



# Shire of Pingelly

## Minutes

Ordinary Council Meeting  
17 October 2018

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**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Chairman declared the meeting open at 2.05pm.

**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**

Nil

**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 19 September 2018 the following leave was granted:

***12510 Moved Cr Freebairn                      Seconded: Cr Hastings  
That Cr Hotham be granted leave from 10<sup>th</sup> October to 31<sup>st</sup> October 2018***

***Carried 7:0***

**MEMBERS PRESENT**

Cr WV Mulroney	President
Cr DI Freebairn	Deputy President
Cr J McBurney	
Cr PJ Wood	
Cr JM Walton-Hassell	
Cr EJ Hodges	
Cr K Hastings	

**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**

Cr B Hotham

**OBSERVERS & VISITORS**

Mr Craig McLennan (from 2.05pm to 3.03pm)  
Mr Bruce Sewell (from 3.30pm to 4.16pm)

## **5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

### **5.1 Mr Craig McLennan**

#### Summary of Question:

Surely it would be a good idea that Council did, for example if I was getting \$5,000 for a club I was involved with and I made a decision on that surely that is a disclosure of interest?

#### Response:

The definition and requirement for disclosure of interest is covered under the Local Government Act 1995. As stated in the Act the Elected Member has to make the disclosure.

#### Summary of Question:

With the Ordinary Council Meeting of 18 July and I know the CEO was here - in that meeting he casted dispersions on my character and personal abilities and also defamed me and made statements that he claimed were fact and were obviously wrong. None of this was ever raised while I was employed by and attending the Shire. As you are aware the QS figures were done and assessed and formed the documentation for the business case and the estimate of probably costs done in July.

He went on to claim I was part of that process. I was the Project Manager in charge of the project and in charge of document control for the early stages of the project. The business case and estimate of probable cost was dated July 2015 - how could I have been involved in that when I didn't start until August? I require a retraction of those statements defaming me and also particularly in terms of my professional ability.

#### Response:

The QS figures for July 2015 have been emailed to you previously as requested and are available on the Shire website. It is noted that QS figures since August have been hard to locate.

At the meeting of 18 July 2018 you asked the Chief Executive Officer the question of obtaining these QS figures and the Chief Executive Officer responded correctly while outlining the situation regarding the QS figures and they formed part of the Business Case that is also on the Shire website.

## **6. PUBLIC QUESTION TIME**

Public question time opened at 2.06pm.

### **6.1 Mr Craig McLennan**

Barry Gibbs entered the room at 2.07pm.

#### *Summary of Question:*

At the Council Meeting held on the 18<sup>th</sup> September I asked for details of the attendance of the CEO and there has been no response to that email.

#### *Summary of Response:*

The Shire President responded he would take that question on notice.

#### *Question received via email:*

I refer to the Ordinary Council Meetings for the period 1 January 2018 to 17 October 2018. Specifically: the "Accounts Paid by Authority" in that period.

Can the Council please publish the complete and unaltered statements for the "Bendigo Bank Credit Cards"? (For example: DD9978.1 of 14/08/2018 for \$5,554.19)

*Summary of Response:*

The Director of Corporate and Community Services responded that Local Government in Western Australia do not traditionally publish credit card statements and I suggest that would be a Freedom of Information request.

The Chief Executive Officer added that in the accounts paid featured in the Council agenda it has listed each of the transactions taken directly off the credit card and that we have noticed one of the descriptions provided to Council does not list the credit card fee.

*Summary of Question:*

Can I ask for clarification? The line item that has one figure are you saying there are other items that are associated with that line item?

*Summary of Response:*

The Director of Corporate and Community Services responded to clarify the Councillors get a detailed break down of all the transactions that make that one figure up.

*Summary of Question:*

The Councillors get it but is it published?

*Summary of Response:*

The Director of Corporate and Community Services responded it is only a single line item in the public copy.

*Summary of Question:*

Surely if it is public purse it should be published the same as the other items?

*Summary of Response:*

The Director of Corporate and Community Services responded he would take that question on notice to take up with the auditor.

*Summary of Question:*

I asked for the minutes to be altered from the last meeting that request has been refused. Are you happy with that?

*Summary of Response:*

The Shire President responded yes as they are correct.

*Summary of Question:*

I have repeatedly asked for estimates of probable cost relating to the Pingelly Recreation and Cultural Centre regarding the various stages of the project's procurement. The documents are readily available yet have not been published. What is the Council hiding? Will this project Bankrupt the Pingelly Local Council?

*Summary of Response:*

The Chief Executive Officer responded your question has been asked in a different way, the original question was asked for the probable cost that Council used to proceed so I have been back through the file with the costings and there were a few not in there. If we go back to the start of the project the original one that was done by Neil Butler is on our website which is the one that made the business case and the business case was what was supported by the needs analysis and feasibility study. They are the ones that have been available on the website for quite a long time.

Going forward I am curious as to what stage of what quantity surveyor report you are endeavouring to find information on.

*Summary of Question:*

The pre-tender estimate is the significant one once I have read it I can ask further questions of Council.

*Summary of Response:*

The Chief Executive Officer replied that based on where the current situation is of the project it is quite unique and there is some intellectual property within that project. As part of that we feel strongly there is some commercial in confidence in the technology and methodology in our costings and we do not wish to share that with the public as we have invested quite heavily financially in this and tried to get formulas right. I am happy to make the original summary page available but the content of formulas and quantities we will not be made available.

*Summary of Question:*

So after this long period of time you are refusing to make it available publicly?

*Summary of Response:*

The Chief Executive Officer replied that the quantity surveys that were done in the initial stages from your original question from July 2015 have been made public.

*Summary of Question:*

So to recap you are not going to make the document public, the ones we used for tender is not going to be released?

*Summary of Response:*

The Chief Executive Officer replied that no the covering page and brief can be made public but the workings in that document are not going to be released as they are intellectual property and commercial in confidence. The Shire President added that in answer to the other questions the Council is not hiding anything and no it won't bankrupt the Shire as the Shire finances are in good order.

As there were no more questions from the public, question time ended at 2.17pm.

## **7. APPLICATIONS FOR LEAVE OF ABSENCE**

**12533 Moved: Cr McBurney      Seconded: Cr Hastings**

**That Cr Walton-Hassell be granted leave from 25<sup>th</sup> October to 4<sup>th</sup> November 2018 inclusive.**

Carried 7:0

**12534 Moved: Cr Walton Hassell      Seconded: Cr Wood**

**That Cr Mulroney be granted leave from 2<sup>nd</sup> November to 4<sup>th</sup> November and 10<sup>th</sup> November to 11<sup>th</sup> November 2018 inclusive.**

Carried 7:0

## **8. DISCLOSURES OF INTEREST**

Item 14.4 - Proposed Memorandum of Understanding (MOU) Somerset Alliance and Shire of Pingelly. Cr Evan Hodges, Cr Jackie McBurney, Cr David Freebairn and Cr William Mulroney all declared impartiality.

**9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**9.1 Ordinary Meeting – 15 August 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

**12535 Moved: Cr Wood      Seconded: Cr Freebairn**

**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 19 September 2018 be confirmed.**

Carried 7:0

**10. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil.

**11. REPORTS OF COMMITTEES OF COUNCIL**

Audit Committee	Full Council
Recreation & Cultural Committee	Member – Shire President Deputy – Deputy President
Bushfire Advisory Committee	Member – Cr Freebairn Deputy – Cr Hotham
Chief Executive Officer Performance Review Committee	Member – Shire President Member – Deputy President Member – Cr Hodges

## **12. REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES**

Central Country Zone of WALGA	Delegate – Shire President Delegate – Deputy President Deputy – Cr Wood
Hotham-Dale Regional Road Sub-Group	Delegate – Shire President Deputy – Cr McBurney
Development Assessment Panel	Delegate – Cr Mulronev Delegate – Cr Freebairn Deputy – Cr Hodges Deputy – Cr Wood
Pingelly Tourism Group	Delegate – Cr McBurney Deputy – Cr Freebairn
Regional Waste Group	Delegate – Cr Mulronev 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 Hotham Deputy – Cr Freebairn
Youth Focus Group	Delegate – Cr Walton-Hassell Delegate – Cr Hastings Deputy – Cr McBurney
Pingelly Somerset Alliance	Delegate – Shire President Deputy – Cr McBurney
Pingelly Early Years Network	Delegate – Cr Hastings
Pingelly Community Wellbeing Group	Delegate – Cr Walton-Hassell



### **13. REPORTS FROM COUNCILLORS**

#### **Cr William Mulroney (President)**

##### **Meetings attended September:**

20<sup>th</sup> PRACC Meeting

21<sup>st</sup> PRACC tour with representatives from South West Shires and Forest Commission

22<sup>nd</sup> IGA Opening and welcome to new owners

27<sup>th</sup> Regional Waste Meeting with Bruce Bowman and CEO in Pingelly and Inspection of Pingelly Waste Site

##### **Meetings attended October:**

8<sup>th</sup> Pingelly Somerset Alliance Meeting

10<sup>th</sup> Agenda Briefing

11<sup>th</sup> Local Govt Act Review, Narrogin

11<sup>th</sup> Regional Waste Meeting, Cuballing

#### **Cr David Freebairn (Deputy President)**

Nil

#### **Cr Evan Hodges**

Nil

#### **Cr Bryan Hotham**

Nil

#### **Cr Jackie McBurney**

Nil

#### **Cr Kacey Hastings**

##### **Meetings attended September:**

28<sup>th</sup> Women's Health Night

#### **Cr Michelle Walton-Hassell**

Nil

#### **Cr Peter Wood**

Nil

***Note: Standing Orders Apply***

## **14 OFFICE OF THE CHIEF EXECUTIVE OFFICER**

### **14.1 Early Payment Rate Incentive Draw 2018**

**File Reference:** ADM0312  
**Location:** Shire of Pingelly  
**Applicant:** Gavin Pollock, Chief Executive Officer  
**Author:** Gavin Pollock, Chief Executive Officer  
**Date:** 9 October 2018  
**Disclosure of Interest:** Nil  
**Attachments:** Nil  
**Previous Reference:** N/A

#### **Summary:**

To ratify the early rate payment incentive draw process for 2018.

#### **Background:**

As part of the rate collection process the Shire of Pingelly makes available to property owners who pay their rates in full by the due date for full payment the opportunity to win prizes provided by sponsoring organisations.

#### **Comment:**

In the last few years sponsors of the prize have been Bendigo Bank and Matthews Real Estate. As part of the sponsorship agreement material from the sponsors is enclosed with the rate notice. Staff have confirmed with the Department of Local Government that there is no legislation that prevents this happening and it is common practice in most local governments.

Providing an incentive for early payment of rates can increase the cash flow that comes in during the early part of the year prior to other revenue streams coming in.

It is proposed that rules be set for the prize process, so that there is clarity about eligibility and promotion of sponsors. Rules are detailed below:

- That ineligible ratepayers are:
- Owners of property that is not fully rated (subject to exemptions), Shire of Pingelly Councillors or Staff (or partners of).
- That sponsors materials be included in the envelope sent to ratepayers with the rate notices.
- That mention of the sponsors is made in the newsletter accompanying the rate notices.
- Entry into the Early Payment of Rates competition be offered to eligible ratepayers who have paid in full all rates and charges (including arrears) within 35 days of issue and that the draw be conducted at the Ordinary Council meeting following the close of the competition.
- That the Presiding Person at the meeting conducts the draw.
- The program Random Prize Draw be used to draw the winners.
- Staff to confirm the eligibility of the winners prior to the announcement of the winners.
- Should the assessment drawn be ineligible, then another draw will be done until eligible winners have been selected.
- When a winner is determined the name of the winners will be published in the Shire News via the Pingelly Times as well as an acknowledgement of the provision of prizes by the sponsors.

#### **Consultation:**

Director Corporate and Community Services  
Department of Local Government

**Statutory Environment:**

N/A

**Policy Implications:**

Nil

**Financial Implications:**

Nil – The prizes are supplied by sponsors and included in the 2018/19 adopted budget.

**Strategic Implications:**

N/A

**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority

**12536 Moved: Cr Freebairn**

**Seconded: Cr McBurney**

**Recommendation and Council Decision:**

**That Council**

**1. adopt the rules for the Early Payment Rate Incentive Draw:**

- **That ineligible ratepayers are:**
- **Owners of property that is not fully rated (subject to exemptions), Shire of Pingelly Councillors or Staff (or partners of)**
- **That sponsors materials be included in the envelope sent to ratepayers with the rate notices.**
- **That mention of the sponsors is made in the newsletter accompanying the rate notices.**

- **Entry into the Early Payment of Rates competition be offered to eligible ratepayers who have paid in full all rates and charges (including arrears) within 35 days of issue and that the draw be conducted at the Ordinary Council meeting following the close of the competition.**
- **That the Presiding Person at the meeting conducts the draw.**
- **The program Random Prize Draw be used to draw the winners.**
- **Staff to confirm the eligibility of the winners prior to the announcement of the winners.**
- **Should the assessment drawn be ineligible, then another draw will be done until eligible winners have been selected.**
- **When a winner is determined the name of the winners will be published in the Shire News via the Pingelly Times as well as an acknowledgement of the provision of prizes by the sponsors.**

Carried 7:0

**12537 Moved: Cr McBurney          Seconded: Cr Wood**

2. **endorse the Presiding Person at the meeting to conduct the early rate payment incentive draw.**

Carried 7:0

**12538 Moved: Cr Hastings Seconded: Cr Walton-Hassell**

3. **endorse Assessment No A167 Elsie Lange as the first drawn eligible winner and Assessment No A3147 Robert Eva as the second drawn eligible winner.**

Carried 7:0

## **14.2 Shire of Pingelly Policy - Rostered Days Off**

**File Reference:** ADM0000  
**Location:** Admin  
**Applicant:** Chief Executive Officer  
**Author:** Chief Executive Officer  
**Date:** 10 October 2018  
**Disclosure of Interest:** Nil  
**Attachments:** Nil  
**Previous Reference:** Nil

### **Summary:**

Item presented to Council for consideration of adoption regarding a revised Shire of Pingelly Rostered Days Off Policy, for inclusion in the Shire of Pingelly Policy Manual.

### **Background:**

The current Shire of Pingelly Rostered Days Off Policy states:

#### *10.9 Rostered Days Off*

*Rostered Days Off (RDOs) are to be taken as they fall due. Where for any reason they are accrued, they are not to be accumulated for more than the equivalent of three RDOs.*

- 1. No more than two RDOs are to be taken in conjunction at any one time.*
- 2. The taking of RDOs other than those scheduled, is to be negotiated with the Foreman, Manager of Works, Deputy Chief Executive Officer or Chief Executive Officer, as appropriate to the chain of command.*

### **Comment:**

The updated Shire of Pingelly Policy is now presented to Council for consideration of adoption to bring the policy in line with the 2017 Employee Collective Agreement.

#### *10.9 Rostered Days Off*

*Rostered Days Off (RDOs) are to be taken within the fortnight they fall due. RDOs can only be accrued if approved by the Chief Executive Officer.*

- 1. No more than three (3) RDOs can be accrued at any one time once approved by the Chief Executive Officer.*
- 2. Accrued RDOs can only be taken at a time mutually agreed to by the employee and the Director once approved by the Chief Executive Officer.*
- 3. The objective of accrued RDOs is for employees to take these RDOs during the Christmas and New Year period or for other purposes as approved at the Chief Executive Officer's discretion.*

### **Consultation:**

Chief Executive Officer – Gavin Pollock  
Director Corporate and Community Services – Stuart Billingham  
Director Technical Services – Barry Gibbs

### **Statutory Environment:**

*Local Government Act 1995.*

### **Policy Implications:**

Updated Council Policy for inclusion in the Shire of Pingelly Policy Manual.

### **Financial Implications:**

Nil.

**Strategic Implications:**

Improved governance and procedures for staff taking Rostered Days Off.

**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority.

**12539 Moved: Cr Wood      Seconded: Cr McBurney**

**Recommendation and Council Decision:**

**That Council adopts the Shire of Pingelly Rostered Days Off Policy as presented.**

Carried 7:0

### **14.3 PRACC Inaugural Annual General Meeting (AGM)**

**File Reference:** ADM0416  
**Location:** Shire of Pingelly  
**Applicant:** Pingelly Recreation & Cultural Centre Inc.  
**Author:** Chief Executive Officer  
**Date:** 18 April 2018  
**Disclosure of Interest:** Nil  
**Attachments:** Letter from PRACC Secretary  
(Attachment 1 following green sheet in separate attachments booklet)  
**Previous Reference:** Council Item 18.1 – 18 April 2018

**Summary:**

That Council note the Pingelly Recreation and Cultural Centre Inc new Annual General Meeting (AGM) date.

**Background:**

At the Ordinary Meeting of Council held on 18 April 2018 the following decision was made:

**12407 Moved: Cr McBurney Seconded: Cr Hotham**

**Recommendation and Council Decision:**

**That the Council endorses the inaugural Committee Members as listed below:**

**Sport Representatives**

Bruce Sewell (Interim Chair)  
Rheannon Turton (Interim Treasurer)  
Peter Wood

**Community & Cultural Representatives**

Michelle Walton-Hassell (Interim Deputy Chair)  
Evan Hodges  
Lee Steel

**Independent Representatives**

Anne Goldsmith (Interim Secretary)  
Alex Hodges  
Kerry Keys

**Shire Representative**

Bill Mulronev

**Carried 7:0**

**Comment:**

The first Annual General Meeting (AGM) for PRACC Inc. to be held before 30 September 2018. Within 28 days of the AGM the new board to hold its first meeting with a separate election for each office holder.

**Consultation:**

Chief Executive Officer-Shire of Pingelly

**Statutory Environment:**

PRACC Inc. Constitution.

**Policy Implications:**

Nil.

**Financial Implications:**

Nil.

**Strategic Implications:**

Nil.

**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority.

**12540 Moved: Cr Hastings Seconded: Cr Walton-Hassell**

**Recommendation and Council Decision:**

**That Council endorse the inaugural Committee Members new Annual General Meeting (AGM) date as 2019.**

Carried 7:0



Prior to consideration of item 14.4, Crs Mulroney, Freebairn, McBurney and Hodges disclosed an impartiality interest in this matter due to being members of the Pingelly Somerset Alliance.

#### **14.4 Proposed Memorandum of Understanding (MOU) Somerset Alliance and Shire of Pingelly**

<b>File Reference:</b>	<b>ADM0309</b>
<b>Location:</b>	<b>Shire of Pingelly</b>
<b>Applicant:</b>	<b>Shire of Pingelly</b>
<b>Author:</b>	<b>Chief Executive Officer</b>
<b>Authorising Officer</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>10 October 2018</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Previous Reference:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>Memorandum of Understanding (MOU) Somerset Alliance and Shire of Pingelly (Attachment 2 following blue sheet in separate attachments booklet)</b>

#### **Summary:**

The Shire of Pingelly would like to enter into a Memorandum of Understanding (MOU) with the Pingelly Somerset Alliance (PSA) to manage the Shire of Pingelly (Shire) Age Appropriate Accommodation (PAAA).

#### **Background:**

On 3 October 2018, the Shire of Pingelly officially opened the new PAAA. The Shire has been working with PSA to develop a MOU for the PSA to manage the new PAAA.

#### **Comment:**

PSA is the new name for the existing Pingelly Cottage Homes (PCH). The purpose of the MOU for the PAAA is to consolidate the management and maintenance of age appropriate accommodation within Pingelly. This will realise efficiencies by reducing the duplication of administrative activities and associated time and financial costs.

The Shire currently has seven (7) names on the waiting list seeking to enter a tenancy agreement to live in the PAAA. The Shire would make these names available to the PSA once a MOU is signed and will work with the PSA to assist in securing five (5) new tenants for the PAAA.

#### **Consultation:**

The Shire of Pingelly's Chief Executive Officer has spoken with the board members and Chair from PSA to determine their interest in entering into a MOU for the management and maintenance responsibilities for the five (5) PAAA in Community Place.

#### **Statutory Environment:**

Nil

#### **Policy Implications:**

Shire of Pingelly Policy 5.13 Asset Management states:

*“The Shire of Pingelly will undertake to provide the appropriate service levels for its assets, in a whole-of-life and economically, environmentally and socially sustainable manner. In providing and managing assets, the Shire will take into account an appropriate balance between service delivery, risk, reliability, safety and cost.*

*Budgeting priority will be given to the operation, maintenance and renewal of existing assets and services, and adequate resources will be provided to manage them in a cost effective manner.”*

**Financial Implications:**

No Rental Operating Revenue, Operating and Minor Capital Expenses. The Shire need to budget within the Building Reserve to allow for any future Major Capital Expenditure.

**Strategic Implications:**

The management of these assets will reduce the administrative burden on the Shire and will consolidate the management and maintenance of age appropriate accommodation within Pingelly.

**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority

**Moved: Cr Walton-Hassell Seconded: Cr McBurney**

**Recommendation:**

**That Council:**

1. endorse the Chief Executive Officer entering a Memorandum of Understanding (MOU) with the Pingelly Somerset Alliance (PSA) as presented;
2. endorse the Memorandum of Understanding (MOU) being signed by the Shire President and Chief Executive Officer with the Shire of Pingelly common seal being executed.

**Moved: Cr McBurney**

**Seconded: Cr Hastings**

**Amendment:**

1. endorse the Chief Executive Officer entering a Memorandum of Understanding (MOU) with the Pingelly Somerset Alliance (PSA) as presented;
2. endorse the Memorandum of Understanding (MOU) being signed by the Shire President and Chief Executive Officer with the Shire of Pingelly common seal being executed.
3. Request the Chief Executive Officer to provide a letter of in principle support to the PSA in respect of their aging in place vision and strategies and their effort to apply for funding for the future benefit of the Pingelly Community.

Carried 7:0

**Council Decision:**

**12541 Moved: Cr McBurney Seconded: Cr Wood**

1. endorse the Chief Executive Officer entering a Memorandum of Understanding (MOU) with the Pingelly Somerset Alliance (PSA) as presented;
2. endorse the Memorandum of Understanding (MOU) being signed by the Shire President and Chief Executive Officer with the Shire of Pingelly common seal being executed.
3. Request the Chief Executive Officer to provide the PSA with a letter of in principle support to further advance an aging in place vision, strategies and any funding applications to continually benefit the Pingelly Community.

Carried 7:0

## **15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES**

### **15.1 Monthly Statement of Financial Activity – September 2018**

<b>File Reference:</b>	<b>ADM0075</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>Director Corporate &amp; Community Services</b>
<b>Author:</b>	<b>Director Corporate &amp; Community Services</b>
<b>Date:</b>	<b>09 October 2018</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>Monthly Statements of Financial Activity for the period 1 July 2018 to 30 September 2018 (Attachment 3 following red sheet in separate attachments booklet)</b>
<b>Previous Reference:</b>	<b>N/A</b>

#### **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 September 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 2018/2019.

**Strategic Implications:**

There are no known significant strategic implications.

**Risk Implications:**

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority.

**12542 Moved: Cr Hodges Secoded: Cr Wood**

**Recommendation and Council Decision:**

**That with respect to the Monthly Statements of Financial Activity for the month ending 30 September 2018 be accepted and material variances be noted.**

Carried 7:0

## **15.2 Accounts Paid by Authority – September 2018**

**File Reference:** ADM0066  
**Location:** Shire of Pingelly  
**Applicant:** Director Corporate & Community Services  
**Author:** Finance Officer  
**Date:** 09 October 2018  
**Disclosure of Interest:** Nil  
**Attachments:** List of Accounts  
(Attachment 4 following orange sheet in separate attachments booklet)  
**Previous Reference:** N/A

### **Summary:**

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

### **Comment:**

Unless otherwise identified, all payments have been made in accordance with Council's 2018/19 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.

**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority.

**12543 Moved: Cr Hastings      Seconded: Cr McBurney**

**Recommendation and Council Decision:**

**That Council endorse:**

- the Accounts for Payments for September 2018 as presented:**

<b>September 2018</b>	
<b>MUNI - 117984856</b>	
EFT 5279 – 5365	\$574,418.20
CHEQUE 24590 – 24602	\$31,148.28
<b>TRUST ACCOUNTS</b>	
DEPT OF TRANSPORT – DD10024.1– DD10092.1	\$25,006.20
TRUST FUND – 1934	\$200.00
<b>DIRECT DEBIT -</b>	
DD10022.1 – DD10052.9 & EFT 5299 - 5331 – Pay and Super	\$20,191.52
<b>CREDIT CARD</b>	
DD10050.1	\$172.95
<b>GRAND TOTAL</b>	<b>\$651,137.15</b>

Notification	Explanation
Nil	

Carried 7:0



## **16. DIRECTORATE OF TECHNICAL SERVICES**

### **16.1 Proposed Shed Lot 558 – 3 Philip Street**

<b>File Reference:</b>	<b>A5310</b>
<b>Location:</b>	<b>Lot 558 – 3 Philip Street, Pingelly.</b>
<b>Applicant:</b>	<b>Mr C &amp; Mrs R Turton</b>
<b>Author:</b>	<b>Administration Officer Technical</b>
<b>Date:</b>	<b>26 September 2018</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>Copy of Minutes Item 8.2 – 19 April 2006 (Attachment 5 following yellow sheet in separate attachments booklet)</b>
<b>Previous Reference:</b>	<b>Council Resolution 9467 - Moved Cr WV Mulroney, Seconded Cr D Watts</b>

#### **Summary:**

Council to consider an application for planning consent for a proposed shed at Lot 558 – 3 Philip Street that will increase the total outbuilding area for the property to 160.87m<sup>2</sup> in area which exceeds the total outbuilding area for non-masonry construction of 150m<sup>2</sup>.

#### **Background:**

*9467 - Moved Cr WV Mulroney*

*Seconded Cr D Watts*

*That Council resolves to approve Planning Consent for the location of a shed/garage at Lot 501 Stone Street, Pingelly. This approval would be conditional on the following:*

- 1. A building licence being obtained for the proposed shed/garage.*
- 2. The shed/garage being sited in accordance with the approved site plan*
- 3. Adequate provision is made for the proper management of storm water.*
- 4. Building Plans for the dwelling to be submitted to Council within two years of the approval being granted for the shed.*

*CARRIED 8/0*

An application for a proposed shed at Lot 558 – 3 Philip Street, Pingelly has been submitted by Mr C & Mrs R Turton. This proposed shed will take the total outbuilding area for the lot over the permitted area of 150m<sup>2</sup> for the rural residential zone under 2ha.

#### **Comment:**

The proposed shed will be located at Lot 558 – 3 Philip Street which is zoned rural residential. The total lot area is 1.4240ha with all existing buildings located on the western side of the lot.

The proposed shed will be of colorbond walls and zincalume roof with an open front facing east. The area of the proposed shed will be 91.87m<sup>2</sup>, with a wall height of 2.85m and gable height of 3.512m which are under the maximum requirements of the Policy 13.2 - Outbuildings. The proposed shed will be located south and butted against the existing shed.

The area of the existing shed is 69m<sup>2</sup> which will give a total of outbuilding area of the lot to 160.87m<sup>2</sup> in area which just exceeds the total outbuilding area for non-masonry construction of 150m<sup>2</sup>.

There will be no overshadowing issues with neighbouring properties on the eastern and southern boundaries as the proposed location of the shed is at the rear of Lot 558 – 3 Philip Street on the western boundary. There is a reserve on the eastern boundary and the neighbouring property on southern boundary has no developments in this area that would be affected.

The existing shed had a reduced boundary setback on the western boundary from 10m to 5m on 19 April 2006 approved by Council (minutes item attached). The applicant wishes to keep this same reduced setback to keep a clean line with the sheds on the property.

A letter was sent to the neighbouring property owner on the western boundary for comment on the reduced setback. The neighbour responded to this letter verbally indicating he has no problems with the proposed shed being erected.



**Consultation:**

Barry Gibbs, Director of Technical Services

Neighbour Consultation

*Shire of Pingelly Policy 13.2 Outbuildings*

19 April 2006 Minutes Item 8.2 Proposed Shed – Lot 558 – 3 Philip Street

**Statutory Environment:**

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

## **Policy Implications:**

### **Shire of Pingelly's Policy 13.2 Outbuildings**

**Objective** This policy provides direction and guidance on the area and height of outbuildings and the like that Council will permit within the Shire boundaries.

Outbuildings and structures that comply with the following requirements may be approved by Council's Building Surveyor without having the need to be submitted to an Ordinary Meeting of Council.

### **Policy Intention**

- To provide some flexibility in the requirements for outbuildings and the like in residential areas.
- To ensure that the provisions of the current *Residential Design Codes* are appropriately addressed.
- To improve customer service standards through the timely processing of planning and building applications for outbuildings.

### **Policy Definitions:**

- **Outbuilding** is an enclosed non-habitable structure that is required to meet the standards of the Building Code of Australia and is detached from any dwelling.
- **Carport** is a roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side and being without a door.
- **Garage** is any enclosed and roofed structure, other than a carport, designed to accommodate one or more motor vehicles.
- **Patio** is a roofed shade structure either attached to a dwelling or free standing is required to be open on fifty percent of its sides.
- **Pergola** is a light weight shade structure that does not have a solid roof. It may be attached to a dwelling or can be free standing.
- **Statutory Powers:** This policy has been prepared in conjunction with the requirements of the *Residential Design Codes of Western Australia*, i.e. The performance criteria relative to outbuildings (Clause 5.4.3) states:  
*"Outbuildings that do not detract from the streetscape or the visual amenity of the residents or neighbouring properties."*

Buildings are to comply with any local planning policy made under the Scheme in respect of the design of carports and garages, including the colour, scale, materials and roof pitch of buildings. This policy provides design requirements for carports and garages, however it does not interfere with any other requirement of the Residential Design Codes relating to carports and garages.

This policy does not alter or change in any way the acceptable development criteria of the *Residential Design Codes currently in force*.

Within all "Residential" and "Rural Residential" zoned areas of the Shire and on Farming zoned lots with an area of 2ha or less except as otherwise stated, planning consent for all outbuildings is required. If planning consent is granted, building approval will be issued for outbuildings which are appurtenant to a dwelling, provided all boundary setbacks and building separation requirements have been complied with, the building is of single storey construction, located behind any residence on-site and provided the proposed development complies with the following:

1. In any residential zone with an R10 code or above in the Shire:
  - a. Non-masonry construction, where the total non-masonry outbuilding area does not exceed 60m<sup>2</sup> and the total outbuilding area does not exceed 75m<sup>2</sup>;
  - b. Masonry or other approved construction, where the total outbuilding area has walls constructed of the same materials and appearance as the house and does not exceed 75m<sup>2</sup> and no parapet wall is greater in length than 8m;
  - c. Wall height of any outbuildings not to exceed 3m. This height limitation also applies to parapet walls. In the case of gable roof construction, the maximum building height is not to exceed 4.2m;
  - d. Prior to considering a parapet wall construction over 8m in length, the applicant will present Council with written agreement to the same by any affected adjoining landowner;
  - e. No planning consent or building licence approval will be granted or issued for any outbuildings, on any Residential zoned lot, which does not contain a residence;
  - f. The applicant providing the Shire with a written undertaking that the outbuilding constructed, will only be used for the purpose permitted within the zone in which it is located, under the provisions of the Shire's operative Local Planning Scheme;
  - g. Any development application which does not comply with the above, shall be referred to Council for consideration.
  
2. In any residential zone with an R code below R10, the rural residential zone of the Shire and on farming zoned lots which have an area of 2ha or less
  - a. Non-masonry zincalume construction, where the total zincalume outbuilding area does not exceed 75m<sup>2</sup> and the total outbuilding area does not exceed 200m<sup>2</sup>, or
  - b. Non-masonry colorbond construction, where the total colorbond outbuilding area does not exceed 150m<sup>2</sup> and the total outbuilding area does not exceed 200m<sup>2</sup>
  - c. Masonry or other approved construction, where the total outbuilding area has walls constructed of the same materials and appearance as the house and does not exceed 200m<sup>2</sup>,
  - d. Wall height of any outbuilding not to exceed 4m. In the case of a gable roof construction, the maximum building height is not to exceed 5m;
  - e. No planning consent or building licence approval will be granted or issued, for any outbuildings on a residential or rural residential zoned lot where a building licence has not been issued for a residence and / or where an outbuilding is not located at least 4m from any boundary of the lot;
  - f. The applicant providing the Shire with a written undertaking that the outbuilding constructed, will only be used for purposes permitted within the zone in which it is located under the provisions of the Shire's operative Local Planning Scheme;
  - g. Any development application which does not comply with the above shall be referred to Council for consideration.
  
3. Distance from boundaries on any residential zoned lot with an R code of 10 or above:
  - a. Garages, shed, pergolas and patios - brick construction
    - i. Attached to house - 1m from side boundaries. Eaves not closer than 750mm measured from the outer edge of the gutter.
    - ii. Detached from house - Must be 1.8m clear of house with either parapet wall on boundary or walls 1m from boundary with eaves 750mm clear of boundary.
  
  - b. Garages, sheds, pergolas, and patios - steel framed construction - Detached from house only - Must be at the rear of the residence 1.8m clear of the residence, leach drains and septic tanks and 1.2m clear of side and rear boundaries.

- c. Carports - Columns of brick (350mm x 350mm) or steel may be erected on a boundary provided no more than 4 columns are used and roofing including guttering is at least 750mm clear of the boundary. Beams must be of steel within 750mm of a boundary and a dividing fence forming a side wall of the carport must not be higher than 1.8m. Timber framed carports must be sited 1.2m clear of boundaries.
  - d. On corner lots - Where an outbuilding is constructed in brick or clad in colorbond, Council will permit a setback of 3.75m to the minor street. Where an outbuilding is clad in zincalume a setback of 7.5m to the minor street will apply.
4. Distance from boundaries in any residential zone with an R code below R10 and the rural residential zone of the Shire and on farming zoned lots which have an area of 2 hectares or less
- a. Detached outbuildings - To be at the rear or the residence on-site, at least 1.8m clear of the residence, leach drains and septic tanks. All boundary setbacks to be as laid down in the Shire of Pingelly’s operative Local Planning Scheme.
  - b. On corner lots - The setback to the minor street to be the same as the frontage setback laid down in the Shire of Pingelly’s operative Local Planning Scheme.
  - c. Garden sheds - Under this policy, Council will without the need for planning consent or building permit approval, permit the erection of one only garden shed per lot which has a maximum area of up to 10m<sup>2</sup>. The garden shed is to be located on the lot in a position and in a manner agreed to in writing by the Shire’s Building Surveyor and such shed is in addition to any other shed permitted under this “Policy”.

**Financial Implications:**

There are no known significant financial implications.

**Strategic Implications:**

There are no known significant strategic implications.

**Risk Implications:**

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority

**12544 Moved: Cr Hodges Secoded: Cr Wood**

**Recommendation and Council Decision:**

**Council to grant planning approval for the erection of the proposed shed at Lot 558 – 3 Philip Street, Pingelly for the increased outbuilding area and to maintain the 5m reduced boundary setback as the existing shed. The shed to be used ancillary to the dwelling and not for commercial purposes.**

Carried 7:0

## **16.2 Proposed Dwelling to Replace Existing Second Dwelling**

**File Reference:** A836  
**Location:** Lot 20 – 1673 Walwalling Road, West Pingelly  
**Applicant:** Rural Building Company on Behalf of Bensfield Nominees Pty Ltd  
**Author:** Administration Officer Technical  
**Date:** 5 October 2018  
**Disclosure of Interest:** Nil  
**Attachments:** Nil  
**Previous Reference:** Nil

### **Summary:**

Council to consider an application for planning consent for the proposed location of a new dwelling to replace the existing second dwelling at Lot 20 – 1673 Walwalling Road, West Pingelly.

### **Background:**

An application for planning consent has been received from Rural Building Company on behalf of Bensfield Nominees Pty Ltd, for the proposed location of a new dwelling to replace the existing second dwelling at Lot 20 – 1673 Walwalling Road, West Pingelly.

The subject property is owned by the Bensfield Nominees Pty Ltd and the proposed new dwelling is to replace the existing second dwelling which is currently used for workers incorporated as part of the farming management.

### **Comment:**

There are currently two existing dwellings located on the property, one occupied by the property owners and second smaller dwelling occupied by the farm workers.

The existing dwelling is located 180 metres off Walwalling Road to the north of the main dwelling and outbuildings. The proposed dwelling will be located to the south of the second existing dwelling as shown on the inserted site plan.

The land is zoned General Agriculture and under the *Shire of Pingelly's Local Planning Scheme No.3* Development in the General Agriculture Zone:

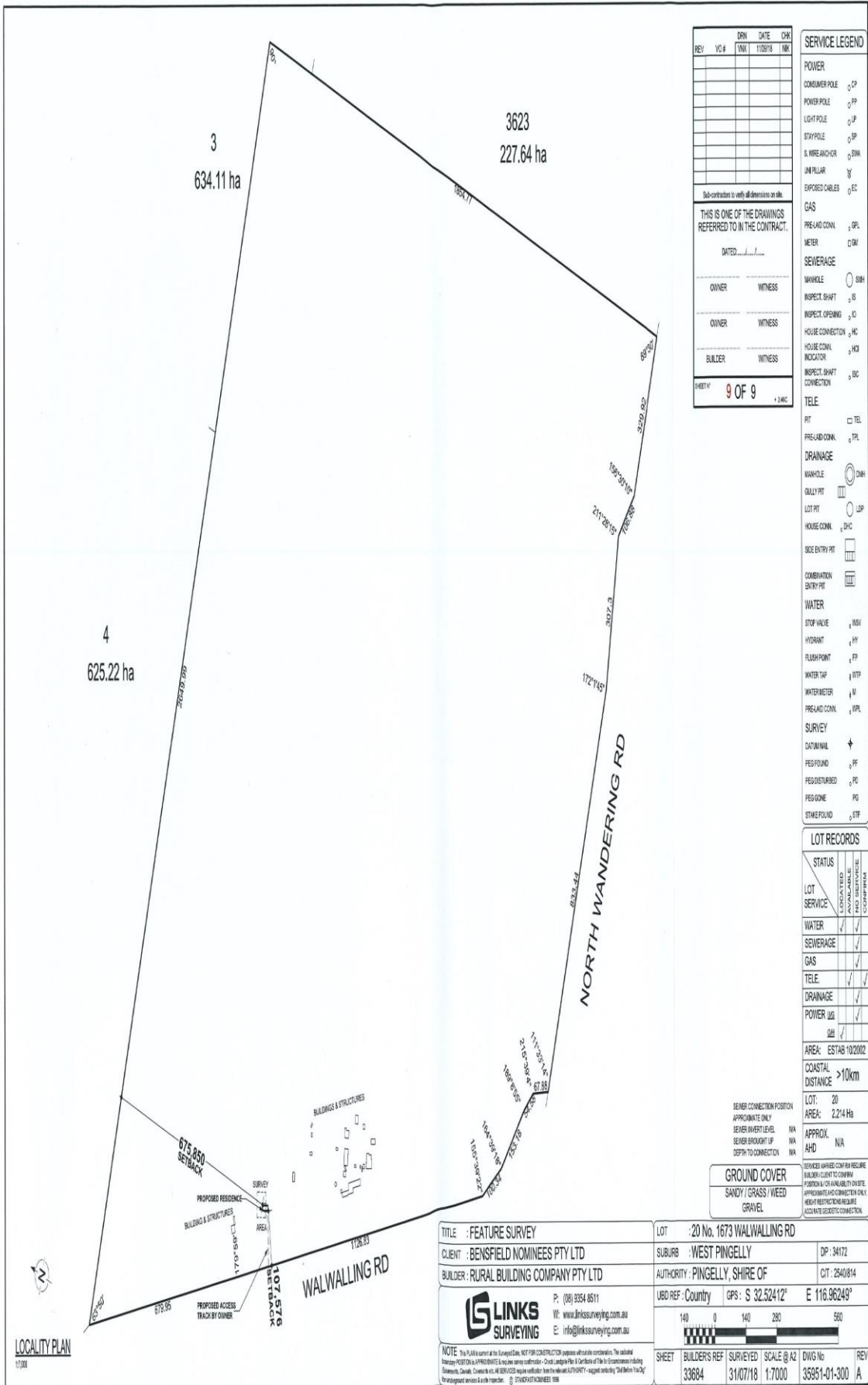
5.20.2 Council may grant approval of up to two dwellings on any lot, provided the lot exceeds 40ha in area, where the land is managed for agricultural production, tourism, or education purposes and where the occupants are engaged in those specified predominant land uses or activities.

The area of Lot 20 is 402.56ha, which complies with the above extract from the Local Planning Scheme No.3, in that the lot exceeds 40ha.

The existing second dwelling will be demolished once the new proposed dwelling has been completed.







REV	VO #	BY	DATE	CHK

Sub-contractor to verify all dimensions on site.

THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT.

DATED: 31/07/18

OWNER: WITNESS

OWNER: WITNESS

BUILDER: WITNESS

SHEET 9 OF 9

SERVICE LEGEND	
<b>POWER</b>	
CONSUMER POLE	○ CP
POWER POLE	○ PP
LIGHT POLE	○ LP
STAY POLE	○ SP
S. WIRE ARCHER	○ SWA
UM PILLAR	○ UP
EXPOSED CABLES	○ EC
<b>GAS</b>	
PREFAB CONN.	○ GPC
METER	○ GM
<b>SEWERAGE</b>	
MANHOLE	○ SM
INSPECT. SHAFT	○ IS
INSPECT. OPENING	○ IO
HOUSE CONNECTION	○ HC
HOUSE CONN. INDICATOR	○ HCI
INSPECT. SHAFT CONNECTION	○ SC
<b>TELE</b>	
PIT	○ TEL
PREFAB CONN.	○ TPC
<b>DRAINAGE</b>	
MANHOLE	○ DM
GULLY PIT	○ GP
LOT PIT	○ LP
HOUSE CONN.	○ DHC
SIDE ENTRY PIT	○ SEP
COMBINATION ENTRY PIT	○ CEP
<b>WATER</b>	
STOP VALVE	○ WSV
HYDRANT	○ HY
FLASHPOINT	○ FP
WATER TAP	○ WTP
WATER METER	○ WM
PREFAB CONN.	○ WPC
<b>SURVEY</b>	
DATUM MARK	○ DM
PEG FOUND	○ PF
PEG DISTURBED	○ PD
PEG GONE	○ PG
STONE FOUND	○ STF

LOT RECORDS	
STATUS	AVAILABLE FOR CONSTRUCTION
LOT SERVICE	AVAILABLE
WATER	AVAILABLE
SEWERAGE	AVAILABLE
GAS	AVAILABLE
TELE	AVAILABLE
DRAINAGE	AVAILABLE
POWER	AVAILABLE
AREA:	ESTAB 10/2002
COASTAL DISTANCE:	>10km
LOT:	20
AREA:	2.274 Ha
APPROX. AHD:	NA

SEWER CONNECTION POSITION APPROXIMATE ONLY

SEWER INVERT LEVEL N/A

SEWER BROUGHT UP N/A

SEWER TO CONNECTION N/A

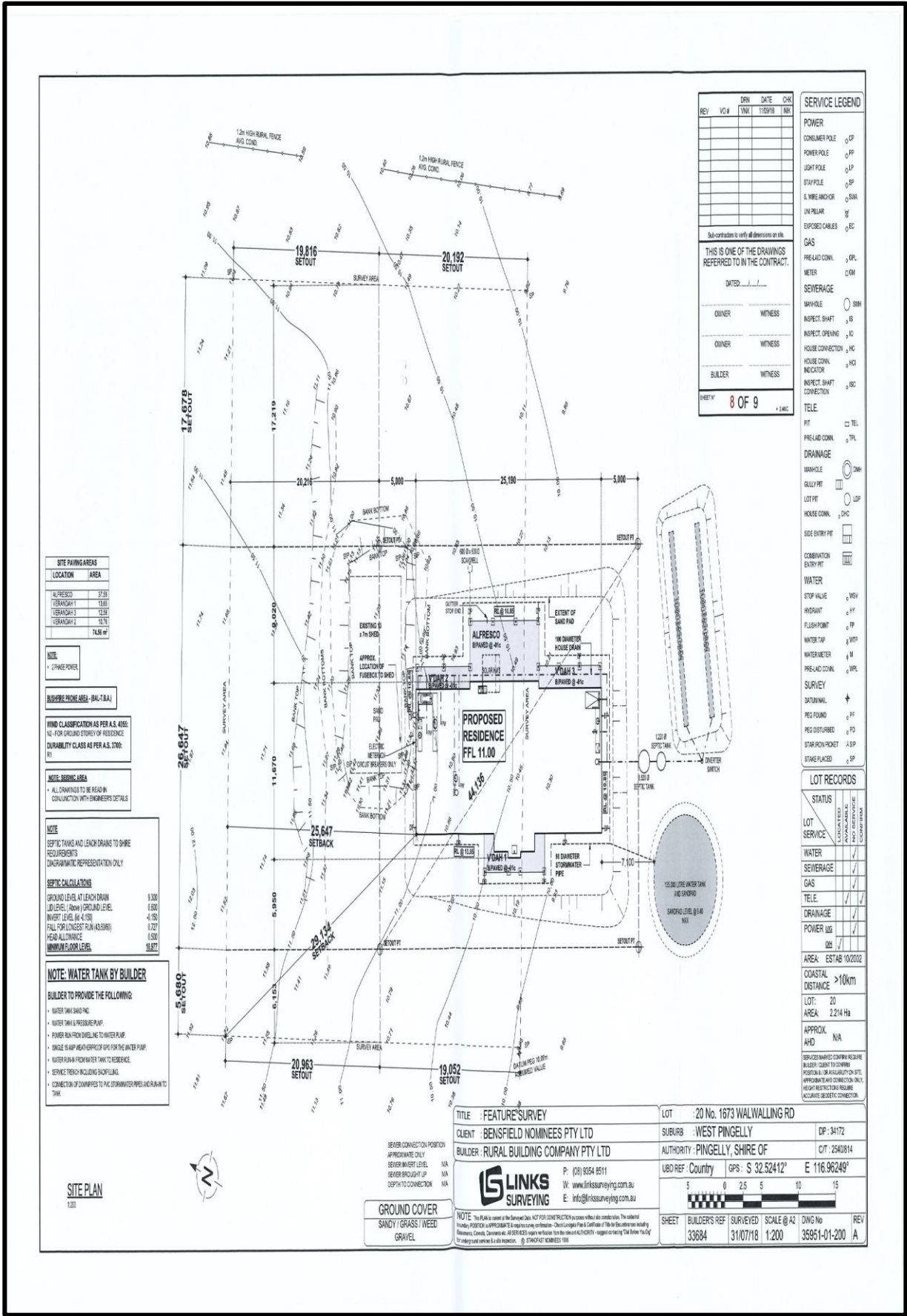
**GROUND COVER**

SANDY / GRASS / WEED

GRAVEL

SEWER LARGER COMPANIES REQUIRE BUILDER CLIENT TO CONFIRM POSITION & FOR AVAILABILITY ON SITE APPROXIMATE CONNECTION ONLY HEAD RESTRICTIONS REQUIRE ACCORDING TO CONNECTION.

TITLE: FEATURE SURVEY	LOT: 20 No. 1673 WALWALLING RD
CLIENT: BENSFIELD NOMINEES PTY LTD	SUBURB: WEST PINGELLY
BUILDER: RURAL BUILDING COMPANY PTY LTD	AUTHORITY: PINGELLY, SHIRE OF
P: (08) 9354 8511	DP: 34172
W: www.linksurveying.com.au	CIT: 2640814
E: info@linksurveying.com.au	GPS: S 32.52412° E 116.96249°
NOTE: This plan is current as the Survey Date. NOT FOR CONSTRUCTION purposes without the contractor. The contractor is responsible for verifying all dimensions on site. This plan is for information only. It is not to be used for any other purpose. It is not to be used for any other purpose. It is not to be used for any other purpose.	SHEET BUILDERS REF SURVEYED SCALE @ A2 DWG No REV 33684 31/07/18 1:7000 35951-01-300 A



**SITE PAVING AREAS**

LOCATION	AREA
ALFRESCO	37.51
VERANDAH 1	13.81
VERANDAH 2	12.51
VERANDAH 3	15.71
TOTAL	79.54

**NOTE:**  
 • 2PHASE POWER

**BUILDING PILING AREA - (SAL-73.4)**

**WIND CLASSIFICATION AS PER A.S. 4058:**  
 W1 - FOR GROUND STORES OF RESIDENCE  
 DRAINABILITY CLASS AS PER A.S. 2700: 11

**NOTE: SEWERING AREA**  
 • ALL DRAWINGS TO BE READ IN CONJUNCTION WITH ENGINEERS DETAILS

**NOTE:**  
 SEPTIC TANKS AND LEACH DRAINS TO SHIRE REQUIREMENTS  
 CONFORMANCE REPRESENTATION ONLY

**SEPTIC CALCULATIONS**

GROUND LEVEL AT LEACH DRAIN	9.300
LEACH LEVEL (Above GROUND LEVEL)	8.800
INVERT LEVEL (4 x 150)	-1.150
FALL FOR LONGEST RUN (43.500M)	0.227
HEAD ALLOWANCE	0.500
<b>MINIMUM COVER LEVEL</b>	<b>9.877</b>

**NOTE: WATER TANK BY BUILDER**

**BUILDER TO PROVIDE THE FOLLOWING:**

- WATER TANK SAND PAD
- WATER TANK & PRESSURE PUMP
- PUMP RUN FROM SWELLING TO WATER PUMP
- SINGLE IS AP/WATER-PROOF GFI FOR THE WATER PUMP
- WATER RUN FROM WATER TANK TO RESIDENCE
- SERVICE TRENCH INCLUDING SWELLING
- CONNECTION OF COMPRESSES TO PVC STORMWATER PIPES AND RAIN TO TANK

**SITE PLAN**  
 1:200

**GROUND COVER**  
 SANDY GRASS/WEED  
 GRAVEL

**TITLE:** FEATURE SURVEY  
**CLIENT:** BENSFIELD NOMINEES PTY LTD  
**BUILDER:** RURAL BUILDING COMPANY PTY LTD

**LINKS SURVEYING**  
 P: (08) 9354 8511  
 W: www.linksurveying.com.au  
 E: info@linksurveying.com.au

**NOTE:** This Plan is issued as the Surveyed Data. NOT FOR CONSTRUCTION purposes unless also combined. The submitted boundary POSITION is APPROXIMATE and requires confirmation - Check Landmark Points Certificate of Title for Exactness and Accuracy. Boundary, Control, Corner and ALL SETBACKS require verification from the correct AUTHORITY - suggest contacting 'The Shire of Pingelly' for advice and information. @\_CIVILWORKS NUMBER: 1818

**LOT:** 20 No. 1673 WALWALLING RD  
**SUBURB:** WEST PINGELLY  
**AUTHORITY:** PINGELLY SHIRE OF

**UBD REF:** Country GPS: S 32.52412° E 116.96249°

**SCALE:** @ A2  
 0 2.5 5 10 15

**SHEET:** BUILDER'S REF 33684  
**SURVEYED:** 31/07/18  
**SCALE:** @ A2  
**DWG No:** 36591-01-200  
**REV:** A

REV	VO#	CHK	DATE	BY

Sub-contraction to verify all dimensions on site.

**THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT.**

DATE: / /

OWNER: WITNESS  
 WITNESS

OWNER: WITNESS  
 WITNESS

BUILDER: WITNESS  
 WITNESS

**SHEET 8 OF 9**

**SERVICE LEGEND**

**POWER**

- CONSUMER POLE
- POWER POLE
- LIGHT POLE
- STAY POLE
- 6 WIRE ANCHOR
- 10M PILLAR
- EXPOSED CABLES

**GAS**

- PRES-LAD CONN.
- METER
- CONM

**SEWERAGE**

- MANHOLE
- INSPECT. SHAFT
- INSPECT. OPENING
- HOUSE CONNECTION
- HOUSE CONN. INDICATOR
- INSPECT. SHAFT CONNECTION

**TELE**

- PIT
- PRES-LAD CONN.

**DRAINAGE**

- MANHOLE
- GULLY PIT
- LOT PIT
- HOUSE CONN.
- SIDE ENTRY PIT
- COMBINATION ENTRY PIT

**WATER**

- STOP VALVE
- HYDRANT
- FLASH POINT
- WATER TAP
- WATER METER
- PRES-LAD CONN.

**SURVEY**

- DATUM MARK
- PEG FOUND
- PEG DISTURBED
- STAR POINT
- STAKE PLACED

**LOT RECORDS**

STATUS	ACCOMMODATED	ACCURATE	AND IDENTIFIABLE	COMPLIANT WITH
WATER				
SEWERAGE				
GAS				
TELE				
DRAINAGE				
POWER				

**AREA:** ESTAB 10/2002  
**COASTAL DISTANCE:** >10km  
**LOT:** 20  
**AREA:** 2.214 Ha  
**APPROX. AHD:** N/A

**SERVICES SHOWN CONFIRM REQUIRE BUILDER TO VERIFY POSITION, OR ACCURACY ON SITE. APPROXIMATE AND CONNECTION ONLY. HEIGHT RESTRICTIONS REQUIRE ACCURATE GEODETIC CONNECTION.**

**Consultation:**

Barry Gibbs – Director of Technical Services.

**Statutory Environment:**

Shire of Pingelly Local Planning Scheme No.3.

**Policy Implications:**

There are no policy implications.

**Financial Implications:**

There are no known significant financial implications.

**Strategic Implications:**

There are no known significant strategic implications.

**Risk Implications:**

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple Majority

**12545 Moved: Cr Hodges Seconded: Cr Walton-Hassell**

**Recommendation and Council Decision:**

**That Council grant planning approval for a proposed new dwelling on Lot 20 - 1673 Walwalling Road, subject to the dwelling being used for accommodation of persons involved in the management of the farm and that the existing second dwelling be demolished.**

Carried 7:0

**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).

**12546 Cr McBurney Seconded Cr Hastings**

**To introduce new business - Notice of Motion to Revoke Demolition Order on 18 Eliot Street, Pingelly.**

Carried 7:0

**12547 Moved: Cr Freebairn Seconded: Cr Hodges Third Councillor: Cr Walton-Hassell**

Motion to Revoke Demolition Order on 18 Eliot Street Pingelly to be presented at the Ordinary Meeting of Council in November 2018.

**12548 Moved: Cr Hodges Seconded: Cr Walton-Hassell**

**Council Decision:**

**To introduce new business – PRACC Commitment for Operational and Capital Expenditure.**

Carried 7:0

**12549 Moved: Cr McBurney Seconded: Cr Hastings**

**Council Decision:**

**That as per section 5.23(2) of the *Local Government Act 1995* the meeting be closed to members of the public at 3.02pm to allow Council to discuss a confidential matter.**

Carried 7:0

**12550 Moved: Cr Freebairn Seconded: Cr Hastings**

**Council Decision:**

**That the meeting adjourn for a break from 3.03pm.**

Mr Craig McLennan left the room at 3.02pm and did not return.

The meeting resumed at 3.16pm with all those present before the adjournment in attendance with the exception of Mr Craig McLennan.

Bruce Sewell entered the room at 3.29pm and left the room at 4.16pm.

**12551 Moved: Cr McBurney Seconded: Cr Hodges**

**Council Decision:**

**To reopen the meeting to the public.**

Carried 7:0

**12552 Moved: Cr Walton-Hassell Seconded: Cr Hodges**

**That Council:**

- 1. Endorse a financial contribution to the Pingelly Recreation and Cultural Centre Board Inc for the 2019/20, 2020/21 and 2021/22 financial years.**
- 2. Endorse the financial contribution of up to \$240,000 for Operational Expenditure and \$90,000 for Capital Improvements with each amount being evenly spread over the three financial years.**
- 3. Endorse the Chief Executive officer to include \$80,000 for operational expenditure and \$30,000 for Capital Improvements in the 2019/20, 2020/21 and 2021/22 annual budgets and amend the Shire Long Term Financial Plan as required.**
- 4. Endorse the Chief Executive Officer obtaining a projected annual expenditure report from the Pingelly Recreation and Cultural Board Inc each financial year for presentation to Council before each annual contribution is processed.**
- 5. Request the Chief Executive Officer advise the Pingelly Recreation and Cultural Centre Board Inc that the financial contribution is only applicable while the Board is still fully functional and incorporated.**

Carried 7:0

**19. CLOSURE OF MEETING**

The Chairman declared the meeting closed at 4.20pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 21 November 2018.

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