



# Shire of Quairading

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*Ordinary Council Meeting Minutes*

28<sup>th</sup> March 2019

# Disclaimer

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## **Disclaimer**

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# SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 28<sup>th</sup> March 2019 commencing at 2.00 pm.

## ITEM 1 OPENING & ANNOUNCEMENTS

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The Shire President opened the Meeting at 2.00 pm.

“Before we start our Meeting, I would like to acknowledge that we are meeting on Noongar land and we pay respect to the original custodians...past, present and future and welcome you all here today for this Meeting”.

Cr Davies welcomed the Councillors, Staff, Senior Sergeant Hancock and the Member of the Public to the Meeting.

## ITEM 2 ATTENDANCE AND APOLOGIES

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### Councillors

Cr WMF Davies	Shire President
Cr B McGuinness	Deputy Shire President
Cr LR Brown	
Cr JN Haythornthwaite	
Cr J McRae	
Cr PD Smith	
Cr TJ Stacey	

### Council Officers

Mr GA Fardon	Chief Executive Officer
Mr A Rourke	Executive Manager of Works & Services
Mr N Gilfellon	Executive Manager of Corporate Services
Mr RM Bleakley	IPR/Strategic Projects Officer
Mrs H Cooper	A/Executive Officer

### Observers/Visitors

Senior Sergeant John Hancock (2.00pm - 2.44pm)

Mr John Haythornthwaite (2.00pm - 5.24pm)

### Apologies

Nil.

### Leave of Absence Previously Granted

Nil.

## ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

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Senior Sergeant John Hancock presented Council with local Policing Issues

Topics covered included: -

1. Personnel changes at the Station.
2. Attraction and retention of Police Staff.
3. Recent local Incidents requiring Police attention and Charges laid.
4. Thefts from Rural Properties (including Stock)
5. Road Policing – lowest offence rate in some time but Wheatbelt Region still has the highest Fatality rate in the State.
6. CCTV project – praised Council in their efforts to get this technology, as there will be future benefits for Police and incident control.
7. “Hoon” Driving has been observed in rural areas. One offender caught.

Senior Sergeant Hancock further praised Council in their progressive actions to date on policing and emergency management.

The Shire President thanked Senior Sergeant Hancock on the excellent job being carried out to date.

Senior Sergeant John Hancock left Chambers at 2.40 pm.

Crs McRae and McGuinness left the Chambers at 2.42 pm and re-entered at 2.45 pm

## ITEM 3 PUBLIC QUESTION TIME

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### **Mr John Haythornthwaite**

#### Question

Page 54 - EFT6278 – Avon Valley Tyre Services – Why was Avon Valley Tyre Service used for CESM vehicle repairs?

#### Response

The Chief Executive Officer responded that the Acting CESM, Mr Simon Bell was attending a fire incident in the west of the Shire of York on a Sunday in the Christmas / New Year period as part of his DFES regional duties. The vehicle received two flat tyres and Avon Valley Tyre Service was the only option available at that time to undertake the repairs to keep the vehicle operational.

#### Question

Page 55 – EFT6330 – Quairading Agri Services – Various Hardware Items for Depot, Ovals, CRC, Childcare, Admin. What are the details of this Payment?

#### Response

The Chief Executive Officer took the question on Notice.

#### Question

Page 56 – EFT6350 – WALGA – Delivery of Procurement Workshop

#### Response

The Chief Executive Officer responded that the Payment was for the delivery of staff training by WALGA in the areas of Procurement and Tendering processes. The training was held in Quairading, with participants also attending from some of the surrounding Shires.

Question

Page 56 – EFT6366 – The Murray Hotel Perth – Accommodation & Breakfast on 17.02.2019 – Training.

Response

The Chief Executive Officer responded that the Payment is for accommodation for a Staff Member to attend training in Perth.

Question

Mr Haythornthwaite sought clarification on Page 93 of the Agenda – Item 6.1 of the Audit & Risk Committee Minutes, what does Section 7.12A (4)(a) & (b) and (5) of the Local Government Act mean?

Response

The Chief Executive Officer responded that under Section 7.12A (4) - Council must prepare a report addressing any matters identified as significant by the Auditor in the Audit Report and stating what actions the local government has taken or intends to take with respect of each of these matters.

The Council report must provide a copy of that report to the Minister within 3 months of the audit report having been received by Council.:

The Chief Executive Officer further explained that there were no significant issues identified by Council's Auditor in the Audit Report for the Year ended 30<sup>th</sup> June 2018.

In relation to the question on Section 7.12A (5), the Council is required to publish the report on the Shire's website within 14 days.

The Chief Executive Officer confirmed that there was no Report as Council's Auditor had not identified any significant matters to the 30<sup>th</sup> June 2018.

Question

On page 95 of the Council Agenda (Audit & Risk Minutes) – Mr Haythornthwaite sought clarification on the areas of more Audit attention required by the OAG?

Response

The Chief Executive Officer responded that Council's Auditor, in his meeting with Council's Audit & Risk Committee had highlighted a number of areas that the Office of the Auditor General are focussing in future Audits including: -

- More detailed audit on Journal Entries - especially the authorisations required prior to the Journal being undertaken.
- Trust Funds – Any interest accrued on Trust Funds held by Council must be passed onto the beneficiary of the initial amount lodged in Trust with the Shire.
- Checking for greater consistency on the approach for the valuing of Land with Restricted Uses.

Question

Page 96 – Mr Haythornthwaite queried the Management Letter received from the Auditor, as to what the Operating Ratio was previously?

Response

The Chief Executive Officer responded that the Auditor's Management Letter is a separate document provided to Council. The CEO confirmed that the Financial Ratios discussed with the Auditor are those which were published in Council's Annual Report.

### Question

Page 104 – Mr Haythornthwaite queried the income deficiencies in the Comparison Report on the Medical Practice.

### Response

The Chief Executive Officer responded that Council and Management are closely monitoring the operating cost and revenue streams of the Medical Practice and highlighted that the loss of Government incentives and reduced Consultation income has resulted in a projected greater Shortfall than originally proposed in Council's Adopted Budget.

## ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

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Nil.

## ITEM 6 DECLARATIONS OF INTEREST

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Councillors to use pro forma declaration of interest handed to Chief Executive Officer prior to meeting or verbal declaration of interest.

- Declarations of Financial Interest – Local Government Act 1995 Section 5.60a
- Declarations of Proximity Interest – Local Government Act 1995 Section 5.60b
- Declarations of Impartiality Interest – Local Government (Administration) Regulations 1996 Regulation 34c.

## ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

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### 7.1 Confirmation of Minutes – 28<sup>th</sup> February 2019

#### **RESOLUTION: 144-18/19**

#### **MOVED Cr Haythornthwaite SECONDED Cr McGuinness**

That the Minutes of the Ordinary Meeting of Council held on the 28<sup>th</sup> February 2019 be confirmed as a true and accurate.

**CARRIED 7/0**

### 7.2 Business Arising

Cr Smith commented that from his Councillor e-learning it appears that Councils are required to have Local laws on Meeting procedures and sought clarification from the Chief Executive Officer on this matter.

The CEO advised that the Local Government Act provides authority for Council to make Local Laws.

The Shire President advised that he had enquired on this matter with the Department of Local Government late last year and whilst Meeting Local laws are encouraged they are not compulsory.

## ITEM 8 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

### 8.1 Quairading Heritage Strategy – Annual Review Report

<b>Meeting Date</b>	28 <sup>th</sup> March 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	Town Planning Consultant Jacky Jurmann
<b>Attachments</b>	Annual Minor Review Report
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

#### OFFICER RECOMMENDATION

That Council receive the Heritage Strategy Annual Review Report (March 2019) as presented.

#### RESOLUTION: 145-18/19

#### MOVED Cr Smith SECONDED Cr McRae

That Council:

1. Receive the Heritage Strategy Annual Review Report (March 2019) as presented, and
2. The Chief Executive Officer is to provide a list of options, legal requirements and costings before Council proceeds to Budget deliberations.

**CARRIED 7/0**

#### Reason for Variation to Officer's Recommendation

Item 2 added - Council requested that the Chief Executive Officer prepare and present a Paper on the legal requirements of reviewing Council's Municipal Heritage Inventory and creation of a Heritage List, with the estimated Cost of undertaking this work presented to Council prior to Council's Budget Workshops.

#### IN BRIEF

- Adopted Heritage Strategy provides for an Annual Review and Reporting requirement to Council.
- Review Report to be presented each March during the Term of the Strategy.
- No changes are proposed to the Wording of the Heritage Strategy nor to the Implementation Plan.
- Proposals from Heritage Consultants currently being assessed for inclusion into Budget Workshop Process.
- Strategy Implementation is subject to budgetary considerations during the life of the Strategy.

#### MATTER FOR CONSIDERATION

The first annual minor review of the implementation of the Heritage Strategy.

#### BACKGROUND

Council at its Ordinary Meeting held in April 2018, adopted the Shire's Heritage Strategy and accompanying Implementation Plan.

The Implementation Plan identifies prioritised actions, includes an annual minor review of the progress of implementing the Strategy.



Annual Report to include the following Matters: -

- Project Report versus Implementation
- Recommended Changes
- Justification for any Changes or adjustments of Timeframes
- Items for Budgetary Consideration
- Steps for the 12 months ahead.

Attached is a Report that details the actions taken to implement the Strategy to date.

## **STATUTORY ENVIRONMENT**

The Heritage Strategy was prepared in accordance with the recommendations of the State Heritage Office.

## **POLICY IMPLICATIONS**

There are no policy implications associated with this Report.

## **FINANCIAL IMPLICATIONS**

No financial implications are expected in the current year, however there are financial implications associated with the implementation of the Heritage Strategy in future years. Quotes for the review of the Municipal Heritage Inventory (MHI) and creation of a Heritage List are currently being assessed and it is likely that the estimated budget identified in the Implementation Plan will be exceeded. A further Report will be presented for consideration to Council during the 2019/20 Budget Workshops.

## **STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027**

The protection of local heritage is consistent with the aims and objectives of the Strategic Community Plan.

## **COMMUNITY CONSULTATION**

The community will be consulted during the review of the MHI and has been included in the Scope of Works.

## **RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.**

Financial – Risk Rating is assessed as Medium Risk. Proposals/Quotations from Heritage Consultants vary widely and are currently being further assessed by the Town Planning Contractor prior to the Budget amount being submitted to Council for Draft Budget purposes. The Budget estimate in the adopted Strategy for the MHI review is lower than current Quotations.

Health – Risk Rating is assessed as Low.

Reputation – Risk Rating assessed as Low. Risk will be mitigated as the Heritage Strategy is progressively implemented and as the Municipal Heritage Inventory is updated and as Heritage Listing is incorporated into Council's Town Planning Strategy No.3

Operation – Risk Rating is assessed as Low. Heritage Strategy being managed by CEO and Council's Town Planning Consultant as part of normal Operations.

Natural Environment – Risk Rating is assessed as Low Risk.

## **COMMENT**

The review confirms that the Heritage Strategy is being implemented in a timely manner in accordance with the adopted Implementation Plan.

ITEM 9      MATTERS FOR CONSIDERATION – FINANCE & AUDIT

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**9.1      Accounts for Payment – February 2019**

<b>Meeting Date</b>	28 <sup>th</sup> March 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	EMCS Nathan Gilfellow
<b>Attachments</b>	9.1.1 February 2019 Payment List 9.1.2 Transport Takings 9.1.3 Credit Card Statement
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

**OFFICER RECOMMENDATION**

**RESOLUTION: 146-18/19**

**MOVED Cr Stacey SECONDED Cr Brown**

That Council note the following:

1. That Schedule of Accounts for December covering Municipal Vouchers 23618 to 23627 & EFT6277 to EFT6367 & DD13319.1 to DD13319.10 & DD13320.1 to DD13320.10 totalling \$378,243.56 be received and
2. That Police Licensing payments for the month of February 2019 totalling \$38,169.45 be received on the 28th February 2019 (Attachment 9.1.2); and
3. That fund transfers to Corporate Credit Card for February 2019 balance totalling \$0 be received (Attachment 9.1.3); and
4. That Payroll payments for the month February 2019 totalling \$156,135.39; and
5. That the Lease payment for the month of February on the CESM Vehicle totalling \$1,775.97.

**CARRIED 7/0**

**IN BRIEF**

Payments are per attached schedules 9.1 1/2/3

**MATTER FOR CONSIDERATION**

Note the accounts paid during February 2019.

**BACKGROUND**

Accounts paid are required to be submitted each month.

**STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996 (Reg 13 (1)) requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

**POLICY IMPLICATIONS**

Nil.

## FINANCIAL IMPLICATIONS

Payment from Council's Municipal Fund. Expenditure as per delegated authority and included in the adopted 2018/2019 Budget.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 – 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

## COMMUNITY CONSULTATION

Nil.

### RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating considered Low – On Risk Matrix given Purchasing / Procedures followed, together with Management Separation of acceptance of duties and Processes in place.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low – Creditors reviewed weekly and paid in accordance to agreed terms.

Operation – Risk Matrix Rating considered Low.

Natural Environment – Risk Matrix Rating considered Low.

## 9.2 Financial Information-Statements of Income and Expenditure for the Period Ending – 28<sup>th</sup> February 2019

<b>Meeting Date</b>	28 <sup>th</sup> March 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	EMCS Nathan Giffellon
<b>Attachments</b>	9.2.1 Financial Statements for February
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

### OFFICER RECOMMENDATION

#### RESOLUTION: 147-18/19

#### MOVED Cr McRae SECONDED Cr Haythornthwaite

That Council receive the Monthly Financial Statements for the period ending 28<sup>th</sup> February 2019.

**CARRIED 7/0**

### IN BRIEF

- Monthly Financial Statements for the period ending 28<sup>th</sup> February 2019 attached.
- Monthly Financial Statements have been updated based on the Moore Stephens Monthly Statements Model.
- The Monthly Financial Statements report include the Fund Balances Report and the Variance Report previously reported separately.

### MATTER FOR CONSIDERATION

To receive the monthly Financial Report and Statements

### BACKGROUND

Council resolved in October 2000 (Minute Number 071-00/01) to receive Financial Statements in the required statutory format. Requests for new Monthly Financial Statements started a search for a new template. The current template is based on the Moore Stephens Monthly Budget Template.

### STATUTORY ENVIRONMENT

Amendments to the regulations, gazetted on the 31<sup>st</sup> March 2005 and effective from the 1<sup>st</sup> July 2005, have repealed the existing regulations (34 and 35) relating to monthly and quarterly / triannual financial reports.

They have been substituted in accordance with a new Regulation 34. This new regulation only requires Local Governments to report on a monthly basis, although it is much more prescriptive as to what is required and its intention is to establish a minimum standard across the industry.

The new regulations require Local Government to prepare each month a statement of financial activity as per attachment. This statement is intended to report on the sources and application of funds highlighting variances to budget for the month in question.

### POLICY IMPLICATIONS

Nil.

## FINANCIAL IMPLICATIONS

The Model Monthly Financial Statements cost \$430 (2018/19) and will be an ongoing annual expense if the latest model is needed. Staff time is used to update and customise the template for Council preferences.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting
G1.1	Continual improvement in IPR, transparency and accountability

## COMMUNITY CONSULTATION

Nil.

## RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating considered Low – Comprehensive Monthly Financial Reports in accordance with the Local Government's Financial Regulation 34 including individual schedules on each budget line item provided to Council for analysis.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low.

Operation – Risk Matrix Rating considered Low – Level verified through Council Financial Audits.

Natural Environment – Risk Matrix Rating considered Low.

## COMMENT

The Monthly Financial Statements have been updated based on the Moore Stephens Monthly Reporting Template. They now also include the Fund Balances Report and the Variation Report which were previously separate items.

The Model Template has been updated to include profit and loss statements for the Medical Practice and Childcare. The Statements can continue to be updated and customised to include relevant information for Council and Staff and to work with improved Management Accounting practices.

### 9.3 Audit and Risk Committee Meeting Minutes – 12<sup>th</sup> March 2019

<b>Meeting Date</b>	28 <sup>th</sup> March 2019
<b>Responsible Officer</b>	EMCS Nathan Gilfellon
<b>Reporting Officer</b>	EMCS Nathan Gilfellon
<b>Attachments</b>	Audit & Risk Committee Meeting Minutes
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

#### OFFICER RECOMMENDATION

##### RESOLUTION: 148-18/19

##### MOVED Cr Smith SECONDED Cr Brown

1. That Council receive the Minutes of the Audit & Risk Committee Meeting held on the 12<sup>th</sup> March 2019 be confirmed as a true and accurate record; and
2. Consider the Committee's following Recommendations individually: -

**CARRIED 7/0**

#### Responses to Audit Management Letter

##### RESOLUTION: 149-18/19

##### MOVED Cr McRae SECONDED Cr Haythornthwaite

##### *RECOMMENDATION: AR15-18/19*

That the Audit and Risk Committee recommend to Council that: -

Council consider the Strategies (but not limited to), as presented in the Report, in the preparation of the 2019/20 Annual Budget.

**CARRIED 7/0**

The Meeting requested that Management prepare a Report (in accordance with Standing Agenda Item) demonstrating that a 5% Saving has been or will be achieved on the identified Operating Expenses in the 2018/19 Financial year.

#### Statutory Compliance Audit Return

##### RESOLUTION: 150-18/19

##### MOVED Cr Haythornthwaite SECONDED Cr Stacey

##### *RECOMMENDATION: AR16-18/19*

That the Audit and Risk Committee recommend to Council that: -

The Statutory Compliance Audit Return for the period 1<sup>st</sup> January 2018 to 31<sup>st</sup> December 2018 be adopted by Council.

**CARRIED 7/0**

**Medical Practice Comparison Report**

**RESOLUTION: 151-18/19**

**MOVED Cr Brown SECONDED Cr McGuinness**

*RECOMMENDATION: AR17-18/19*

That the Audit and Risk Committee recommend to Council that: -

1. The Medical Practice Financial Statements and Patient Visitation Data (with historical data and trends) be received, and
2. The Findings contained in the Report be incorporated into the negotiation process for a new Contract.

**CARRIED 7/0**

**March 2019 Budget Review**

**RESOLUTION: 152-18/19**

**MOVED Cr Smith SECONDED Cr McGuinness**

*RECOMMENDATION: AR18-18/19*

That the Audit and Risk Committee recommend to Council that: -

1. Council adopt the March 2019 Budget Review Report and adopt the Variations to Budget as detailed in attachment 8.3.1 – March 2019 Budget Review, and
2. The authorised Grant re-classification and updated Year to Date figures be incorporated into the Budget Review Report for presentation to Council.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

**Report on Annual Leave and Long Service Leave Liabilities**

**RESOLUTION: 153-18/19**

**MOVED Cr Haythornthwaite SECONDED Cr McRae**

*RECOMMENDATION: AR19-18/19*

That the Audit and Risk Committee Recommend to Council that: -

Council receive the report on the Shire's Annual Leave and Long Service Leave Liabilities.

**CARRIED 7/0**

**Consultation on Community Bus**

**MOVED Cr Brown SECONDED Cr Stacey**

*RECOMMENDATION: AR20-18/19*

That the Audit and Risk Committee recommend to Council that: -

1. The Officer's Report on the Community Bus be received, and
2. Council retain the current Community Bus for a further three years or until it reaches 100,000 Kilometres, and
3. The Hire Rate be reduced to \$0.90/km inc. GST (to cover Operating Costs) for a trial period of two years as an initiative to promote greater use of the Community Bus.

Cr McRae foreshadowed an Amendment to AR20-18/19 as follows: -

**MOVED Cr McRae SECONDED Cr Smith**

That: -

1. The Officer's Report on the Community Bus be received, and
2. Council retain the current Community Bus.
3. The Hire Rate be reduced to \$0.90/km inc. GST (to cover Operating Costs) for a trial period of one year, with usage analysis at the conclusion, and
4. Instigate a promotional program using all media, including website and newsletters, promoting the reduced hire charge.

**AMENDMENT CARRIED 5/2**

**AMENDMENT BECAME THE SUBSTANTIVE MOTION**

**RESOLUTION: 154-18/19**

**MOVED Cr McRae SECONDED Cr Smith**

That: -

1. The Officer's Report on the Community Bus be received, and
2. Council retain the current Community Bus. and
3. The Hire Rate be reduced to \$0.90/km inc. GST (to cover Operating Costs) for a trial period of one year, with usage analysis at the conclusion, and
4. Instigate a promotional program using all media, including website & newsletters, promoting the reduced hire charge.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

**IN BRIEF**

Minutes of the 12<sup>th</sup> March 2019 Meeting of the Audit and Risk Committee include six (6) Recommendations to Council.

**MATTER FOR CONSIDERATION**

Minutes of the Audit & Risk Committee Meeting - Recommendation to Council.

**BACKGROUND**

The Audit and Risk Committee Meeting was held on the 12<sup>th</sup> March 2019 from which there are six (6) Recommendations for Council's consideration, namely: -

RESOLUTION: AR15-18/19

RESOLUTION: AR16-18/19

RESOLUTION: AR17-18/19

RESOLUTION: AR18-18/19

RESOLUTION: AR19-18/19

RESOLUTION: AR20-18/19

**STATUTORY ENVIRONMENT**

Local Government Act 1995

Local Government (Audit) Regulations 1996.

**Legislation relevant to AR20-18/19**



### **6.16. Imposition of fees and charges**

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

\* *Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
  - (b) supplying a service or carrying out work at the request of a person;
  - (c) subject to section 5.94, providing information from local government records;
  - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
  - (e) supplying goods;
  - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed\* during a financial year; and
  - (b) amended\* from time to time during a financial year.

\* *Absolute majority required.*

### **6.19. Local government to give notice of fees and charges**

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

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

### **POLICY IMPLICATIONS**

Nil.

### **FINANCIAL IMPLICATIONS**

#### **AR17-18/19**

No financial impact in the 2018/19 Financial Year but would have impact on future Costs of Medical Practice Service with the objective of minimising Operating Shortfall.

#### **AR18-18/19**

Yes – Budget to be adjusted pursuant to the Budget Review document, once adopted by Council. Budget will more accurately reflect Council's Position at Year End.

#### **AR20-18/19**

Yes – Capital Budget provides for Purchase of a new Community Bus in 18/19 Year. Recommendation is to defer Changeover of the Community Bus.

Proposed funding from Plant Reserve Fund and General revenue for the Changeover Amount will not be required in the 2018/19 year.

#### **AR20-18/19 (Continued)**

Yes – Adopted Operating Budget provided an Operating Surplus of \$5,900. Based on Actual YTD, March 2019 Budget Review provides for an operating Shortfall of \$100. Recommendation of a Trial Hire Rate reduction seeks to promote greater hiring of the Community Bus.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

### Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

## COMMUNITY CONSULTATION

Undertaken on the Community Bus Item.

### RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial – Risk Matrix Rating considered Low. Risk mitigated with Clear Audit Report and an improvement in the Operating Surplus Ratio in 2017/18. Further Strategies proposed for the 2019/20 Budget to further improve the Operating Surplus Ratio.

Health – Risk Matrix Rating considered Low. Risk levels currently mitigated with GP Contract Model in place.

Reputation – Risk Matrix Rating considered Low. Reputational Risk mitigated with a Clear Audit Report and High level of Compliance in the Compliance Audit Return.

Operation – Risk Matrix rating considered Low. All items recommended are within Council's existing Operations.

Natural Environment – Risk Matrix rating considered Low.

Council adjourned at 3.50 pm for Afternoon Tea. Council Guests included the School Principal Mrs Pauline Wray, New School Teachers Mrs Leonie Matthews and Mrs Jamie Garrett. Staff member Mrs Jenna Bavin was also a Council Guest.

Council resumed at 4.22 pm, with all Councillors, Staff and Mr J Haythornthwaite present.

## ITEM 10 MATTERS FOR CONSIDERATION – GOVERNANCE & ADMINISTRATION

### 10.1 PTA Land: Ex Valley Ford Site - Soil Contamination Assessment

<b>Meeting Date</b>	28 <sup>th</sup> March 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	CEO Graeme Fardon
<b>Attachments</b>	Soil Contamination Assessment Report – Western Environmental Plan of Current PTA Lease
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

#### OFFICER RECOMMENDATION

That Council: -

1. Receive the Soil Contamination Assessment Report prepared by Western Environmental; and
2. That Council request that the Subject Land (approximately 3700 metres<sup>2</sup>) fronting McLennan Street be added to the exiting Railway Land leased from the Public Transport Authority.

#### RESOLUTION: 155-18/19

#### MOVED Cr McRae SECONDED Cr Brown

1. Receive the Soil Contamination Assessment Report prepared by Western Environmental; and
2. That Council request that the Subject Land (approximately 3700 metres<sup>2</sup>) fronting McLennan Street be added to the exiting Railway Land leased from the Public Transport Authority, and
3. That community engagement be undertaken to survey for ideas and support for future usage of the subject land.

**CARRIED 7/0**

#### Reason for Variation to Officer's Recommendation

Council to seek community feedback on future potential uses for the PTA land.

#### IN BRIEF

- The Railway Reserve land, under the control of the Public Transport Authority (PTA), on the corner of McLennan and Parker Street, Quairading has been identified as a potential site for the Shire to utilise and/or manage in the future.
- The Railway Reserve land was previously used as a Car Sales Yard/Motor Vehicle Repair premises, which has since been demolished and historically has been the subject of an anecdotal fuel spill from a Railway wagon in the vicinity or adjacent the North East section of the land;
- The Shire engaged Western Environmental Consultants to undertake a Soil Contamination Assessment with a view to ascertaining the extent of contamination and likely cost to remediate the land for the proposed purpose as a Recreation Area before determining whether to acquire the Land from PTA via lease.
- The Soil Contamination Assessment has been completed and the findings indicated that: -  
*“elevated metals and minor concentrations of hydrocarbons and pesticides were detected in surficial and subsurface soils, however all reported contaminant concentrations comply with the adopted environmental and health assessment criteria.”*

*“Approximately 1.0kg of asbestos cement material (ACM), approximately 30 fragments were identified and collected by hand from the surficial soils across the site. All the ACM was in moderate to good condition (i.e. non friable). Generally, the ACM was in the proximity to the historical building footprint and likely due to the poor demolition processes. No surficial ACM was observed during a final walkover of the site.”*

*“any personnel working on the site should be made aware of the low risk of encountering potential ACM during the works. Any additional potential ACM identified should be handled as ACM until confirmed otherwise.”*

- The site is considered suitable for the proposed use as a child friendly recreation area such as a skate park (original suggestion to PTA).
- Due to its central and high profile location in the Townsite, consideration should be given to the land being incorporated into the exiting area leased by Council from the PTA. This will enable Council to be able to maintain this portion of land while Council maintains all surrounding land leased from the PTA.
- Eventual use of the land has not been addressed in this Report.
- Current Lease (Licence to Occupy) with the PTA is for a Term of 21 years, expiring 31<sup>st</sup> July 2030.
- Attached Map provides detail of the current land area.
- PTA’s Property Manager advises that this could be done through an “Exchange of Letters” to achieve the extension of the leased land to the McLennan Street frontage. This would remove the need for a separate lease which would incur Lease / Licence preparation fees.
- Terms and Conditions would then be in accordance with the present leased area from Ashton Street to McLennan Street.

## **MATTER FOR CONSIDERATION**

That Council receive the Soil Contamination Assessment Report by Western Environmental and determine whether Council would accept the future lease of the PTA Land (Ex Valley Ford Site) by its inclusion into Council’s existing Railway Lease held with the PTA.

## **BACKGROUND**

Following the demolition of buildings located on land on the corner of McLennan Street and Parker Street the site has come under Council’s consideration given its proximity to the Town Hall / Public Toilets, Caravan Park and Community Resource Centre.

It has been noted that the land is the subject of a relinquished Lease by “Valley Ford” from the PTA and therefore the vacant (but fenced) land is currently under the management of the Public Transport Authority.

The PTA has indicated a willingness to consider extending the current lease area to include the land (approximately 3,700 metres<sup>2</sup>) at no additional Lease / Licence costs.

The site was previously used as a Vehicle Sales Yard/Fuel Depot/ Motor Vehicle Repair premises with an anecdotal history of a large fuel (diesel) spill. Accordingly, before the site could be considered for use as Public Open Space or Community Space, Council authorised the Chief Executive Officer to engage a Consultant to test and ascertain the extent of any soil contamination that may preclude its use for any future purpose.

Council at its November 2018 Ordinary Council Meeting resolved (103-18/19)

That Council: -

1. *Receive the Legal Advice from Civic Legal dated 27<sup>th</sup> November 2018;*
2. *Authorise the Chief Executive Officer to proceed with the engagement of Environmental Consultant, Western Environmental to undertake the Soil Analysis Testing and Report within Council’s Revised Budget Provision.*
3. *Council requested that the Chief Executive Officer obtain a copy of the Certificate of Title from the PTA.*

The PTA are yet to provide a copy of the Certificate of Title.

## STATUTORY ENVIRONMENT

Public Transport Authority Act 2003

## POLICY IMPLICATIONS

Nil.

## FINANCIAL IMPLICATIONS

Yes – Council reviewed its Original Budget to allocate \$10,000 for Conducting Soil Sampling and Testing. The actual cost of the Soil Testing consultancy was \$7,150.

PTA Property Management have advised that there would be no additional Lease / Legal Costs associated with incorporating this land into Council's existing lease area.

It is envisaged that there would be minimal future operating costs to conduct weed control on the site as Council Staff undertake seasonal weed control on the remaining leased PTA land.

Future Use or development of the Land will require the development of a Project Plan and be submitted to Council's Budgetary processes.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

**Governance Objective: Strong governance and community engagement**

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

**Built Environment Objective: Planning and infrastructure to meet the needs of the community**

ITEM	OUTCOMES AND STRATEGIES
B1	Responsive Land Use Planning
B2	Enhanced and Sustainably Managed Assets and Infrastructure
B2.2	Ensure the provision of community facilities and other built assets takes into account the needs of the community

## COMMUNITY CONSULTATION

Nil – Formal Consultation

## RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating is assessed as Low. Current proposal will be at a nil Cost to Council.

Health – Risk Matrix Rating is assessed as Low. Public Risk has been mitigated by the Soil Testing and Analysis. Standard OHS protocols will need to be complied with if any further Asbestos Cement Material fragments are identified.

Reputation – Risk Matrix Rating is assessed as Low. Council has undertaken Due Diligence in ordering a Soil Assessment of the Site, prior to considering future tenure options.

Operation – Risk Matrix Rating is assessed as Low. Ongoing weed control of the vacant site can be accommodated within Council's existing operations which are on adjoining land.

Natural Environment – Risk Matrix Rating is assessed as Low. Soil Tests and Assessment has provided Findings that clarify the status of the Site and no impact on the surrounding Natural Environment.

## COMMENT

The land under consideration is well located and could be included into the land area currently leased from the PTA which has a Lease Cost of \$1 per annum (upon demand).

## 10.2 Local Government Act 1995 Review (Phase 2)

<b>Meeting Date</b>	28 <sup>th</sup> March 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	CEO Graeme Fardon
<b>Attachments</b>	Survey Results – Compilation of CCZ and Councillors & CEO
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

### OFFICER RECOMMENDATION

#### RESOLUTION: 156-18/19

#### MOVED Cr McRae SECONDED Cr McGuinness

That Council: -

1. Receive the Local Government Act Review Phase 2 Consultation Survey Results, and
2. Support the Central Country Zone Submission Responses with the exception of the identified Issues as marked in this Report supported by Council.
3. Authorise the Chief Executive Officer to prepare and submit a formal submission to the Minister of Local Government based on the composite Council and Central Country Zone Responses.

**CARRIED 7/0**

### IN BRIEF

- The Department of Local Government has consulted with more than 100 organisations and community groups across the State including local government councillors, staff, peak bodies, multicultural groups, young people, Aboriginal groups and seniors.
- Consolidated Survey Results are attached reflecting responses from Councillors, Chief Executive Officer and the Central Country Zone (CCZ).
- Largely there is consensus between the majority of the Survey Respondents.
- There are a number of issues / questions where the Responses vary between Elected Members and the Central Country Zone. These are typed in Red in the attached Consolidated Survey Response.
- Public Submissions are invited until Sunday 31<sup>st</sup> March 2019.

### MATTER FOR CONSIDERATION

Council to consider the various issues raised in the Local Government Act Review Phase 2 Consultation Survey and if deemed appropriate, authorise the Chief Executive Officer to prepare a submission to the Minister of Local Government reflecting Councils position.

### BACKGROUND

Local Government Act Review Phase 1 - Local governments and communities were invited to have their say on the priority reforms earlier this year and the drafting of a Bill which includes universal training for candidates and council members, council member code of conduct, improvements to Chief Executive Officer recruitment and performance review and a simplified gift framework is now underway

Local Government Act Review Phase 2 will result in a new Local Government Act and focuses on delivering for the community based on the themes Agile, Smart and Inclusive. It considers nine key topic areas and local governments and community members are currently invited to have a say on some or all of the reform areas.

To assist in the review, the Department of Local Government, Sport and Cultural Industries (DLGSC) has released a series of Surveys covering the following topics:

### Agile

- Beneficial organisations (council controlled organisations)
- Financial management
- Rates, fees and charges

### Smart

- Administrative efficiencies
- Local laws
- Council meetings
- Interventions

### Inclusive

- Community consultation and engagement
- Integrated Planning and Reporting
- Complaints management
- Elections

A collated set of survey papers and related questions prepared by the Central Country Zone were distributed to all Councillors on the 7<sup>th</sup> February 2019.

Cr Haythornthwaite and Cr Smith have provided their responses.

The Chief Executive Officer has also completed the Review Survey.

The Consolidated Survey Results incorporates the Responses prepared by the Central Country Zone LG Act Review Working Group on which Cr McGuinness sits and has provided input to the CCZ Response.

The Central Country Zone at its meeting on the 15<sup>th</sup> March 2019 adopted the Working Group's Responses as the Zone's Formal Responses.

## STATUTORY ENVIRONMENT

Local Government Act 1995 and associated Regulations

## POLICY IMPLICATIONS

N/A

## FINANCIAL IMPLICATIONS

Nil – Local Government Act being reviewed by the Minister for Local Government.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

### Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability
G2	Strengthened Advocacy and Partnerships
G2.1	Partnerships with and advocacy to Federal and State Government to strengthen service provision within the Shire
G2.3	Regional and sub-regional partnerships to achieve better outcomes for the community





**COMMUNITY CONSULTATION**

The Minister and the Department of Local Government have widely circulated the Local Government Act Review Consultation Surveys and invite Public Submission by the 31<sup>st</sup> March 2019.

**RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.**

Financial - Risk Matrix Rating is assessed as Low.

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low. Council and the Community have been invited by the Minister for Local Government to make written submissions or to complete the online survey.

Operation – Risk Matrix Rating is assessed as Low.

Natural Environment – Risk Matrix Rating is assessed as Low.

**COMMENT**

No further Comment.

### 10.3 Waiver Hall Hire Request – Art Exhibition Sponsorship

<b>Meeting Date</b>	28 <sup>th</sup> March 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	CEO Graeme Fardon
<b>Attachments</b>	Letter from Mr Charlie Colbung
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	N/A

#### OFFICER RECOMMENDATION

That Council support Mr Charlie Colbung's request for Sponsorship of the "Kaleidoscope" Art Exhibition from 30<sup>th</sup> May to the 4<sup>th</sup> June 2019 (inclusive) through the sponsoring the Hall Hire Charges.

#### RESOLUTION: 157-18/19

#### MOVED Cr McGuinness SECONDED Cr Brown

That Council:

1. Support Mr Charlie Colbung's request for Sponsorship of the "Kaleidoscope" Art Exhibition from 30<sup>th</sup> May to the 4<sup>th</sup> June 2019 (inclusive) through the sponsoring the Hall Hire Charges, and
2. Request a Bond of \$875 be lodged, and
3. Will accept the offer of a donated art work to the Council.

**CARRIED 7/0**

#### REASON FOR VARIATION TO THE OFFICER'S RECOMMENDATION

Council requested that a Hall Hire Bond be lodged for the duration of the exhibition and secondly, Council accept Mr Colbung's offer of donating an Art Piece to Council in recognition of its Sponsorship of the Art Exhibition.

#### IN BRIEF

- Local Artist Mr Charlie Colbung is arranging a free Public Art Exhibition comprising of his artworks and also those of numerous local Noongar artists.
- Art Exhibition proposed to be held over the June Long Weekend.
- Mr Colbung has approached other external parties for assistance with supplies to create the exhibition.
- The Exhibition dates are within the National Reconciliation Week celebrations.
- Provides an opportunity for Council to support another event which showcases local Artists and also will assist with Cultural awareness.
- Exhibition will be promoted to attract Visitors to the district over the extended Weekend.
- Mr Colbung has been liaising with Council's Grants and Community Team and the Quairading CRC.
- RAP Committee invited to participate in the organising and conduct of the Exhibition.

## MATTER FOR CONSIDERATION

Level of Sponsorship towards the proposed Art Exhibition.

## BACKGROUND

Mr Colbung has been planning an Art Exhibition featuring local Artists for some time and has been liaising closely with Council Officers and also the Quairading CRC in the area of Sponsorship and Support.

## STATUTORY ENVIRONMENT

Local Government Act 1995

No delegated authority to the Chief Executive Officer to consider Donation / Sponsorship Requests nor to consider the waiving or the reduction of Fees & Charges.

## POLICY IMPLICATIONS

N/A

## FINANCIAL IMPLICATIONS

The Hall Hire income for the Exhibition would be \$916 (exc of GST), being 2 days of Setting Up/ Dismantling Days and 4 days of the Exhibition.

Council is holding unexpended NAIDOC Grant (Federal Government) monies totalling \$251.88 (Expense GL 4572)

Sponsorship of \$500 from Members of Council – Donations (GL 0382) which has a Budget Allocation of \$500. Nil has been expended for Year to date.

Balance of Sponsorship of \$164.12 from CDO – Other Expenses (GL 4572).

Therefore, the net effect of the exhibition to Council will be \$0.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

**Economic Objective: Growing economy and employment opportunities**

ITEM	OUTCOMES AND STRATEGIES
ED1	Economic diversity and resilience
ED1.1	Economic and tourism development, including: <ul style="list-style-type: none"> <li>▪ adopt “Small Business Friendly Local Governments” program</li> <li>▪ review potential of the community’s existing assets and facilities to drive improved economic outcomes</li> <li>▪ leverage Federal and State Government priorities and programs (e.g. building the capacity of local industry to undertake Local and State Government contracts)</li> <li>▪ work with stakeholders to determine facilitation approach to business and jobs growth</li> </ul>
ED2	Tourism facilities and services
ED2.1	Contribute to readily accessible visitor information and services, including good quality, affordable visitor accommodation

## Social Objective: Active, healthy, safe and inclusive community

ITEM	OUTCOMES AND STRATEGIES
S1	Active community
S1.1	Provide facilities and support participation in sport and recreational activities, facilities and clubs
S1.2	Promote increased participation in the social and cultural life of the community
S4	Inclusive community
S4.1	Facilitate the Noongar Reconciliation and Cultural Awareness Process

### Extracts from the adopted RAP Action Plan 2017-19 (adopted by Council July 2017)

#### **RELATIONSHIPS**

The Shire of Quairading values the diversity of the people in our community and understands that through respectful and genuine relationships we can learn from each other. Providing leadership in strengthening relationships with First Peoples of Australia is important to the Shire of Quairading in developing an inclusive, strong and healthy community.

Focus area: Engagement: bringing people together; and cultural awareness training.

#### Action

#### 2. EVENTS

- 2.1. Ensure that Events such as NAIDOC Week and others, have a goal of building and strengthening relationships.
- 2.2. Encourage inclusion of Aboriginal Performers and providers in major events.

#### **RESPECT**

Respect for the local Noongar people and those from other areas who have settled in Quairading is an essential Foundation for building meaningful relationships and ensuring full participation in the community. An understanding of Noongar culture and history is central to respect. Making this visible through events, art, signage, promotion and cultural protocols demonstrates our recognition and appreciation for the diversity of people in our community and the significance of land, culture and history.

Focus area: Visible recognition of First Peoples of Australia cultures, history and peoples and protocols.

#### Action

#### 2. PROCEDURES, POLICIES and STRATEGIES

- 2.4. Venue Hire – Council sponsors RAP Events by providing room hire which can be accommodated within the RAP budget within the CDO Annual Budget.

#### 3. ABORIGINAL HISTORY IN QUAIRADING

- 3.5. Source potential funding for permanent Noongar-focussed displays, as well as bilingual signage around the town and district.

#### **OPPORTUNITIES**

By creating employment, economic, educational and other opportunities for First Peoples of Australia people in our region, the Shire of Quairading will assist where possible to improve services, and achieve full participation of all its residents and visitors.

Focus area: Inclusion, employment, health and healing and cultural opportunities

Action

## 3. CULTURAL TOURISM

## 3.2. Cultural experiences

- Contents defined;
- Documentation;
- Persons identified to deliver program;
- Marketing.

**COMMUNITY CONSULTATION**

Nil Public Consultation to date.

Art Exhibition will be widely promoted.

RAP Committee involvement.

**RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.**

Financial - Risk Matrix Rating is assessed as Low. Sponsorship able to be funded from existing Budget Cost Centres.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Sponsorship of the event will be beneficial to the reputation of Council, while bringing a benefit of an additional community event with tourism potential.

Operation – Risk Matrix Rating is assessed as Low.

Natural Environment – Risk Matrix Rating is assessed as Low.

**COMMENT**

The Sponsorship of the Art Exhibition provides Council with an ideal opportunity to support a local Event which showcases Noongar Art & Culture while providing a Free Community Event which with promotion, may lead to additional visitors to the District during the Long Weekend.

It is considered a very cost effective Sponsorship with the outcome of an additional Community event which fosters inclusion and harmony.

## 10.4 Park Cottage Clarifications

<b>Meeting Date</b>	28 <sup>th</sup> March 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	IPR/SPO Richard Bleakley
<b>Attachments</b>	Various
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil

### OFFICER RECOMMENDATION

**That Council: -**

- 1. Receive the Officer's Report on the Caravan Park Cottages; and**
- 2. Determine each of the 5 Areas of the Specification to enable the finalising of the Specifications prior to Contract.**

#### **RESOLUTION: 158-18/19**

**MOVED Cr McGuinness SECONDED Cr McRae**

That Council: -

Receive the Officer's Report on the Caravan Park Cottages

**CARRIED 7/0**

#### **RESOLUTION: 159-18/19**

**MOVED Cr Smith SECONDED Cr McGuinness**

That Council Rescind Resolution: 129-18/19 passed at the Ordinary Council Meeting held on the 28<sup>th</sup> February 2019

**CARRIED BY ABSOLUTE MAJORITY 7/0**

#### **RESOLUTION: 160-18/19**

**MOVED Cr Smith SECONDED Cr McRae**

That Council: -

1. Accept the Tender with the approved variations from Modular WA as the preferred Contractor for the Park Cottage Project with a tendered cost of \$269,247 (inc GST), and
2. Authorise the Chief Executive Officer to proceed with the preparation, finalisation and signing of the Contract with Modular WA.

**CARRIED 7/0**

### IN BRIEF

- Council has accepted the Tender from Modular WA for 3 Park Cottages.
- Original Tendered Cost of \$260,781 (inc GST).
- Council sought further clarification from the preferred Contractor prior to the Chief Executive Officer entering into a Construction Contract.
- Council Officer met with Modular Homes on the five (5) Matters as detailed below.
- The Chief Executive Officer has delegated Authority from Council to determine on minor Variations prior to entering into a Contract.

Variations supported by Council totalling \$8466: -

Option 1. Remove gabled end and make veranda a gabled roof with exposed rafters. Underside of sheets to be shadow grey		\$918
Option 2. Upgrade window and sliding door screens to Invisi-Gard 316 stainless steel mesh in lieu of diamond grill flyscreens - openable portion only		\$7,548

## MATTER FOR CONSIDERATION

5 Matters requiring Specification Clarification before Contract is prepared.

## BACKGROUND

At the February 2019 Council Meeting, Council passed the following resolution:

RESOLUTION: 129-18/19

*“That Council: -*

1. *Accept the Tender from Modular WA as the preferred Contractor for the Park Cottage Project with a tendered cost of \$260,781 (inc GST), and*
2. *Recognise an estimated saving of \$90,000 likely to be achieved on the project, and that the Project saving amount be reduced from the amount to be funded from the Building Reserve Fund.*
3. *Authorise the Chief Executive Officer to proceed with the preparation, finalisation and signing of the Contract with Modular WA.”*

The Council sought additional information and clarification on the following matters prior to final negotiations with the accepted Tenderer Modular WA.

- Removal of Infill in the Gable – Option 1 (see below comments)
- Instantaneous HWS versus Heat Pump – Retain Heat Pump (see comments below)
- Deletion/Alteration of Side windows in Bedrooms for privacy – To proceed (see comments below)
- Security Grilles on Windows – Option 3 (see comments below)
- Confirmation of vinyl floor covering throughout – To proceed (see comments below).

## Removal of Infill in the Gable

Design presented in Tender document – Zinc alum trusses with flush sheeting parallel to veranda.

Modular WA have said they would be able modify the design of the gable end and have presented two options:

	Unit Cost	Total
Option 1. Remove gabled end and make veranda a gabled roof with exposed rafters. Underside of sheets to be shadow grey	\$306	\$918
Option 2. Remove gabled end and make veranda a raked lined roof	\$1,027	\$3,081

## Instantaneous HWS versus Heat Pump

Research and consultation with Shire Electrician provided the following information

To install an instantaneous HWS of adequate size for the cottages would require the following upgrades to the power supply:

- Installation of 3-Phase supply to the cottage versus existing Single phase; and
- Upgrading of capacity of cabling from existing 40 Amp to 100 Amp cable

Power consumption of Instantaneous HWS for systems with showers is high when in use.

Heat pumps draw a low load, only heat to 54C, and with modern storage tanks retain heat through use of efficient insulation.

### **Deletion/Alteration of Side windows in Bedrooms for privacy**

Distance between cottages is approximately 5 metres.

All windows are fitted with blinds

If modifications to window size is still required, this needs to be confirmed prior to finalizing of contract. Minor variations to window size would be cost neutral.

Screening/Landscaping is a viable alternative to altering the windows.

(Cottage Attachment 1: Layout of Cottages)

### **Security Grilles on Windows**

Tender design included security grilles (Aluminum diamond mesh barriers) on sliding sections of doors and windows only

Modular WA have provided a number of options for either partial or full coverage of doors and windows.

	Unit Cost	Total
Option 3. Upgrade window and sliding door screens to Alu Gard aluminium mesh screens in lieu of diamond grill flyscreens - openable portion only	\$1,722	\$5,166
Option 4. Upgrade window and sliding door screens to Alu Gard aluminium mesh screens in lieu of diamond grill flyscreens - Full cover option	\$4,577	\$13,731
Option 5. Upgrade window and sliding door screens to Invisi-Gard 316 stainless steel mesh in lieu of diamond grill flyscreens - openable portion only	\$2,516	\$7,548
Option 6. Upgrade window and sliding door screens to Invisi-Gard 316 stainless steel mesh in lieu of diamond grill flyscreens - Full cover option	\$6,164	\$18,492
Option 7. Upgrade diamond barrier grill window and sliding door screens to full cover option in lieu of openable portion only	\$2,811	\$8,433

Option 5 is full coverage of windows and doors using mesh quoted in the Tender submission.

(Cottage Attachment 2: Alu-gard Edge Brochure)

(Cottage Attachment 3: Invisi-gard Brochure)

### **Confirmation of vinyl floor covering throughout**

Modular WA have confirmed that the flooring will be Firmfit 5mm Vinyl planking in non-wet areas.

Wet areas are to be tiled

(Cottage Attachment 4: Firmfit Flooring Brochure)

### **Other Matters**

Modular WA have included additional variation costs such as additional GPOs both internal and external

Colour scheme and fittings / fixtures to be finalized at pre-start meeting

(Cottage Attachment 5: Variations cost sheet)



## STATUTORY ENVIRONMENT

Local Government Act 1995

## POLICY IMPLICATIONS

Purchasing Policy (adopted 27/09/2018)

## FINANCIAL IMPLICATIONS

Short term – Variations to the original scope presented will incur additional costs over the Tender Price.

Long term – Variations will be cost neutral (operational costs).

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

**Economic Objective: Growing economy and employment opportunities**

ITEM	OUTCOMES AND STRATEGIES
ED1	Economic diversity and resilience
ED1.1	Economic and tourism development
ED2	Tourism facilities and services
ED2.1	Contribute to readily accessible visitor information and services, including good quality, affordable visitor accommodation

## COMMUNITY CONSULTATION

N/A

## RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating is considered Low

Issues raised at the February 2019 Council Meeting have been addressed and costed.

Health – Risk Matrix Rating is considered Low

Reputation – Risk Matrix Rating is considered Low

Due diligence has been conducted to ensure the Shire minimises its risk through dialogue with preferred Tenderer Modular WA.

Operation – Risk Matrix Rating is considered Low

Natural Environment – Risk Matrix Rating is considered Low.

## COMMENT

The five items raised by the Council have been discussed with Modular WA and they have responded with either clarification or a number of options for each possible variation.

## 10.5 Council Delegates Replacement

<b>Meeting Date</b>	28 <sup>th</sup> March 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	CEO Graeme Fardon
<b>Attachments</b>	Nil
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	CEO, Mr Graeme Fardon is the Secretary/Treasurer of the Quairading Frail and Aged Lodge Advisory Committee.

### OFFICER RECOMMENDATION

#### RESOLUTION: 161-18/19

#### MOVED Cr McGuinness SECONDED Cr Stacey

1. The Council appoint the following Delegate Cr Haythornthwaite to the Quairading Frail and Aged Lodge Advisory Committee for the remainder of the term being 7 months, October 2019.
2. The Council appoint the following Delegate Cr McRae to the Little Rainmakers Childcare Centre Executive Committee for the remainder of the term being 7 months, October 2019.

**CARRIED 7/0**

The Shire President thanked the two Councillors for volunteering their time to the positions.

### IN BRIEF

- Council is represented by its Delegates on local Committees.
- Council's Delegate positions are now vacant following the Resignation of Cr Bill Shenton from Council
- Appointments are for a 2 Year period until the next ordinary Election Day being 19<sup>th</sup> October 2019. The remainder of the term being 7 months.

### MATTER FOR CONSIDERATION

This report seeks Council to appointment a replacement Council Delegates to the Quairading Frail and Aged Lodge Advisory Committee and the Little Rainmakers Childcare Centre Executive Committee.

### BACKGROUND

As part of Council's governance and representation obligations, individual Councillors represent Council on a range of committees.

The Councillor's role as a delegate on these committees is to represent the position of Council, and involves reporting back to Council on the issues, or progress of the committees.

Following the Local Government Elections in October 2017 Council was required to appoint Councillors and Staff Members as Delegates to the following Committee: -

*Quairading Frail and Aged Lodge Advisory Committee – 1x Councillor, CEO*

*Childcare Centre Executive Committee – 1x Councillor, Deputy Chief Executive Officer (now EMCS), Finance Administration Officer (now SFO)*

At the 26<sup>th</sup> October 2017 Ordinary Council Meeting Cr Shenton was appointed as a Delegate to represent Council on the Quairading Frail and Aged Lodge Advisory Committee and the Childcare Centre Executive Committee.

Cr Shenton advised at the February 2019 Ordinary Council Meeting of his resignation from Council effective 1<sup>st</sup> March 2019.

The Frail and Aged Lodge Advisory Committee meet on a Tuesday every second month (even months) at 3.00pm, with the Committee Meetings held in the Council Reception Room.

The Little Rainmakers Childcare Centre Executive Committee only meet as and when required and have not convened a meeting in the 2018/19 Year.

## **STATUTORY ENVIRONMENT**

N/A

## **POLICY IMPLICATIONS**

N/A

## **FINANCIAL IMPLICATIONS**

Nil.

## **STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027**

**Social Objective: Active, healthy, safe and inclusive community**

ITEM	OUTCOMES AND STRATEGIES
S2	Healthy community
S2.1	Advocate on behalf of the community for improved access to health
S4	Inclusive community
S4.4	Actively support 'Ageing in Place' services, housing and infrastructure

## **COMMUNITY CONSULTATION**

N/A

## **RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.**

Financial - Risk Matrix Rating is assessed as Low

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. It is appropriate that Council fill the vacancies for the remaining Term until the Local Government Election in October 2019.

Operation – Risk Matrix Rating is assessed as Low. Delegates appointment and attendance at the Committee meetings are a normal part of Council's Operations.

Natural Environment – Risk Matrix Rating is assessed as Low.

## **COMMENT**

Council is required to be represented on a number of Groups and Organisations both locally and regionally.

Cr Shenton, due to a change in personal circumstances has resigned from Council effective the 1<sup>st</sup> March 2019.

As Council has not appointed a proxy delegate to the Quairading Frail and Aged Lodge Advisory Committee and the Little Rainmakers Childcare Centre Executive Committee, Council may consider the appointment of other elected members to fill the vacant positions.

## 10.6 Extraordinary Vacancy Request

<b>Meeting Date</b>	28 <sup>th</sup> March 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	CEO Graeme Fardon
<b>Attachments</b>	Letter from the WA Electoral Commissioner
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

### OFFICER RECOMMENDATION

#### RESOLUTION: 162-18/19

#### **MOVED Cr Smith SECONDED Cr Haythornthwaite**

That Council note that the WA Electoral Commissioner has approved Council's request for the Extraordinary Vacancy on Council to remain unfilled until the October 2019 Election.

**CARRIED 7/0**

### IN BRIEF

- Following the Resignation of Councillor Bill Shenton, Council resolved to seek Approval from the WA Electoral Commissioner to keep the Extraordinary Vacancy on Council unfilled until the October 2019 Local Government Election Day.
- Correspondence from the WA Electoral Commissioner was received on the 20<sup>th</sup> March 2019

### MATTER FOR CONSIDERATION

That Council note the WA Electoral Commissioner has approved Council's request for the Extraordinary Vacancy on Council to remain unfilled until the October 2019 Election.

### BACKGROUND

Extract of Council Meeting Minutes – 28<sup>th</sup> February 2019

RESOLUTION:141-18/19

*“Pursuant to Section 4.17(2) of the Local Government Act 1995, Council request the WA Electoral Commissioner to allow the extraordinary vacancy created by the resignation of Cr Bill Shenton to remain unfilled until the next ordinary election in October 2019.”*

### STATUTORY ENVIRONMENT

Local Government Act 1995 Section 4.17(2)

### POLICY IMPLICATIONS

N/A

### FINANCIAL IMPLICATIONS

Nil in 2018/19 Year.

Extraordinary Vacancy Election will be conducted in conjunction with the Ordinary Election on the third Saturday in October 2019.

Council will need to Budget in the 2019/20 Year for the Statutory Preliminaries and Conduct of the Election. Conduct of the Election to be included in Council's 2019/2020 Budget. Estimated Cost of a contested in-person ordinary election will be in the order of \$4,500-5,000 (ex GST). All Preliminaries for an "In Person" Election are conducted in house and have been costed in General Administration. Wages Costs on Election Day and all Statutory Advertising expenses are costed to the Election Cost Centre.

The WA Electoral Commissioner has quoted the amount of \$13,000 (inc GST) to conduct a Postal Vote Election for the 4 Vacancies.

### **STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027**

**Governance Objective: Strong governance and community engagement**

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

### **COMMUNITY CONSULTATION**

N/A

### **RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.**

Financial – Risk Matrix Rating is assessed as Low.

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low. Risk mitigated by seeking the Electoral Commissioner's Approval to keep the extraordinary vacancy unfilled thereby not incurring unbudgeted Expenditure in the current Financial year.

Operation – Risk Matrix Rating is assessed as Low. Historically, in person elections have been managed with Council's existing operational resources but the elections do draw an amount of resources away from other Projects and Services for the period of the preparation and conduct of the election.

Natural Environment – Risk Matrix Rating is assessed as Low.

### **COMMENT**

Nil.

ITEM 11      MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

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*No matters for consideration.*

## ITEM 12      MATTERS FOR CONSIDERATION – WORKS

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*No matters for consideration.*

**ITEM 13 URGENT COUNCILLORS' BUSINESS**

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Cr McRae commented on the recent outage apparently due to the changeover of Telstra's Mobile Tower and that an Emergency incident had occurred on that day leaving the District with no Telstra mobile phone coverage.

Cr McRae enquired if the Shire had been informed of the planned outage and requested the Chief Executive Officer to follow up Telstra with a request that Council be notified of any planned disruptions in future.

**ITEM 14 CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)**

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*No matters for consideration.*

**ITEM 15 NEXT MEETING DATE**

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The next Ordinary Meeting of Council is scheduled to take place on Wednesday 24<sup>th</sup> April 2019, commencing at 2 pm at the Council Chambers, 10 Jennaberring Road, Quairading.

**ITEM 16 CLOSURE**

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There being no further business, the Chairman closed the Meeting at 5.24 pm.

I certify the Minutes of the Ordinary Meeting of Council held on 28<sup>th</sup> March 2019 were confirmed on 24<sup>th</sup> April 2019 as recorded on Resolution No. \_\_\_\_\_

Confirmed..... 24/04/19