

SHIRE OF QUAIRADING

The Minutes of the Ordinary Council Meeting held on Thursday 25th July 2019 commencing at 2.00 pm.

ITEM 1 OPENING & ANNOUNCEMENTS

The Deputy 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 Ballardong land and we pay respect to the original custodians...past, present and future and welcome you all here today for this Meeting”.

ITEM 2 ATTENDANCE AND APOLOGIES

Councillors

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

Council Officers

Mr GA Fardon	Chief Executive Officer
Mr NL Gilfellon	Executive Manager of Corporate Services (2.00pm to 4.10 pm, 5.42pm to 5.43 pm)
Mr RM Bleakley	IPR/SPO Officer (2.00pm to 4.10pm, 5.42pm to 5.43pm)
Ms MA Lee-Curtis	A/Executive Officer (2.00pm to 4.10pm, 5.42 to 5.43pm)

Observers/Visitors

Mr Les Eather (2.00 pm to 3.17 pm)
Mr John Haythornthwaite (2.00 pm to 3.17pm)

Apologies

Mr A Rourke	Executive Manager of Works & Services
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Leave of Absence Previously Granted

Cr WMF Davies	Shire President
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Mr Les Eather

The Chairperson, Cr McGuinness invited Mr Eather to ask a question in regard to Item 8.1 Proposed Oversize Shed – Lot 288 (54) Murphy St, Quairading. Mr Eather made comment on the large fifth wheeler he wishes to relocate from York to Quairading and also commented on his downsizing of his transport business.

Mr Haythornthwaite

Question 1

Mr Haythornthwaite queried EFT6713 (Page 41) - Rural UV Interim Valuation on Shed, is this Shire property or someone else's?

Response 1

The CEO responded that the Valuer General's Office comes under Landgate and that valuations that are carried out throughout the year are known as Interim Valuations. There is also a General Revaluation of Rural land for rating purposes each year. The CEO advised that he did not have the specific details in relation to this Valuation or the property which is the subject of the Interim Valuation.

Question 2

Mr Haythornthwaite referred to the May 2019 OCM Community Grants Scheme item, wherein various sporting bodies made application for funding from the Shire. This item was referred to the Audit and Risk Committee Meeting which is not open to the public. At the June 2019 OCM Councillors passed all recommendations, with only one Councillor asking a question. Why is the public excluded from the Audit and Risk Committee Meetings and why were all the motions passed without any discussion or questions?

Response 2

The Chairperson responded that Committees review the Officers Reports and documents presented, and put forward recommendations to Council. Committees do not 'pass' or 'approve' anything as there is no Delegated Authority from Council to the Committees. It is at the Ordinary Council Meeting that the Committee Recommendations can be further debated, varied or accepted by Council. The public has the opportunity to ask questions at the Ordinary Council Meeting in Public Question Time and also, all Committee Recommendations / Minutes are in the Council Agenda which is available to members of the public.

The CEO confirmed that all Community Grants applications submitted by the Clubs / organisations were listed in the Committee Minutes and the outcomes of Council's deliberations are recorded in the unconfirmed minutes of the June Ordinary Council Meeting.

The CEO confirmed that Committee Meetings are required to be open the Public (except Confidential Items) if Council has delegated decision making authority to a Committee.

Mr Haythornthwaite further queried why there wasn't any discussion at the following Ordinary Council Meeting, as it seemed that all Councillors had made their decisions at the Audit and Risk Committee Meeting?

The Chairperson Cr McGuinness advised that the public has an opportunity to submit questions prior to the Council Meeting, either in writing, via email or verbally at the meeting.

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.

- 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 Haythornthwaite made a Declaration of Impartiality Interest in Item 10.2 Miss Indiana Squiers - Sponsorship Request due to her husband's business interest with Miss Squiers' family.

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

7.1 Confirmation of Minutes – 27th June 2019

OFFICER RECOMMENDATION

RESOLUTION: 01-19/20

MOVED Cr Haythornthwaite SECONDED Cr Brown

That the Minutes of the Ordinary Meeting of Council held on the 27th June 2019 be confirmed as a true and accurate record of the meeting.

CARRIED 6/0

7.2 Business Arising

The Meeting requested the Executive Manager Corporate Services (EMCS) provide a breakdown of the outstanding Rates debtors, as previously requested. The EMCS committed to present an analysis of Rates Debtors outstanding as at the 30th June 2019 to the August OCM.

8.1 Proposed Oversize Shed – Lot 288 (54) Murphy St, Quairading

Meeting Date	25 th July 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	Contract TP Natasha Jurmann
Attachments	8.1a Block Plan 8.1b Western Elevation Plan 8.1c Photograph of 5 th Wheeler
Owner/Applicant	L Eather
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

That Council resolves to **APPROVE** the application to construct an oversized shed at Lot 258 (54) Murphy Street, Quairading as proposed in the revised plans submitted with the Application dated 18th 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 has merit and has been modified to be consistent with variations to the Shire of Quairading’s Local Planning Policy for Outbuildings; and
3. The proposed development has been modified to have minimal impacts on the amenity of the locality, with the following conditions imposed:
 - (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 shed shall not be used for habitable, commercial or industrial purposes;
 - (d) Any noise emitted from the shed is to be within the hours 8am to 5pm Monday to Saturday and 10am to 3pm Sunday;
 - (e) Stormwater shall be managed on-site to the satisfaction of the local government; and
4. Prior to occupation, the shed shall be screened from view from any public street/neighbouring property to the satisfaction of the local government.

VOTING REQUIREMENTS – Simple Majority

RESOLUTION: 02-19/20

MOVED Cr Smith SECONDED Cr McRae

That the Application be deferred until such time as Council Officers can provide clarity on consistency with the Local Planning Scheme, the Local Planning Policy and the Conditions in regard to screening, noise emission, compliance with ridge height and setbacks.

CARRIED 6/0

Reason for Variation to Officer's Recommendation

The Members discussed the Application at length, noting apparent inconsistencies with the Plans, the revised measurements and the Conditions detailed in the Application. As a result of the number of queries raised, the CEO is to refer the Application report back to the Town Planner for review and clarification and to be resubmitted to the August OCM.

A query was raised regarding the timeframe from when an application is submitted, to when a planning decision is to be made by Council. The CEO advised that he would provide the Town Planning timeframes to Elected Members.

The Meeting queried whether Condition 3(d) applies to all applications to build a shed within the Shire boundaries, to which the CEO stated that it does not, however general environmental noise abatement legislation applies Statewide.

IN BRIEF

- A modified development application has been received to obtain approval to construct an oversized shed for the storage of a 5th wheeler caravan and for use as a hobby workshop at Lot 288 (54) Murphy Street, Quairading.
- Proposed Shed is 180m² in area.
- The application was notified in writing to adjoining landowners and no objections were received.
- The proposal has been modified to resolve the height of the shed and the structure set back well away from the property's boundary.
- 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 1,662m², is located on the corner of Murphy Street and Winmar Road and currently contains an older-style single dwelling.

The shed will have an overall area of 180m² and will consist of:

1. The main shed to be used for the storage of the owner's 5th wheeler caravan and a hobby workshop measuring 20 metres wide x 9 metres deep with a wall height of 3.5 metres and overall height of 4.2 metres; and
2. It is proposed to construct the shed parallel to the southern boundary, with an increased 8m setback and use the existing vehicular access from Winmar Road.

STATUTORY ENVIRONMENT

Shire of Quairading Town Planning Scheme No. 2

The property is zoned Residential R10/20 and the construction of outbuildings are permitted as ancillary development to the residential use of the property.

Clause 4.9.1 sets out the objectives for the Residential zone, which aims to ensure that the predominant form of development is single houses; that a high standard of development is achieved; and to permit non-residential uses that are compatible and do not adversely affect local amenities.

Clause 4.9.3 applies to properties with dual density codes and permits the use of the higher density code if the property is connected to reticulated sewerage; is located close to services and facilities; and if the local government is satisfied that the development will not have an adverse impact on local amenities.

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	Residential zone objectives aim to have single dwellings as predominant form of development. Shed is just under twice the size of the dwelling and will be the predominant form of development on the site. Although it is intended that some existing trees shall shield a portion of the shed, reducing the bulk.
(b)	Provisions of planning instrument that the LG is seriously considering adopting.	Draft LPS3 does not proposed to change the zoning.
(c)	Any approved State Planning Policy	SPP3.1 – Residential Design Codes has been considered in this assessment. Variations are proposed.
(g)	Any local planning policy	LPP – Outbuildings has been considered in this assessment. Variations are proposed.
(i)	Any scheme review report	2017 Scheme Review Report does not affect this assessment.
(m)	Compatibility of development, including relationship to adjoining land, likely effect of height, bulk, scale, orientation and appearance.	The shed is twice the size of what is permitted under the LPP together with a higher wall height will result in a bulk and scale that is not generally expected in the Residential zone. The applicant has made an effort to reduce the effects of this on the neighbours by reducing the height and bulk of the shed. The shed has also been moved further off the boundary from the previous application
(n)	Amenity of the locality, including character and social impacts.	The shed is proposed to be used for storage and as a hobby workshop, which may impact the locality. The shed has been moved in off of the boundary to minimise the impacts on the neighbours.
(p)	Provision of landscaping	To be conditioned to include additional landscaping to improve visual amenity.
(s)	Adequacy of access to and egress from the site, including manoeuvring and parking of vehicles.	<p>It is proposed to use the existing vehicular access from Winmar Road to access the shed. This access is from a Primary Grain Freight Road and therefore road safety may be an issue when manoeuvring the caravan in and out of the site.</p> <p>The site is large enough to provide manoeuvring room for the caravan to enter and exit in a forward manner.</p> <p>If approved, a condition should be imposed to ensure that the caravan should leave the site in a forward direction.</p>
(y)	Any submissions received	No submissions have been received.
(zb)	Any other planning consideration.	The shed has been positioned so that there will be no overshadowing impacts on neighbours. The application will be conditioned so that it may not be used for industrial or business purposes under this application.

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 an outbuilding have been considered as part of the assessment of the application as follows:

Clause	Provision	Proposed	Comment
6.10.1	Maximum collective area 60m ² or 10% of site area, whichever is the lesser.	Total area 180m ²	Does not comply
6.10.1	Wall height 2.4m	3.5m	Does not comply
6.10.1	Ridge height 4.2m	4.2m	Complies
6.10.1	Does not reduced required open space in Table 1. R10 – 60%; R20 – 50%	180m ² (shed) & approx. 110m ² (house) = 290m ² 1,348m ² provided.	Complies
6.10.1	Complies with setback requirements of Table 1, except rear setback. Secondary street: R10 – 3m / R20 – 2 m. Side / rear: 1.8m	8m from southern boundary; 4 m from eastern boundary; 12m from Winmar Rd.	Complies

Where a proposal does not comply with the 'deemed to comply' provisions of the R-Codes, then the proposal can also be assessed against the performance provisions to determine if the variations are acceptable, which is *"Outbuildings that do not detract from the streetscape or the visual amenity of the residents or neighbouring properties."*

POLICY IMPLICATIONS

Local Planning Policy – Outbuildings

The Shire's adopted policy provides acceptable local variations to the deemed to comply provisions relating to area and height of the R-Codes for the construction of outbuildings in the Residential zone. These standards are considered to meet the performance provision of the R-Codes for outbuildings (outlined above), which have been assessed as follows:

Provision	Proposed	Compliance/Comment
Maximum collected area 100m ² for lots exceeding 1,000m ² in area.	Total area 180m ²	Large variation requested due to the large size of the 5 th wheeler. This is deemed to be acceptable due to the large size and shape of the block.
Wall height 3m	3.5m	16% variation requested, deemed to be acceptable due to the increased setback from neighbouring properties.
Ridge height 4.2m	4.2m	Complies.

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 dissatisfied 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 notified in writing to adjoining landowners for a minimum period of 14 days. **No Submissions** have been received.

Previously there was one submission objecting to the proposal and these have been addressed by the applicant as follows:

Summary of Issue	Planning Comment
Size of the structure is too large for a residential area.	As indicated in the assessment of this proposal, the sheds wall height and bulk have been reduced.
Structure will block out light, breeze and views of backyard.	The shed has been moved sufficiently set back from the boundary. A shadowing diagram has been provided to show that there will be no negative impacts on the neighbouring properties.
Will be impacted by noise of large trucks and machinery being worked on day and night.	The shed will be conditioned so that there will be no unreasonable noise, that all noise be within working hours and so that it may not be used for industrial purposes. The proposed conditions include; a) The shed is not to be used for industrial purposes; and b) Any noise emitted from the shed is to be within the hours 8am to 5pm Monday to Saturday and 10am to 3pm Sunday.

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

Financial – Medium. 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 scale of the variations to the R-Codes and Local Planning Policy for Outbuildings are acceptable and is consistent with the

zone objectives as it will result in the property owner being able to continue living in Quairading. Additionally, the applicant has worked with the Shire Planner to adjust the shed so that it will have minimal to no impacts on the neighbouring properties.

9.1 Accounts for Payment – June 2019

Meeting Date	25 th July 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellow
Attachments	9.1.1 June 2019 Payment List 9.1.2 Transport Takings 9.1.3 Credit Card Statement
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER RECOMMENDATION

RESOLUTION: 03-19/20

MOVED Cr Stacey SECONDED Cr Brown

That Council note the following:

1. That Schedule of Accounts for June 2019 covering Municipal Vouchers 23646 to 23653 & EFT6677 to EFT6787 & DD13422.1 to DD13422.11 and DD13451.1 to DD13451.12 totalling \$319,977.60 be received; and
2. That Police Licensing payments for the month of June 2019 totalling \$38,509.40 be received (Attachment 9.1.2); and
3. That fund transfers to Corporate Credit Card for June 2019 balance totalling \$654.99 be received (Attachment 9.1.3); and
4. That Payroll payments for the month June 2019 totalling \$107,439.85; and
5. That the Lease payment for the month of June 2019 on the CESM Vehicle totalling \$1,775.97.

CARRIED 6/0

Member Question - EFT 6682 - Contracting Services of Acting Executive Officer for W/E 25th May? The CEO advised that this related to the payment to LOGO Appointment for the Acting Executive Officer during the absence of the Executive Officer on Parental Leave.

IN BRIEF

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

MATTER FOR CONSIDERATION

Note the accounts paid during June 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. Payments made for the 2019/20 Year in the Payments List have been included in Councils 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 (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 – June 2019

Meeting Date	25 th July 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellon
Attachments	9.2.1 Financial Statements for June
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 04-19/20

MOVED Cr Smith SECONDED Cr McRae

That Council receive the Monthly Financial Statements for the period ending 30th June 2019.

CARRIED 6/0

The Meeting noted a reduction in income for the Childcare Centre. The EMCS reported that there had been a reduction in the number of enrolments towards the end of the Financial Year however, highlighted that there have been 6 or 7 new enrolments having been received recently for the next School Term. A Question was Taken on Notice regarding Childcare Income Grant Funds (Page 74) of \$42,758 with a budget of \$31,500, being a variation of 136%, and whether there was a double up in 2 years of the Grant. The EMCS committed to provide a response to the Councillor.

The Meeting queried the terms, POC and PWO Costs on Page 60, which were explained by the EMCS as Plant Operating Costs and Public Works Overheads which act as holding accounts for all Works Overhead expenses and Plant Operating Costs before being allocated out to the respective Cost Centres based on Hours worked or Plant Hours.

The Meeting was advised that the Allocation for the Design of the Quairading Hall carpark upgrade will be carried over to the 2019/2020 Budget.

The Meeting requested that for consistency in the future, that the colours of the Childcare Centre and the Medical Practice graphs be consistent, to clearly show Income and Expenditure.

IN BRIEF

- Monthly Financial Statements for the period ending 30th June 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 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.

9.3 Adoption of the 2019/2020 Statutory Budget

Meeting Date	25 th July 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellow
Attachments	9.3.1 Statutory Budget 2019/2020 9.3.2 Fees and Charges 2019/2020
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 05-19/20

MOVED Cr Smith SECONDED Cr Stacey

That: -

1. Council adopt the Budget in Attachment 9.3.1 for the 2019/20 Financial Year.
2. Council impose the following differential general rates and minimum payments on Gross Rental and Unimproved Rates:

General Rates

GRV – Residential - 13.5679 cents in the dollar
GRV – Industrial - 13.5679 cents in the dollar
GRV – Commercial - 13.5679 cents in the dollar
UV – Rural - 1.2301 cents in the dollar

Minimum Rates

GRV – Residential - \$650
GRV – Industrial - \$650
GRV – Commercial - \$650
UV – Rural - \$650

3. Council adopts the following payment option dates and fees:

Option 1. Payment in Full on or before 5.00pm on Friday 13th September 2019.

Option 2. Four Equal Instalments at intervals of two calendar months. Instalment due dates:-

Friday 13th September 2019
Wednesday 13th November 2019
Monday 13th January 2020
Friday 13th March 2020

Option 3. Alternative payment arrangements as agreed to by the Chief Executive Officer and the Ratepayer.

Instalment Interest Charges

That a 5.5% interest rate be imposed on instalments to apply to the second, third and fourth instalments \$6.45(3).

Instalment Administration Fee

That an Administration Fee of \$5.00 be charged for Instalment numbers 2, 3 and 4 under Payment Option No. 2.

Alternative Payment Option Administration Fee

Where Option 3 is selected and agreed to, an Administration Fee of \$25.00 be applied to that assessment to recover Administration and Management Costs.

Interest Charges

That a Penalty Interest Rate of 11% be imposed on Overdue Rates, Sundry Debtors and Legal Fees (excluding Rubbish Charges), where instalment Option 2 (Rates only) has not been taken up.

Rubbish Charges

The following Waste and Recycling Charges apply for the 2019/2020 year:-

\$286.00 per annum per Rubbish Service which incorporates a weekly removal of one 240 litre Mobile Garbage Bin and fortnightly removal of one 240 litre Recycling Bin.

\$286.00 per annum Waste and Recycling Charge for Commercial Properties not serviced with a Mobile Garbage Bin.

4. Council adopt the following in regard to Reserve Funds:-
 - (a) That a Buildings Renewal Reserve be established to fund the maintenance and renewal of Councils Building assets;
 - (b) That an Independent Living Reserve be established to be used to fund the development of Independent Living Units; and
 - (c) The Building Reserve to be renamed the Buildings and Infrastructure Reserve to be used to Develop and Upgrade Council Infrastructure and Building Assets.
5. Council adopt the Attachment 9.3.2 Schedule of Fees and Charges.
6. Only Variations to Council's 2019/2020 Budget by 10% or Greater and \$10,000 or more as noted in the Monthly Financial Statements be reported to Council.

CARRIED BY ABSOLUTE MAJORITY 6/0

The Meeting sought clarification in regard previous discussions on more advantageous motor vehicle changeover costs for the Executive Manager Works and Services' and the CEO's vehicles and also the changeover of the 12G Grader.

The EMCS reported that the extension of the changeover cycle for the two vehicles had been proven to be more cost effective and amended accordingly in the Budget. Further, the changeover of the Grader had been deferred at least one year and the machine and changeover cost would be reassessed in the preparation of the 2020/2021 Draft Budget.

IN BRIEF

- The 2019 / 2020 statutory budget documentation has been prepared in accordance with Council direction and taking into account the Community Strategic Plan and the Corporate Business Plan.

- The proposed rates in the dollar will raise \$1,839,734 on Unimproved Valued properties and \$459,868 on Gross Rental Value valued properties.
- The split of UV/GRV is UV 80% / GRV 20% based on Gross Rates Levied has been maintained.
- Fees & Charges have been reviewed. Minimum Increases have been aligned with the Perth March to March CPI Adjustment of 1.1%. Many of the Fees & Charges have been simplified to aid both Council Clients and Administration Staff.

MATTER FOR CONSIDERATION

Council to formally adopt the Budgets for Municipal, Trust and Reserve Funds for the 2019/2020 Year.

BACKGROUND

Council has held two workshops to consider/amend and have input into the finalisation of the 2019/20 budget.

STATUTORY ENVIRONMENT

Local Government Act 1995

6.2. Local government to prepare annual budget

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

** Absolute majority required.*

- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —
 - (a) the expenditure by the local government; and
 - (b) the revenue and income, independent of general rates, of the local government; and
 - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.
- (3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.
- (4) The annual budget is to incorporate —
 - (a) particulars of the estimated expenditure proposed to be incurred by the local government; and
 - (b) detailed information relating to the rates and service charges which will apply to land within the district including —
 - (i) the amount it is estimated will be yielded by the general rate; and
 - (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;

and
 - (c) the fees and charges proposed to be imposed by the local government; and
 - (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and

- (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and
 - (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
 - (g) such other matters as are prescribed.
- (5) Regulations may provide for —
- (a) the form of the annual budget; and
 - (b) the contents of the annual budget; and
 - (c) the information to be contained in or to accompany the annual budget.

In regard to the setting of Council Rates, Section 6.32 states: -

6.32 Rates and Service charges

When adopted the annual budget, a local government –

in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either –

- uniformly; or
- differentially;

may impose* on rateable land within its district –

- a specified area rate; or
- a minimum payment;

and

may impose* a service charge on land within its district.

* *Absolute majority required.*

When a local government resolves to impose a rate it is required to –

- set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value;
- set a rate which is expressed as a rate in the dollar of the unimproved value of rateable within its district to be rated on unimproved value

the unimproved value of rateable within its district to be rated on unimproved value.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

Council’s Adopted Budget underpins all Council’s Projects and Programs for the 2019/2020 Year.

This budget has an improved operating position of \$398,243 over the previous 2018/19 budget and decreases financing activities by \$471,558 that will improve Council’s long term financial position.

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

Economic Objective: Growing economy and employment opportunities

ITEM	OUTCOMES AND STRATEGIES
ED1	Economic diversity and resilience

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
G4	Sound Organisation
G4.1	Maintain sustainability ratios at or above basic level
G4.2	Increase non-rates revenue generation
G4.3	Ensure optimum organisational capacity and efficiency

COMMUNITY CONSULTATION

N/A

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

Financial - Low Risk: The budget outlines the expenditure and income for the 2019/20 Financial Year and has been developed following multiple workshops with Staff and Councillors.

Health – Low Risk

Reputation – Low Risk: All projected Expenditure & Income have been included in both the project and operational costs.

Operation – Low Risk

Natural Environment – Low Risk.

COMMENT

The Community Strategic Plan indicates an increase of 2% over the inflation rate for year 3 of the plan. The increase in expenditure is a mixture of CPI increase as well as increases from award agreements, State Government utility charges and any other increases such as increased maintenance from new projects. This means that the increase to costs are not strictly aligned with the March to March Perth CPI figure of 1.1%. The rates increase of 4% has been calculated based on an adjusted expenditure increase percentage of 2%

Following Workshop Two an additional \$500,000 figure was allocated to Reserves being the following:

\$150,000 Town Planning

\$100,000 Road Infrastructure

\$100,000 Independent Living

\$150,000 Building & Infrastructure

This was due to a higher surplus figure than projected at the second budget workshop.

The actual Income and Expenditure used in the 2019/20 Budget are a snapshot as at the 30th June 2019 and may change once the Annual Financial Statements have been audited.

10.1 WALGA – Annual General Meeting: Executive and Member Motions

Meeting Date	25 th July 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Extract: WALGA Annual General Meeting
Owner/Applicant	WALGA
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 06-19/20

MOVED Cr Haythornthwaite SECONDED Cr Smith

Council to provide direction to Council’s voting delegates.

Motion #	Title	Support	Not support
3.1	Coastal Erosion		✓
3.2	Department of Housing Leasing Residential Property to Charitable Organisations	✓	
3.3	Motorist Taxation Revenue and Spending in WA	✓	
3.4	Biosecurity Groups (RBGs)	✓	
3.5	WALGA Members Support for Waste to Energy	✓	
3.6	Membership of Development Assessment Panels	✓	
3.7	Review of the <i>Mining Act 1978</i>	✓	
3.8	Financial Assistance Grant	✓	
3.9	Third Party Appeal Rights		✓

CARRIED 6/0

IN BRIEF

- The Annual General Meeting of the Western Australian Local Government Association will be held on Wednesday 7th August 2019.
- A number of Motions will be discussed and voted upon at this meeting. Council is requested to provide Council’s two (2) voting delegates with voting directions on any Motions relevant to Council.

MATTER FOR CONSIDERATION

Motions submitted for consideration by Council.

BACKGROUND

The detailed wording of the Motions, Member Council Comment and WALGA Secretariat Comments are provided in the AGM Agenda Papers Extract provided with this Report.

Each Consideration of Executive and Member Motions (Item 3 in the AGM Agenda) are as follows:-

- 3.1 *Coastal Erosion*
- 3.2 *Department of Housing Leasing Residential Property to Charitable Organisations*
- 3.3 *Motorist Taxation Revenue and Spending in WA*
- 3.4 *Biosecurity Groups (RBGs)*
- 3.5 *WALGA Members Support for Waste to Energy*
- 3.6 *Membership of Development Assessment Panels*
- 3.7 *Review of the Mining Act 1978*
- 3.8 *Financial Assistance Grant*
- 3.9 *Third Party Appeal Rights*

STATUTORY ENVIRONMENT

Annual General Meeting convened in accordance with WALGA Constitution.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

N/A

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G2	Strengthened Advocacy and Partnerships
G2.1	Partnerships with and advocacy to Federal and State Government to strengthen service provision within the Shire

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 considered Low.

Reputation – Risk Matrix Rating is assessed as Low. Council a Member Council of WALGA and active Participant at Central Country Zone level and the Annual General Meeting.

Operation – Risk Matrix Rating is assessed as Low.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

Council's Nominated Voting Delegates for the AGM are :-

Cr. Brett McGuinness

Cr. Peter Smith

Proxy 1 – Cr. Jill McRae

Proxy 2 – Cr. Trevor Stacey

10.2 Miss Indiana Squiers - Sponsorship Request

Meeting Date	25 th July 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	GPO Sarah Caporn
Attachments	10.2a Correspondence from Miss Indiana Squiers
Owner/Applicant	Miss Indiana Squiers
Disclosure of Interest	Cr Haythornthwaite declared an Impartiality Interest due to her husband's business interest with Miss Squiers' family.

OFFICER RECOMMENDATION

RESOLUTION: 07-19/20

MOVED Cr McRae SECONDED Cr Brown

That Council support the request for sponsorship of \$250 towards travel costs of Miss Indiana Squiers to enable her to participate and compete at the State School Girls Under 15's Netball Competition in Queensland in July 2019.

CARRIED 6/0

IN BRIEF

- Local Community Member, Miss Indiana Squiers has been selected in the State School Girls 15's Netball Team which is playing in the National Competition in Queensland.
- Miss Squiers has distributed a Letter seeking financial sponsorship towards her travel costs to Queensland for the Event.
- Miss Squiers is an active member of the Community when Home from Boarding School in Perth.
- Miss Squiers has this year also been selected for the State School Girls Cricket Team.

MATTER FOR CONSIDERATION

Miss Indiana Squiers' request for sponsorship of part travel costs to participate at the State School Girls 15's Netball Competition to be held in Caloundra, Queensland in July 2019.

BACKGROUND

The Grants Officer advises that requests from individuals falls outside of Council's adopted Community Grants Policy so it is possible for Council to consider supporting individuals on a case by case basis.

There is precedent for the Shire to assist Quairading Youth residents financially who are selected on State or National teams, such as Harrison Woodcock recently for his dance achievements and Jaiden Monk and Brendon Jones in prior years who travelled with State School Boy AFL teams.

The Grants Officer has also investigated what other funding opportunities may be available to Miss Squiers. The only other possible program is the Dept of Sport and Rec have a **Regional Athlete Travel Subsidy** available. Indiana is able to apply, as she would have been living in Quairading during the event. Athletes need to be on a recognised Talent Development/High Performance pathway of their chosen sport and must also have undergone a selection process endorsed by their respective Regional (RSA)/State (SSA)/National Sporting Association (NSO). The maximum subsidy is \$500 under this programme. The funding rounds are retrospective for events in July as the next round of funding won't open until August 2019.

<https://www.dsr.wa.gov.au/funding/individuals/athlete-travel-subsidy-scheme/athlete-travel-subsidy-scheme-guidelines>

Miss Squiers has also written to other relevant Groups and Clubs within the Quairading community seeking sponsorship. The following pledges are known to the CEO :-

Quairading Rotary Club (\$500) and Quairading Junior Netball Club (\$350).

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Individuals are not eligible to apply for Grants under Council's Community Grants Policy.

FINANCIAL IMPLICATIONS

Council does have an Annual Budget Provision for Discretionary Donations (GL 0382). The amount included in the 2019/20 draft budget is a total of \$500 for the year.

The most recent Donation Request supported by Council, was \$250 provided to Harrison Woodcock towards Travel expenses for his Dancing in Melbourne.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G3	Community Engagement
G3.2	Collaborate with the community to achieve desired outcomes

COMMUNITY CONSULTATION

N/A

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

Financial – Risk Rating is assessed as Low. Council does have a small Budget Allowance for Discretionary Donations. Historically this has been directed towards local Youth representing their State or pursuing their chosen Recreation or Activity.

Health – Risk Rating is assessed as Low

Reputation – Risk Rating assessed as Low. Council has supported similar requests in the past, albeit the Requests have been infrequent.

Operation – Risk rating assessed as Low.

Natural Environment – Risk rating assessed as Low.

COMMENT

Miss Squiers' Letter seeking Sponsorship and detailing her Activities and Community involvement is attached for Councillors' information.

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

The issue of the high utility costs for the swimming pool and the feasibility of the installation of solar panels for the Centre was raised with the Meeting.

In addition, the future conversion of Street Lighting to LED was raised.

The Meeting resolved that these Matters be referred to the Strategic Planning Committee Meeting.

OFFICER RECOMMENDATION

RESOLUTION: 08-19/20

MOVED Cr Smith SECONDED Cr McRae

That Council close the Meeting to the Public pursuant to Section 5.23 (2)(a), (b) & (c) of *the Local Government Act 1995* for items 14.1, 14.2 and 14.3.

CARRIED 6/0

The Meeting was closed to the Public at 3.17 pm.

Mr Haythornthwaite and Mr Eather left the meeting at 3.17 pm.

The Meeting remained closed to the Public from 3.17 pm to consider Items 14.1, 14.2 and 14.3 Confidential under Section 5.23 (a) (b) & (c) of the *Local Government Act 1995* as information has a commercial value to a person, as Matter affects an Employee and as information relates to a current Contract that Council has for Medical Services and future Medical Service Arrangements: Reference Section 5.23 (2)(a),(b) and (c).

RESOLUTION: 09-19/20

MOVED Cr Haythornthwaite SECONDED Cr Stacey

That all Council Staff remain in the Meeting for Items 14.1 and 14.3.

CARRIED 6/0

14.1 Sale of Land due to Non Payment of Rates (Confidential Item)

Meeting Date	25 th July 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	14.1a Signed Contract for Sale of Land or Strata by Offer and Acceptance 14.1b Email from Landmark Agent dated 24 th June 2019.
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 10-19/20

MOVED Cr Haythornthwaite SECONDED Cr Brown

That Council:

- (a) Accept the Signed Contract for the Sale of Land by Offer and Acceptance by TAQWA Holdings Pty Ltd for the purchase of the property, Lot 43 on Plan 9543 being the whole of the land contained in Certificate of Title Volume 1426 Folio 635, more commonly known as 18 Powell Crescent, Quairading for the amount of \$10,000;**
- (b) Accept the written offer to pay to the listing agent Landmark a set fee for an amount of \$1,000; and**
- (c) Apportion the net balance of funds with consideration of Schedule 6.3 of the Local Government Act received to reduce the outstanding amount owing in rates, service charges, interest and other charges payable to the Shire, and to write off the balance of the outstanding amount.**

CARRIED ABSOLUTE MAJORITY 5/1

14.3 Medical Practice Agreement (Confidential Item)

Meeting Date	25 th July 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	14.3a Draft Medical Practice Agreement prepared by HLS Legal 14.3b Financial Model based on Draft Agreement
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

1. That Council approve the Draft 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 Subject to 1, that the Medical Practice Agreement be forwarded to Dr Adeleye for his Execution of the Agreement.
3. That the Shire President (or Pursuant to Sections 2.9 and 5.34 of the Local Government Act, the Deputy Shire President while Acting in the Shire President's absence) and the CEO be authorised to Execute the Medical Practice Agreement and to affix the Council Seal.

The Officer's Recommendation did not receive a Mover.

Alternative

RESOLUTION: 11-19/20

MOVED Cr Smith SECONDED Cr Brown

That the CEO proceed to seek legal advice on the Matters raised at the Meeting in the Draft Agreement and convene a Special Meeting to be held on the 13th August 2019 to approve the Medical Practice Agreement.

CARRIED 6/0

The Meeting adjourned for Afternoon Tea at 4.10 pm.

The Meeting resumed at 4.30 pm.

The EMCS Nathan Giffellon, IPR&SPO Richard Bleakley and A/EO Meredith Lee-Curtis left the meeting at 4.30 pm.

14.2 Chief Executive Officer's Annual Performance Review – Consultant's Report to Council (Confidential Item)

Meeting Date	25 th July 2019
Responsible Officer	CEO Graeme Fardon
Consultant	Mr John Phillips, John Phillips Consulting
Attachments	Emailed under separate cover
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

CONSULTANT'S RECOMMENDATION

Subject to the Consideration of the Consultant's Report: -

That Council adopt the Report from Consultant, John Phillips Consulting and that Council: -

1. Notes that Mr Graeme Fardon's Performance Review in his role as Chief Executive Officer for the Shire of Quairading for the Period 1st November 2018 to 30th June 2019 has been undertaken.
2. Schedule the 2019/20 Annual Performance Review to be conducted by the 31st July 2020.
3. Endorses the Key Focus Areas and Actions for the Review Period 1st July 2019 to 30th June 2020.

VOTING REQUIREMENTS – Simple Majority

Alternative

RESOLUTION: 12-19/20

MOVED Cr Smith SECONDED Cr Stacey

That Council adopt the Report from Consultant, John Phillips Consulting and that Council: -

1. Notes that Mr Graeme Fardon's Performance Review in his role as Chief Executive Officer for the Shire of Quairading for the Period 1st November 2018 to 30th June 2019 has been undertaken.
2. Schedule Quarterly Review Meetings and that the 2019/20 Annual Performance Review to be conducted by the 31st July 2020.
3. The Key Focus Areas and Actions for the Review Period 1st July 2019 to 30th June 2020 be adopted.

CARRIED 6/0

RESOLUTION: 13-19/20

MOVED Cr Haythornthwaite SECONDED Cr Brown

That the Meeting be open to members of the public at 5.42 pm.

CARRIED 6/0

The EMCS Nathan Gilfellon, IPR&SPO Richard Bleakley and A/EO Meredith Lee-Curtis returned to the meeting at 5.42 pm.

The Chairman formally advised that there had been three (3) Resolutions made for the Confidential Items by Council during the 'Closed to the Public' Section of the Meeting, as detailed in the Minutes:-

Resolution 10-19/20

Resolution 11-19/20

Resolution 12-19/20.

ITEM 15 NEXT MEETING DATE

The next Ordinary Meeting of Council is scheduled to take place on Thursday, 29th August 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 5.43 pm.

I certify the Minutes of the Ordinary Meeting of Council held on 25th July 2019 were confirmed on 29th August 2019 as recorded on Resolution No. _____

Confirmed



.....29/08/2019

