



Shire of Quairading

Ordinary Council Meeting Minutes

29th August 2019

Disclaimer

29th August 2019

Disclaimer

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SHIRE OF QUAIRADING

The Minutes of the Ordinary Council Meeting held on Thursday 29th August 2019 commencing at 2.02 pm.

ITEM 1 OPENING & ANNOUNCEMENTS

The Shire President opened the Meeting at 2.02 pm.

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

Councillors were advised that an invitation had been extended to Mrs Elaine Johnson, State President of the Country Women’s Association of WA and Mr John Greenwood, CWB Electrical and Air-conditioning, for Afternoon Tea, to congratulate them both on their achievements.

The Shire President reported that he had been in contact with Mr Doug Chamberlain of Reclaimed Energy Australia regarding a proposal to locate his business in the Quairading District, with the advantage being that there is Mains Power available and that Quairading is keen to attract new businesses to the town. Cr Davies encouraged Council to finalise the Business Strategy and promote Quairading as a location for any new business venture. The Meeting was advised that Reclaimed Energy Australia representatives are planning to visit and meet with the Shire in the coming weeks.

The Shire President informed the Meeting that Mrs Helen Breeding of Quairading Quick Shears had advised that WA Shearer Lou Brown, who set a World Record in Kojonup by shearing 497 merino ewes in eight hours on 27th April 2019, has chosen to receive his World Record Certificate at the Quairading Agricultural Show / Quickshears Event on the 12th October 2019.

ITEM 2 ATTENDANCE AND APOLOGIES

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 N Gilfellon	Executive Manager of Corporate Services
Mr A Rourke	Executive Manager of Works & Services
Mr RM Bleakley	IPR/Strategic Projects Officer
Ms MA Lee-Curtis	A/Executive Officer

Observers/Visitor

Mr John Haythornthwaite (2.02 pm to 3.14 pm, 3.31 pm – 3.34 pm)

Apologies

Nil

Leave of Absence Previously Granted

Nil

ITEM 3 PUBLIC QUESTION TIME

No Questions.

ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

Nil.

ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Application for Leave of Absence

Nil.

ITEM 6 DECLARATIONS OF INTEREST

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

Nil.

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

7.1 Confirmation of Minutes – 25th July 2019

OFFICER'S RECOMMENDATION

RESOLUTION: 19-19/20

MOVED Cr McGuinness SECONDED Cr Stacey

That the Minutes of the Ordinary Meeting of Council held on the 25th July 2019 be confirmed as a true and accurate record of the meeting.

CARRIED 7/0

7.2 Confirmation of Minutes – Special Council Meeting – 13th August 2019

The Chief Executive Officer advised the meeting that suggested amendments by Cr Smith to the Special Council Meeting Minutes had been made and are presented for Confirmation.

The amendments being: -

Resolution 14-19/20 Oversized Shed (Special Council Meeting)

The resolution as recorded in the minutes is not complete. The motion Cr Smith moved, and which was voted on, was: -

“That the application be refused *on the basis that the shed is not fit for the purpose specified in the application*”. Carried 6/0

and

Resolution 15-19/20 Wheat Belt Secondary Freight Network – Pilot Project

In moving the Resolution (Officer's Recommendation), Cr Smith added Point 3, the wording of which is:

“That the Council invite Mr Garrick Yandle to attend a Council meeting and make a presentation on the Wheat Belt Secondary Freight Network Project *at his earliest convenience*”. Carried 6/0

OFFICER'S RECOMMENDATION

RESOLUTION: 20-19/20

MOVED Cr Smith SECONDED Cr Brown

That the Minutes of the Special Council Meeting, as amended, held on the 13th August 2019 be confirmed as a true and accurate record of the meeting.

CARRIED 7/0

7.3 Business Arising

Ordinary Council Meeting 26th July 2019 Minutes

Item 9.2 Page 21

The Meeting followed up on the initial query on the Childcare Centre income grant funding variation of 136% to the 30th June 2019. The Executive Manager Corporate Services (EMCS) advised that he is still looking into the Grant monies Income and advised he will provide a response to Council clarifying the Child Care Centre Income figures.

Action – EMCS to clarify the Child Care Centre Income Figures to the 30th June 2019 and circulate the response to all Councillors.

Special Council Meeting 13th August 2019 Minutes

Item 5.1 Page 5 - Proposed Oversize Shed – Lot 288 (54) Murphy Street, Quairading

Cr Smith referred to the undertaking made by the Chief Executive Officer (CEO) at the Special Council Meeting to obtain an explanation from the Contract Town Planner in regard to a commercial business operating from a residential lot. The undertaking was not recorded in the minutes, and no motion was moved as such.

Cr Smith queried how the undertaking would be recorded and followed up. The CEO advised that the Contract Town Planner had been contacted regarding the query raised, however, as she was overseas and a response was expected upon the Town Planner's return. Cr Smith emphasised the need for such undertakings to be recorded in the minutes and a process put in place to ensure follow-up and reporting was recorded.

Action – CEO to distribute the Contract Town Planners response to all Councillors, when it is received.

Special Council Meeting 13th August 2019 Minutes

Item 5.2 Page 15 – Wheatbelt Secondary Freight Route Project – Pilot Project 2019/2020

The CEO advised that the Chair of the Wheatbelt South Regional Road Group on behalf of the WSNF Project Team had circulated the Draft Project Governance Plans for comment by the Wheatbelt Council CEO's. The CEO reported that the WBS RRG had confirmed that there is only one pilot project for the Wheatbelt South area for the 2019/2020 year, being the reconstruction of a 5.0km Section of the Quairading – Cunderdin Road totaling \$1.0M, with \$800,000 Federal funding and \$130,000 State funding, and an estimated \$65,000 required from the Shire of Quairading. Project Team Member, Mr Yandle has been invited to attend a Council meeting at a date to his convenience, and also to view the proposed Section of the Quairading - Cunderdin Road with the EMWS. The CEO further reported that the Project Team are proposing that an item will be circulated to all Councils for consideration at the September 2019 Round of Meetings.

The meeting raised the issue of the extremely poor condition of the Cunderdin section of the Quairading - Cunderdin Road, and whether the Shire of Cunderdin will also receive funding to upgrade their section of the road. The CEO commented that the whole Route is considered a Priority 1 in the WSNF Project, however, the Shire of Quairading has been offered the Pilot Project for the 2019/2020 Year. The Shire of Cunderdin will be eligible for Funding under the WSNF Project for the remainder of the Priority 1 Route.

The EMWS informed the meeting on the standards required in the Pilot Project being an 8 metre seal and 10 metre formation width along the 5km length of the road. The meeting enquired whether any repair works will be undertaken on the Shire of Cunderdin section prior to Harvest.

Action – CEO to contact the Shire of Cunderdin to ascertain whether road repairs / remedial action are planned on the Cunderdin Shire Section of the Quairading – Cunderdin Road before the harvest period.

ITEM 8 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

8.1 Proposed Two Car Garage– Lot 31 (85) Heal St, Quairading

Meeting Date	29 th August 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	Contract Town Planner Jacky Jurmann
Attachments	8.1a Plans
Owner/Applicant	Mr Frank Macri & Mrs Phen Thornton
Disclosure of Interest	Nil

OFFICER'S RECOMMENDATION

RESOLUTION: 21-19/20

MOVED Cr Haythornthwaite **SECONDED** Cr McGuinness

That Council resolves to APPROVE the Application for development approval to construct a Garage at Lot 31 (85) Heal Street, Quairading as proposed in the Plans submitted with the Application dated 26th June 2019, in accordance with clause 7.5 of the Shire of Quairading Town Planning Scheme No. 2 for the following reasons:

1. The proposed development is consistent with the aims and provisions of the Shire of Quairading Town Planning Scheme No. 2;
2. The proposed development is consistent with the R-Codes;
3. The proposed development will have minimal impact on the amenity of the locality; and
4. The proposed development is replacing a previous structure.

The following Conditions of approval are recommended:

Conditions

- (a) The development hereby permitted must substantially commence within two years from the date of determination;
- (b) The development hereby permitted taking place in accordance with the approved plans;
- (c) The garage shall not be used for habitable, commercial or industrial purposes; and
- (d) Stormwater shall be managed on-site to the satisfaction of the local government.

CARRIED 7/0

Council Discussion

The Chief Executive Officer advised that in accordance with delegations of authority, any alterations or improvements to a non-conforming use of property, is to be presented to Council for Determination

The meeting queried whether fireproofing would be required between the structures, and the Chief Executive Officer advised that the application currently before Council related to the Planning Application. A Building Licence application will need to be submitted and assessed by the Manager Health and Building at a later date, and the application would be assessed under the Building Codes.

IN BRIEF

- The property at 85 Heal Street, Quairading is located in the “Town Centre” Zoning and the continuing use of the property for residential purposes is non-conforming use in accordance with the provisions of the Shire of Quairading Town Planning Scheme No. 2.
- The proposed garage is replacing an existing structure that was ordered to be removed by the Shire.
- The matter is being presented to Council for determination as there is no delegated authority to the CEO to determine such Applications.
- The Application is being recommended for Approval with four (4) Standard Conditions.

MATTER FOR CONSIDERATION

A development Application has been received to obtain approval to construct a two (2) car garage at Lot 31 (85) Heal Street, Quairading.

The Application was not advertised to adjoining landowners as Council is the adjoining neighbour, with the Factory Units.

It is recommended that the Application be approved for the reasons outlined in the Officer's Recommendation.

BACKGROUND

The subject property has an area of 1,189m², is located on the corner of Heal Street and Winmar Road, and currently contains an older-style single dwelling which is listed as a non-conforming use in the Town Centre Zone.

The garage will have an overall area of 67.5 m² with 3.2m high walls and 2 garage doors 3m each. This garage is not an increase to the non-conforming use as it is replacing an old, unsound structure which was ordered to be removed.

STATUTORY ENVIRONMENT

Shire of Quairading Town Planning Scheme No. 2

The property is zoned Town Centre and contains a dwelling, which is a non-conforming use in the zone. As such, the Application has been checked against both the Zone requirements and the R- Codes, as applicable.

The construction of an attached garage is permitted as ancillary development to the residential use of the property under the R-codes and is consistent with the uses in the locality.

Clause 3.8 sets out the requirements for extensions and changes to a non-conforming use;

Clause 3.8.1 – A person shall not alter or extend a non-conforming use without obtaining planning approval – a planning Application has been submitted.

Clause 3.8.2 – An Application for Planning Approval shall be advertised in accordance with the Planning Regulations – not required as the Shire of Quairading is the adjacent neighbour.

Clause 4.2 – Site requirements – minimum setbacks from boundaries. As the site is zoned Town Centre there are no setback requirements for the site.

Clause 4.11.1 – Objectives for the Town Centre zone, which aims to ensure that development will not adversely affect local amenities, will enhance the character of the townsites in the district, and provide sufficient parking spaces for cars without compromising pedestrian movements.

Clause 4.11.2 – Development Requirements

Sub-Clause	Provision	Assessment
a	Development shall not exceed 2 storeys in height.	The proposed garage does not exceed 2 storeys. Complies.
b	The proposed development shall have regard to the following: <ul style="list-style-type: none"> i. The colour and texture of external building materials; ii. Building size, height, bulk and roof pitch; iii. Setback and location of the building on its lot; iv. Architectural style and design details of the building; v. Function of the building; vi. Relationship to surrounding development and; vii. Other characteristics considered by the local government to be relevant. 	The proposed garage is to be clad in cream colour bond steel and will not adversely impact on the surrounding localities visual amenity.
c	Landscaping shall be provided to complement the appearance of the proposed development and it's setting	The proposed garage does not require any landscaping to be consistent with the locality.
d	The layout of car parking shall have regard for traffic circulation in existing parking areas and shall be integrated with any existing and adjoining parking area.	The proposed garage improves and increases the amount of car parking in the area, reducing the need for the residents of 85 Heal Street to park in the open.

Deemed Provisions

Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (known as the Deemed Provisions) are read as part of TPS2.

Clause 67 sets out the matters for consideration when determining an application for development approval. The relevant matters have been considered as part of this assessment as follows:

Sub-Clause	Provision	Assessment
(a)	Aims and provisions of Scheme	The Application is consistent with the objectives of the Scheme.
(m)	Compatibility of development, including relationship to adjoining land, likely effect of height, bulk, scale, orientation and appearance.	The proposed garage is consistent with the adjoining land and the height bulk and scale of the garage is consistent with the adjoining properties.

Sub-Clause	Provision	Assessment
(n)	Amenity of the locality, including character and social impacts.	The proposed garage will not adversely impact the amenity of the locality.
(p)	Provision of landscaping	There is no proposed landscaping, but this will fit in with the locality and the adjacent storage units.
(s)	Adequacy of access to and egress from the site, including manoeuvring and parking of vehicles.	No change to the existing access provided by main roads is proposed.

SPP3.1 – Residential Design Codes

The R-Codes apply to all land zoned Residential in the State. The relevant provisions relating to the construction of a garage have been considered as part of the assessment of the application as follows:

Clause	Provision	Proposed	Comment
5.2.1	The setting back of garages to maintain clear sightlines along the street and not to detract from the streetscape or appearance of dwellings	It is proposed to place the garage to the rear of the dwelling.	The garage is unlikely to detract from the appearance of the streetscape or dwelling.
5.2.2	Garage width – the effect of the garage doors on the streetscape should be minimised to maintain visual amenity	It is proposed that the garage doors face towards the interior of the property.	Complies
5.2.5	Sight lines – Unobstructed sight lines provided at vehicle access points to ensure safety and visibility along vehicle access ways, streets, rights – of – way, communal streets, crossovers and footpaths	No new access proposed. Location of the garage will not impact on sightlines due to its location.	Complies

POLICY IMPLICATIONS

No relevant policies apply to this application.

FINANCIAL IMPLICATIONS

There are no financial implications for the Shire associated with this Report unless the Applicant decides to exercise their right of appeal at the State Administrative Tribunal if he is unsatisfied with the determination of the Application.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Built Environment

Objective

Planning and Infrastructure to meet the needs of the community.

Strategies

B1: Responsive Land Use Planning

The Local Planning Policy provides a framework for the approval of outbuildings in a local environment to meet the needs of the community.

COMMUNITY CONSULTATION

The Application was not required to be advertised as the Shire is the adjoining neighbour.

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

Financial – Low. An Applicant has the right of appeal to the State Administrative Tribunal should they be dissatisfied with the determination of the application, which could result in the Shire requiring legal or other representation.

Health – Low Risk

Reputation – Low Risk. Council should apply provisions of policies consistently to ensure that good and proper planning decisions are made in the best interests of the community.

Operation – Low Risk

Natural Environment – Low Risk.

COMMENT

It can be concluded from the assessment of this development proposal that the Application is consistent with both the R-Codes and the Shire of Quairading's Local Planning Scheme No. 2, and with the zone objectives as it will result in the property owner being able to park his vehicles off the street and in a protected place.

ITEM 9 MATTERS FOR CONSIDERATION – FINANCE & AUDIT

9.1 Accounts for Payment – July 2019

Meeting Date	29 th August 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Giffellon
Attachments	9.1.1 July 2019 Payment List 9.1.2 Transport Takings 9.1.3 Credit Card Statement
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER'S RECOMMENDATION

RESOLUTION: 22-19/20

MOVED Cr McGuinness SECONDED Cr Smith

That Council note the following:

1. That Schedule of Accounts for July covering Municipal Vouchers 23654 to 23667 & EFT6788 to EFT6905 totalling \$510,063.19 be received and
2. That Police Licensing payments for the month of July 2019 totalling \$45,159.50 be received (Attachment 9.1.2); and
3. That fund transfers to Corporate Credit Card for July 2019 balance totalling \$248.08 be received (Attachment 9.1.3); and
4. That Net Payroll payments for the month July 2019 totalling \$134,833.01; and
5. That the Lease payment for the month of July 2019 on the CESM Vehicle totalling \$1,775.97.

CARRIED 7/0

Council Discussion

Elected Member question - EFT 6862; Bob Waddell Consultant - \$33.00 – assistance with the 2019/2020 Annual Budget.

The Chief Executive Officer reported that the Payment referred to a telephone consultation with Mr Bob Waddell to clarify a point regarding the Statutory Budget for the CEO and the EMCS.

IN BRIEF

Payments are per attached Schedules 9.1 1/2/3

MATTER FOR CONSIDERATION

Note the accounts paid during July 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 2019/2020 Budget.

Payments made for the 2019/20 Year in the Payments List have been included in Council's Budget in accordance with section 6.8 of the *Local Government Act 1995*.

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 – 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 – 31st July 2019

Meeting Date	29 th August 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Giffellon
Attachments	9.2.1 Financial Statements for July 9.2.2 Rates Outstanding Report
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER'S RECOMMENDATION

RESOLUTION: 23-19/20

MOVED Cr McGuinness SECONDED Cr Brown

That Council receive the Monthly Financial Statements for the period ending 31st July 2019.

CARRIED 7/0

Report - Rates Outstanding at 30 June 2019

The meeting noted with concern at the Rates Arrears Amount as at 30th June 2019, with the Non-Pensioner current amount totalling \$83,447. The Meeting referred to a Council policy requiring that the Year End Rates Outstanding Amount not to exceed 1% of Rates Levied and requested clarification on this Policy and also a further analysis of the Non-Pensioner Outstanding Amount be undertaken. The Meeting also queried what actions had been made to follow up outstanding payments after each installment was sent out during the 2018/19 Year.

The CEO responded that he is aware of the previous Council/Committee discussion on a Percentage Target but could not recall the specifics.

Action – The EMCS to provide Councillors with a copy of the previous Directive/Policy on Rates Debtors.

The EMCS informed the meeting of the processes prior to considering debt collection, and advised that in-house debt collection would commence shortly, once Final Notices for the 2019/2020 have been sent out. The Rates Arrears Total in the Report are due to non-payment and not related to instalments. The EMCS also commented that the sale of a property due to failure to pay rates is a lengthy process requiring precise and timely documentation lodgment, however with one property due for settlement this week, other properties will now be recommended to Council for similar action, when all other avenues of Rate Collection have been exhausted.

The meeting requested that the Rates Arrears to the End of June 2019 be reported each month. The CEO concurred with Monthly updates as part of the Monthly Financial Reports.

Further clarification was requested on the Trial Balance - Emergency Services Levy (ESL) and Rubbish Services and whether the Shire is liable for these costs when a ratepayer is in arrears.

The CEO advised that the ESL is paid by Council on a quarterly basis, as this is a State Government charge that the Shire collects on the State's behalf. The Rubbish Services Charge is levied by Council for both Waste and Recycling Services. Council is responsible for the debt collection on all outstanding ESL and Rubbish Charges.

Explanation of Material Variances – Note 2 – Page 81

Clarification was requested on the text “material variance adopted by Council for the 2018/19 year is \$10,000 and 10%”.

The CEO confirmed that this was a typographical error and should read 2019/2020.

Notes to the Statement of Financial Activity – Note 14 Childcare – Page 94

Clarification was requested on the amount of income relating to Child Care Centre Fees being very low at only \$3,893 to the end of July 2019.

The EMCS advised that this was due to the reporting period including the School Holidays when the service was not utilised as frequently and that the Childcare Manager had reported predicting income from fees to be between \$8,000 and \$9,000 for the month of August.

IN BRIEF

- Monthly Financial Statements for the period ending 31st July 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.
- A report on the Outstanding Rates to the 30th June 2019 has been attached.

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 31st March 2005 and effective from the 1st 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, Childcare and Caravan Park. 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 Councillor Resignation - Extraordinary Vacancy

Meeting Date	29 th August 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	10.1a Cr McRae Correspondence dated 19 th August 2019
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER'S RECOMMENDATION

RESOLUTION: 24-19/20

MOVED Cr Haythornthwaite **SECONDED** Cr Brown

1. That Council acknowledge the resignation of Cr Jill McRae with regret; and
2. That Council note that the Extraordinary Vacancy for a 2-year Term will be incorporated into the next Ordinary Election to be held on the 19th October 2019.

CARRIED 7/0

The Shire President thanked Cr McRae for her Service and commitment to Council and wished her all the best.

IN BRIEF

- Cr Jill McRae has submitted written notice to the Chief Executive Officer on 19th August 2019 of her resignation as a Councillor, with the Resignation effective on the Local Government Election Day, Saturday 19th October 2019.
- Cr McRae's Term of Office was due to end in October 2021.
- The *Local Government Act 1995* prescribes the procedure to fill the Extraordinary Vacancy at the Election day to be held on the 19th October 2019.
- Cr McRae's Letter of Resignation has been received in time to enable arrangements to be made by the CEO to include the Extraordinary Vacancy in the Ordinary Election Advertising and to fulfil Electoral Requirements.

MATTER FOR CONSIDERATION

Nil.

BACKGROUND

Councillor McRae was first elected to Council in October 2013 and successfully contested again in October 2017.

STATUTORY ENVIRONMENT

Local Government Act 1995

Sections 2.32 and 4.16 apply.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Consolidated Election – Council has budgeted the amount of \$5,000 for the conduct of the October 2019 “In Person” Election. The Extraordinary Vacancy will not incur any additional cost.

However, should all five (5) vacancies not be filled, an Extraordinary Election will need to be conducted for any unfilled vacant positions on Council.

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 to date – Statutory Advertising and full use of Council’s communication avenues to engage the community in the Election process.

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

Financial – Risk Matrix Rating is assessed as Low. Council has made a Budget provision of \$5000 for the October 2019 Election. Budget is based on the historical cost of conducting the biennial “In Person” Election.

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low. Risk will be mitigated through extensive publicity and information for the community on the Election process and then the conduct of the Election.

Operation – Risk Matrix Rating is assessed as Low. Election is conducted with Council’s existing and budgeted resources.

Natural Environment – Risk Matrix Rating is assessed as Low.

10.2 Strategic Planning Committee Meeting Minutes – 13th August 2019

Meeting Date	29 th August 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	10.2a Unconfirmed Minutes of Strategic Planning Committee Meeting held 13 th August 2019
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER'S RECOMMENDATION

RESOLUTION: 25-19/20

MOVED Cr McGuinness SECONDED Cr Smith

1. That Council receive the Minutes of the Strategic Planning Committee for its Meeting held on 13th August 2019.
2. That Council consider each of the Committee's following recommendations individually.

CARRIED 7/0

6.1.15 Tourist Layby, Opposite the Shopping Precinct Carpark in Heal Street and 6.1.16 Configuration of Entry to the Western End Heal Street

RESOLUTION: 26-19/20

MOVED Cr Smith SECONDED Cr Stacey

That Council:

RECOMMENDATION: SP02 – 19/20

That the Strategic Planning Committee recommend to Council that: -

1. the Concept Designs for the Layby, Parking and the entry at the Western End of Heal Street be prepared for Public Consultation;
2. the Concept Plans to reflect planned traffic flows; and
3. community engagement is to include the Shire Newsletter and a display at the Council Display at the Quairading Agricultural Show.

CARRIED 7/0

9.1 Town Planning Services

RESOLUTION: 27-19/20

MOVED Cr Haythornthwaite SECONDED Cr Smith

RECOMMENDATION: SP03 – 19/20

That the Strategic Planning Committee recommend to Council that: -

1. Glenwarra Development Services be retained to complete the Town Planning Scheme and Local Planning Strategy processes; and
2. the CEO be authorised to seek proposals for the future delivery of Town Planning Services to Council.

CARRIED 7/0

Council Discussion

Discussion ensued on the current Town Planning arrangement, with members recommending that Management 'test the market'. The Meeting noted that the Scope of future Town Planning Services also include the Review of the Municipal Heritage Inventory.

12.1 Installation of Solar Panels at the Quairading Swimming Pool

RECOMMENDATION: SP04 – 19/20

That the Strategic Planning Committee recommend to Council that: -

1. Administration investigate further the transition from L3 tariff to R3 (short term measure) for the facilities connected to Meter Number 0214004531; and
2. A more detailed study be undertaken for the installation of a solar voltaic system at the pool complex in preparation for the Draft Budget deliberations for the Financial Year 2020/21.

AMENDMENT

RESOLUTION: 28-19/20

MOVED Cr McRae SECONDED Cr Smith

RECOMMENDATION: SP04 – 19/20

That the Strategic Planning Committee recommend to Council that: -

1. Administration investigate further the transition from L3 tariff to R3 (short term measure) for the facilities connected to Meter Number 0214004531 in 2019; and
2. A more detailed study be undertaken for the installation of a solar voltaic system at the pool complex in preparation for the Budget Review deliberations for the 2019/2020 Financial Year.

CARRIED 7/0

Council Discussion

Members requested the following amendments be made to the motion: -

Point 1 – a timeframe be included in the motion, that the transition from L3 tariff to R3 tariff be implemented prior to the end of 2019.

Point 2 – Change the words ‘Draft Budget’ to ‘Budget Review’ and for the Financial Year 2020/21’ to ‘for the 2019/2020 Financial Year’.

The Meeting queried what would be achieved with the change in tariff, to which the IPR&SPO advised that this is undetermined at the moment, as it would be dependent upon whether or not the Shire has a contract with the current provider Synergy. The Chief Executive Officer advised that a potential saving of 10% by changing the tariffs would be achieved. Members requested this be actioned as soon as possible, and to consider the installation of solar panels at the next Budget Review in November 2019 or February / March 2020.

The Chief Executive Officer clarified that the amended Referred Strategic Proposals/Matters Report will be attached to the Minutes.

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 13th August 2019.

BACKGROUND

The Strategic Planning Committee met on 13th August 2019 from which there are three (3) recommendations for Council consideration, namely: -

- RECOMMENDATION: SP02-19/20
- RECOMMENDATION: SP03-19/20
- RECOMMENDATION: SP04-19/20

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

SP02-19/20 Council has 2019/20 Budget Provision for the additional Civil Engineering work involved to further develop the Concept Designs for the layby, Parking Area and the Entry to the Western end of Heal Street. Council’s EMWS will utilise the current Civil Engineering Firm who has developed the initial Concept so as not to duplicate effort or incur any significant expense. Council has not budgeted for any on-ground Works as this proposal is at the Concept Stage only and to be the subject of Community Consultation. Should the Concept be supported then the Concept would need further design work and a Project Estimate of Costs prepared for Budget Review or Draft Budget Consideration.

SP03-19/20 - Council has a 2019/20 Budget provision of \$33,500 for Town Planning Services, including \$15,000 for the fortnightly service in Quairading, \$12,500 for the Town Planning Scheme and Strategy and \$6,500 for external Heritage Consultancy for the Municipal Heritage Review. Seeking alternative proposals for the delivery of Town Planning Services for the future may identify savings or benefits from a remote service.

SP04-19/20 - Part 1 of the Committee Recommendation (Change in the Tariff) will provide a projected 10% Savings on Electricity Costs per year or an estimated \$4750 saving

per year. Part 2 – Further investigations into the purchase of a solar voltaic system for this Precinct, if justified and supported such a system would Cost in the order of \$45,000-\$55,000 but would save a projected \$10,000 per year and an investment recovery period of 5 years. Recommendation 2 is for detailed study to be undertaken for Draft Budget deliberations for the 2020/2021 Year.

It has been assessed that the Committee Recommendations will be as follows:-

- If the Parking and Traffic Flow Concept is supported, planned and budgeted for, it would be Capital Expenditure supporting increased activity in the Main Street Precinct (Tourism and Business Activation). No additional Operating Expenses are foreshadowed with the Concept or Project.
- Review of delivery of Town Planning Services for the future – impact on Operating Costs (Saving or Additional Costs) are unknown until Market is tested.
- Review of Electricity Tariff will see a reduction in the Operating Expenditure of the Swimming Pool, Caravan Park, Cottages and Oval Dam Precinct.

It is considered that the Recommendations will not have a detrimental effect on the current Projected Operating Surplus Ratio. Longer term there could be distinct advantages if a Solar Voltaic System is installed to counter ever-increasing Electricity Charges.

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
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

SP02-19/20 - community engagement is to include the Shire Newsletter and a display at the Council Display at the Quairading Agricultural Show.

SP03-19/20 - N/A.

SP04-19/20 - N/A.

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

Financial – Risk Matrix Rating considered as Low. Risk Mitigated by orderly review of Council's Operating expenses and improved efficiencies and Project Budgeting.

Health – Risk Matrix Rating considered as Low.

Reputation – Risk Matrix Rating considered Low. Risk Mitigated with Town Parking and Traffic Flow Concepts being publicised and inviting Community Consultation.

Operation: Risk Matrix Rating considered Low. No adverse impact on Council's Operations at this time. Town Planning Services Review to be undertaken.

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

COMMENT

Minutes of the 13th August 2019 Meeting of the Strategic Planning Committee includes three (3) Resolutions to Council for which the background of each Resolution is contained in a draft copy of the Minutes attached.

10.3 Select Committee Inquiry into Local Government – WALGA Submission

Meeting Date	29 th August 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	10.3a Info Page from WALGA on the Select Committee into Local Government Submission 10.3b Draft Submission – Select Committee into Local Government 10.3c WALGA Cooperation and Shared Services 10.3d Local Government Act Review Principles
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER'S RECOMMENDATION

RESOLUTION: 29-19/20

MOVED Cr McGuinness SECONDED Cr Smith

That Council:

1. Endorse the WA Local Government Association's 'Draft Submission, Select Committee into Local Government'; and
2. Authorise the Chief Executive Officer to advise the WA Local Government Association of the Shire of Quairading's support.

CARRIED 5/2

IN BRIEF

- The State Legislative Council has established a Select Committee into Local Government.
- WALGA have prepared a Draft Submission to the Select Committee and invite Member Councils to provide further comment and /or advise support for the Draft Submission.

MATTER FOR CONSIDERATION

For Council to review and comment on the WALGA Draft Submission to the Select Committee into Local Government.

BACKGROUND

WALGA has previously advised local governments that:

'The Legislative Council recently passed a motion to establish a Select Committee into Local Government. The terms of reference are broad and incorporate the following:

- whether the *Local Government Act 1995* and related legislation is generally suitable in its scope, construction and application
- the scope of activities of Local Governments
- the role of the Department of State administering the *Local Government Act 1995* and related legislation
- the role of Elected Members and Chief Executive Officers/employees and whether these are clearly defined, delineated, understood and accepted
- the funding and financial management of Local Governments, and

- any other related matters the Select Committee identifies as worthy of examination and Report.’

The Select Committee has advised that submissions are being called and will now close on **Friday, 13th September 2019**. This extended timeframe will enable submissions to be prepared and considered at the August 2019 Council meeting.

WALGA has prepared the attached draft submission for Council consideration and following feedback from the local government sector, WALGA will finalise an interim submission to be considered by State Council’s Executive Committee prior to submission to the Parliamentary Select Committee.

It is important to make the distinction between the Select Committee process and the Local Government Act Review process. These are separate and unrelated processes. The Minister for Local Government is continuing with phase two of the Act review process which is working towards the development of a new Local Government Act.

STATUTORY ENVIRONMENT

N/A

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

N/A

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 is assessed as Low.

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low.

Operation – Risk Matrix Rating is assessed as Low.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

The attached Draft Submission is self-explanatory and highlights the key role that local governments play in representing local communities and advocating for improved services for the community and local business.

The Draft Submission identifies the high level of trust communities have for their “local government representatives to do a good job in carrying out its responsibilities”.

Support is given within the Draft Submission for the current Local Government Act Review together with the associated Regulations. Moreover, State Council has set out Key Principles it believes are fundamental drivers of future local government legislation (pages 10-12).

It is noted that the role of local government has changed considerably over recent times and the complexity of management and expectations of community have also experienced change and is not necessarily matched by improved financial capacity.

The Draft Submission provides a comprehensive assessment and detailed comment on the factors that impact on current local government performance and provides a positive assessment of achievements to date whilst embracing the opportunity provided by the Select Committee Review.

10.4 Road Closure – Weir Road

Meeting Date	29 th August 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	10.4a CEO Report for OCM dated 27 th June 2019 10.4b Arc Infrastructure Plan
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER'S RECOMMENDATION

RESOLUTION: 30-19/20

MOVED Cr McGuinness SECONDED Cr Brown

1. That Council accept the CEO's Report which reviewed the Public Submission Process for the Proposed Road Closure conducted in accordance with Section 58(3) of the Land Administration Act and noting that no Public Submissions were received.
2. That Council write to the Minister under Section 58 of the Land Administration Act seeking the Closure of the following Sections of Weir Road: -
 - a) the portion of Weir Road Reserve that is South of the York – Merredin Road (840 m2 in Area) and its inclusion into the Railway Reserve; and
 - b) the remaining Portion of the Weir Road Reserve (420 m2 in Area) South of Area A, being incorporated into the Quairading Nature Reserve (No. 16405).

CARRIED 7/0

IN BRIEF

- Council at its Ordinary Council Meeting on the 27th June 2019 supported that the proposal to close portion of the Weir Road Reserve be considered.
- Statutory Advertising and local publicity of the proposal was undertaken in accordance with the provisions of the Land Administration Act and the Local Government Act for a period of at least 35 days.
- The Statutory Public Notice was published in the "Avon Advocate" newspaper on Wednesday 10th July 2019.
- The proposal was also on Council's website from the 2nd July 2019 to the 16th August 2019.
- The Notice of the proposal was also displayed on Council's Official Noticeboard until after the deadline for written public submissions.
- No submissions were received by the deadline of 5.00pm, Friday 16th August 2019.
- Council is now able to formally consider the road closure proposal.
- The road closure is a condition of the Approval by the Public Transport Authority, Arc Infrastructure and Main Roads WA to permit the construction of a Vehicle Access Road and Railway Crossing from the York – Merredin Road to the Southern Portion of the Quairading Community Nature Reserve (Reserve No.16405), which will also allow lawful access to the area known as "The Groves" and the Railway Dam which is utilised by the Quairading District High School for Oval watering.
- This Access Point is the designated vehicle access point in the Reserve Management Plan which was previously approved by the Minister.

MATTERS FOR CONSIDERATION

That the section of the Weir Road Reserve south of the York – Merredin Road be closed, and that the land (closed Railway Crossing) be incorporated into the Rail Reserve and the remaining portion of the Road Reserve to be incorporated into Reserve No 16405.

BACKGROUND

Council at its Ordinary Meeting of the 27th June 2019 passed the following Resolution: -

RESOLUTION: 211-18/19

MOVED Cr Brown SECONDED Cr Haythornthwaite

1. That Council consider a Proposed Road Closure, under Section 58 of the Land Administration Act, of the following Sections of Weir Road: -
 - a) the portion of Weir Road Reserve that is South of the York – Merredin Road (840 m2 in Area) and its inclusion into the Railway Reserve.
 - b) the remaining portion of the Weir Road Reserve (420 m2 in Area) South of Area A, being incorporated into the Quairading Nature Reserve (No. 16405).
2. Should Council so agree to No.1 above, then Council proceed to publication in a newspaper circulating in its district, a Statutory Public Notice for a period of 35 days, being “a notice of motion” for the road closure pursuant to the Local Government Act and associated Regulations.

CARRIED 6/0

STATUTORY ENVIRONMENT

Land Administration Act, - Section 58

58. Closing roads

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.
- (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.
- (3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.
- (4) On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —
 - (a) 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.
- (5) If the Minister grants a request under subsection (4) —
 - (a) the road concerned is closed on and from the day on which the relevant order is registered; and
 - (b) any rights suspended under section 55(3)(a) cease to be so suspended.
- (6) When a road is closed under this section, the land comprising the former road —
 - (a) becomes unallocated Crown land; or

- (b) if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.

Land Administration Regulations 1998 – Reg 9

9. Local government request to close road permanently (Act s. 58(2)), requirements for

For the purposes of preparing and delivering under section 58(2) of the Act a request to the Minister to close a road permanently, a local government must include with the request —

- (a) written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require; and
- (b) sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed; and
- (c) copies of any submissions relating to the request that, after complying with the requirement to publish the relevant notice of motion under section 58(3) of the Act, the local government has received, and the local government's comments on those submissions; and
- (d) a copy of the relevant notice of motion referred to in paragraph (c); and
- (e) any other information the local government considers relevant to the Minister's consideration of the request; and
- (f) written confirmation that the local government has complied with section 58(2) and (3) of the Act.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

Funding for the Construction of the Approved Crossing is included in the 2019/20 Adopted Budget as a Capital Project.

Proposal and Project has been assessed as having no adverse effect upon the Projected Operating Surplus Ratio.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 – 2027

Social Objective: Active, healthy, safe and inclusive community

ITEM	OUTCOMES AND STRATEGIES
S1	Active community
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

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

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G3	Community Engagement
G3.1	Provide appealing opportunities for the community to participate in decisions that affect them
G3.2	Collaborate with the community to achieve desired outcomes

Quairading Innovate – Reconciliation Action Plan 2017-2019

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: <i>Visible recognition of Indigenous cultures, history and peoples and protocols.</i>

Action	Deliverable	Timeline	Responsibility
1. ABORIGINAL CULTURAL AWARENESS			
2. ABORIGINAL HISTORY IN QUAIRADING			

COMMUNITY CONSULTATION

Statutory Notices were published as prescribed, and Community Information was widely publicised on the Quairading Website, Social Media and Public Noticeboards.

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

Financial – Risk Matrix Rating is assessed as Low. Construction Project is included in the 2019/2020 Adopted Budget. Capital Infrastructure to provide legal access to a Council managed Reserve.

Reputation – Risk Matrix Rating is assessed as Medium. Lack of Access to “The Groves” and the Railway Dam has caused considerable Community concern over time. Proposed access will negate the need for Motorist to access these Sites through the CBH Site. This Access is the approved vehicle point for the Nature Reserve Management Plan. Part Closure of Weir Road Reserve is a Condition of the new Approved Railway Crossing.

Operation – Risk Matrix Rating is assessed as Low. Road Closure Proposal undertaken as part of Council’s existing and budgeted resources.

Natural Environment – Risk Matrix Rating is assessed as Low. Minimal impact upon the natural surroundings utilising track. Road Closure will have no impact on the locality.

10.5 Shire Administration Office and Works Depot Reception Closure Between Christmas and New Year

Meeting Date	29 th August 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Nil.
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER'S RECOMMENDATION

RESOLUTION: 31-19/20

MOVED Cr Stacey SECONDED Cr Smith

1. That Council approve the closure of the Shire Administration Office and Works Depot Reception from 5.00 pm on Friday 20th December 2019 to 9.00 am on Thursday 2nd January 2020.
2. The Office closures and Emergency contact details be publicised in the community through Council's communication mediums.
3. Council advise the Department of Transport of the closure period for the Licensing Agency in accordance with the Licensing Agency Agreement.

CARRIED 7/0

IN BRIEF

- Council in recent years has approved the closure of the Shire Administration Office and Works Depot Reception for the period between Christmas and New Year Public Holidays. This has enabled staff to have an extended break utilising Accrued Annual Leave or Rostered Days Off entitlements.
- Executive and Senior Staff will be available and able to respond to Emergencies / Telephone Calls.
- Management will prepare a Roster of Council Staff on Leave and those Staff available to respond to call Outs / Emergencies.
- Emergency Management Staff (CESM) will be on "Standby" due to the Bushfire Season
- Council's Works Depot staff will cease work on Friday, 20th December 2019 however; a number of staff will be available as 'skeleton crew' during the period of leave, and will return to work on various dates throughout January 2020.
- The Town/Parks and Gardens team will not be taking leave (excluding Public Holidays) to maintain Town facilities, parks and gardens.
- Appropriate community advertising will be undertaken should Council agree to the Shire Administration Office and Works Depot Reception Closure dates.
- There has been no record to the Administration of the 2018/19 Closure causing any major inconvenience to the community nor any adverse publicity.
- Council to consider the closure proposal each year on its merits.

MATTER FOR CONSIDERATION

Council to consider Shire Administration Office and Works Depot Reception closure period between Christmas and New Year 2019/2020.

BACKGROUND

The Works Depot has traditionally been closed for the same period with a 'skeleton crew' available for watering, public convenience maintenance, etc.

The majority of the Works Depot crew will have commenced taking their annual leave entitlements as at the COB on Friday 20th December 2019, and will return to work on various dates in January depending upon their period of leave taken.

The Works Depot staff will advise who is remaining in the District for an 'Emergency Call Out' roster.

2018 RESOLUTION: 68-18/19

MOVED Cr McRae SECONDED Cr McGuinness

1. *That Council approve the Closure of the Administration Centre and Depot Reception from 5.00pm on Friday 21st December 2018 to 8.30am on Wednesday 2nd January 2019.*
2. *The Office Closure and Emergency Contact Details be publicised in the Community.*
3. *Council advise the Department of Transport of the Closure Period for the Licensing Agency.*
4. *That the CEO prepare a Draft Policy on the Christmas / New Year Office Closure for Council's Consideration for future years.*

AMENDMENT

MOVED Cr Haythornthwaite SECONDED Cr Smith

That point 4 be removed from the Motion.

4. *That the CEO prepare a Draft Policy on the Christmas / New Year Office Closure for Council's Consideration for future years.*

CARRIED 8/0

COUNCIL DECISION

MOVED Cr McRae SECONDED Cr McGuinness

1. *That Council approve the Closure of the Administration Centre and Depot Reception from 5.00pm on Friday 21st December 2018 to 8.30am on Wednesday 2nd January 2019.*
2. *The Office Closure and Emergency Contact Details be publicised in the Community.*
3. *Council advise the Department of Transport of the Closure Period for the Licensing Agency.*

CARRIED 8/0

Reason for Variation to Officer's Recommendation

Council determined that the Matter be considered on a Year to Year basis rather than as a Standing Policy.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil, as Staff will be utilising Annual Leave or Rostered Days Entitlements.

Department of Transport require Notification of the Days of the Closure for Licencing Agency purposes.

Transport Customers are able to renew Standard Transport licences the internet and also via BPAY at any time.

It has been assessed that there will be no adverse effect on Council's Projected Operating Surplus Ratio as a result of the proposed Closure over the Christmas/New Year Period.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1.1	Continual improvement in IPR, transparency and accountability
G4	Sound Organisation

COMMUNITY CONSULTATION

Closure will be fully publicised in Council and Community Publications and the Website.

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

Financial – Risk Matrix Rating is considered Low.

Health – Risk Matrix Rating is considered Low.

Reputation – Risk Matrix Rating is considered Low. Risk is mitigated through extensive publicity in the Community well in advance of the Closure.

Operation – Risk Matrix Rating is considered Low. Council base services in the maintenance of Public Facilities and Parks / gardens are continued through the Christmas / New Year period. Further, Council's Waste and Recycling Facility will be operating on the Normal Days / Hours.

Natural Environment – Risk Matrix rating is considered Low.

COMMENT

Subject to Council determination, the proposed Shire Administration Office and Works Depot Reception closure is as follows: -

Office and Works Depot Reception Closure 5.00pm Friday, 20th December 2019

Monday, 23rd December 2019 - Office Closed

Tuesday, 24th December 2019 Christmas Eve – Office Closed

Wednesday, 25th December 2019 Christmas Day – Public Holiday

Thursday, 26th December 2019 Boxing Day – Public Holiday

Friday, 27th December 2019 – Office Closed

Monday, 30th December 2019 – Office Closed

Tuesday, 31st December 2019 New Year's Eve – Office Closed

Wednesday, 1st January 2020 New Year's Day – Public Holiday

Office and Works Depot Reception Re-opening - 9.00am Thursday, 2nd January 2020

ITEM 11 MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

No matters for consideration.

ITEM 12 MATTERS FOR CONSIDERATION – WORKS

No matters for consideration.

ITEM 13 URGENT COUNCILLORS' BUSINESS

Cr Smith

Cr Smith provided a detailed verbal report on the WALGA AGM with the outcomes of each of the Motions considered at the AGM.

Cr Haythornthwaite

Office of the Auditor General Alerts

Cr Haythornthwaite queried whether Management was aware of the various Alerts / Advices distributed by The Office of the Auditor General, (e.g.: Records Management, Fraud Prevention, Building Approvals, etc.), and if so, when will Council be provided with an update of any recommendations or observations by Management.

The CEO advised that Management were aware of the various Reports, citing the most recent recommendations in the 'Verification of Recruitment Qualifications Alert', and advised members that the Acting EO is addressing this by incorporating WALGA's numerous templates developed to support the Auditor General's recommendations, into the Shire's HR policies and procedures. Further, that the Shire Administration had addressed the Records Management recommendations by engaging a consultant to review and implement improved Records Management procedures.

Members suggested that this item be included on the Audit and Risk Committee Meeting Agenda.

Action – CEO to provide an overall 'snapshot' of recommendations and observations on recently distributed Alerts from The Office of the Auditor General.

Action – Alerts/Reports from The Office of the Auditor General be listed on future Audit and Risk Committee Meeting Agendas.

ITEM 14 CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)**OFFICER'S RECOMMENDATION****RESOLUTION: 32-19/20****MOVED Cr McRae SECONDED Cr Brown**

That Council close the Meeting to the Public pursuant to Section 5.23 (2)(b) & (c) of the *Local Government Act 1995* for items 14.1 and 14.2

CARRIED 7/0

The Meeting was closed to the Public at 3.14 pm.

Mr Haythornthwaite left the meeting at 3.14 pm.

The Meeting remained closed to the Public from 3.14 pm to consider Items 14.1 and 14.2 Confidential under Section 5.23 (b) & (c) of the *Local Government Act 1995*.

14.1 RFT 1-19/20 Management and Operation of the Quairading Memorial Swimming Pool (Confidential Item)

Meeting Date	29 th August 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellon
Attachments	14.1a Scorecards (Confidential)
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

Item considered Confidential under Section 5.23, 5.94 and 5.95 of the *Local Government Act 1995* as information relates to a current Contract that Council has for supervision and management of the Swimming Pool. Reference Section 5.23(2)(b) and 5.23(2)(c).

OFFICER'S RECOMMENDATION**RESOLUTION: 33-19/20****MOVED Cr McGuinness SECONDED Cr Haythornthwaite**

1. That Council award RFT 1-19/20 Management and Operation of the Quairading Memorial Swimming Pool to Contract Aquatic Services: -
 - (a) for a three-year Contract at a price of \$195,000 ex GST; and
 - (b) with a two-year Option to extend the Contract at a price of \$130,000 ex GST; and
 - (c) an 'out of hours' per hour charge of \$50 ex GST, for the period of the Contract.
2. That the Chief Executive Officer be authorised to prepare the Contract with Contract Aquatic Services.
3. That the Shire President and the Chief Executive Officer be authorised to execute the Contract with Contract Aquatic Services.

CARRIED 7/0

A member raised the issue of customer's complaints of uncleanliness of the ablution block at opening times. The CEO confirmed that the cleanliness standards of the facility will be included in the KPI's of the Contract.

The Meeting requested that the Contract also require the Contractor to increase publicity for the Facility and Special Events through Social Media and other avenues.

14.2 Medical Services Agreement

Meeting Date	29 th August 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	14.2a Final Medical Services Agreement prepared by HLS Legal 14.2b Various emails between parties
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

Item considered Confidential under Section 5.23, 5.94 and 5.95 of the *Local Government Act 1995* as information relates to a current Contract that Council has for Medical Services and future Medical Service Arrangements. Reference Section 5.23(2)(b) and 5.23(2)(c).

OFFICER'S RECOMMENDATION

RESOLUTION: 34-19/20

MOVED Cr Smith SECONDED Cr Brown

1. That Council approve the Final Medical Practice Agreement between Council and the Medical Services Provider, Noble Medical Investments Pty Ltd (Dr. Adenola Adeleye) for a Term of 5 Years (with an Extension Option for both Parties to enter into negotiations for a further Period of 3 Years).
2. That the Shire President and the CEO be authorised to Execute the Medical Practice Agreement and to affix the Council Seal.

CARRIED 7/1

RESOLUTION: 35-19/20

MOVED Cr Haythornthwaite SECONDED Cr Smith

That the Meeting be opened to the Public at 3.31 pm.

CARRIED 7/0

3.31pm Mr Haythornthwaite re-entered the Meeting.

The Chairman formally advised that there had been two (2) Resolutions made for the Confidential Items by Council during the 'Closed to the Public' Section of the Meeting and these were read aloud.,

Resolution 33-19/20

Resolution 34-19/20.

ITEM 15 NEXT MEETING DATE

The next Ordinary Meeting of Council is scheduled to take place on Thursday, 26th September 2019, commencing at 2.00 pm at the Council Chambers, 10 Jennaberring Road, Quairading.

ITEM 16 CLOSURE

There being no further business, the Chairman closed the Meeting at 3.34 pm.

I certify the Minutes of the Ordinary Meeting of Council held on 29th August 2019 were confirmed on 26th September 2019 as recorded on Resolution No. _____

Confirmed26/09/2019