



MINUTES

**ORDINARY MEETING OF
COUNCIL**

WEDNESDAY 16 DECEMBER 2015





SHIRE OF WONGAN-BALLIDU

NOTICE OF AN ORDINARY COUNCIL MEETING

DEAR COUNCIL MEMBER

THE NEXT ORDINARY MEETING OF THE SHIRE OF WONGAN-BALLIDU WILL BE HELD ON WEDNESDAY 24 FEBRUARY 2016, IN THE COUNCIL CHAMBERS, CNR ELPHIN CRESCENT & QUINLAN STREET, WONGAN HILLS, COMMENCING 3.00PM

STUART TAYLOR
CHIEF EXECUTIVE OFFICER

DISCLAIMER

THE RECOMMENDATIONS CONTAINED IN THE AGENDA ARE SUBJECT TO CONFIRMATION BY COUNCIL. THE SHIRE OF WONGAN-BALLIDU WARNS THAT ANY PERSON(S) WHO HAS AN APPLICATION LODGED WITH COUNCIL SHOULD RELY ONLY ON WRITTEN CONFIRMATION OF THE DECISION MADE AT THE COUNCIL MEETING. NO RESPONSIBILITY WHATSOEVER IS IMPLIED OR ACCEPTED BY THE SHIRE OF WONGAN-BALLIDU FOR ANY ACT, OMISSION, STATEMENT OR INTIMATION TAKING PLACE DURING A COUNCIL MEETING.

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SHIRE OF WONGAN-BALLIDU

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President, Cr Macnamara declared the meeting open at 3.05

2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE PREVIOUSLY GRANTED

Cr Macnamara
Cr West
Cr Morgan
Cr Barrett Lennard
Cr Walton
Cr Lyon
Cr Hasson
CEO Stuart Taylor
DCEO David Taylor
Works Manager Karl Mickle
Manager Community Services Tanya Greenwood
Joanne Guest- minutes

3. PUBLIC QUESTION TIME

Nil

4. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Don Sadler will be attending the meeting at 4pm to explain the progress of the sports co-location project. Stuart Taylor and Cr Macnamara met with a delegation from the Anglican diocese on 02/12/2015 - the Mocardy Centre will be going ahead. Cr Macnamara thanked Tanya Greenwood for her services to the Shire and the CRC.

5. PETITIONS AND PRESENTATIONS

Nil

6. APPLICATION/S FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 25 NOVEMBER 2015

MOTION: MOVED Cr Barrett Lennard/ Cr Hasson
That the minutes of the Ordinary meeting of Council held on Wednesday 25 NOVEMBER 2015 be confirmed as a true and correct record of the proceedings.

CARRIED: 7/0
RESOLUTION: 011215

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

9. REPORTS OF OFFICERS AND COMMITTEES

9.1 ADMINISTRATION & FINANCIAL SERVICES

9.1.1 ACCOUNTS SUBMITTED

FILE REFERENCE:	F1.4
REPORT DATE:	10 May 2016
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Deputy Chief Executive Officer
ATTACHMENTS:	June 2015

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 require 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:

➤ **Environment**

There are no known environmental implications associated with the proposals.

➤ **Economic**

There are no known environmental implications associated with the proposals.

➤ **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:

MOTION: MOVED Cr Lyon/ Cr Walton

That the accounts submitted from 1 November 2015 to 30 November 2015 totalling \$-977258.96 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: 7/0
RESOLUTION: 021215**

9.1.2 FINANCIAL REPORTS

FILE REFERENCE:	F1.4
REPORT DATE:	10 May 2016
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Deputy Chief Executive Officer
ATTACHMENTS:	Financial Reports

PURPOSE OF REPORT:

That the following statements and reports for the month ended November 2015 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:-

- 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.

9.1.3 RAV UPGRADE

FILE REFERENCE:	
REPORT DATE:	16 December 2015
APPLICANT/PROPONENT:	Shire of Wongan-Ballidu
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Karl Mickle - Works Manager
ATTACHMENTS:	Maps

PURPOSE OF REPORT:

The purpose of this report is to present to Council a request from CBH Group to review the RAV network used for the grain freight.

BACKGROUND:

Correspondence was received from Mr Lauren Marta from the CBH Group requesting an assessment of the RAV network. CBH in conjunction with Main Roads WA, HVO and WALGA, have been looking into a review of the WA road network used for grain freight.

They have identified the below:

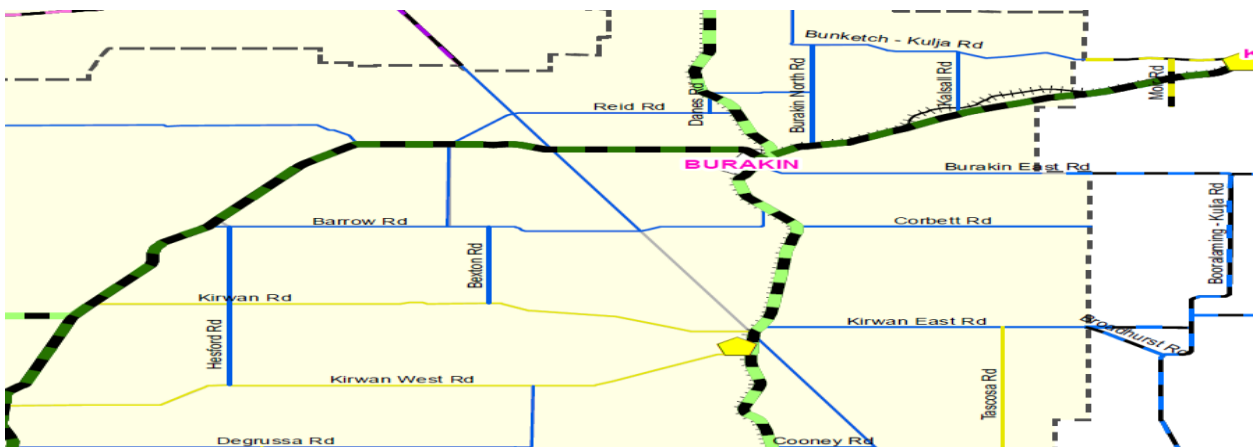
Route/Site	Road	Shire	Current Rating	Assessment to
Kirwan	Kirwan Rd Rabbit Proof Fence Rd	Wongan - Ballidu	RAV 2	RAV 4
Kirwan	Rd		NIL	RAV 4

COMMENT:

Both sections that they have a identified are valid cases for review. Kirwan Road has a small section of around 150 meters before it reaches Rabbit Proof Fence Road that they are seeking approval for, the other section of Rabbit Proof Fence Road is also a small link to the Kirwan grain bin.

This would have minimal impact on our gravel network.

RAV map & category below:



RAV Network












- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10

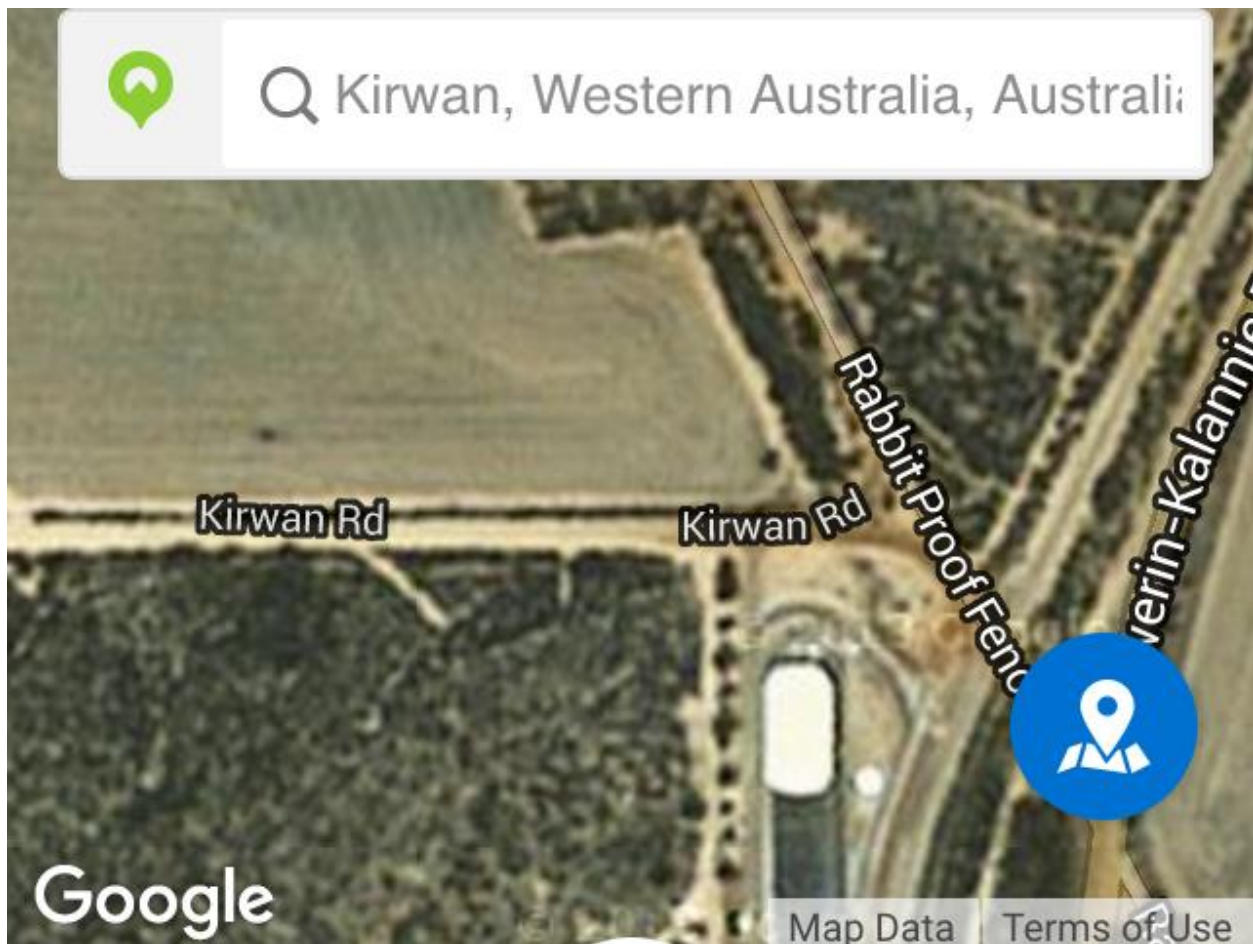
Line Widths Indicate Road Network Type

- State Road
- Category A Road
- Local Road
- RAV with Conditions

Other Features

- Grain Bin
- Railway
- Regional Road Group
- LGA Boundary

Category	Vehicle description and configuration	Max. Length	Max. Width	Max. Height	Permit Network
1	Vehicle length up to 19m				
1.1	Prime mover & semi trailer 	19.0m	2.7m	4.6m (refer to cl.6.2)	RAV Network 1
2	Vehicle length up to 27.5m				
2.1	B-Double 	27.5m	2.7m	4.6m (refer to cl.6.2)	RAV Network 2
2.2	Prime Mover, semi trailer & pig trailer 	27.5m	2.7m	VSR (refer to cl.6.5)	RAV Network 2
2.3	Prime Mover, semi trailer & 5 axle dog trailer 	27.5m	2.7m	VSR	RAV Network 3
2.4	Prime Mover, semi trailer & 6 axle dog trailer 	27.5m	2.7m	VSR	RAV Network 4
3	Vehicle length up to 36.5m				
3.1	Prime mover, semi trailer & 5 axle dog trailer 	36.5m	VSR	4.6m (refer to cl.6.2)	RAV Network 5
3.2	Prime Mover, semi trailer & 6 axle dog trailer 	36.5m	VSR	4.6m (refer to cl.6.2)	RAV Network 6
3.3	B Triple 	36.5m	VSR	4.6m (refer to cl.6.2)	RAV Network 6
4	Vehicle length up to 36.5m				
4.1	Prime mover, semi trailer & 5 axle dog trailer 	36.5m	2.7m	VSR	36.5 m Oversize Network
4.2	Prime Mover, semi trailer & 6 axle dog trailer 	36.5m	2.7m	VSR	36.5 m Oversize Network
4.3	B Triple 	36.5m	2.7m	VSR	36.5 m Oversize Network



POLICY REQUIREMENTS:

The “Heavy Vehicle” policy outlines Council’s expectations for the use of heavy vehicles with the Shire.

LEGISLATIVE REQUIREMENTS:

The Road Traffic Act 1974, Road Traffic Code 2000, Road Traffic (Vehicle Standards) Regulations 2002 and MRWA Regulations and Policies control the use of heavy vehicles throughout the State.

STRATEGIC IMPLICATIONS:

Liaising with the State Government vehicle configurations is in line with Council’s strategic direction on Infrastructure (Work with State Government to ensure improvement and integration of our local and state road network and public transport systems).

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no significant environmental implications.
- **Economic**
There are no significant economic implications.
- **Social**
There are no significant social implications.

9.1.4 SHIRE OF WONGAN-BALLIDU CREATING AGE FRIENDLY COMMUNITIES LOCAL TRANSPORT SOLUTIONS PROJECT

FILE REFERENCE:	
REPORT DATE:	8 December 2015
APPLICANT/PROPONENT:	
OFFICER DISCLOSURE OF INTEREST	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Manager Community Service
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

To add fees to the current Fees & Charges schedule for the 2015-16 financial year.

BACKGROUND:

Together with the Wheatbelt Development Commission the Shire of Wongan-Ballidu will be participating in a Creating Age Friendly Communities (CAFC) – Local Transport Solutions Pilot Project. This project will assist in improving transport options for older residents living in the Wheatbelt. The pilot will provide a transport service from the Shires of Wongan-Ballidu, through Calingiri and Bolgart onto Northam and return, allowing for older residents better access to vital services. The key to the success of this project is utilising existing community transport assets and community use. Findings from the pilot will help to inform possible transport solutions for the future. The Wheatbelt Development Commission will subsidise the project by \$2.50 per kilometre.

COMMENT:

While the pilot project is being subsidised by the Wheatbelt Development Commission, there will be a fee for use charged to subsidise the running costs of the project. This fee has been determined by community consultation and is to be set at \$10 one way, \$15 return.

POLICY REQUIREMENTS:

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

LEGISLATIVE REQUIREMENTS:

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

STRATEGIC IMPLICATIONS:

The adoption and implementation of these fees allow us to meet the following Strategic outcomes;

Outcome 1.3 Access to services and facilities for the aged and disabled

Strategy 1.3.1 Provide and promote services and facilities that meet the needs of the aged and disabled

SUSTAINABILITY IMPLICATIONS:

➤ Environment

There are no known sustainability implications associated with this proposal.

➤ Economic

The plan will need to be taken into consideration when preparing future budget allocations.

➤ Social

There are no known social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

Costs

Capital Purchase Cost

Not Included, part of the Shire Contribution

9.2 GENERAL PURPOSES

9.2.1 APPLICATION TO KEEP THREE DOGS

FILE REFERENCE:	
REPORT DATE:	9 December 2015
APPLICANT/PROPONENT:	Sonya Thomas
OFFICER DISCLOSURE OF INTEREST	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Stuart Taylor – Chief Executive Officer
ATTACHMENTS:	NIL

PURPOSE OF REPORT:

That Council approve the application for three dogs to be housed at 5 Moore Street, Wongan Hills

BACKGROUND:

Council has received an application from Ms Sonya Thomas to house three dogs permanently at the property.

COMMENT:

The property is approximately 1000 sqm in size and surrounded by residential houses.

POLICY REQUIREMENTS:

There are no policy requirements in relation to this item.

LEGISLATIVE REQUIREMENTS:

The Dog Act and Councils Dog Local Law that only two dogs can ordinarily be kept on a townsite lot (less than 10,000). The Dog Act permits Council to approve application in excess of the Council maximum under its local laws. The process is to determine whether there are any valid objections or submissions and consider approval with or without conditions.

26. LIMITATION AS TO NUMBERS

- (1) *The provisions of this Part shall not operate to prevent the keeping on any premises of 2 dogs over the age of 3 months and the young of those dogs under that age.*
- (2) *Subject to subsection (1), a local government, pursuant to local laws, may limit the number of dogs over the age of 3 months, or the number of such dogs of any specified breed or kind, that may be kept on any premises situate in a specified area to which those local laws apply unless those premises are licensed as an approved kennel establishment or are exempt.*
- (3) *Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —*
 - (a) *may be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
 - (b) *shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
 - (c) *may be revoked or varied at any time.*

- (4) *Subject to the provisions of subsection (3), a person who keeps on any premises, not being premises licensed as an approved kennel establishment, dogs over the age of 3 months in numbers exceeding any limit imposed in relation to those dogs by a local law made under subsection (2) commits an offence.*

Penalty: \$1 000 and a daily penalty of \$100.

- (5) *Any person who is aggrieved —*

- (a) *by the conditions imposed in relation to any exemption from the provisions of a local law placing a limitation on the number of dogs that may be kept on any premises; or*
(b) *by the refusal of a local government to grant such an exemption, or by the revocation of an exemption,*

may apply to the State Administrative Tribunal for a review of the decision.

- (6) *An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.*

[Section 26 amended by No. 23 of 1987 s. 22; No. 14 of 1996 s. 4; No. 24 of 1996 s. 16; No. 55 of 2004 s. 256 and 268.]

STRATEGIC IMPLICATIONS:

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

The application seeks to house three dogs at a residential lot in the townsite. If the dogs are of a disposition that create undue noise the communities expectation of enjoying a rural townsite environment could be compromised.

➤ **Economic**

There are no known economic implications.

➤ **Social**

The dogs if noisy could create neighbourhood tension and conflict.

FINANCIAL IMPLICATIONS:

There are no financial implications in relation to this matter.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

MOTION:

MOVED Cr Lyon/Cr Morgan

That Council approve the application for three dogs to be housed at 5 Moore Street in accordance with s26.3 of the Dog Act 1976 with the following conditions;

- 1. The approval being placed on the condition that the dogs do not prove to be a nuisance (to the satisfaction of Council) to adjoining or adjacent neighbours in terms of barking, aggressive behaviour and / or wandering.**
- 2. That the property at all items has sufficient fencing in place to adequately contain the dogs.**

**CARRIED: 7/0
RESOLUTION NO: 061215**

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

Nil

13. CLOSURE

There being no further business the President, Cr Peter Macnamara declared the meeting closed at 3.42 pm.

These minutes were confirmed at a meeting on 24 February 2016.

Signed _____
Shire President