



MINUTES 22 MAY 2013

**ORDINARY MEETING
OF COUNCIL**



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**SHIRE OF WONGAN-BALLIDU
MINUTES
FOR THE ORDINARY MEETING OF COUNCIL**

Held in the Council Chambers
on Wednesday 22 May 2013



1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President Cr Michael Brennan declared the meeting opened at 3.04pm.

2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE PREVIOUSLY GRANTED

ATTENDANCE:

Cr Michael Brennan	Cr Peter Macnamara
Cr David Armstrong	Cr Brad West
Cr Tracey deGrussa	Cr Alfreda Lyon
Cr Hugh Barrett-Lennard	Cr David Brown
Cr Michael Godfrey	
Cr David Brown	

STAFF:

Dennis Coates	Deputy Chief Executive Officer
Len deGrussa	Manager Building Services
Tanya Greenwood	Manager Community Services
Karl Mickle	Works & Services Coordinator
Irene Myring	(Minutes)

Apologies:

Stuart Taylor	Chief Executive Officer
Cr Barrett-Lennard	

PUBLIC

Linda Murray – HSM Wongan Hills District Hospital
Phil Ace – Wongan Hills District Hospital
Rhoda Wass

3. PUBLIC QUESTION TIME

Nil

4. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Lots of work in informal

5. PETITIONS AND PRESENTATIONS

Ms Murray and Mr Acer talked to Council about the lack of interaction with the Shire and the hospital with regards to the doctor and requested that the Shire relay information about the Dr to them, they also spoke on the kind of support they are able to assist the doctors with.

Ms Murray and Mr Acer left the chambers at 3.15pm

6. APPLICATION/S FOR LEAVE OF ABSENCE

7. CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 24 APRIL 2013

STAFF RECOMMENDATION:

That the minutes of the Ordinary meeting of Council held on Wednesday 24 April 2013 be confirmed as a true and correct record of the proceedings.

MOTION: MOVED Cr Armstrong/Cr Lyon

That the minutes of the Ordinary meeting of Council held on Wednesday 24 April 2013 be confirmed as a true and correct record of the proceedings.

**CARRIED: 8/0
RESOLUTION NO: 010513**

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1. CEO'S PERFORMANCE REVIEW (SEE ITEM 12.1)

9. REPORTS OF OFFICERS AND COMMITTEES

9.1 ADMINISTRATION & FINANCIAL SERVICES

9.1.1 ACCOUNTS SUBMITTED

FILE REFERENCE:	F1.4
REPORT DATE:	27 May 2013
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Dennis Coates – Deputy Chief Executive Officer
ATTACHMENTS:	April 2013

PURPOSE OF REPORT:

That the accounts as submitted be received.

BACKGROUND:

This information is provided to the Council on a monthly basis in accordance with provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

COMMENT:

Refer to attachment.

POLICY REQUIREMENTS:

There are no known policy requirements related to this item.

LEGISLATIVE REQUIREMENTS:

Local Government (Financial Management) Regulations 1996 Sections 12 & 13 requires the attached reports to be presented to Council.

Lists of Accounts

Section 6.10 of the Local Government Act regulation 12 of the Financial Management Regulations (FMR's) requires a list of accounts paid for the month, and where the Council has delegated the payment of these accounts to the CEO under regulation 13 there must be a list of accounts paid, and the listing shall disclose the following:

- The payee's name
- The amount of the payment
- The date of the payment
- The fund from which it is paid; and
- Sufficient information to identify the transaction.

STRATEGIC IMPLICATIONS:

There are no strategic implications in relation to this item.

SUSTAINABILITY IMPLICATIONS:

Ø Environment

There are no known environmental implications associated with the proposals.

Ø Economic

There are no known environmental implications associated with the proposals.

Ø Social

There are no known environmental implications associated with the proposals.

FINANCIAL IMPLICATIONS:

All payments are within the confines of Councils adopted budget. There have been no other material outstanding creditors since the cheques were prepared.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

STAFF RECOMMENDATION:

That the accounts submitted from 1 April 2013 to 30 April 2013 on totalling \$472,687.43 having been checked and certified in accordance with the requirements of the Financial Management Regulations 12 be received, as shown on the summary of accounts paid schedule and the payroll EFT batches.

COMMITTEE RECOMMENDATION:

That the accounts submitted from 1 April 2013 to 30 April 2013 on totalling \$472,687.43 having been checked and certified in accordance with the requirements of the Financial Management Regulations 12 be received, as shown on the summary of accounts paid schedule and the payroll EFT batches.

MOTION: MOVED Cr Macnamara/Cr West

That the accounts submitted from 1 April 2013 to 30 April 2013 on totalling \$472,687.43 having been checked and certified in accordance with the requirements of the Financial Management Regulations 12 be received, as shown on the summary of accounts paid schedule and the payroll EFT batches.

**CARRIED: 8/0
RESOLUTION NO: 020513**

9.1.2 FINANCIAL REPORTS

FILE REFERENCE:	F1.4
REPORT DATE:	27 May 2013
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Dennis Coates – Deputy Chief Executive Officer
ATTACHMENTS:	Financial Reports

PURPOSE OF REPORT:

That the following statements and reports for the month ended April 2013 be received:

BACKGROUND:

Under the Local Government (Financial Management) Regulations 1996 the Council is to prepare financial reports outlining the financial operations at the previous month end date.

Listed below is a compilation of the reports that will meet compliance, these are listed under Sections and the relevant regulations below.

Financial activity statement report

Section 6.4 of the Local Government Act regulation 34.1 of the FMR requires a Local Government to prepare each month a statement of financial activity reporting on the sources and application of funds, as set out in the annual budget containing the following detail:

- Annual budget estimates
- Budget estimates to the end of the month to which the statement relates (known as YTD Budget) Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates (known as YTD Actuals)
- Material variances between the comparatives of Budget v's Actuals
- The net current assets (NCA) at the end of the month to which the statement relates

Regulation 34.2 - Each statement of financial activity must be accompanied by documents containing:–

1. An explanation of the composition of the net current assets of the month to which it relates, less committed assets and restricted assets containing the following detail:
 - An explanation of each of the material variances
 - Such other supporting information as is considered relevant by the local government

Regulation 34.3 - The information in a statement of financial activity may be shown:

- According to nature and type classification
- By program; or
- By business unit

Each financial year a Local government is to adopt a % value, calculation in accordance with AAS5, to be used in reporting material variances.

COMMENT:

Refer to attachment.

POLICY REQUIREMENTS:

Policy F64 - Monthly Financial Reporting Requirements

LEGISLATIVE REQUIREMENTS:

1. Local Government Act 1995
2. Local Government (Financial Management) Regulations 1996

STRATEGIC IMPLICATIONS:

There are no Strategic Implications relating to this item.

SUSTAINABILITY IMPLICATIONS:

Ø Environment

There are no known environmental implications associated with the proposals.

Ø Economic

There are no known economic implications associated with the proposals.

Ø Social

There are no known social implications associated with the proposals.

FINANCIAL IMPLICATIONS:

The financial reports for the periods ending April 2013 are attached to the Council agenda.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

STAFF RECOMMENDATION:

That the following Statements and reports for the months ended April 2013 be received:

1. Monthly Statements as follows;
 - a. Statement of Financial Activity (by Nature and Type) FM Regs 34
 - b. Statement of Operating Activities by Programme/Activity (Summary) FM Regs 34
 - c. Statement of Net Current Assets (NCA) FM Regs 34
 - d. Rate setting statement Discretionary
 - e. Disposal of Assets Discretionary
 - f. Rates Outstanding Report Discretionary
 - g. Debtors Outstanding Report Discretionary
 - h. Bank Reconciliation Report Discretionary
 - i. Investment Report Discretionary
 - j. Reserve Account Balances Report Discretionary
 - k. Loans Schedule Discretionary

COMMITTEE RECOMMENDATION:

That the following Statements and reports for the months ended April 2013 be received:

1. Monthly Statements as follows;
 - a. Statement of Financial Activity (by Nature and Type) FM Regs 34
 - b. Statement of Operating Activities by Programme/Activity (Summary) FM Regs 34
 - c. Statement of Net Current Assets (NCA) FM Regs 34
 - d. Rate setting statement Discretionary
 - e. Disposal of Assets Discretionary

- | | |
|------------------------------------|---------------|
| f. Rates Outstanding Report | Discretionary |
| g. Debtors Outstanding Report | Discretionary |
| h. Bank Reconciliation Report | Discretionary |
| i. Investment Report | Discretionary |
| j. Reserve Account Balances Report | Discretionary |
| k. Loans Schedule | Discretionary |

MOTION: MOVED Cr Armstrong/Cr Godfrey

That the following Statements and reports for the months ended April 2013 be received:

1. Monthly Statements as follows;

- | | |
|--|---------------|
| a. Statement of Financial Activity (by Nature and Type) | FM Regs 34 |
| b. Statement of Operating Activities by Programme/Activity (Summary) | FM Regs 34 |
| c. Statement of Net Current Assets (NCA) | FM Regs 34 |
| d. Rate setting statement | Discretionary |
| e. Disposal of Assets | Discretionary |
| f. Rates Outstanding Report | Discretionary |
| g. Debtors Outstanding Report | Discretionary |
| h. Bank Reconciliation Report | Discretionary |
| i. Investment Report | Discretionary |
| j. Reserve Account Balances Report | Discretionary |
| k. Loans Schedule | Discretionary |

**CARRIED: 8/0
RESOLUTION NO: 030513**

9.1.3 REGIONAL HOUSING ALLIANCE PROPOSAL

FILE REFERENCE:	F1.4
REPORT DATE:	27 May 2013
APPLICANT/PROPONENT:	Chief Executive Officer
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Stuart Taylor - Chief Executive Officer
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

For Council to consider entering into a Regional Housing Alliance with the Shire's of Moora and Dalwallinu.

BACKGROUND:

For some months Chief Executive Officers from the Shires of Wongan-Ballidu, Dalwallinu and Moora have been meeting with Conway Highbury Consulting with the objective of drafting a "Regional Housing Alliance" agreement. The principle aim of this concept is to continue precipitation of Federal and State Government investment throughout the shires toward infrastructure development; however it is primarily aimed at the Department of Regional Development and Lands (RDL) Country Local Government Fund (CLGF) 'Regional Component'.

To that end, it is clearly apparent the Royalties for Regions future allocations to local governments across the state will be assessed on a competitive basis in accordance with far tighter guidelines and conditions. The funding is no longer going to be an automatic "ex gratia" type payment that will allow local government to expend the funds as they so wish, as has been the case generally up to this point since the CLGF inception in 2008/2009.

RDL has advised that the distribution of funds will be formulae of regional and local component, which at this point will be on a 50/50 split. The catch however, is that in order to continue to qualify in the future for the regional component of the CLGF, which across the Shires of Wongan-Ballidu, Dalwallinu and Moora amounts to approximately \$1,200,000 per annum, projects, must be of regional benefit. To have the funds distributed proportionally on the basis of a 1/3rd, 1/3rd, 1/3rd will no longer be acceptable and will not qualify for funding.

To that end a common theme across the three shires had to evolve that would meet the criteria of the RDL but primarily be of substance that would bring about significant regional benefit. The concept and common theme agreed upon is "Housing".

COMMENT:

In order to progress this matter each shire is considering the concept on a "in principle basis". Should there be agreement in principle across the three shires the concept will be fleshed out in far greater detail over the next six months, which will address legislative, policy, constitutional and fiscal details in far greater depth.

In broad terms, in order for this concept to evolve from a embryonic "in principle" concept the three shires will need to coordinate and come to agreement on a number of matters which have been touched on in the business paper by Conway Highbury Consulting, some of which are but not necessarily limited to;

- Genuine willingness to enter into such an arrangement looking at housing on a regional / as needs basis as against each shire continuing to expect a "slice of the pie" each and every year, which is no longer sustainable;

- Agreement of “Equity Contributions” to the scheme. Initial thoughts are that each shire will contribute one executive house (est. value “\$400,000) and a cash contribution of \$100,000 per annum over a period to be agreed upon. This will be if the business case of the alliance is to evolve;
- What will be the “claw back” provisions of each shire in the event that the alliance wound up at some stage in the future;
- What are the “opt out provisions” should a shire wish to withdraw;
- Composition of “Alliance Board” membership.

The aforementioned would be worked through over the coming months which would in effect become the “Corporate Business Plan”, so at this juncture coming to an “in principle position of agreement” will simply enable the business case of the proposal to be further developed.

The key to the entire concept is the quantification of a need for housing in the respective shires. The need however must be qualified with prospective tenants in terms of what the financial parameters will be of any “housing lease” that may be taken up. In broader terms the expectation at this juncture is that for the alliance to succeed the lease terms will need to reflect the capital financing costs of the housing. On that basis the expectation is that any lessee would need to accept that any “housing subsidy” will be offered by the lessee to the tenant as the Alliance will not subsidise the housing.

POLICY REQUIREMENTS:

There are not any policies of Council that directly implicate this proposal. We are simply seeking a “in principle” position in order to move forward with a more forensic examination of the concept and development of a business case, which will address governance and policy issues.

LEGISLATIVE REQUIREMENTS:

Existing local government governance models (including individual local governments, ROCs, VROCs and regional local governments) do not adequately address the issues identified above, and will be unable to do so without significant statutory reform.

In establishing any new model, regard needs to be had to Section 3.60 of the Local Government Act 1995 which provides that a local government *“cannot form or take part in forming, or acquire an interest giving it the control of, an incorporated Company or any other body corporate ... unless it is permitted to do so by regulation”*. Regulation 32 of the Local Government (Finance and General) Regulations 1996 explicitly provides however that a local government may participate in an incorporated association.

An incorporated association is established under the provisions of the Associations Incorporation Act 1987. An association is eligible to be incorporated if it has more than 5 members and is formed for a defined purpose including “promoting the interests of a local community”. An incorporated association cannot itself be established for the purpose of generating profits for its members, but it may own a trading subsidiary (which could be an incorporated company) that is revenue-generating and profitable, with those profits in whole or in part flowing to the association. While the association is barred from then distributing any part of those profits to its members, they can of course be reinvested in new ventures within the overall purpose of the association. The incorporated association model envisages equal rights to all participating members and makes no allowance for differential participation by members.

Consideration is being given to the establishment of an incorporated association involving the local governments of CMVROC, together with other entities such as including the Wheatbelt Development Commission, local Chambers of Commerce or community groups and possibly neighbouring local governments, as a first step towards a broader infrastructure investment entity. The association would pool certain grant funding and equity contributions from the members, and

act as a “parent” entity to promote and prioritise local infrastructure projects. Specific project ownership and delivery could then either remain within the association or be placed in project-specific subsidiary entities.

Once established, an incorporated association may conduct itself in a normal commercial manner without the constraints placed on local governments acting alone. In doing so, it is largely unconstrained (subject only to solvency and the limits of its constituent constitution) in its activities. The incorporated association, or its subsidiary entities, can form joint ventures with local governments or similar entities outside the membership of the association, or with the private sector. By this means, individual local governments can participate in some ventures but not others, according to their own priorities and needs.

While the initial focus will be on housing, it is suggested that the constitution of the association be drafted in a manner that would allow it to perform a broader role over time as its capacity and competence expanded, and as the member organisations and their communities developed greater confidence in the governance model.

STRATEGIC IMPLICATIONS:

Strategically the primary objective with this matter is to secure a vehicle which will continue to facilitate the investment of external grant funds into the Shires of Wongan-Ballidu, Dalwallinu and Moora. Without such a vehicle the opportunities of continued access to external funding regimes such as the “Regional Component of the Country Local Government Fund” will diminish.

SUSTAINABILITY IMPLICATIONS:

∅ Environment

There are no known strategic implications with this proposal.

∅ Economic

To be examined through the progression from an “in principle” position to development of a formal business case.

∅ Social

Housing development to support economic growth and employment is a cornerstone of many communities. There is a need for further housing development across the three shires thus facilitating an environment that will be conducive to attracting and retaining skilled labour within the respective communities

FINANCIAL IMPLICATIONS:

There are not any direct financial implications to Council in consideration of this item at this juncture. The premise of the “in principle position” however will be to proceed with the formation of a constitution and business plan on the basis of each shire contributing one executive house to the value of approximately \$400,000 and a cash contribution of \$100,000 each year for a period of five years.

SUMMARY:

The sole objective in relation to this matter is to sustain an investment vehicle addressing regional infrastructure needs across the Shires of Wongan-Ballidu, Dalwallinu and Moora. It is a means to an end which will continue to avail the three shires to continued investment from the Royalties for Regions Country Local Government Fund: Regional Component”.

At this juncture all that is required is an “in principle” agreement which will in effect trigger a forensic and detailed examination and development of;

- Framework/constitution/governance/policies
- Ingoing contribution to alliance;
- Business case / Need: taking account of expected housing lease terms from the lessor balanced against those of the prospective lessee.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

STAFF RECOMMENDATION

That the Shire of Wongan-Ballidu agree in principle to the formulation of “Enterprise Midlands” and a drafting of a Incorporated Associations constitution for the initial purpose of facilitating investment into housing infrastructure across the Shires of Wongan-Ballidu, Dalwallinu and Moora subject to the following broad parameters;

- Business case to be modelled on ingoing contributions from each Shire of one executive home (approximate value of \$400,000) and a cash contribution of \$100,000 per annum over a five year period;
- Board membership to comprise of one Councillor from each shire along with one other member from each shire e.g. Chamber of Commerce or other like organisations;
- Proposed body to be incorporated in accordance with the Associations and Incorporations Act 1987 for the defined purpose of “promoting the interest of the local community”;
- Claw back clauses to be drafted and agreed upon by each Shire in the event of the incorporated body being wound up e.g. return of initial asset contribution to each local government.

COMMITTEE RECOMMENDATION:

That the Shire of Wongan-Ballidu agree in principle to the formulation of “Enterprise Midlands” and a drafting of a Incorporated Associations constitution for the initial purpose of facilitating investment into housing infrastructure across the Shires of Wongan-Ballidu, Dalwallinu and Moora subject to the following broad parameters;

- Business case to be modelled on ingoing contributions from each Shire of one executive home (approximate value of \$400,000) and a cash contribution of \$100,000 per annum over a five year period;
- Board membership to comprise of one Councillor from each shire along with one other member from each shire e.g. Chamber of Commerce or other like organisations;
- Proposed body to be incorporated in accordance with the Associations and Incorporations Act 1987 for the defined purpose of “promoting the interest of the local community”;
- Claw back clauses to be drafted and agreed upon by each Shire in the event of the incorporated body being wound up e.g. return of initial asset contribution to each local government.

MOTION:

MOVED

Cr deGrussa/Cr Macnamara

That the Shire of Wongan-Ballidu agree in principle to the formulation of “Enterprise Midlands” and a drafting of a Incorporated Associations constitution for the initial purpose of facilitating investment into housing infrastructure across the Shires of Wongan-Ballidu, Dalwallinu and Moora subject to the following broad parameters;

- **Business case to be modelled on ingoing contributions from each Shire of one executive home (approximate value of \$400,000) and a cash contribution of \$100,000 per annum over a five year period;**

- **Board membership to comprise of one Councillor from each shire along with one other member from each shire e.g. Chamber of Commerce or other like organisations;**
- **Proposed body to be incorporated in accordance with the Associations and Incorporations Act 1987 for the defined purpose of “promoting the interest of the local community”;**
- **Claw back clauses to be drafted and agreed upon by each Shire in the event of the incorporated body being wound up e.g. return of initial asset contribution to each local government.**

**CARRIED: 8/0
RESOLUTION NO: 040513**

9.1.4 ABOLITION OF THE NINAN LAND CARE CONSERVATION DISTRICT COMMITTEE (LCDC)

FILE REFERENCE:	CA3.4.5
REPORT DATE:	8 May 2013
APPLICANT/PROPONENT:	Department of Agriculture & Food
OFFICER DISCLOSURE OF INTEREST	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Stuart Taylor – Chief Executive Officer
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

That Council not object to the abolition of the Ninan Land Conservation District Committee (LCDC).

BACKGROUND:

Gail Arnold of the Department of Agriculture and Food writes advising that they intend to abolish of the Ninan LCDC.

Before presenting their recommendation to the Minister the Department of Agriculture & Food seeks the Councils support to abolish the Ninan LCDC.

COMMENT:

We are advised that the LCDC ceased to exist when the members' term of appointment expired on 30 September 1999, and it is further stated that since that time the LCDC has had no authority to operate. Ms Abbott also notes that it is apparent that there is now a lack of interest in continuing the LCDC.

POLICY REQUIREMENTS:

There are no policy requirements in relation to this item.

LEGISLATIVE REQUIREMENTS:

The power for LCDCs comes from the Soil and Land Conservation Act and Minister for Agriculture and Food.

STRATEGIC IMPLICATIONS:

There are no strategic implications in relation to this item.

SUSTAINABILITY IMPLICATIONS:

Ø Environment

The proposal to abolish the LCDC may have an adverse impact on raising awareness and on ground land care activities unless a regional or whole of shire approach can redress the situation.

Ø Economic

There are no economic implications in relation to this item

Ø Social

The proposal has the potential to affect the interaction of localities and the way farmers and farming families socialise. The advice of the LCDC is probably an indicator of reduced farming families (declining rural population), volunteer burnout, farmers doing their own thing with

9.2 WORKS AND SERVICES

9.2.1 STRATEGY AND POLICY DEVELOPMENT - HEAVY VEHICLE POLICY

Title:	HEAVY VEHICLE POLICY
Policy Owner:	Works Committee
File No:	T6.1
Resolution No:	090412
Date:	19 April 2012
Scheduled Review:	April 2014

OBJECTIVE

To provide safer roads for all road users and guidelines for heavy transport vehicles within the Shire.

POLICY

That Council supports the transportation of farm produce, specifically grains, livestock, wool, hay and straw throughout the Shire of Wongan-Ballidu using permit vehicles in accordance with the Main Roads WA's "Restricted Access Vehicle" (RAV) configurations and network.

Road users wishing to access RAV network roads coded with the CA07 condition (*All operators must carry written approval from the Local Government Authority permitting use of the road*) must apply annually for approval. Approvals under the CA07 code are subject to the following conditions:

- Ø A maximum speed limit of 80km/hr on all roads with deregulated speed zones.
- Ø Gravel roads are not to be used if heavy rain has fallen in the area. Advice is to be sought from the Shire.
- Ø No operation during school bus hours. Transport operators are to contact the local schools to obtain school bus hours
- Ø Council may review operation and add or remove roads from the approved list, subject to Commissioner of Main Roads discretion.
- Ø All loads must be secured to the standards set out in the Load Restraint Guide under the National Heavy Vehicle Regulations

CONCESSIONAL LOADING

The Shire does not support unregulated concessional loading and all applications must be presented to Council for approval.

COMMITTEE RECOMMENDATION:

That the current policy be retained as is.

LOST: 1/5

COMMITTEE RECOMMENDATION:

That the current policy be retained with the exclusion of the following:

- Ø A maximum speed limit of 80km/hr on all roads with deregulated speed zones.

The policy will now read as follows:

Title:	HEAVY VEHICLE POLICY
Policy Owner:	Works Committee
File No:	T6.1
Resolution No:	090412
Date:	19 April 2012
Scheduled Review:	April 2014

OBJECTIVE

To provide safer roads for all road users and guidelines for heavy transport vehicles within the Shire.

POLICY

That Council supports the transportation of farm produce, specifically grains, livestock, wool, hay and straw throughout the Shire of Wongan-Ballidu using permit vehicles in accordance with the Main Roads WA's "Restricted Access Vehicle" (RAV) configurations and network.

Road users wishing to access RAV network roads coded with the CA07 condition (*All operators must carry written approval from the Local Government Authority permitting use of the road*) must apply annually for approval. Approvals under the CA07 code are subject to the following conditions:

- Ø Gravel roads are not to be used if heavy rain has fallen in the area. Advice is to be sought from the Shire.
- Ø No operation during school bus hours. Transport operators are to contact the local schools to obtain school bus hours
- Ø Council may review operation and add or remove roads from the approved list, subject to Commissioner of Main Roads discretion.
- Ø All loads must be secured to the standards set out in the Load Restraint Guide under the National Heavy Vehicle Regulations

CONCESSIONAL LOADING

The Shire does not support unregulated concessional loading and all applications must be presented to Council for approval.

MOTION: MOVED Cr West/Cr deGrussa

That the current policy be retained with the exclusion of the following:

- Ø A maximum speed limit of 80km/hr on all roads with deregulated speed zones.**

The policy will now read as follows:

Title: HEAVY VEHICLE POLICY

Policy Owner: Works Committee

File No: T6.1

Resolution No: 090412

Date: 19 April 2012

Scheduled Review: April 2014

OBJECTIVE

To provide safer roads for all road users and guidelines for heavy transport vehicles within the Shire.

POLICY

That Council supports the transportation of farm produce, specifically grains, livestock, wool, hay and straw throughout the Shire of Wongan-Ballidu using permit vehicles in accordance with the Main Roads WA's "Restricted Access Vehicle" (RAV) configurations and network.

Road users wishing to access RAV network roads coded with the CA07 condition (*All operators must carry written approval from the Local Government Authority permitting use of the road*) must apply annually for approval. Approvals under the CA07 code are subject to the following conditions:

- Ø Gravel roads are not to be used if heavy rain has fallen in the area. Advice is to be sought from the Shire.
- Ø No operation during school bus hours. Transport operators are to contact the local schools to obtain school bus hours
- Ø Council may review operation and add or remove roads from the approved list, subject to Commissioner of Main Roads discretion.
- Ø All loads must be secured to the standards set out in the Load Restraint Guide under the National Heavy Vehicle Regulations

CONCESSIONAL LOADING

The Shire does not support unregulated concessional loading and all applications must be presented to Council for approval.

**CARRIED: 8/0
RESOLUTION NO: 060513**

9.3 HEALTH, PLANNING & BUILDING

9.3.1 APPLICATION FOR PLANNING APPROVAL - LOT 64 NO.2 FAIRBANK STREET, BALLIDU

FILE REFERENCE:	A1161
REPORT DATE:	6 May 2013
APPLICANT/PROPONENT:	Quality Builders Pty Ltd
OFFICER DISCLOSURE OF INTEREST	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Len deGrussa - Manager Building Services
ATTACHMENTS:	Site plan

PURPOSE OF REPORT:

To present to Council an application for planning approval to locate a new four (4) section transportable house, being 240m², on Lot 64 No.2 Fairbank Street, Ballidu.

BACKGROUND:

The owner of the property, Anthea Joy Leete, wishes to use the new transportable house as her primary place of residence.

COMMENT:

Lot 64 Fairbank Street, Ballidu is zoned Rural townsite and as detailed in District Town Planning Scheme No. 4 any residential development must conform with the Residential Design Codes of Western Australia (R-Codes) at a density of R5 (no more than five (5) dwellings per hectare).

Lot 64 Fairbank Street, Ballidu has an area of 33,734m² which is 3.3734 hectares so there is no issue in relation to density. There is an old existing residence on the property, not used as living quarters, which is planned to be developed as a museum sometime in the future.

Also, there is an existing shed on the property.

The setbacks (see site plan) of the proposed new transportable house all conform to TPS No4.

POLICY REQUIREMENTS:

There are no known policy requirements in relation to this item.

LEGISLATIVE REQUIREMENTS:

District Town Planning Scheme No 4

STRATEGIC IMPLICATIONS:

There are no known strategic requirements in relation to this item.

SUSTAINABILITY IMPLICATIONS:

∅ Environment

There are no known environmental implications associated with this item.

Ø **Economic**

There are no known economic implications associated with this proposal.

Ø **Social**

There are no known social implications associated with this item.

FINANCIAL IMPLICATIONS:

There are no known financial implications in relation to this item.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

STAFF RECOMMENDATION:

That Council grant planning approval for Quality Builders Pty Ltd to locate a new 240m² transportable house on the property at Lot 64 Fairbank Street, Ballidu owned by Anthea Joy Leete.

COMMITTEE RECOMMENDATION:

That Council grant planning approval for Quality Builders Pty Ltd to locate a new 240m² transportable house on the property at Lot 64 Fairbank Street, Ballidu owned by Anthea Joy Leete.

MOTION: MOVED Cr deGrussa/Cr Brown

That Council grant planning approval for Quality Builders Pty Ltd to locate a new 240m² transportable house on the property at Lot 64 Fairbank Street, Ballidu owned by Anthea Joy Leete.

**CARRIED: 8/0
RESOLUTION NO: 070513**

9.4 GENERAL PURPOSES

Nil

9.5 BUSH FIRE ADVISORY COMMITTEE

The Bush Fire Brigades Local Law requires each brigade to hold an Annual General Meeting prior to the first Bush Fire Advisory Committee Meeting each year. At the AGM of a bush fire brigade, up to two brigade members are to be nominated to the Bush Fire Advisory Committee to serve as Fire Control Officer for the brigade area until the next AGM.

The Bush Fire Advisory Committee is to recommend two of these members to the Shire of Wongan-Ballidu to be Fire Control Officer for the brigade area.

EN BLOC RESOLUTION NO 1

MOTION: **MOVED** **Cr Godfrey/Cr Lyon**

That the following items 9.5.1, 9.5.2, 9.5.3, 9.5.4,9.5.5, and 9.5.6 be moved en bloc

CARRIED: 8/0
RESOLUTION: 070513

9.5.1 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE BURAKIN BUSH FIRE BRIGADE

COMMITTEE RECOMMENDATION:

That the following persons be appointed as Fire Control Officers for the Burakin Bush Fire Brigade for a one year term:

Ross Lane
Matthew Reynolds

MOTION: **MOVED** **Cr Godfrey/Cr Lyon**

That the following persons be appointed as Fire Control Officers for the Burakin Bush Fire Brigade for a one year term:

Ross Lane
Matthew Reynolds

CARRIED BY ENBLOC RESOLUTION NO 1

9.5.2 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE CADOUX/MANMANNING BUSH FIRE BRIGADE

COMMITTEE RECOMMENDATION:

That the following persons be appointed as Fire Control Officers for the Cadoux/Manmanning Bush Fire Brigade for a one year term:

Dale Mincherton
Ken Booth

MOTION: **MOVED** **Cr Godfrey/Cr Lyon**

That the following persons be appointed as Fire Control Officers for the Cadoux/Manmanning Bush Fire Brigade for a one year term:

Dale Mincherton

Ken Booth

CARRIED BY ENBLOC RESOLUTION NO 1

9.5.3 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE LAKE NINAN/HINDS BUSH FIRE BRIGADE

COMMITTEE RECOMMENDATION:

That the following persons be appointed as Fire Control Officers for the Lake Ninan/Hinds Bush Fire Brigade for a one year term:

Chris Wilding
Andrew Robinson

MOTION: MOVED Cr Godfrey/Cr Lyon

That the following persons be appointed as Fire Control Officers for the Lake Ninan/Hinds Bush Fire Brigade for a one year term:

**Chris Wilding
Andrew Robinson**

CARRIED BY ENBLOC RESOLUTION NO 1

9.5.4 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE MOCARDY BUSH FIRE BRIGADE

COMMITTEE RECOMMENDATION:

That the following persons be appointed as Fire Control Officers for the Mocardy Bush Fire Brigade for a one year term:

Ashley Booth
Eric Ganzer

MOTION: MOVED Cr Godfrey/Cr Lyon

That the following persons be appointed as Fire Control Officers for the Mocardy Bush Fire Brigade for a one year term:

**Ashley Booth
Eric Ganzer**

CARRIED BY ENBLOC RESOLUTION NO 1

9.5.5 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE BALLIDU FIRE SERVICE BRIGADE

COMMITTEE RECOMMENDATION:

That the following persons be appointed as Fire Control Officer for the Ballidu Fire Service Brigade for a one year term:

Steve Whyte
Jarrod Hood

MOTION: **MOVED** **Cr Godfrey/Cr Lyon**

That the following persons be appointed as Fire Control Officer for the Ballidu Fire Service Brigade for a one year term:

**Steve Whyte
Jarrod Hood**

CARRIED BY ENBLOC RESOLUTION NO 1

9.5.6 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE WONGAN HILLS TOWNSITE

There is no bush fire brigade in the Wongan Hills townsite as the town falls within the responsibility of the Wongan Hills Fire and Rescue Service. Two Fire Control Officers are required to enforce the provisions of the Bush Fires Act in the town.

COMMITTEE RECOMMENDATION:

That the following persons be appointed as Fire Control Officers for the Wongan Hills townsite for a one year term:

Ben Milton
Trent Breen

MOTION: **MOVED** **Cr Godfrey/Cr Lyon**

**Ben Milton
Trent Breen**

CARRIED BY ENBLOC RESOLUTION NO 1

ENBLOC RESOLUTION NO 2

MOTION: **MOVED** **Cr Godfrey/Cr Brown**

That items 9.6.1, 9.6.2, 9.6.3, 9.6.4, 9.6.5, 9.6.6 and 9.6.7 be moved en bloc

**CARRIED: 8/0
RESOLUTION NO: 0513**

9.6 ELECTION OF CHIEF BUSH FIRE CONTROL OFFICER

9.6.1 ELECTION OF THE CHIEF BUSH FIRE CONTROL OFFICER

COMMITTEE RECOMMENDATION:

That Eric Ganzer be appointed as Chief Bush Fire Control Officer.

MOTION: **MOVED** **Cr Godfrey/Cr Brown**

That Eric Ganzer be appointed as Chief Bush Fire Control Officer.

CARRIED BY ENBLOC RESOLUTION NO 2

9.6.2 ELECTION OF THE DEPUTY CHIEF BUSH FIRE CONTROL OFFICER

The Suggestion was raised that two DCBFCO's be appointed for the district, the Advisory Committee accepted this proposal and recommend to Council two FCO's to be appointed as Deputies for the district

Ken Booth and Chris Wilding

MOTION: MOVED Cr Godfrey/Cr Brown
The Suggestion was raised that two DCBFCO's be appointed for the district, the Advisory Committee accepted this proposal and recommend to Council two FCO's to be appointed as Deputies for the district
Ken Booth and Chris Wilding
CARRIED BY ENBLOC RESOLUTION NO 2

9.6.3 APPOINTMENT OF FIRE WEATHER READERS

That the following persons be appointed as authorised Fire Weather Readers for the Shire of Wongan-Ballidu for a one year term:

Eric Ganzer
Ken Booth
Andrew Robinson
Brett Johnson

MOTION: MOVED Cr Godfrey/Cr Brown
That the following persons be appointed as authorised Fire Weather Readers for the Shire of Wongan-Ballidu for a one year term:
Eric Ganzer
Ken Booth
Andrew Robinson
Brett Johnson
CARRIED BY ENBLOC RESOLUTION NO 2

9.6.4 APPOINTMENT OF FIRE WEATHER OFFICER

In accordance with section 38 of the Bush Fires Act, a local government may appoint persons as authorised Harvest Ban Officers. Harvest Ban Officers can allow burning to proceed on days when a "very high" or "above" fire danger is forecast.

That the following persons be appointed as authorised Fire Weather Officer for the Shire of Wongan-Ballidu for a one year term:

Eric Ganzer was re-elected.

MOTION: MOVED Cr Godfrey/Cr Brown
That the following persons be appointed as authorised Fire Weather Officer for the Shire of Wongan-Ballidu for a one year term:
Eric Ganzer
CARRIED BY ENBLOC RESOLUTION NO 2

9.6.5 APPOINTMENT OF DEPUTY FIRE WEATHER OFFICER

In accordance with section 38 of the Bush Fires Act, a local government may appoint persons as authorised Harvest Ban Officers. Harvest Ban Officers can allow burning to proceed on days when a "very high" or "above" fire danger is forecast.

That the following persons be appointed as authorised Deputy Fire Weather Officer for the Shire of Wongan-Ballidu for a one year term:

Ken Booth and Chris Wilding were elected.

MOTION: MOVED Cr Godfrey/Cr Brown

That the following persons be appointed as authorised Deputy Fire Weather Officer for the Shire of Wongan-Ballidu for a one year term:

Ken Booth and Chris Wilding were elected.

CARRIED BY ENBLOC RESOLUTION NO 2

9.6.6 APPOINTMENT OF TRAINING OFFICER

The immediate past officer bearer is: Vicki Booth

COMMITTEE RECOMMENDATION:

Vicki Booth be re-elected as Training Officer for a one year term:

MOTION: MOVED Cr Godfrey/Cr Brown

Vicki Booth be re-elected as Training Officer for a one year term:

CARRIED BY ENBLOC RESOLUTION NO 2

9.6.7 REVIEW OF DRAFT 2013/2014 FIREBREAK ORDER

Attached is a draft of the 2013/2014 Firebreak Order. The following dates will be gazetted for the restricted and prohibited burning periods:

- Restricted Burning Period – 13 October 2013 to 14 November 2013
- Prohibited Burning Period – 15 November 2013 to 13 February 2014
- Restricted Burning Period – 14 February 2014 to 31 March 2014

COMMITTEE RECOMMENDATION:

That the proposed 2013/2014 Firebreak Order and the following dates be endorsed for the restricted and prohibited burning periods:

- Restricted Burning Period – 13 October 2013 to 14 November 2013
- Prohibited Burning Period – 15 November 2013 to 13 February 2014
- Restricted Burning Period – 14 February 2014 to 31 March 2014

MOTION: **MOVED** **Cr Godfrey/Cr Brown**

That the proposed 2013/2014 Firebreak Order and the following dates be endorsed for the restricted and prohibited burning periods:

- **Restricted Burning Period – 13 October 2013 to 14 November 2013**
- **Prohibited Burning Period – 15 November 2013 to 13 February 2014**
- **Restricted Burning Period – 14 February 2014 to 31 March 2014**

CARRIED BY ENBLOC RESOLUTION NO 2

10. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

MOTION: **MOVED** **Cr Godfrey/Cr Brown**

That Council go into camera at 3.31pm

**CARRIED: 8/0
RESOLUTION: 090513**

The Deputy Chief Executive, Manager Building Services, Manager Community Services, Works Coordinator Rhoda Wass and the Executive Assistant left the room at 3.31pm.

12.1 CEO PERFORMANCE REVIEW

MOTION: **MOVED** **Cr West/Cr Lyon**

That the Council accepted the CEO Performance review Committee recommendation.

**CARRIED: 8/0
RESOLUTION: 100513**

13. CLOSURE

There being no further business the President, Cr Brennan declared the meeting closed at 3.46pm.

These minutes were confirmed at a meeting on June 2013.

Signed _____
President