

# SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Wednesday 24<sup>th</sup> April 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”.

Councillors are advised that an invitation has been extended to Retired Councillor, Mr Bill Shenton to join Councillors and Senior Staff for afternoon tea.

Cr Davies reported that he had been in contact with Mr Doug Chamberlain of Reclaimed Energy Australia, who will be visiting Quairading in the near future to assess any future options for his business proposal.

Cr Davies congratulated Cr Brown for his recent achievement of playing 300 Games for the Quairading Football Club.

## 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 Gilfellow	Executive Manager of Corporate Services
Mr RM Bleakley	IPR/Strategic Projects Officer
Mrs H Cooper	A/Executive Officer

### Observers/Visitor

Mr Terry Kean (2.00 pm to 2.40 pm)

Mr Peter York (2.00 pm to 2.40 pm)

Ms Jill Hayes (2.00 pm to 3.27 pm)

### Apologies

Nil.

### Leave of Absence Previously Granted

Nil.

### ITEM 3 PUBLIC QUESTION TIME

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#### **Mr Terry Kean**

##### Question

Mr Kean queried the time line for the use of the PTA (Ex Valley Ford) site.

##### Response

The Chief Executive Officer responded that Council had received the satisfactory Report on the Soil Testing and Council had written to the Public Transport Authority requesting the future leasing of the Land by Council. As yet, Council has not received consent from the PTA to have the subject land added to the existing PTA Land leased by Council. It was hoped that the Request would be approved in the coming months by an Exchange of Letters and the redrawing of the PTA Leased Area.

##### Question

Mr Kean commented that it would be an opportunistic time to have trees available for purchase by the public and plaques could be allocated. Could fruit trees be planted now while awaiting the Exchange of Letters?

##### Response

The Chief Executive Officer further stated that Council do not have authority to use the Site and that a community survey was currently being conducted seeking community feedback and ideas on the preferred purpose / use of the Land, once it is in Council's management. The Chief Executive Officer commented that Mr Kean's Community Fruit Tree Orchard concept had been included as one of the suggested future uses.

#### **Mr Peter York**

##### Question

Mr York enquired as to whether Council had agreed to the area being used as the Community Fruit Tree Orchard / Park and was it possible for himself and Mr Kean to commence cleaning up the site prior to planting?

##### Response

The Chief Executive Officer reiterated that until Council had received the Licence to Occupy the extended PTA land area, and Council had received Community Feedback, it was not possible to plan or carry out any works on the Site.

### ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

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Nil.

### ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

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#### **5.1 Application for Leave of Absence – Cr Davies**

An application for Leave of Absence has been received from Cr Davies for the 25<sup>th</sup> July 2019 Council meeting.

##### **RESOLUTION 166-18/19**

##### **MOVED Cr McRae SECONDED Cr Haythornthwaite**

That Leave of Absence be granted to Cr Davies for the 25<sup>th</sup> July 2019 Council Meeting.

**CARRIED 6/0**

## 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 – Administration Regulations 1996 Section 34c.

Cr J Haythornthwaite declared an Impartiality Interest at Item 10.6 – Quairading Memorial Hall Bond – Badminton Club.

Mr Kean and Mr York left the Council Chambers at 2.40 pm.

## ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

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

#### **RESOLUTION 167-18/19**

#### **MOVED Cr McGuinness SECONDED Cr Smith**

That the Minutes of the Ordinary Meeting of Council held on the 28<sup>th</sup> March 2019 be confirmed as a true and accurate record with a typographical correction at Resolution 155-18/19 Point 3 to read:

3. That community engagement be undertaken to survey for ideas and support for future usage of the subject land.

**CARRIED 7/0**

### 7.2 Confirmation of Special Council Minutes – 16<sup>th</sup> April 2019

#### **RESOLUTION 168-18/19**

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

That the Minutes of the Special Council Minutes of Council held on the 16<sup>th</sup> April 2019 be confirmed as a true and accurate record.

**CARRIED 7/0**

### **7.3 Business Arising**

Cr Smith sought further clarification from the Chief Executive Officer on Cr Smith's previous enquiry on the requirement of Council to have Conduct of Meeting Local Laws.

The Chief Executive Officer responded that he had sought recent clarification from WALGA Officers who had advised the Chief Executive Officer, that whilst WALGA recommended that Councils have Conduct of Meeting Local Laws, it was not a mandatory requirement under the Local Government Act 1995.

Cr McRae queried whether the Chief Executive Officer had contacted Telstra as a follow up to the outage incidence due to the Tower Upgrade that occurred without notice to the Shire or the Community. The Chief Executive Officer advised that he had not yet contacted Telstra on this matter and undertook to do so.

Cr McRae enquired in regard to the Option for Extension referred to in Resolution 164-18/19 at the Special Council Meeting. The Chief Executive Officer commented that the Option for an Extension had not been defined in the Council Resolution and he would expect that both parties would have the Right to Review the Operation of the Agreement at the end of the five (5) year term.

#### **Park Cottages - Project Management (Resolution 160-18/19)**

The Shire President raised the proposal that Registered Builder Mr Adam May be engaged to act as a Project / Building Consultant to oversee the delivery and workmanship of the Park Cottages Project.

#### **RESOLUTION 169-18/19**

##### **MOVED Cr McRae SECONDED Cr Brown**

That Council engage Registered Builder Mr Adam May as Project Building Supervisor for the Park Cottages Project.

**CARRIED 7/0**

**8.1 Municipal Heritage Inventory & Heritage Lists - Requirements**

<b>Meeting Date</b>	24 April 2019
<b>Responsible Officer</b>	J Jurmann, Contract Planner
<b>Reporting Officer</b>	G Fardon, CEO
<b>Attachments</b>	Nil
<b>Owner/Applicant</b>	N/A
<b>Disclosure of Interest</b>	Nil

**OFFICER RECOMMENDATION**

**RESOLUTION 170-18/19**

**MOVED Cr Haythornthwaite SECONDED Cr Brown**

That Council receive this Report and receive a further Report during budget deliberations.

**CARRIED 7/0**

**RESOLUTION 171-18/19**

**MOVED Cr McRae SECONDED Cr McGuinness**

That Council's Town Planning Contractor be requested to provide a further report on their Capability and Cost of undertaking the mandatory components / tasks required for the review of the Municipal Heritage Inventory and the Town Planning Heritage List.

**CARRIED 6/1**

The Meeting raised the following issues: -

- Further clarification required on the Scope of Tasks requiring a Heritage Consultant and the Cost.
- Utilising Council's existing Town Planning Contractor to undertake components of the Project Work.
- Noted that Council's then Heritage Consultant Laura Gray had prepared a Draft Heritage List in 2015 and to utilise this existing body of Work.
- Assessment of Council's existing Human Resources available "in house" that may be able to assist with the amount of "on ground" work required by a Heritage Consultant and the Planner.
- Report to be presented before the June 2019 Draft Budget Workshop.
- Recommended that the Review of Municipal Inventory occur prior to the formalisation of the Heritage List.

**IN BRIEF**

- Adoption and review of the MI is a requirement of the *Heritage of Western Australia Act 1990*.
- The current MI was adopted in 1996 and contains 209 places and sites of heritage value recognised by the community at the time.

- Review of the MI required in conjunction with a major review of the local planning strategy and scheme, and is therefore a priority action in the Heritage Strategy.
- Creation of a Heritage List is a requirement of Part 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- The Heritage Strategy recommends that the creation of a heritage list should follow the review of the MI for inclusion in the new local planning scheme.
- A draft Heritage List was compiled in 2015, based on the original MI, with management levels 1 and 2 to be included.
- Proposals from Heritage Consultants for the review of the MI and creation of a Heritage List received with the quotes varying from \$20,636 to \$45,000.

## **MATTER FOR CONSIDERATION**

This Report provides an outline of the options, legal requirements and costings for consideration of Council to enable implementation of the recommendations of the Heritage Strategy in regards to the review of the Municipal Heritage Inventory and creation of a Heritage List.

## **BACKGROUND**

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

A minor annual review of the Strategy was presented to Council for consideration at its March 2019 meeting where it was resolved to:

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.

This Report responds to the second point of the resolution.

## **STATUTORY ENVIRONMENT**

### Reviewing a Municipal Heritage Inventory

Under the *Heritage of Western Australia Act 1990*, Local Government Inventories, also known as Municipal Inventories (or MIs), must be compiled and reviewed by the Local Authority. MIs are common practice in Australia, and the foundation of decision-making for a range of heritage projects and processes.

MIs identify local heritage assets and provide the base information needed for local governments to achieve consistency, strategic direction and community support when dealing with heritage matters. It should identify places and areas that retain significant physical fabric from the past. It is not intended that the MI encompass sites without remnant fabric (i.e. vacant or redeveloped sites), unless they have historic associations of major importance to the locality.

A review of the MI should be carried out every 4 years preferably in conjunction with each major review of a local planning strategy and local town planning scheme, and should comprehensively identify the places and areas of cultural heritage significance in the local district including:

- geographic coverage of all the district's towns, suburbs or other areas without arbitrary exclusions; and
- coverage of all place types (e.g. public and private buildings; residential and commercial places), without arbitrary exclusions.

The review of an inventory should involve public consultation that as a minimum:

- provides each affected owner the opportunity to comment on the heritage significance of any place proposed for inclusion; and
- publicly advertises the inventory to give the opportunity for public comment (either at the commencement or when preliminary results are available).

The Heritage Council must be supplied with a current copy of the inventory but do not review or approve inventories.

## Creating a Heritage List

When compiling heritage lists, a local government may elect to include all heritage places in its MI, or a smaller sub-set of places.

It is usual that those places of higher cultural heritage significance are adopted into the local government Heritage List, which allows the MI to act as a general survey and store of information, while the List records places that need the protection of additional planning controls.

Standard procedures for the compilation of a heritage list are set out in clause 8 of Part 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Deemed Provisions) as follows:

- (1) "The local government must establish and maintain a heritage list to identify places within the Scheme area that are of cultural heritage significance and worthy of built heritage conservation.
- (2) The heritage list —
  - (a) must set out a description of each place and the reason for its entry in the heritage list; and
  - (b) must be available, with the Scheme documents, for public inspection during business hours at the offices of the local government; and
  - (c) may be published on the website of the local government.
- (3) The local government must not enter a place in, or remove a place from, the heritage list or modify the entry of a place in the heritage list unless the local government —
  - (a) notifies in writing each owner and occupier of the place and provides each of them with a description of the place and the reasons for the proposed entry; and
  - (b) invites each owner and occupier to make submissions on the proposal within 21 days of the day on which the notice is served or within a longer period specified in the notice; and
  - (c) carries out any other consultation the local government considers appropriate; and
  - (d) following any consultation and consideration of the submissions made on the proposal, resolves that the place be entered in the heritage list with or without modification, or that the place be removed from the heritage list.
- (4) If the local government enters a place in the heritage list or modifies an entry of a place in the heritage list, the local government must give notice of the entry or modification to —
  - (a) the Heritage Council of Western Australia; and
  - (b) each owner and occupier of the place."

## **POLICY IMPLICATIONS**

There are no policy implications associated with this Report.

## **FINANCIAL IMPLICATIONS**

Proposals from Heritage Consultants for the review of the MI and creation of a Heritage List received with the quotes varying from \$20,636 to \$45,000. The variation between quotes can be attributed to the differing level of support expected from the Shire (administrative and site inspections/ photographs) and number of site inspections carried out by the consultant that may be required during the review. All quotes can be the subject of further negotiation to reach the desired outcomes and budgetary constraints.

## **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

Community consultation will be required during the creation of a heritage list and is highly recommended to form part of the review of the Municipal Heritage Inventory.

### **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 Contractor as part of normal Operations.

Natural Environment – Risk Rating is assessed as Low Risk.

## COMMENT

### Heritage Listings

Cultural heritage places in WA are recorded in many different heritage listings.

Some of these listings give statutory protection to heritage places, through requirements for heritage-related approvals or referrals. Other listings are unofficial or quasi-official designations, often arising from local, community-based or thematic surveys.

The main listings relevant to the Shire are summarised below:

### *Statutory Listings*

TYPE	ORGANISATION	LEGISLATION	WHAT IS LISTED
<b>National Heritage List</b>	Australian Heritage Council	Environment Protection & Biodiversity Conservation Act (1999)	Places of national significance
<b>State Register</b>	Heritage Council (assisted by the Department of Planning, Lands and Heritage (DPLH))	Heritage of Western Australia Act 1990	Places of State significance included in the State Register of Heritage Places
<b>Heritage List</b>	Local Governments	Planning & Development Act (2005); Local Planning Schemes	Places of local heritage significance

## Other Listings and Surveys

TYPE	ORGANISATION	LEGISLATION	WHAT IS LISTED
<b>Local Government Inventory (Municipal Inventory)</b>	Local Governments	Mandated under the Heritage of Western Australia Act 1990 but controlled by Local Governments	Places of local significance
<b>List of Classified Places</b>	The National Trust of Australia (WA)	The National Trust of Australia (WA) Act (1964)	Places of local, state or national significance

Further details of each of the above Listing Types follows:

### Statutory Listings

#### *National Heritage List*

The National Heritage List is a list of places deemed to be of outstanding heritage significance to Australia.

The Australian Heritage Council is an independent body of heritage experts that advises the Australian Government on heritage matters, and assesses places nominated for the National Heritage List.

#### *State Register (Heritage Council)*

The Heritage Council is the State Government's advisory body on historic heritage matters. It encourages the conservation and sensitive development of heritage places and promotes awareness of our State's cultural heritage. The Department of Planning, Lands and Heritage maintains the State Register of Heritage Places.

Planning, building, demolition and other applications affecting a place in the State Register are referred by the relevant decision making authority (usually a Local Government) to the Heritage Council for advice.

#### *Local Planning Scheme – 'Heritage List' (Local Government)*

Many local governments have established a list of heritage places under the provisions of the local planning scheme. Weight is given to the heritage significance of these places when planning applications are submitted.

Local Planning Scheme Heritage Lists typically comprise all or, or a subset of, the Local Government Inventory.

### Other Listings & Surveys

#### *Local Government Inventory (also known as a 'Municipal' Inventory)*

A local government inventory is essentially a survey of heritage places in the local district, and is used as the basis of informed local conservation strategies. The purposes of an inventory can be summarised as:

- to provide a cultural and historic record of the local district.
- to determine local government conservation policies.
- to provide information about local heritage that may be required under a local planning scheme for that district.

### *List of Classified Places*

This list is maintained by the National Trust of Australia (WA), a non-profit, community-based organisation involved in heritage identification, education, promotion, interpretation, advocacy and management of heritage sites across WA.

### Shire of Quairading MI and Heritage List

The Shire of Quairading's MI was first compiled in 1996 by Laura Gray, Heritage and Conservation Consultant with the assistance of a Steering Committee, representing the people in the Shire and contains 209 places and sites of heritage value recognised by the community.

A draft Heritage List was compiled in 2015 by Laura Gray, the original consultant, based on the original municipal heritage inventory with it being recommended that management levels 1 and 2 be included in the Heritage List. It was noted by the author that it would be appropriate to undertake a full review of the MI by way of site visits and community involvement in order to substantiate the recommendations.

At present, the entire MI forms the Shire's Heritage List for the purposes of the local planning scheme resulting in places with less significance being subjected to the same regulation and development requirements as significant places. This position has been carried over from the previous Planning Regulations and is not intended to be continued as a long-term position.

Accordingly, the author of the Heritage Strategy, Stephen Carrick Architects, have recommended that following a review of the MI, a Heritage List be prepared in accordance with the provisions of the current Regulations.

### Other Shire Comparisons

Research into similar projects and budgets revealed:

*Shire of Kulin (2017) Heritage List* – Town Planning consultant was utilised to create their Heritage List for adoption into their local planning scheme at a cost of \$6,500. The Heritage List was created from Categories 1 and 2 of their Municipal Heritage Inventory, which had been recently reviewed. The Shire has 139 places listed in Inherit, including 2 State Registered places.

*Shire of Kojonup (2014) Municipal Heritage Inventory Review* – The Shire requested quotes from heritage consultants to review their MHI and create a Heritage List, which had a similar outline of works and resolved to accept a quote of \$26,400. The Shire had 56 places on their MHI that was originally created in 1997 with Inherit listing 90 places, including 3 State Registered places.

**9.1      Accounts for Payment – March 2019**

<b>Meeting Date</b>	24 <sup>th</sup> April 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	EMCS Nathan Gilfellon
<b>Attachments</b>	9.1.1 March 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 172-18/19**

**MOVED Cr Haythornthwaite SECONDED Cr Stacey**

That Council note the following:

1. That Schedule of Accounts for December covering Municipal Vouchers 23628 to 23633 & EFT6368 to EFT6473 & DD13321.1 to DD13321.10 totalling \$601,553.70 be received; and
2. That Police Licensing payments for the month of March 2019 totalling \$102,574.65 be received (Attachment 9.1.2); and
3. That fund transfers to Corporate Credit Card for March 2019 balance totalling \$1,306.13 be received (Attachment 9.1.3); and
4. That Payroll payments for the month March 2019 totalling \$160,148.87; and
5. That the Lease payment for the month of March 2019 on the CESM Vehicle totalling \$1,775.97.

**CARRIED 7/0**

The Meeting discussed the feasibility and merits of providing further detail on the percentage of a Payment that is marked as "Partially Funded". The Meeting noted that this would be undertaken where it was feasible, when existing resources were available and where it is considered cost effective to research and provide the level of detail requested.

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**IN BRIEF**

Payments are per attached schedules 9.1 1/2/3.

**MATTER FOR CONSIDERATION**

Note the accounts paid during March 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 - 31<sup>st</sup> March 2019

<b>Meeting Date</b>	24 <sup>th</sup> April 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	EMCS Nathan Gilfellow
<b>Attachments</b>	9.2.1 Financial Statements for March 2019
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil

### OFFICER RECOMMENDATION

#### RESOLUTION 173-18/19

#### MOVED Cr Smith SECONDED Cr Stacey

That Council receive the Monthly Financial Statements for the period ending 31<sup>st</sup> March 2019.

**CARRIED 7/0**

The Meeting noted that there was a -\$23,401 Variance on the Town Hall Audio / Visual project and queried whether the project was complete and whether this can be treated as a Capital Expenditure Saving.

The Chief Executive Officer confirmed that the Lotterywest Grant Funding had been fully utilised and acquitted.

Council's Chief Executive Officer and IPR & SP Officer outlined that a quotation was being sought for a Lighting Controller as part of the project. The original Scope of the AV Upgrade Project and its Funding is to be further researched.

### IN BRIEF

- Monthly Financial Statements for the period ending 31<sup>st</sup> March 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 (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 – 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.

## ITEM 10 MATTERS FOR CONSIDERATION – GOVERNANCE & ADMINISTRATION

### 10.1 Supply and Installation of a Synthetic Bowling Green at the Quairading Bowling Club – Tender No.4 -18/19

<b>Meeting Date</b>	24 <sup>th</sup> April 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	EMWS Allan Rourke
<b>Attachments</b>	Tender Evaluation Papers (Confidential under Separate Cover)
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil

#### OFFICER RECOMMENDATION

##### RESOLUTION 174-18/19

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

That Council: -

1. Accept the Tender 04-2018/19 received from Evergreen Synthetic Grass for the supply and installation of the Ultra Plus Green Bowling Surface for a total cost \$222,625.45 excluding GST.
2. That the Chief Executive Officer be authorised to proceed to prepare, finalise and execute the Construction Contract with Evergreen Synthetic Grass.
3. Note the Insurance Settlement Offer to Council of \$162,300 (ex GST) from Local Government Insurance Scheme for the damaged Bowling Green Surface.
4. That the Project Balance of \$60,325.45 (ex GST) be fully funded by the Quairading Bowling Club Inc.

**CARRIED 7/0**

#### IN BRIEF

- On Friday 3<sup>rd</sup> August 2018, one light tower at the Quairading Bowling Club fell onto the playing surface as a result of high winds.
- An insurance claim was lodged with LGIS in regard to the fallen light tower and the damage sustained to the synthetic bowling green at the Quairading Bowling Club in October 2018.
- The current Bowling Green surface "Pro Master Plus" was installed in 2009.
- The insurance claim has been accepted by LGIS to replace the whole playing surface with a "like for like" product as it was deemed unviable to repair the playing surface.
- LGIS has now declared the amount of \$162,300 as the Assessed Settlement for the damaged playing surface.
- In Council's Budget Review in November 2018, Council made a Budget Provision of \$230,000 (ex GST) for the Replacement of the Playing Surface.
- Due to the estimated value of the replacement of the synthetic surface being over the Tender threshold of \$150,000, a public tender process has been conducted by Council.
- Tender 04-18/19 was advertised and Tenders received have been assessed for the supply and installation of a synthetic bowling green at the Quairading Bowling Club and recommendations for the preferred Tenderer are outlined.
- The Balance of the Project Cost above the Insurance Settlement Amount is to be borne by the Quairading Bowling Club Inc.
- \$1000 Insurance Excess applies across whole of the Claim.



## **MATTERS FOR CONSIDERATION**

Council to consider the Tender Evaluation Report for the supply and installation of a 12mm Synthetic Bowling Green to replace the existing surface.

## **BACKGROUND**

The Quairading Bowling Club have liaised extensively with Council officers since the initial incident and have indicated that the Club's preference is to have a 12mm Synthetic Grass Surface replace the existing 15mm Playing Surface. This preference has been based on the inspection and playing on of more modern products with the 12mm surface being the Sports currently recognised "Entry level" product. It is highlighted that the 15mm product whilst still on the market has rarely been installed in recent years.

Public Tenders were advertised for the Supply and Installation of a 12mm synthetic bowling green surface, removal of the existing surface and laser levelling/filling of the base course material.

When tenders closed on Wednesday 27<sup>th</sup> April 2019 at 12 Noon, nine tenders had been received from three Companies.

Five submissions were deemed non-conforming in regard to the outlined specifications and not evaluated as they did not address the 12 mm Specification set down in the Tender Specifications.

Four submissions conformed with the specification outlined in the tender and evaluations included in the confidential attachment.

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

Local Government (Functions and General) Regulations 1996 Reg. 11

11. When Tenders have to be publicly invited:

1. Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150,000 unless sub regulation (2) states otherwise.
2. Tenders do not have to be publicly invited according to the requirements of this Division if: -
  - (a) The supply of the goods or services is to be obtained from expenditure authorised in an emergency under Section 6.8(1) (c) of the Act; or
  - (b) The supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program.

## **POLICY IMPLICATIONS**

The Shire of Quairading Purchasing Policy FIN.2 requires that for estimated prices over \$150,000 Council goes to public tender.

WALGA's preferred supplier list allows for the tender process to be waived in lieu of seeking quotations from suppliers on WALGA's 'preferred supplier list'. There is no WALGA Preferred Supplier Contract for "Synthetic Grass Playing Surfaces".

## **FINANCIAL IMPLICATIONS**

At Council's November 2018 Budget Review, an allowance of \$230,000.00 (ex GST) was made for the replacement of the Playing Surface.

Three of the 4 Tenders assessed were within the Budget Amount.

The Bowling Club's preferred Playing Surface is Evergreen Ultra Plus Green at a Total Cost of \$222,625.45 (ex GST). The Bowling Club have provided the Chief Executive Officer with written evidence of the Club's financial capacity to fully fund the shortfall between the Project Cost and the confirmed Insurance Settlement amount, being \$60,325.45 (ex GST). Payment to Council would be arranged to coincide with the Contract Progress Payments in the Construction Contract.

The Club has also proven its capacity to fully fund the remedial works already undertaken on the remaining three (3) light towers and will reimburse Council this financial year for these Costs.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

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

ITEM	OUTCOMES AND STRATEGIES	WORKING WITH
S1	Active community	
S1.1	Provide facilities and support participation in sport and recreational activities, facilities and clubs	Quairading Bowling Club

### COMMUNITY CONSULTATION

Full consultation has occurred throughout with the Quairading Bowling Club Office bearers.

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

Financial – Risk Matrix Rating is considered Low – Council's Insurer has provided a Cash Settlement Offer on the Playing Surface of \$162,300 (ex GST) and the remaining Project Costs are to be borne by the Quairading Bowling Club. Council's Costs for disposal of the old playing surface and the modification to the surrounding limestone wall to achieve access for the Contractors to the worksite are being fully reimbursed by Council's Insurer. The only cost to Council is the \$1000 Excess deducted from the Insurance Settlement Amount.

Health – Risk Matrix Rating is considered Low.

Reputation – Risk Matrix Rating is considered Low – Tenders have been sought pursuant to the Local Government Act and Regulations and Council's Purchasing Policy.

Operation – Risk Matrix Rating is considered Low – Procurement Process has been conducted by Council's Management Team Members. Project Delivery will be largely by Contractor with Council's Executive Manager of Works and Services providing the Project Management.

Natural Environment – Risk Matrix Rating is considered Low.

### COMMENT

An evaluation report for tenders has been undertaken and a copy is attached as Confidential Attachment 1 & 2.

Tenders were received by the following contractors: -

No	Name of Organisation
1	Evergreen Synthetic Grass
2	Green Planet Grass
3	Berry Bowling Systems Pty Ltd

All 3 Tenderers provided a Tender Price for the 15mm Playing Surface which have been utilised for Insurance Assessment purposes by Council's Insurer and appointed Loss Adjuster.

All Tenders that did not conform with the 12mm thickness or 30 Stitches per 10 centimetre specifications were not assessed.

Tenders have been assessed by an evaluation panel against the criteria of relevant experience, key personnel skills and experience, tenderer's resources and demonstrated understanding.

The Weighting applied to those criteria were as follows: -

- Relevant Experience – 30%
- Key Personnel Skills and Experience – 20%
- Tenderer's resources – 20%
- Demonstrated Understanding – 30%

Based on the Tender Assessment of the Qualitative Criteria, Evergreen Synthetic Grass were assessed as the preferred Tenderer for Project Delivery.

Reference checks were carried out on the two conforming contractors by two Quairading Bowling Club representatives as part of the Tender Assessment Panel.

The Reference checks undertaken confirmed that the most beneficial Tenderer is Evergreen Synthetic Grass and that the Ultra Plus Green surface will fulfil the Bowling Club's requirements.

## 10.2 Dedication of Land as Road Reserve - York to Merredin Road

Meeting Date	24 <sup>th</sup> April 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Correspondence & Land Dealing Plans 1760-220 & 1760-221
Owner/Applicant	Main Roads Western Australia
Disclosure of Interest	Nil

### OFFICER RECOMMENDATION

#### RESOLUTION 175-18/19

#### MOVED Cr Smith SECONDED Cr McRae

That Council:

Dedicate the land, the subject of Main Roads WA Land Dealing Plan 1760-220 (Jacobs Well Road intersection) & Dealing Plan 1760-221 (Manning Road intersection) as "Road" pursuant to Section 56 of the Land Administration Act, 1997.

**CARRIED 7/0**

### IN BRIEF

- Dedication of land acquired by Main Roads WA for incorporation into the existing York – Merredin Road Reserve.
- Acquisition comprises of two small land truncations totalling 180 square metres and 309 square metres respectively.
- Section 56 of the Land Administration Act 1997 requires Council consent for the freehold land to become a part of the Road Reserve.

### MATTER FOR CONSIDERATION

Dedication of two parcels of land to "Road Reserve" for Main Roads WA.

### BACKGROUND

As part of the Upgrade and widening roadworks on the York-Merredin Road to the West of Quairading, Main Roads have had to acquire various sections of privately owned land to be incorporated into the existing road reserve to accommodate the Roadworks and required Setbacks.

The Sections in this Application are two small Corner truncations at the intersections of the York – Merredin Road with Jacob Wells Road at 45.15 SLK (Plan 1760-220) comprising 180 square metres and Manning Road at 48.8SLK (Plan 1760-221), comprising of 309 square metres.

Main Roads WA has advised that it will indemnify the Shire against any costs and claims that may arise as a result of the dedication. Main Roads have confirmed that the affected landowners have been consulted and Compensation arrangements have been entered into with the two landowners.

### STATUTORY ENVIRONMENT

Local Government Act, 1995

Land Administration Act 1997 – s 56 – Dedication of land as road

56. Dedication of land as road

(1) If in the district of a local government —

- (a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government; or

- (b) in the case of land comprising a private road constructed and maintained to the satisfaction of the local government —
  - (i) the holder of the freehold in that land applies to the local government, requesting it to do so; or
  - (ii) those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so;

or

- (c) land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years,

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.

- (2) If a local government resolves to make a request under subsection (1), it must —
  - (a) in accordance with the regulations prepare and deliver the request to the Minister; and
  - (b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.
- (3) On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then —
  - (a) subject to subsection (5), by order grant the request; or
  - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
  - (c) refuse the request.
- (4) On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6)) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.
- (5) To be dedicated under subsection (3)(a), land must immediately before the time of dedication be —
  - (a) unallocated Crown land or, in the case of a private road, alienated land; and
  - (b) designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.
- (6) If land referred to in subsection (1)(b) or (c) is dedicated under subsection (3)(a), a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that dedication.

## **POLICY IMPLICATIONS**

N/A.

## **FINANCIAL IMPLICATIONS**

Nil to Council as land acquisition and planning costs are part of the Road Upgrade works undertaken by Main Roads.

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

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

ITEM	OUTCOMES AND STRATEGIES
B2	Enhanced and Sustainably Managed Assets and Infrastructure
B2.1	Ensure the provision of roads, footpaths and drainage takes into account the needs of the community, including the needs of the agriculture industry
B2.2	Ensure the provision of community facilities and other built assets takes into account the needs of the community

## COMMUNITY CONSULTATION

MRWA has undertaken extensive community consultation through a Reference Group in regard to the proposed improvement works on the York – Merredin Road. Individual landholders have been consulted and negotiated with, where land acquisition was necessary.

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

Financial - Risk Matrix Rating is assessed as Low. No financial risk to Council

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low. Main Road have indemnified Council against any Claim or Cost associated with these land acquisitions.

Operation – Risk Matrix Rating is assessed as Low. Nil – Main Roads project. Truncations adjoin local road network but Main Roads responsible for the intersection of local roads with the Main Road.

Natural Environment – Risk Matrix Rating is assessed as Low. Nil to Council as all Environmental Clearance Approvals and Obligations have been undertaken by Main Roads WA.

## COMMENT

The request is a procedural matter for which the Shire has no financial obligations.

Council has processed a number of similar Road Dedication requests in recent years as the Road Widening and Upgrade works have progressed on the York- Merredin Road to the West of Quairading.

### 10.3 Strategic Planning Committee Minutes – 9<sup>th</sup> April 2019

<b>Meeting Date</b>	24 <sup>th</sup> April 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	CEO Graeme Fardon
<b>Attachments</b>	Minutes of the Strategic Planning Committee Meeting
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil

#### OFFICER RECOMMENDATION

##### RESOLUTION 176-18/19

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

That Council:

1. Receive the Minutes of the Strategic Planning Committee for its Meeting of 9<sup>th</sup> April 2019; and
2. Consider each of the Committee's following Recommendations individually.

**CARRIED 7/0**

#### Review of Cuneata Rise Estate Land Prices and Strategy

##### RESOLUTION 177-18/19

##### **MOVED Cr McRae SECONDED Cr McGuinness**

RECOMMENDATION: SP26-18/19

That the Strategic Planning Committee recommend to Council that:

1. To retain the current adjusted prices for the 12 Vacant Lots for the next 12 Months;
2. Continue with the House and Land Package Promotion for a further 12 Months, subject to the Agreement of Country Builders and Primaries Real Estate; and
3. That Council budget for the sale of one (1) Lot in the 2019/2020 Budget.

**CARRIED 7/0**

## Power to Lease 16735 – Options Paper (Confidential Item)

### **RESOLUTION 178-18/19**

#### **MOVED Cr Haythornthwaite SECONDED Cr Stacey**

Items considered Confidential under Section 5.23, 5.94, and 5.95 of the Local Government Act as information relates potentially to information about the business, professional, commercial or financial affairs of a person. Reference Section 5.23 (2) (c) & (e).

RECOMMENDATION: SP27-18/19

That the Strategic Planning Committee recommend to Council: -

That the Chief Executive Officer's Preliminary Options Paper on Reserve No. 16735 be received.

**CARRIED 7/0**

### **RESOLUTION 179-18/19**

#### **MOVED Cr Smith SECONDED Cr McRae**

RECOMMENDATION: SP28-18/19

That the Strategic Planning Committee recommend to Council that: -

Council not progress with the Option of Acquisition of Reserve No. 16735, but continue to negotiate with Ausplow on an alternative option for their development.

**CARRIED 7/0**

## Wheatbelt Secondary Freight Route Project

### **RESOLUTION 180-18/19**

#### **MOVED Cr Stacey SECONDED Cr Haythornthwaite**

RECOMMENDATION SP29-18/19

That the Strategic Planning Committee recommend to Council that: -

1. Council receive the Officer's Report on the Wheatbelt Secondary Freight Route Project,
2. Council acknowledge the Federal Government's announcement to fund \$70 million towards the Wheatbelt Secondary Freight Route Project, and
3. Council carryover the Council Commitment / Budget provision of \$6000 to the 2019/2020 Draft Budget.

**CARRIED 7/0**

### **IN BRIEF**

For Council to be informed of discussions and recommendations of the Strategic Planning Committee and to determine its position in regard to the Recommendations.

### **MATTERS FOR CONSIDERATION**

Minutes of the Strategic Planning Committee held on the 9<sup>th</sup> April 2019.



## BACKGROUND

The Strategic Planning Committee met on 9<sup>th</sup> April 2019 from which there are four (4) recommendations for Council consideration, namely: -

- RECOMMENDATION: SP26-18/19
- RECOMMENDATION: SP27-18/19
- RECOMMENDATION: SP28-18/19
- RECOMMENDATION SP29-18/19

## STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

## POLICY IMPLICATIONS

N/A

## FINANCIAL IMPLICATIONS

**SP26-18/19-** Nil implications in current financial year. Recommendation provides for consideration in the Draft Budget for the proceeds of one (1) Lot. In addition, any Selling expenses such as Agents Selling Commission and Statutory Charges will need to be budgeted for. House and Land promotion costs should be minimal while partnering with the Building Company and Real Estate Agent. Promotion through local publications and Social media.

**SP27-18/19 -** N/A

**SP28-18/19 -** Nil implications in current financial year, however Recommendation does limit resources that could have been directed to progressing with the acquisition of the Reserve.

**SP29-18/19 -** Nil implications in current financial year, but commitment carryover Budget provision of \$6000 to the 2019/2020 Draft Budget. Federal Government Funding Agreement not yet been released to ascertain if Local Government commitment of \$6000 per Council is required.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 – 2027

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

ITEM	OUTCOMES AND STRATEGIES	WORKING WITH
B1	Responsive Land Use Planning	
B1.1	Ensure land use planning services are responsive to community aspirations including increased availability of industrial, commercial and residential land.	Community and other stakeholders (review of Local Planning Strategy & Town Planning Scheme)
B2	Enhanced and Sustainably Managed Assets and Infrastructure	
B2.1	Ensure the provision of roads, footpaths and drainage takes into account the needs of the community, including the needs of the agriculture industry	-
B2.2	Ensure the provision of community facilities and other built assets takes into account the needs of the community	-

## Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES	WORKING WITH
G21	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

**SP26-18/19** - Further publicity in the upcoming Shire e-newsletters and social media.

**SP27-18/19** - N/A

**SP28-18/19** - N/A. Ongoing with the Proponent.

**SP29-18/19** - Publicity of the Secondary Road Freight Project in Council publications and social media.

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

**Financial** – Risk Matrix Rating considered as Low.

Cuneata Rise Estate: There is no cost to Council to participate in the Promotion. Agreed Sales Commission would be payable to Council's Real Estate Agent upon the successful Sale of any Lot. Council does hold the 12 Lots as Non-Current Assets in Council's Annual Financial Reports.

Wheatbelt Secondary Freight Route: The Funding Agreement for the Federal Government's is yet to be released.

**Health** – Risk Matrix Rating considered as Low for all.

**Reputation** – Risk Matrix Rating considered Low with further considerations:

Cuneata Rise Estate: Low, however Reputation Risk escalates the longer the Lots remain unsold and undeveloped.

Wheatbelt Secondary Freight Route Project:

There was strong Regional Local Government cooperation across the Wheatbelt for this Strategic Project to progress to the Funding Stage.

**Operation**: Risk Matrix considerations:

Cuneata Rise: Nil

Wheatbelt Secondary Freight Route Project:

Risk Matrix Rating considered Low. Subject to the Funding and priorities determined at a Regional level, Works Program will need to accommodate the Federally funded Projects in addition to the Roads to Recovery Program and the State funded Regional Road Group Projects. It is considered that this could be achieved with existing Staffing levels and use of local / regional Contractors.

**Natural Environment** – Risk Matrix Rating is considered as Low Risk for all.

### COMMENT

Minutes of the 9<sup>th</sup> April 2019 Meeting of the Strategic Planning committee include four (4) resolutions to Council for which the background of each resolution is contained in the Minutes.

## 10.4 BFAC Committee Minutes – 10<sup>th</sup> April 2019

Meeting Date	24th April 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Minutes of BFAC Meeting, Reviewed Terms of Reference
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

### OFFICER RECOMMENDATION

#### RESOLUTION 181-18/19

#### MOVED Cr Smith SECONDED Cr Brown

That Council:

1. Receive the Minutes of the Bush Fire Advisory Committee for its Meeting of 10<sup>th</sup> April 2019; and
2. Consider the Committee's following Recommendation.

**CARRIED 7/0**

#### RESOLUTION 182-18/19

#### MOVED Cr McGuinness SECONDED Cr Haythornthwaite

#### Terms of Reference for the BFAC Committee

#### RECOMMENDATION BFAC09-18/19

That the Bush Fire Advisory Committee recommend to Council that: -

The Bush Fire Advisory Committee Terms of Reference be adopted with the following modifications:

- The removal of a Department of Biodiversity Conservation and Attractions representative being invited to each BFAC Meeting, and
- That the CBFCA's from surrounding Local Governments are invited to the BFAC Meeting, only when required.

**CARRIED 7/0**

### IN BRIEF

The Bush Fire Advisory Committee has conducted its Post Bush Fire Season Meeting and one (1) Recommendation has been submitted for Council's consideration.

### MATTERS FOR CONSIDERATION

Minutes of the Bush Fire Advisory Committee Meeting.

### BACKGROUND

The Bush Fire Advisory Committee met on 10<sup>th</sup> April 2019 from which there is one recommendation for Council consideration, namely:

RECOMMENDATION: BFAC09– 18/19.

## STATUTORY ENVIRONMENT

Bush Fires Act 1954 Section 67

Bush Fires Regulations 1954

### 67. Advisory committees

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

## POLICY IMPLICATIONS

The Bush Fire Advisory Committee has reviewed its Terms of Reference and recommended minor amendments for adoption by Council.

## FINANCIAL IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 – 2027

Social Objective: Active, healthy, safe and inclusive community

ITEM	OUTCOMES AND STRATEGIES	WORKING WITH
S3	Safe community	
S3.1	Support emergency services planning, risk mitigation, response and recovery	Emergency Service Agencies

## **COMMUNITY CONSULTATION**

Nil – Bush Fire Advisory Committee review of the Terms of Reference.

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

Financial – Risk Matrix Rating considered as Low.

Health – Risk Matrix Rating considered as Low.

Reputation – Risk Matrix Rating considered Low.

Operation: Risk Matrix Rating considered Low. Bush

Natural Environment – Risk Matrix Rating is considered as Low Risk for all.

## 10.5 Council Delegates - Regional Road Group

Meeting Date	24 <sup>th</sup> April 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Nil
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

### OFFICER RECOMMENDATION

#### RESOLUTION 183-18/19

#### MOVED Cr McGuinness SECONDED Cr McRae

1. That Council appoint the following Delegate, Cr Stacey to the Roe Sub Regional Road Group and the Wheatbelt South Regional Road Group.
2. That Council appoint the following Proxy Delegate, Cr McGuinness to the Roe Sub Regional Road Group and the Wheatbelt South Regional Road Group.

**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 and regional Committees.
- Given the high priority of the Regional Road Funding and more recently the Federal Government's \$70M Funding announcement to the Wheatbelt Secondary Freight Route Project, Council Elected Member representation at both Sub Group and Regional Road meetings is considered critical.
- Council's existing Delegate Cr McGuinness has proposed to the Chief Executive Officer and to Cr Stacey that Cr Stacey would be a preferred representative as Cr Stacey has a sound understanding of both local and regional road networks.
- Cr Stacey has indicated his interest in the Position.
- Cr McGuinness is seeking to be appointed as the Proxy Delegate, as the Chief Executive Officer is the current Proxy.
- Both Sub Regional and Regional Road Groups provide for Elected Members to be Voting Delegates.
- 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 6 months.

### MATTER FOR CONSIDERATION

This report seeks Council to amend the Council Delegates to the Roe Sub Regional Road Group and the Wheatbelt South Regional Road Group.

## 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.

The Roe Sub Regional Road Group meets a maximum of twice a year with most meetings being held in Corrigin. The Roe Sub Group consists of the Shires of Bruce Rock, Corrigin, Kondinin, Narembeen and Quairading.

The last meeting of the Roe Sub group was in February 2018, with the October 2018 Meeting postponed.

The Sub Group has 2 appointed Voting Delegates at the Regional Road Group Meetings.

The Regional Road Group generally meets twice a year (July and February / March) and the meetings are held in Wickepin or Narrogin.

The Regional Road Group consists of 4 Sub Groups with 2 Voting Delegates each. All other Council Delegates and Officers are Observers but can also participate in Discussion but not Vote at the RRG.

Council's Executive Manager of Works & Services attended the last Regional Road Group and also provides technical input.

It would be expected that there will be additional Meetings convened to discuss the Wheatbelt Secondary Freight Route Project and the prioritisation of roads for the first tranche of Funding.

## STATUTORY ENVIRONMENT

N/A

## POLICY IMPLICATIONS

N/A

## FINANCIAL IMPLICATIONS

Nil.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

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

ITEM	OUTCOMES AND STRATEGIES	WORKING WITH
B1	Responsive Land Use Planning	
B1.1	Ensure land use planning services are responsive to community aspirations including increased availability of industrial, commercial and residential land.	Community and other stakeholders (review of Local Planning Strategy & Town Planning Scheme)
B2	Enhanced and Sustainably Managed Assets and Infrastructure	
B2.1	Ensure the provision of roads, footpaths and drainage takes into account the needs of the community, including the needs of the agriculture industry	-
B2.2	Ensure the provision of community facilities and other built assets takes into account the needs of the community	-

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES	WORKING WITH
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	Relevant agencies
G2.3	Regional and sub-regional partnerships to achieve better outcomes for the community	WDC, Cunderdin, Tammin

**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 be represented at both the Sub Regional and Regional Meetings.

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**

No additional comments.



## 10.6 Quairading Memorial Hall Bond

Meeting Date	24 <sup>TH</sup> April 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellow
Attachments	Quairading Badminton Club Letter
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

Cr J Haythornthwaite declared an Impartiality Interest – Administration Regulations 1996 Section 34c.

### OFFICER RECOMMENDATION

**That Council create a new Community Club Quairading Memorial Hall Bond of \$200 for use by Quairading Community Groups.**

**VOTING REQUIREMENTS – Absolute Majority**

#### RESOLUTION 184-18/19

**MOVED Cr Smith SECONDED Cr Stacey**

That Council:

1. Reduce the current 2019/2020 Fees, Charges and Bond cost of \$875 to \$200 for the current 2019 season for the Quairading Badminton Club; and
2. That the Executive Staff prepare a Review Report on the Fees, Charges and Bonds required on the Town Hall and the Community Building for the Draft Budget Workshops.

**CARRIED 4/3**

Subsequent to the Meeting, the Chief Executive Officer noted that in Resolution 184-18/19, Council was considering a Concession, Reduction or Waiving of a Fee or Bond for the Badminton Club for the 2019 Season only, and therefore is dealt with under Section 6.12(1)(b) of the *Local Government Act 1995* which requires only a Simple Majority to grant a reduction in Hall Hire Bond for the Club.

### IN BRIEF

- In July 2018 Council set the Bond for the Quairading Memorial Hall of \$875.
- Administration are conducting a review of Bonds to ensure all usage of Shire Facilities is in line with the Adopted Fees and Charges.
- A letter has been received requesting Council to revisit the requirement of a Bond for Community Groups.

### MATTERS FOR CONSIDERATION

The creation of a new category of Bond for use of the Quairading Memorial Town Hall by Community Groups.

### BACKGROUND

Council approved the Shire of Quairading 2018/19 Fees and Charges in July 2018. Within these fees Council set a Bond of \$875 for use of the Quairading Memorial Hall.

Council Administration is undertaking a review of all Council Bonds to ensure that all Bonds are in line with the adopted Fees and Charges and that these Bonds are paid and listed in Council's Trust

accounts. This has meant that regardless of previous usage, all current users will be required to pay a Bond to use the Quairading Memorial Town Hall.

Council has received a Letter, dated the 16<sup>th</sup> April 2019, from Renee Anderson of the Quairading Badminton Club requesting the Council revisit the requirement of requiring a bond from Community Groups when using Shire Facilities.

## STATUTORY ENVIRONMENT

*Local Government Act 1995*

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.*

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Bonds are used to allow Council to recoup losses if any damage occurs on Council property. If the Bond is reduced, Council will be at higher risk of a loss if damage occurs on Council Property.

## STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

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

ITEM	OUTCOMES AND STRATEGIES	WORKING WITH
S1	Active community	
S1.1	Provide facilities and support participation in sport and recreational activities, facilities and clubs	Quairading CRC, sports clubs

## COMMUNITY CONSULTATION

Confirmation has been made with the Quairading Badminton Club that a reduced Bond of \$100 to \$200 would be viable for the Club.

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

Financial - Risk Matrix Rating is assessed as Low. If the Bond is set too low, there is a risk that Council will be left with a loss if there is damage to the property and the cost of those damages are unrecoverable.

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low. If Council charges are set too high that they prohibit use of the properties by the community, the Council is at risk of the loss of Reputation and may be seen as working against the best interest of the community.

Operation – Risk Matrix Rating is assessed as Low.

Natural Environment – Risk Matrix Rating is assessed as Low.

## **COMMENT**

It is required that all use of Shire Facilities is in line with the adopted Fees and Charges. The current requirement is for all users of the Quairading Memorial Town Hall pay a Bond in advance of \$875. Administration is currently reviewing usage of Shire Facilities to ensure that all usage is in line with the Fees and Charges. This has meant that Administration has requested a Bond from any user even if they have historically never been charged.

Currently Administration does not have any delegated authority or waive or reduce a Bond. However, the current charge of \$875 can be prohibiting on smaller community groups who do not have the financial means to pay the bond upfront and may mean that these groups are unable to utilise Shire Facilities. Reducing a Bond for the Quairading Memorial Town Hall may enable smaller Community Groups to be able utilise the Hall while allowing some risk reduction to Council if damage is to occur.

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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Nil.

**RESOLUTION 185-18/19**

**MOVED Cr Smith Seconded Cr Brown**

That the Meeting be closed to the Public at 3.25 pm to consider Item 14, Confidential under Section 5.23 (a) of the *Local Government Act 1995* as information relates to a Staff Member.

**CARRIED 7/0**

Ms. Jill Hayes left the meeting at 3.27 pm.

Council adjourned at 3.28 pm for Afternoon Tea. Council's Guest was ex Councillor, Mr Bill Shenton. The Shire President thanked Mr Shenton for his contribution to Council over the past three and a half years.

Council reconvened in the Council Chambers at 3.57 pm.

Mr Richard Bleakley, Mr Allan Rourke, Mr Nathan Gilfellow and Mrs Helen Cooper left the Council Chambers at 3.58 pm.

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

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The Meeting remained closed to the Public at 3.59 pm to consider Item 14, Confidential under Section 5.23 (a) of the *Local Government Act 1995* as information relates to a Staff Member.

**Review of Chief Executive Officer's Key Performance Indicators**

**RESOLUTION 186-18/19**

**MOVED Cr McRae SECONDED Cr Haythornthwaite**

That Consultant Mr John Phillips be engaged to facilitate Council's Review of the Chief Executive Officer's Key Performance Indicators in May 2019.

**CARRIED 7/0**

**Resolution 187-18/19**

**MOVED Cr Haythornthwaite SECONDED Cr Brown**

That the Meeting be opened to the Public at 4.37pm.

**CARRIED 7/0**

Mr Richard Bleakley, Mr Allan Rourke, Mr Nathan Gilfellow and Mrs Helen Cooper re-entered the Council Chambers at 4.38 pm.

Resolution 186-18/19 conducted in the Confidential Business was noted by the Chair and the Meeting.

ITEM 15      NEXT MEETING DATE

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The next Ordinary Meeting of Council is scheduled to take place on Thursday 30<sup>th</sup> May 2019, commencing at 2 pm in the Council Chambers, 10 Jennaberring Road, Quairading.

ITEM 16      CLOSURE

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There being no further business, the Shire President declared the Meeting closed at 4.39 pm.

I certify the Minutes of the Ordinary Meeting of Council held on 24<sup>th</sup> April 2019 were confirmed on 30<sup>th</sup> May 2019 as recorded on Resolution No. 189/18-19

Confirmed.....



30/05/2019

