: LANDMARK-PINGELLY

DRAWING: **A1**
REV





Consultation:

Gavin Pollock, Chief Executive Officer
Executor of Estate IR Williams
Advertised for Public Consultation
Tim Jurmann, Building Surveyor
Barry Gibbs, Director Technical Services
Jacky Jurmann, Planner

Statutory Environment:

Shire of Pingelly's Local Planning Scheme No.3.

Policy Implications:

Shire of Pingelly's Policy 13.2 Outbuildings.

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

12392 Moved: Cr Steel

Seconded: Cr Hodges

Recommendation and Council Decision:

Council to grant planning approval for the erection of the proposed oversized industrial shed at Lot 853 – 2 Paragon, Pingelly which is to be used for commercial purposes.

Carried 8:0

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

Nil

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).

**12393 Moved Cr Freebairn Seconded: Cr Hodges
To introduce new business.**

Carried 8:0

18.1 Integrated Planning and Reporting Long Term Financial Plan 2018-2033

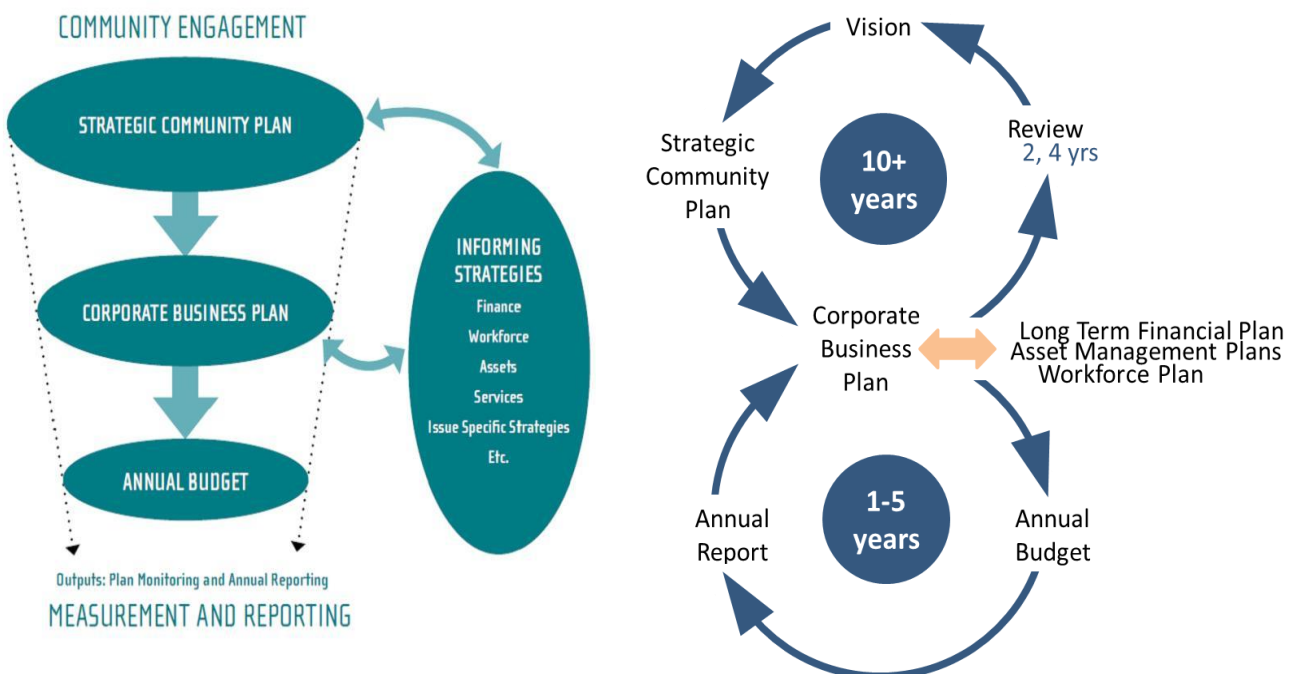
File Reference: ADM0017
Location: Entire Shire
Applicant: Stuart Billingham, Director Corporate & Community Services
Author: Stuart Billingham, Director Corporate & Community Services
Date: 20 March 2018
Disclosure of Interest: Nil
Attachments: Draft 15 year Long Term Financial Plan 2018-2033
Previous Reference: Shire of Pingelly Long Term Financial Plan 2013-2023

Summary:

To present the Council with the current Draft 15 Year Long Term Financial Plan 2018-2033 for consideration of endorsement. NB: Report required by Western Australian Treasury Corporation (WATC) Board to further consider the application for current loans in the 2017/18 Annual Budget.

Background:

The Shire of Pingelly as evidenced by recent Auditor comments is now overdue with the review process of its Integrated Planning & Reporting Suite of Documents.



On the 9th October 2013 the Council adopted its Strategic Community Plan and Corporate Business Plan. The minor review was conducted and due in October 2015 with a major review was due in October 2017.

In adopting the Corporate Business Plan the Council incorporated detailed budgets for the first four years of the Long Term Financial Plan. Further work has now been undertaken on the Shire of Pingelly Long term Financial Plan 2018-2033 to project the financial plan out for fifteen years. This will now assist with the calculation of the Net Present Value of figures for a ten year time frame between 2 yearly reviews.

Comment:

The Draft Shire of Pingelly Long Term Financial Plan (LTFP) is the first of several Integrated and Reporting documents under review. The first 4 years of the LTFP will feed directly into the new Corporate Business Plan review as an advising document. The Shire is also reviewing its Workforce Plan, Asset Management Plan and Strategic Community Plan.

Consultation:

- Chief Executive Officer,
- Director Technical Services
- Localise Consultants,
- Bob Waddell & Associates
- Department of Local Government, Sport & Cultural Industries have been consulted in the preparation of the plans.

Statutory Environment:

Section 5.56 of the *Local Government Act* (Planning for the future) provides:

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

Policy Implications:

The Shire of Pingelly will comply with the requirement of the relevant Acts in its communications with the community and the external stakeholders.

Financial Implications:

15 year plan for the Shires Financial Direction with the first 4 years to be used as a basis for the review of the Shire of Pingelly Corporate Business Plan.

Strategic Implications:

The Draft Long Term Financial Plan sets Council’s financial direction for the next fifteen (15) years.

Voting Requirements:

Absolute Majority

12394 Moved: Cr Freebairn Seconded: Cr Hodges

Recommendation and Council Decision:

That Council endorses the Shire of Pingelly Long Term Financial Plan 2018-2033.

Carried 8:0

19. CLOSURE OF MEETING

The Chairman declared the meeting closed at 5.11pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 18 April 2018

Signed.....
Presiding Person at the meeting at which the minutes were confirmed.