



MINUTES 21 JUNE 2012

**ORDINARY MEETING
OF COUNCIL**



INDEX

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	1
2.	ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE PREVIOUSLY GRANTED.....	1
3.	PUBLIC QUESTION TIME.....	1
4.	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	1
5.	PETITIONS AND PRESENTATIONS	1
6.	APPLICATION/S FOR LEAVE OF ABSENCE	1
7.	CONFIRMATION OF MINUTES	1
7.1	CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON THURSDAY 17 MAY 2012	1
8.	MATTERS FOR WHICH MEETING MAY BE CLOSED	2
9.	REPORTS OF OFFICERS AND COMMITTEES.....	3
9.1	ADMINISTRATION & FINANCIAL SERVICES.....	3
9.1.1	ACCOUNTS SUBMITTED	3
9.1.2	FINANCIAL REPORTS.....	5
9.2	GENERAL PURPOSES	8
9.2.1	NEW CRC BUILDING PROJECT	8
9.2.2	BALLIDU BOWLING CLUB NEW SURFACE PROJECT	13
9.3	HEALTH, PLANNING & BUILDING COMMITTEE	15
9.4	WORKS & SERVICES	16
9.4.1	ROAD RESERVE CLOSURE ABUTTING LOC 1442 AND LOC 1447, EAST BALLIDU	16
9.4.2	REMOVAL OF TREES WITHIN TOWN SITES	19
9.4.3	WORKS & SERVICES - POLICY REVIEW	22
9.5	BUSH FIRE ADVISORY COMMITTEE.....	31
10.	QUESTIONS FROM MEMBERS WITHOUT NOTICE	31
11.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING	31
12.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	31
13.	CLOSURE	31

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

Held in the Council Chambers
on Thursday 21 June 2012



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

STAFF:

Stuart Taylor	Chief Executive Officer
Bob White	Manager Works & Services
Len deGrussa	Manager Building Services
Grace French	Deputy Chief Executive Officer
Irene Myring (Minutes)	Executive Assistant

3. PUBLIC QUESTION TIME

Nil

4. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

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 THURSDAY 17 MAY 2012

STAFF RECOMMENDATION:

That the minutes of the Ordinary meeting of Council held on Thursday 17 May 2012 be confirmed as a true and correct record of the proceedings.

MOTION: MOVED Cr Barrett-Lennard/Cr deGrussa

That the minutes of the Ordinary meeting of Council held on Thursday 17 May 2012 be confirmed as a true and correct record of the proceedings.

**CARRIED: 8/0
RESOLUTION NO: 010612**

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:	18 December 2012
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Grace French, Deputy Chief Executive Officer
ATTACHMENTS:	May 2012

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:

- **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:

That the accounts submitted from 1 May 2012 to 31 May 2012 totalling \$766,893.01 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 May 2012 to 31 May 2012 totalling \$766,893.01 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 Armstrong/Cr Barrett-Lennard

That the accounts submitted from 1 May 2012 to 31 May 2012 totalling \$766,893.01 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: 020612**

9.1.2 FINANCIAL REPORTS

FILE REFERENCE:	F1.4
REPORT DATE:	18 December 2012
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Grace French, Deputy Chief Executive Officer
ATTACHMENTS:	Financial Reports

PURPOSE OF REPORT:

That the following statements and reports for the month ended May 2012 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.

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:

➤ **Environment**

There are no known environmental implications associated with the proposals.

➤ **Economic**

There are no known economic implications associated with the proposals.

➤ **Social**

There are no known social implications associated with the proposals.

FINANCIAL IMPLICATIONS:

The financial reports for the period ending May 2012 are attached to the Council agenda.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: YES

STAFF RECOMMENDATION:

That the following Statements and reports for the month ended May 2012 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 Capital Expenses by Program/Activity (Summary) FM Regs 34
 - d. Statement of Net Current Assets (NCA) FM Regs 34
 - e. Rate setting statement Discretionary
 - f. Disposal of Assets Discretionary
 - g. Bank Reconciliation Report Discretionary
 - h. Reserve Account Balances Report Discretionary
 - i. Loans Schedule Discretionary

COMMITTEE RECOMMENDATION:

That the following Statements and reports for the month ended May 2012 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 Capital Expenses by Program/Activity (Summary) FM Regs 34
 - d. Statement of Net Current Assets (NCA) FM Regs 34
 - e. Rate setting statement Discretionary
 - f. Disposal of Assets Discretionary
 - g. Bank Reconciliation Report Discretionary
 - h. Reserve Account Balances Report Discretionary

i. Loans Schedule

Discretionary

MOTION: MOVED Cr West/Cr Lyon

That the following Statements and reports for the month ended May 2012 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 Capital Expenses by Program/Activity (Summary) | FM Regs 34 |
| d. Statement of Net Current Assets (NCA) | FM Regs 34 |
| e. Rate setting statement | Discretionary |
| f. Disposal of Assets | Discretionary |
| g. Bank Reconciliation Report | Discretionary |
| h. Reserve Account Balances Report | Discretionary |
| i. Loans Schedule | Discretionary |

**CARRIED: 8/0
RESOLUTION NO: 030612**

9.2 GENERAL PURPOSES

This item was carried over from the May Council meeting

9.2.1 NEW CRC BUILDING PROJECT

FILE REFERENCE:	RC4.4.2
REPORT DATE:	15 June 2012
APPLICANT/PROPONENT:	
OFFICER DISCLOSURE OF INTEREST	NIL
PREVIOUS MEETING REFERENCES:	
AUTHOR:	Stuart Taylor Chief Executive Officer
ATTACHMENTS:	

PURPOSE OF REPORT:

To accept a Tender for the construction of the new Community Resource Centre

BACKGROUND:

The Shire has called for tenders for the construction of the new Community Resource Centre. Tenders closed on Tuesday 01st May 2012

COMMENT:

Eight tenders were received from builders to construct the CRC Building and they are listed below

Builders	Inc GST	Ex GST
National Build Plan Group	\$3,687,542.00	\$ 3,352,320.00
CPD Group	\$3,832,110.00	\$ 3,483,736.00
Sanpro Construction	\$4,022,418.00	\$ 3,656,744.00
Briklay Builders	\$4,068,901.00	\$3,699,000.00
Austec Building and Construction	\$4,163,651.00	\$ 3,785,138.00
JN & YE Panton (Development Group)	\$4,191,454.00	\$ 3,810,413.00
Matera Construction	\$4,455,700.00	\$ 4,050,636.00
Esslemont Cockram	\$4,678,720.00	\$ 4,253,382.00

The architect will sit down with the successful tenderer to ensure that everything is included in the tender, that the prices fairly represent what has been requested within the tender and generally go through the project to ensure that everyone is on the same page.

POLICY REQUIREMENTS:

The Shire of Wongan Ballidu has a Regional Purchasing Policy; the principles of the policy have been applied.

All Tenderers were advised during the tender process of the Regional Purchasing Policy.

The impact of the policy on the outcome of this tender is minimal.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 and the Local Government Function and General Regulations apply in this instance.

STRATEGIC IMPLICATIONS:

This project has been included in Council Strategic Plan

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

Nil

➤ **Economic**

Nil

➤ **Social**

Nil

FINANCIAL IMPLICATIONS:

The Tenders far exceed the budget of the project of \$2,540,000 budgeted, and it is extremely unlikely that any other grants funds will be available to assist in the progressing of this project, except the reallocation of the 2011/2012 Country Local Government Fund that has been allocated to other projects.

Therefore in the first instance Council has to determine whether they would consider proceeding with the project, and if they are prepared to defer projects that have been allocated funding and redistribute those funds to the CRC Building Project. Thirdly to accept a tender and work with the Tenderer to review potential savings with a few of accepting a tender that is within the Shire of Wongan Ballidu's capacity to deliver the project.

The new budget would consist of the following

Tender	\$ 3,352,320.00	\$3,020,765.00
Grass Roots	\$ 103,500.00	\$ 103,500.00
Architect	\$ 49,040.00	\$ 49,040.00
Engineers Electrical	\$ 8,500.00	\$ 8,500.00
Engineers Structural	\$ 17,000.00	\$ 17,000.00
Engineers Hydraulic and Plumbing	\$ 12,100.00	\$ 12,100.00
Surveying	\$ 3,048.00	\$ 3,048.00
Shire	\$ 380.00	\$ 380.00
Other	\$ 3,950.00	\$ 3,950.00
Cost	\$ 3,549,838.00	\$3,218,283.00

Additional Costs for the Project to Continue

Additional Costs		
Architect	\$ 31,487.00	\$ 31,487.00
Engineers	\$ 14,780.00	\$ 14,780.00
Fitout and relocation	\$ 100,000.00	\$ 120,000.00
Total Additional Costs	\$ 146,267.00	\$ 166,267.00

TOTAL PROJECT COSTS	\$ 3,696,105.00	\$3,384,550.00
Total Available Funding	\$3,605,765.00	\$3,612,637.00
Contingency Contract Variations	-\$ 90,340.00	\$ 228,087.00

To fund this project the following projects would need to be deferred and the funds to provide the projects reallocated to the CRC Building Project

Income

Community	\$ 100,000.00	\$ 100,000.00
Reserves	\$ 421,000.00	\$ 421,000.00
Shire of Wongan-Ballidu	\$ 335,000.00	\$ 335,000.00
2011/2012 CLGF	\$ 393,365.00	\$ 393,365.00
2010/2011 CLGF	\$ 447,489.00	\$ 447,489.00
2010/2011 Regional CLGF	\$ 461,400.00	\$ 465,783.00
RDL CRN	\$ 250,000.00	\$ 250,000.00
WDC R4R	\$ 450,000.00	\$ 450,000.00
Lotterywest	\$ 750,000.00	\$ 750,000.00
	\$ 3,605,765.00	\$3,612,637.00

This means that the following projects will be deferred should Council agree to continue with the CRC Building Project

Mocardy Dam
 Staff Housing Units
 Shire Office Extensions

Options:

The lowest Tenderer has indicated potential savings with minor changes to the specifications of approx \$331,555 (ex GST) that would bring the tender price to \$3,020,765.00 which would provide a buffer should variations be required, this was a very quick review to the time frame of presenting to Committee and Council, that there may be more savings that could not have been identified within the very small timeframe.

The alternative is to defer the decision, review the total specifications and either gives the opportunity to the tenders to re tender on a substantially modified Tender specification or reject all tenders and recall tenders on the new specification.

**VOTING REQUIREMENTS:
 ABSOLUTE MAJORITY REQUIRED: NO**

COMMITTEE RECOMMENDATION:

That Council

- a. Proceed with the CRC Building Project and the 2011-2012 budget be amended to reflect the increased project cost of \$3,381,305
- b. Defer the Mocardy Dam Project, Staff Housing units project and the Office Extension Project
- c. Amend the Shire of Wongan Ballidu Forward Capital Works Program to reflect the deferment of the above projects and to include the CRC Precinct in the 2011/2012 year
 - a. The changes will be to reflect the inclusion of the Community Resource Precinct Project into the 2011/2012 and 2012/2013 financial years to include the Mocardy Dam Project and staff housing into the 2012/2013 year to enable the net round of CLFG's to be allocated to these projects.

- d. Amend the Shire of Wongan Ballidu 2011/2012 Budget to reflect the removal of the Mocardy Dam, Shire Housing units and the extension to the Shire office and reallocate the funding for these projects to the CRC Building Project
- e. Authorise the CEO to review the tender submitted with the Tenderer to confirm savings within the project and,
- f. Providing that the savings are confirmed, the grants and funding is in place sufficiently to enable the project to proceed, Council accept the Tender of National Build Plan Group

Cr Barrett-Lennard foreshadowed that he would move that the CEO negotiate with the preferred tenderer and present the results at the June meeting if the motion under debate was defeated.

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

That Council

- a. Proceed with the CRC Building Project and the 2011-2012 budget be amended to reflect the increased project cost of \$3,381,305
- b. Defer the Mocardy Dam Project, Staff Housing units project and the Office Extension Project
- c. Amend the Shire of Wongan Ballidu Forward Capital Works Program to reflect the deferment of the above projects and to include the CRC Precinct in the 2011/2012 year
- d. Amend the Shire of Wongan Ballidu 2011/2012 Budget to reflect the removal of the Mocardy Dam, Shire Housing units and the extension to the Shire office and reallocate the funding for these projects to the CRC Building Project
- e. Authorise the CEO to review the tender submitted with the Tenderer to confirm savings within the project and,
- f. Providing that the savings are confirmed, the grants and funding is in place sufficiently to enable the project to proceed, Council accept the Tender of National Build Plan Group

LOST: 5/3
RESOLUTION NO: 090512

MOTION: **MOVED** *Cr Barrett-Lennard/Cr West*

That the Chief Executive Officer negotiate with the preferred tenderer to provide and confirm savings and total costings to enable the project to better reflect Councils project budget and present the report to Council at the June 2012 Ordinary Council meeting.

CARRIED: 8/0
RESOLUTION: 110512

STAFF RECOMMENDATION:

That Council

- a. Proceed with the CRC Building Project and the 2011-2012 budget be amended to reflect the increased project cost of \$3,612,637.00
- b. Defer the Mocardy Dam Project, Staff Housing units project and the Office Extension Project
- c. Amend the Shire of Wongan Ballidu Forward Capital Works Program to reflect
 - i. The inclusion of the Community Resource Precinct Project into the 2011/2012 and 2012/2013 financial years
 - ii. to include the Mocardy Dam Project and staff housing into the 2012/2013 year.
- d. Amend the Shire of Wongan Ballidu 2011/2012 Budget to reflect the removal of the Mocardy Dam, Shire Housing units and the extension to the Shire office and reallocate the funding for these projects to the CRC Building Project
- e. Council accept the Tender of National Build Plan Group

MOTION:

MOVED

Cr Barrett-Lennard/Cr Godfrey

That Council

- a. Proceed with the CRC Building Project and the 2011-2012 budget be amended to reflect the increased project cost of \$3,612,637.00 including contingencies**
- b. Defer the Mocardy Dam Project, Staff Housing units project and the Office Extension Project**
- c. Amend the Shire of Wongan Ballidu Forward Capital Works Program to reflect**
 - i. The inclusion of the Community Resource Precinct Project into the 2011/2012 and 2012/2013 financial years**
 - ii. to include the Mocardy Dam Project and staff housing into the 2012/2013 year.**
- d. Amend the Shire of Wongan Ballidu 2011/2012 Budget to reflect the removal of the Mocardy Dam, Shire Housing units and the extension to the Shire office and reallocate the funding for these projects to the CRC Building Project**
- e. Council accept the Tender of National Build Plan Group of \$3,020,756 ex GST.**

**CARRIED: 8/0
RESOLUTION NO: 040612**

9.2.2 BALLIDU BOWLING CLUB NEW SURFACE PROJECT

FILE REFERENCE:	F1.9.5.10
REPORT DATE:	15 June 2012
APPLICANT/PROPONENT:	
OFFICER DISCLOSURE OF INTEREST	NIL
PREVIOUS MEETING REFERENCES:	
AUTHOR:	Stuart Taylor Chief Executive Officer
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

To accept a tender for the construction of the new artificial surface at the Ballidu Bowling Club

BACKGROUND:

The Shire has called for tenders for the construction of the bowling surface, tenders closed on Monday 21st May 2012

COMMENT:

The outcome of the tenders are listed below

Company	Product	Meets Specifications	Value (inc GST)
Court Track and Field (WA)		Yes	237,675
Tiger Turf		Yes	271,040
Green Planet Grass	Master Pro Plus	Yes	186,460
Green Planet Grass	DryMax Pro	Yes	197,870
Green Planet Grass	Master Pro Plus	No	193,870
Green Planet Grass	DryMax Pro	No	206,400
Evergreen Synthetic Grass (WA) PTY LTD	DryMax Pro	Yes	208,156
Evergreen Synthetic Grass (WA) PTY LTD	Master Pro	Yes	196,324
Evergreen Synthetic Grass (WA) PTY LTD	Pro Plus	Yes	211,334
Evergreen Synthetic Grass (WA) PTY LTD	Ultra Plus	Yes	208,156

A number of the tenderers visited the site and engaged with the bowling with regard to product and the works to be undertaken.

The details of the tenders received were given to the Ballidu Bowling club to evaluate and make the recommendation to Council.

A subcommittee of the Bowling Club reviewed the tenders and have made a recommendation to Council.

POLICY REQUIREMENTS:

The Shire of Wongan Ballidu has a Regional Purchasing Policy; the principles of the policy have been applied.

All tenderers were advised during the tender process of the Regional Purchasing Policy.

The impact of the policy on the outcome of this tender is minimal.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 and the Local Government Function and General Regulations apply in this instance.

STRATEGIC IMPLICATIONS:

This project has been included in Councils Strategic Plan

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

Nil

➤ **Economic**

Nil

➤ **Social**

Nil

FINANCIAL IMPLICATIONS:

Council has included this project in the current year budget and these funds will be carried over to next years budget.

The project costs falls within the total funding available including the CSRFF grant that was approved earlier this year.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: NO

STAFF RECOMMENDATION:

That Council accept the tender of Evergreen Synthetic Grass for the sum of \$208,156 to the new synthetic green and the Ballidu Bowling club in accordance with the tender specifications

MOTION: MOVED Cr Armstrong/Cr Lyon

That Council accept the tender of Evergreen Synthetic Grass for the sum of \$208,156 to the new synthetic green and the Ballidu Bowling club in accordance with the tender specifications

**CARRIED: 8/0
RESOLUTION NO: 050612**

9.3 HEALTH, PLANNING & BUILDING COMMITTEE

Nil

9.4 WORKS & SERVICES

9.4.1 ROAD RESERVE CLOSURE ABUTTING LOC 1442 AND LOC 1447, EAST BALLIDU

FILE REFERENCE:	CA5.3
REPORT DATE:	5 June 2012
APPLICANT/PROPONENT:	Council
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	
AUTHOR:	Stuart Taylor – Chief Executive Officer
ATTACHMENTS:	Copy of Location Plan

PURPOSE OF REPORT:

The purpose of this report is to request that Council advertise its intent to close a portion of an unmade road reserve connecting the south western corner of Reserve 12104 with the north eastern corner of Lot 180

BACKGROUND:

The Department of Water has identified reserve 12104 as being surplus to its requirements and is keen to surrender its interests in the site the Department of Environment and Conservation has no objection to the disposal of the southern portions of the Reserve, but requested that the portion outlined in red on the plan attached comprising the vegetation be retained by the State of Western Australia.

Additionally Council has been asked to consider possible closure for the unmade road reserve connecting the south western corner of Reserve 12104 with the north eastern corner of Lot 180

Under section 58 of the Land Administration Act 1997 the Local Authority may apply to the Minister to have a road(s) closed within its area of jurisdiction.

COMMENT:

In order for a road to be closed, Council must advertise its intent for at least 35 days and consider any objections made within that period.

After this period and provided that it has considered all objections, Council may apply to the Minister to close the road.

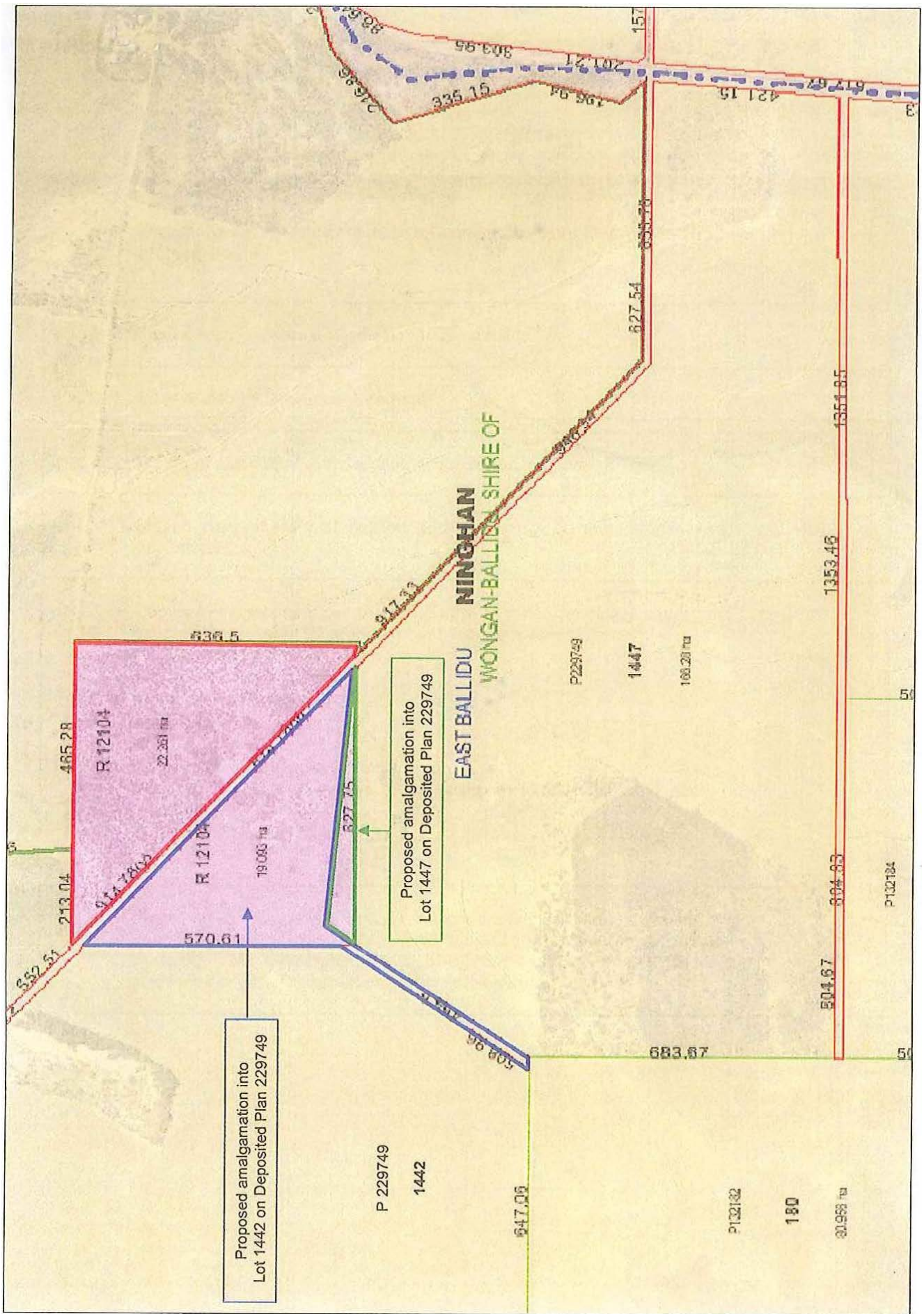
POLICY REQUIREMENTS:

There are no policy requirements.

LEGISLATIVE REQUIREMENTS:

Land Administration Act 1997
Section 58: Road Closure

Land Administration Regulations 1998
Section 9: Provides the procedure for a Local Government to request the permanent closure of a road.



9.4.2 REMOVAL OF TREES WITHIN TOWN SITES

FILE REFERENCE:	T1.10
REPORT DATE:	14 June 2012
APPLICANT/PROPONENT:	Shire of Wongan-Ballidu
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Bob White – Manager Works & Services
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

The purpose of this report is to gain approval from Council to remove several road side trees from within the town site of Wongan Hills, and in particular, those trees on Fenton Place.

BACKGROUND:

Requests were received from both staff and the public for the removal of several verge trees within the town site of Wongan Hills.

All the identified trees were clearly marked with pink coloured tape and the locations were as follows:

1. Fenton Place - large river gum opposite Ruralvision
2. Fenton Place - two large palm trees in front of WH Hotel
3. Elphin Crescent - large river gum near the rear Shire entrance
4. Johnston Street - (No. 31) medium coral gum under power line
5. Shields Crescent - (No.3) medium pink flowering yellow gum under power lines

COMMENT:

In accordance with Council's policy, the public were invited to comment on the proposed removal of the above trees.

An advertisement outlining the proposal was published over several weeks in the local paper and all of the trees were clearly marked with pink coloured tape.

Submissions closed at 12:00pm Friday 18/05/2012 and none were received.

Although no submissions were received from the public, a concern was raised at the last Works and Services Committee meeting stating that several of these trees may be on the Municipal Inventory of Heritage Places.

Subsequent investigation confirmed this, listing the "Fenton Place Trees" as having a Category 3 cultural heritage value.

In accordance with the requirements of the Municipal Inventory of Heritage Places, the Regional Heritage Advisor for the Northern Wheatbelt, Laura Gray, was consulted on this matter.

Ms Gray advised that Category 3 places on the Municipal Inventory have no statutory implications. She stated that trees, as living things, are indeterminate as far as how long they may live and that the trees on Fenton Place are simply part of the ambience of the streetscape. The removal of any dangerous or diseased trees would not have a significant impact on that situation.

It is the author's opinion that all of the above listed trees either pose a threat to the well being, safety or amenity of the public and/or are detrimental to the sustainability of Councils infrastructure.

Where ever possible, replacement trees of a more suitable species would be planted in the general area of those that need to be removed.

POLICY REQUIREMENTS:

- Removal of Trees within Town Sites – sets out the requirement to advertise the intent to remove

LEGISLATIVE REQUIREMENTS:

There are no legislative requirements

STRATEGIC IMPLICATIONS:

There are no strategic implications

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL IMPLICATIONS:

The removal of the above mentioned trees is accommodated within the parameters of the existing "Street Tree Maintenance" budget (COA 12065 - Job No. G0001)

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: NO

STAFF RECOMMENDATION:

That Council support the removal of the following street trees:

1. Fenton Place - large river gum opposite Ruralvision
2. Fenton Place - two large palm trees in front of WH Hotel
3. Elphin Crescent - large river gum near the rear Shire entrance
4. Johnston Street - (No. 31) medium coral gum under power line
5. Shields Crescent - (No.3) medium pink flowering yellow gum under power lines

COMMITTEE RECOMMENDATION:

That Council support the removal of the following street trees:

1. Fenton Place - large river gum opposite Ruralvision
2. Fenton Place - two large palm trees in front of WH Hotel

3. Elphin Crescent - large river gum near the rear Shire entrance
4. Johnston Street - (No. 31) medium coral gum under power line
5. Shields Crescent - (No.3) medium pink flowering yellow gum under power lines

MOTION: MOVED Cr Godfrey/Cr Lyon

That Council support the removal of the following street trees:

- 1. Fenton Place - large river gum opposite Ruralvision**
- 2. Fenton Place - two large palm trees in front of WH Hotel**
- 3. Elphin Crescent - large river gum near the rear Shire entrance**
- 4. Johnston Street - (No. 31) medium coral gum under power line**
- 5. Shields Crescent - (No.3) medium pink flowering yellow gum under power lines**

**CARRIED: 8/0
RESOLUTION NO: 070612**

9.4.3 WORKS & SERVICES - POLICY REVIEW

FILE REFERENCE:	A2.20.4
REPORT DATE:	14 June 2012
APPLICANT/PROPONENT:	Shire of Wongan-Ballidu
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Bob White – Manager Works & Services
ATTACHMENTS:	Copy of current policies

PURPOSE OF REPORT:

The purpose of this report is to present sufficient information to Council to enable a detailed review of existing policies to be carried out.

BACKGROUND:

The purpose of policy documents is to enable the effective and efficient management of Council resources and to assist staff and Council achieve an equitable decision making process. Written policies also enable the community to be aware of the reasoning behind administrative and Council decisions and to thus be familiar with the philosophy behind individual decisions. Policy statements enable much of the day-to-day business of Council to be handled by the Administration, freeing up the time of the Elected Members to better focus their resources on major policy items and formulation of strategic direction.

An up-to-date policy manual of any organisation proves to be a valuable tool in improving the decision making process. Policies contained within the manual are those that project a corporate image and are not controlled by individual directorates. The development of the policies involves input from staff across the organisation and elected members.

A policy statement is not binding on Council but provides a guideline for Elected Members and staff in determining individual applications or requests. Generally, policies evolve as issues come before Council and should continue to evolve through a process of review and refinement. For this reason, it is important that a review process is in place. It is also possible for members of the community to seek an early review of a specific policy.

Each policy is developed in order to address specific matters. They relate to objectives to the Shire of Wongan-Ballidu, and, in some instances, as required by legislation. The principles behind the policies are directly related to the Shire's values as an organisation.

It is important to note that the manual should only contain the policy statement of the Council and should not refer to operational, staff or procedural matters.

In accordance with Council's Policy Review Process, the entire policy manual is to be reviewed at least every two years.

COMMENT:

Council has a total of thirty three (33) policies relating to the Works & Services directorate. Most of these are due for review in accordance with the "Policy Review Process".

The Chief Executive Officer is responsible for the coordination of this review and has instructed staff to implement a sequenced review of all policies.

With those policies pertaining to Works & Services, a rigorous review of all thirty three (33) policies will be conducted over a six (6) month period, which would involve at addressing at least five (5) or six (6) policies per month.

The policies selected for the June 2012 review are:

- Construction Works Affecting Private Properties
- Councillor Request Forms
- Plant & Equipment Replacement
- Plant Hire
- Safety Obligations For Contractors

The author has reviewed the above policies and has made the following recommendations:

- **Construction Works Affecting Private Property**
In the opinion of the author, this policy continues to meet the objectives of Council
- **Councillor Request Forms**
In the opinion of the author, this policy continues to meet the objectives of Council
- **Plant & Equipment Replacement**
In the opinion of the author, this policy continues to meet the objectives of Council
- **Plant Hire**
In the opinion of the author, this policy continues to meet the objectives of Council
- **Safety Obligations For Contractors**
In the opinion of the author, this policy continues to meet the objectives of Council

POLICY REQUIREMENTS:

The Policy Manual has been developed over time to enable the effective and efficient management of Council resources and to assist staff and Council achieve an equitable decision making process.

The Policy Manual should not relate to operational or staff related matters.

The Policy Manual is a fluid document and should be reviewed in it's entirety at least every 2 years.

LEGISLATIVE REQUIREMENTS:

The Local Government Act 1995 outlines the roles of Council and the CEO.

STRATEGIC IMPLICATIONS:

Ongoing review and refinement of the Policy Manual is in line with Council's strategic direction on Governance (Implement and develop policy based on economic, social, cultural, governance and environmental elements).

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this agenda item.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: NO

STAFF RECOMMENDATION:

That Council adopt the following policies without variation:

- Construction Works Affecting Private Properties
- Councillor Request Forms
- Plant & Equipment Replacement
- Plant Hire
- Safety Obligations For Contractors

COMMITTEE RECOMMENDATION:

That Council adopt the following policies without variation:

- Construction Works Affecting Private Properties
- Councillor Request Forms
- Plant & Equipment Replacement
- Plant Hire
- Safety Obligations For Contractors

MOTION: MOVED Cr Lyon/Cr Barrett-Lennard

That Council adopt the following policies without variation:

- **Construction Works Affecting Private Properties**
- **Councillor Request Forms**
- **Plant & Equipment Replacement**
- **Plant Hire**
- **Safety Obligations For Contractors**

**CARRIED: 8/0
RESOLUTION NO: 080612**

Title:	CONSTRUCTION WORKS AFFECTING PRIVATE PROPERTIES
Policy Owner:	Works Committee
File No:	T3.1
Resolution No:	
Date:	21 June 2012
Scheduled Review:	June 2014

OBJECTIVE

To ensure appropriate consultation is undertaken between Council staff and landowners when works will affect their properties.

POLICY

Where construction works will affect an adjoining property then the landowner is to be consulted prior to the works commencing.

Title:	COUNCILLOR REQUEST FORMS
Policy Owner:	Works Committee
File No:	
Resolution No:	9.5.4
Date:	21 June 2012
Scheduled Review:	June 2014

OBJECTIVE

To establish a consistent method by which Councillors can formally request work to be performed.

POLICY

Councillors are to utilise the request forms when requesting work to be undertaken or information to be provided and staff will reply on the appropriate printed form.

The request forms may be posted, faxed or electronically delivered to the Administration Centre. Councillors may telephone in their request however; the officer taking the call must enter the details on a request form.

Title:	PLANT & EQUIPMENT REPLACEMENT
Policy Owner:	Works Committee
File No:	T2.2
RESOLUTION NO:	
Date:	21 June 2012
Scheduled Review:	June 2014

OBJECTIVE

To provide for the optimum and timely replacement of Councils major road and parks & gardens (works) Plant and Equipment (P&E) in order to;

- Minimising the overall impact on Councils General Purposes Income to finance it through efficient asset management, maintenance and fleet changeovers practices
- Even out annual net cash requirements (minimize the cyclical peaks and troughs) and to;
- Obviate the need for loan borrowings.

POLICY

That Council adopt and thereafter annually review long term (minimum 5 years) asset replacement programs known as the following;

- 5 Year Major Plant & Equipment Replacement Program and;
- 5 Year Minor Plant & Equipment Replacement program.

That with respect to Councils Plant & Equipment Replacement Program, Council;

- Establish and maintain a "Cash Backed Reserve" for the purpose of financing major and minor plant and equipment purchases (net of trades);
- Meet its annual net cash for P&E purchases from this reserve by annually transferring the net difference between minor and major plant & equipment purchases;
- Annually budget to transfer to reserve the calculated depreciation of that P&E.

Title:	PLANT HIRE
Policy Owner:	Works & Services
File No:	T8.1
Resolution No:	
Date:	21 June 2012
Scheduled Review:	June 2014

OBJECTIVE

To ensure that Council plant is operated by Council employed staff.

POLICY

That plant only be hired out with a Shire Operator unless authorised by the Manager of Works & Services or the CEO.

Title:	SAFETY OBLIGATIONS OF CONTRACTORS
Policy Owner:	Works Committee
File No:	A2.18
Resolution No:	
Date:	21 June 2012
Scheduled Review:	June 2014

OBJECTIVE

To ensure that all contractors doing work on behalf of the Council accept that compliance with safety obligations is an essential element within the terms of their contract with the Shire of Wongan-Ballidu.

POLICY

Procedures in the Engagement of Contractors

Council Officers or those persons who are charged with the responsibilities of awarding contracts shall ensure that the successful contractor holds a Workers' Compensation Certificate of Currency and adequate Public Liability Insurance & Professional Indemnity

Where appropriate, the Contractor and/or employee(s) shall:

1. Hold relevant qualifications (eg: engineer);
2. Hold appropriate license (eg: plumber, electrician);
3. Hold a certificate of competency (eg: crane driver, scaffolder);
4. Be registered (eg: builder)
5. Hold relevant certificates (eg: mine workers health certificate)

The appointed officer shall ensure that the contractor and all persons involved have been made fully aware of procedures, hazards and other relevant information necessary to ensure the safe working of such contractors. An appointed representative of the Contractor must attend a Shire of Wongan-Ballidu Contractor Safety Information Session.

The workplace is to be inspected by the contractor and employees involved before the commencement of any works to identify potential work hazards.

All contractors and/or their employees must report in the first instance, to the designated Council Officer who will provide instruction and clearance to undertake the work. Contractors and/or their employees must ensure that their presence at the worksite is acknowledged and noted. This is essential, for instance, in the event of an emergency evacuation.

The contractor is required to comply with all relevant statutory requirements, Codes of Practice, Australian Standards and safety requirements of the Shire of Wongan-Ballidu.

Copies of extracts from relevant policies will be made available from the Contract Supervisor. The Contractor is to acknowledge that he has read, understood and will comply with the minimum requirements outlined.

The contractor shall have standard procedures for the tasks undertaken.

The contractor shall ensure that all plant, equipment and machinery is of suitable type and capacity to complete the tasks required. It shall also be maintained in good order and condition, and be used according to manufacturers specifications such that persons are not exposed to hazards.

If work permits are required, for example where confined space entry or hot work procedures are in place, they must be adhered to.

The contractor shall ensure that work has a minimal negative impact on the environment and complies with the relevant legislation regarding environmental protection.

Contractor documentation must include clauses to enforce the Shire of Wongan-Ballidu safety requirements.

The contractor and his employees must be under the control of a person appointed by the Manager of the contracting company to ensure compliance with the safety requirements applicable.

Nothing in the preceding clause shall restrict the Council or its representative from stopping dangerous work or practices and requiring the contractor to take remedial action to comply with safety requirements.

The contracting company shall provide employees and supervisors who are competent and adequately trained to complete the job. (Documentation to demonstrate this may be required).

The contractor shall ensure appropriate supervision of employees.

The contractor shall ensure an adequate standard of housekeeping to keep the area free from hazards.

The contractor must ensure that their activities will not endanger the Shire of Wongan-Ballidu's employees, ratepayers or members of the general public. Work in progress must be left in a safe manner at the end of the shift and for the duration of non-attendance.

The relevant Manager when selecting a contractor will ensure that all occupational safety and health criteria are met by the contractor.

Contract(s) shall be written in such a manner as to permit termination of the contract(s) for contractor's failure to comply with safety requirements.

Contractor's management and supervisors are to be advised that failure to correct unsatisfactory conditions may lead to work stoppage or termination of the contract. If consistent contractual deficiencies exist, consideration shall be given to termination of the contract.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer and/or any Council employee who has the delegated authority to enter into a contract between the Council and a third party.

9.5 BUSH FIRE ADVISORY COMMITTEE

Nil

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

The Shire President:

- Farewelled the Deputy Chief Executive Officer, Grace French and thanked her for all she had done over the last year and a half.
- Welcomed Cr Brown back after his illness.

There being no further business the President, Cr Brennan declared the meeting closed at 3.36pm.

These minutes were confirmed at a meeting on July 2012.

Signed _____

President
Date July 2012