

## SHIRE OF MT MARSHALL

## **MINUTES**

Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 16 May 2017, in Council Chambers, 80 Monger St, Bencubbin commencing at 6:45pm.

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## **DISCLAIMER**

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John Nuttall
Chief Executive Officer

### TABLE OF CONTENTS

- 1. Declaration of Opening / Announcement of Visitors
- 2. Record of Attendance / Apologies / Approved Leave of Absence
- 3. Standing Orders
- 4. Public Questions
  - 4.1 Response to Previous Public Questions Taken On Notice
  - 4.2 Public Question Time
- 5. Applications for Leave of Absence
- 6. Declarations of Interest
- 7. Confirmation of Minutes of Previous Meetings
  - 7.1 Minutes of the Ordinary Meeting held on Wednesday 19 April 2017
- 8. Announcements by Presiding Person Without Discussion
- 9. Presidents Report
- 10. Petitions / Deputations / Presentations / Submissions
- 11. Reports of Committees
  - 11.1 Audit Committee
    - 11.1.1 Appointment of Auditors & March Audit Committee Meeting Minutes
  - 11.2 Local Emergency Management Committee
    - 11.2.1 Minutes of Meeting held 9 May 2017
- 12. Reports of Officers
  - 12.1 Chief Executive Officer
    - 12.1.17 The Right Stage Group Year 7 School Extensions
    - 12.1.18 Delegation Register Review
    - 12.1.19 CEACA Budget 2017-2018
    - 12.1.20 NEWROC Health Funding
  - 12.2 Works Supervisor
    - **12.2.4** Works Report May 2017
  - 12.3 Executive Assistant
    - 12.3.9 Minutes of NEWROC Meeting held 24 April 2017
    - 12.3.10 Status Report April 2017
  - 12.4 Finance and Administration Manager
    - 12.4.14 Statement of Financial Activity to 30 April 2017
    - 12.4.15 Accounts Paid to 30 April 2017
    - 12.4.16 Unspent Loan Funds Bencubbin Multipurpose
    - **Complex Upgrade**
    - 12.4.17 Execution of Caveats Lake Moore Gypsum
  - 12.5 Community Development Officer
    - 12.5.3 Beacon History Book
    - 12.5.4 Caravan Park Caretakers
  - 12.6 Regulatory Officer

- 12.6.4 Proposed Extractive Industries Local law Public Submissions
   12.6.5 Dual Registration Bush Fire Control Officers
- 12.7 Development
- 13. Elected Members' Motions of Which Previous Notice Has Been Given
- 14. New Business of an Urgent Nature Introduced by Decision of the Meeting
   14.1 DA Application CEACA Housing Development, Bencubbin
   14.2 DA Application CEACA Housing Development, Beacon
- 15. Next Meeting Tuesday 20 June 2017 commencing at 3:00pm at the Beacon Country Club, Lucas St, Beacon
- 16. Closure of Meeting

### 1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member declared the meeting open at 6:45pm.

### 2.0 Record of Attendance / Apologies / Approved Leave of Absence

#### In Attendance

Cr RM Kirby President / Presiding Member

Cr SE Faulkner Deputy President

Cr NR Gillett Councillor
Cr ARC Sachse Councillor
Cr HJ Shemeld Councillor
Cr WJ Beagley Councillor

Mr John Nuttall Chief Executive Officer
Ms Nadine Richmond Executive Assistant

Ms Tanika McLennan Finance & Administration Manager

#### **Apologies**

Cr CT Lumsden Councillor

Mrs Tanya Gibson Member of the public

#### 3.0 Standing Orders

#### 2017/05-1 COUNCIL DECISION:

That Standing Order number 9.2 - Limitation of Number of Speeches be suspended for the duration of the meeting to allow for greater debate on items in the agenda.

Moved Cr HJ Shemeld Seconded Cr WJ Beagley Carried 6/0

#### 4.0 Public Questions

### 4.1 Response to Public Questions Taken on Notice

### **4.1.1** Summary of question from Mrs Tanya Gibson:

With the reclining population is it possible to implement a study/investigation into a having a Ten Year Education and Training Plan for the Shire of Mt Marshall and the wider regions of the Ninghan Cell and Shires through our NEWROC committee?



## Summary of response to Mrs Tanya Gibson provided in writing dated 21 April 2017:

Whilst Council agrees that education and training for our youth is very important, at this stage it is suggested that you wait for the new Strategic Community Plan to be released. That document is being formulated by consultation with the community, and will determine the way in which Council proceeds over the next few years. There may be some areas within that document which have synergy with education and training within the Shire.

#### 4.1.2 Summary of question from Mrs Tanya Gibson:

Why is the Beacon town stated in the strategic plan 1 called striving for the Town of Excellence? and the Bencubbin town called striving for a central location for facilities?

## Summary of response to Mrs Tanya Gibson provided in writing dated 21 April 2017:

The local planning strategy document you refer to is now several years old, and this question has never previously been raised. It is important that the whole paragraph is read so that it makes sense. The paragraph is copied below. I do not see any concern in the wording used within the document. Council would like Bencubbin to become a 'strong sub-regional centre', and would also encourage Beacon being identified as a 'centre of excellence' in a number of areas as described, particularly agricultural sustainability and tourism.

### A Strategic Community

The Shire of Mt Marshall itself is seen as important in the region and will continue to co-operate with other local governments in the Wheatbelt.

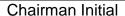
In the future, Bencubbin will become a strong sub-regional centre servicing the whole of the Shire and other towns in surrounding areas with essential services. Beacon will be a 'centre for excellence' in Landcare and agricultural sustainability and will take advantage of its strategic positioning as an access point to the North West for travellers and heavy haulage from the eastern states and south of WA.

#### 4.1.3 Summary of question from Mrs Tanya Gibson:

Will Council consider the Shire embracing 'frack free status'?

## Summary of response to Mrs Tanya Gibson provided in writing dated 21 April 2017:

This is a question that I cannot answer. To move to 'frack free status' would be a whole of Council decision. Again, until the Strategic Community Plan is finalised and released I am not aware if this topic is one which was raised by the community as being important to them. This matter will be revisited after the release of the plan if appropriate.



#### 4.2 Public Question Time

Public Question Time opened at 6.47pm

Public Question time closed at 6.47pm

### 5.0 Applications for Leave Of Absence

Nil

#### 6.0 Declarations of Interest

Nil

### 7.0 Confirmation of Minutes of Previous Meetings

### 7.1 Minutes of the Ordinary Meeting held on Wednesday 19 April 2017

#### 2017/05-2 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 19 April 2017 be confirmed as a true and correct record of proceedings.

Moved Cr ARC Sachse

Seconded Cr HJ Shemeld

Carried 6/0

### 8.0 Announcements by Presiding Person Without Discussion

Cr Sachse attended the Waterwise Business Recognition Event in Perth on 9th May on behalf of the Shire to receive a certificate of endorsement as a Waterwise Council. Thank you to Cr Sachse for attending the event and congratulations to the Shire for receiving this recognition.

#### 9.0 President's Report

#### Purpose:

This report is prepared by the President to provide Council and the community of Mt Marshall with information about activities undertaken.

#### Comment:

The President represented the Shire at the following meetings and training opportunities from 20th April to 17th May 2017.

21st April - Bencubbin Multipurpose Steering Committee meeting with Cr Sachse and Cr Lumsden

24th April - NEWROC Meeting, Wyalkatchem with CEO John Nuttall

25th April - ANZAC Service, Bencubbin with Cr Beagley and Cr Sachse; ANZAC Service, Beacon with Cr Lumsden

26th April - Strategic Community Planning workshop with all Councillors

27th April - GEC Zone Meeting, Teleconference with CEO John Nuttall

5th May - Bencubbin Multipurpose Steering Committee meeting with Cr Sachse

9th May - Local Emergency Management Committee meeting with Cr Faulkner

### 10.0 Petitions / Deputations / Presentations / Submissions

The CEO read a letter from newly appointed Environmental Health Officer:

I am honoured to be able to take this opportunity to briefly introduce myself. My name is Peter Toboss, and I have the privilege of being the new Principal Environmental Health Officer for NEWHealth Scheme (Koorda, Mt Marshall, Trayning, Mukinbudin, Nungarin and Wyalkatchem Shires) administered by the Shire of Koorda.

I have over eight years of experience as an Environmental Health Officer working within local government councils. Prior to this I have worked with City of Vincent, Town of Victoria Park, City of Kwinana, Shire of Serpentine Jarrahdale, City of Wanneroo, City of Swan and Shire of Toodyay.

My professional experience has involved working with diverse communities. From the moment I interviewed for the position, I remember going home to my wife and discussing the excitement and energy I felt throughout the interview and my hopes of being the successful candidate. I look forward to becoming involved in and learning about the areas within our boundaries.

Although I work one day a week here at Mt Marshall shire, I have already had the opportunity to meet the CEO, staffs and few members of the community.

I encourage everyone to be active participants in improving the health of our community. There are many ways to participate in improving the health of the community. The easiest way, however, is to maintain effective lines of communication. I will continue to administer various statutory legislations as outlined in my duties and responsibilities.

In closing, I would like to thank all the CEO (Koorda, Mt Marshall, Trayning, Mukinbudin, Nungarin and Wyalkatchem Shires) for giving me this opportunity. I will work diligently to continue to provide an excellent public health experience for these communities. I will be working here (Shire of Mt Marshall) every Tuesday and I am also contactable by phone or email address.

In partnership with you,

Peter Toboss Principal Environmental Health Officer

### 11.0 Reports of Committees

#### 11.1 Audit Committee

## 11.1.1 Appointment of Auditors & March Audit Committee Meeting Minutes

File No: F1/2
Location/Address: N/A
Name of Applicant: Nil
Name of Owner: N/A

Author: Tanika McLennan – Finance & Administration

Manager

11.1.1a – Quote from Moore Stephens 11.1.1b – Minutes of Audit Committee

Meeting held 21 March 2017

**Declaration of Interest:** Nil

**Voting Requirements:**Recommendation 1 & 2: Absolute Majority

Recommendation 3: Simple Majority

Previously Considered: Nil

#### Background:

Attachments:

The Local Government Act 1995 requires a local government to appoint an auditor to audit the financial reports of a local government.

The appointment is to be an approved auditor and for a period of not more than five years. Auditors are eligible for reappointment.

#### Consultation:

Nil

#### **Statutory Environment:**

Local Government Act 1995

#### 7.3. Appointment of auditors

(1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint\* a person, on the recommendation of the audit committee, to be its auditor.

- (2) The local government may appoint one or more persons as its auditor.
- (3) The local government's auditor is to be a person who is
  - (a) a registered company auditor; or
  - (b) an approved auditor.

<sup>\*</sup> Absolute majority required.

#### **Relevant Plans and Policy:**

N/A

#### **Financial Implications:**

2017/18 - \$20,650 2018/19 - \$20,700

#### **Risk Assessment:**

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal & public domain legal documentation. It includes (amongst others) the Local Government Act, Planning & Development Act, Health Act, Building Act, Dog Act, Cat Act, Freedom of Information Act and all other legislative based obligations for Local Government.

#### **Community & Strategic Objectives:**

N/A

#### Comment:

The current contract with Auditors, Greg Godwin, David Tomasi and Wen-Shien Chai of Moore Stephens, expires at the completion of the 2016/17 Annual Audit. Although legislation has been introduced into State Parliament providing for the appointment of the appointment of the Auditor General as the auditor for Local Government, the Bill is yet to be passed and the Auditor General's office, is not likely to be in a position to take on this role for at least two years. As a result, quotes were sought from Audit firms listed on WALGA's preferred supplier panel.

#### **Deloitte Risk Advisory Pty Ltd**

The following response was received to the request for quote:

"Thank you for your invitation. Having considered your request, we respectfully decline to submit a quotation as our team is currently not structured to meet the Shire's requirements. Please do not hesitate to contact me if you require any clarification of our response.

Please note that Deloitte would welcome the Shire's request for quotation, should you have a future need for our related services, including internal audit, contract assurance, IT security audit, Health and safety audit/advisory, forensic/investigation services or risk management services.

All the best for a good outcome for the Shire!"

### **Ernst & Young**

Navin Sitambaram responded to the request by telephone and declined to quote.

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### Moore Stephens (formerly known as UHY Haines Norton)

Quote is provided at Attachment 11.1.1a.

Moore Stephens have been conducting the Shire's audit for at least the past twenty years and have a thorough understanding of the Shire of Mt Marshall's accounting systems and processes. They also have a considerable depth of local government experience being the auditors for 47 local governments in Western Australia.

Moore Stephens has quoted the following for the audit services:

		Fee Quote	Travel Costs	<u>GST</u>	Total (GST Incl.)
		\$	\$	\$	\$
	30 June 2018	20,000	650	2,065	22,715
Year Ended-	30 June 2019	20,000	700	2,070	22,770
	30 June 2020	Not quoted – assumed Auditor General will be responsible			

Council and staff have been very happy with the current auditor and the services provided over the past many years. In view of this, and that the proposed costs have not increased from the 30 June 2017 fees, it is recommended that Moore Stephens be reappointed.

The minutes of the Audit Committee Meeting held on 21 March 2017 are provided for Council information (Attachment 11.1.1b). Recommendations from the March meeting were considered at the March Ordinary Meeting of Council.

### 2017/05-3 AUDIT COMMITTEE RECOMMENDATION / COUNCIL DECISION:

#### That:

- 1. The quotation from Moore Stephens for audit services for the period 1 July 2017 to 30 June 2019 be accepted;
- 2. Messrs. DJ Tomasi, G Godwin and Wen-Shien Chai of Moore Stephens be appointed as the Shire's auditors for the contract period to 30 June 2019; and
- 3. The minutes of the Audit Committee Meeting held 21 March 2017 be received.

Moved Cr SE Faulkner Seconded Cr ARC Sachse Carried 6/0
Absolute Majority

### 11.2 Local Emergency Management Committee

## 11.2.1 Minutes of the Local Emergency Management Committee Meeting held 9 May 2017

File No: A6/38
Location/Address: N/A
Name of Applicant: N/A
Name of Owner: N/A

**Author:** Nadine Richmond – Executive Assistant

Attachments: 11.2.1 – Minutes of Local Emergency Management

Committee Meeting held 9 May 2017

**Declaration of Interest:** Nil

**Voting Requirements:** Simple Majority

Previously Considered: N/A

### **Background:**

Nil

#### Consultation:

Nil

#### **Statutory Environment:**

Local Government Act (1995)

#### Section 5.8: Establishment of Committees

A local government may establish committees of three (3) or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

#### **Relevant Plans and Policy:**

**Local Emergency Management Arrangements** 

#### **Financial Implications:**

Nil

#### **Risk Assessment:**

Emergency Management is a core responsibility of local government and failure to comply with the legislation would find it in breach of the Local Government Act 1995.

### **Community & Strategic Objectives:**

CIVIC LEADERSHIP – provide accountable and transparent leadership:

C1.1 Enhance open and interactive communication between Council and the community

C1.2 Promote and support community members' participation in the Shires' governance

SOCIAL - Provide services and processes to enhance public safety:

S 3.1 Support provision of emergency services such as bush fire brigades, ambulance and LEMC

#### Comment:

The minutes of the Mt Marshall Local Emergency Management Committee meeting held on Tuesday 9 May 2017 are submitted for Council information.

### 2017/05-4 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the minutes of the Mt Marshall Local Emergency Management Committee meeting held on Tuesday 9 May 2017 be received.

Moved Cr SE Faulkner Seconded Cr HJ Shemeld Carried 6/0

### 12.0 Reports of Officers

#### 12.1 Chief Executive Officer

#### 12.1.17 The Right Stage Group – Year 7 School Extensions

File No: A6/39a Location/Address: N/A

Name of Applicant: Andrew Dunne, The Right Stage Group

Name of Owner: N/A

**Author:** John Nuttall – Chief Executive Officer

Attachments: 12.1.17 – Letter from Andrew Dunne, The Right

Stage Group

**Declaration of Interest:** Nil

**Voting Requirements:** Simple Majority

Previously Considered: Nil

#### **Background:**

Correspondence was received by the Shire on 1 May 2017 regarding a local group of parents who are trying to lobby the Education Minister to extend an exemption for Year 7 children to be educated in primary school rather than high school. A copy of that letter is at **12.1.17**.

#### Consultation:

The Chief Executive Officer has discussed the issue and the campaign in person with Mr Dunne, and discussed the issue with the Shire President.

#### **Statutory Environment:**

Legislation in this area would be State Education legislation.

#### **Relevant Plans and Policy:**

Nil

### **Financial Implications:**

Nil

#### **Risk Assessment:**

There is a risk to the Shire that families will move away for education reasons, which will put further downward pressure on population numbers in the Shire.

#### **Community & Strategic Objectives:**

CIVIC LEADERSHIP - Provide accountable and transparent leadership

C 1.3 Lobby other levels of government where State services may be threatened or withdrawn.



SOCIAL - Create an environment that provides for a caring and healthy community

S 2.4 Advocate for the provision of education services within the community

#### Comment:

This is understandably a very important issue for the parents involved, and for the Shire generally. Given the importance of this issue, it is recommended that Council support the right stage group by resolving to send a letter of support for the campaign from Council to the education minister. Councillors should also take any opportunity that they can to raise this issue with any other State Ministers.

It is further recommended that the CEO correspond with Mr Dunne, advising him that Council supports the campaign and inviting him to keep the Shire advised regarding any progress that is being made relating to this issue, and any further opportunities that there may be to use Council's political influence.

#### 2017/05-5 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

#### That Council:

- 1. Direct the CEO to write a letter in support of the right stage group campaign, to be sent on behalf of the whole of Council to the Education Minister.
- 2. Direct the Chief Executive Officer to request Mr Dunne keep the Shire advised of any progress being made regarding the campaign, and any further political backing that the Council can provide to the group.

Moved Cr HJ Shemeld

Seconded Cr SE Faulkner

Carried 5/1

#### 12.1.18 Delegation Register Review

File No: A2/23

**Location/Address:** Monger St, Bencubbin

Name of Applicant: N/A
Name of Owner: N/A

**Author:** John Nuttall – Chief Executive Officer

12.1.18a – Current Delegation Register

Attachments: 12.1.18b - Proposed Delegation Register
12.1.18c - Current Sub – Delegation Register

12.1.18d - Proposed Sub-Delegation Register

Declaration of Interest: Nil

**Voting Requirements:** Absolute Majority

Previously Considered: Nil

#### **Background:**

Council is required, subject to Local Government Act 1995 Section 5.46(2), to review annually the register of delegations. The review was last undertaken in April 2016, and is now due to comply with legislation.

This report provides Council with an updated delegations register (Attachment 12.1.18b) for endorsing, and sub-delegation register for noting (Attachment 12.1.18d). As there have been substantial changes to the two delegations registers proposed, Council are also provided with the current delegation and sub-delegation registers for comparison purposes (Attachments 12.1.18a & 12.1.18c).

#### **Consultation:**

Nil

#### **Statutory Environment:**

Local Government Act 1995

- 5.46. Register of, and records relevant to, delegations to CEO and employees
  - (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
  - (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
  - (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

#### **Relevant Plans and Policy:**

Whilst there is no direct policy, there is a register maintained as required by legislation.

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#### **Financial Implications:**

Whilst there are no direct financial implications relating to endorsing the attached delegation register, several of the delegations relate to financial functions across the Shire administration.

#### **Risk Assessment:**

Should Council fail to review the delegation register as required by the Local Government Act, a breach of the act would be noted by the Auditors.

#### **Community & Strategic Objectives:**

CIVIC LEADERSHIP - Provide efficient and effective management

C 3.2 Enhance the capacity and effectiveness of administrative processes

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

#### Comment:

A thorough review of the delegation register has been undertaken. Council will note that there are many changes to the register advocated. There are several reasons for these changes, which include:

- Legislation not authorising delegation or sub-delegation
- Incorrect legislation previously referenced
- Delegation not required (eg. Because it is an operational issue)

Council are of course free to consider the delegations presented, and accept, reject or amend as deemed appropriate. In order for Council to make an informed decision, below is some background and explanation regarding delegations:

Delegations are the means by which decision making bodies can access the power to undertake certain statutory functions. A delegation is the conferral of the ability to exercise a power or duty under legislation, to a person or committee from a local authority that is vested with the responsibility to exercise that power or duty. When a person exercises delegated authority they do so 'on behalf' of the delegator, and in doing so the person exercising delegated authority makes the decision 'on behalf' of the delegator.

Local Government Guideline No17 – Delegations says that a decision to delegate a power or duty should be made only after thorough consideration of whether the delegation will facilitate the effective operation of the local government. The principal consideration is whether the delegation will improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented.

Accordingly, it is respectfully suggested that the delegation register as presented to Council with this report meet the guidelines above, and it is recommended that it be endorsed.

### 2017/05-6 OFFICER'S RECOMMENDATION'S / COUNCIL DECISION:

#### That Council:

- 1. Noting the amendments from the 2016 register, and subject to S5.46 Local Government Act 1995, endorse the Delegation Register as attached at Attachment 12.1.18b.

  (Absolute Majority Required)
- 2. Noting the amendments from the 2016 register, receive the Sub-Delegation Register as attached at Attachment 12.1.18d.

Moved Cr NR Gillett Absolute Majority Seconded Cr ARC Sachse

Carried 6/0

## 12.1.19 **CEACA Budget 2017-2018**

File No: A5/15
Location/Address: N/A
Name of Applicant: CEACA
Name of Owner: N/A

**Author:** John Nuttall – Chief Executive Officer

Attachments: 12.1.19 – Draft CEACA Budget 2017-18

**Declaration of Interest:** Nil

**Voting Requirements:** Simple Majority

Previously Considered: Nil

#### **Background:**

The CEACA project, to build aged care units across the region has now reached the stage where funding is available for the first round of buildings, and designs and development applications are shortly to be lodged.

The project is funded both through grants funding, and contributions from the 11 Local Governments involved in the project. A draft budget for the forthcoming financial year has been provided and is at **Attachment 12.1.19**. Council, in this item is asked to consider the budget, and determine what amount of money to have entered into the Shire's budgeting process to be paid to CEACA.

#### **Consultation:**

There has been consultation with the Shire President regarding the presented budget, and some of the substantial increases requested.

#### **Statutory Environment:**

Local Government Act 1995

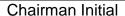
- 6.2. Local government to prepare annual budget
  - (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt\*, in the form and manner prescribed, a budget for its municipal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

#### **Relevant Plans and Policy:**

Nil

#### **Financial Implications:**

If Council resolve to accept the budget presented by the CEACA Executive Officer, there will have to be provision made in the Shire budget for \$14,000 towards CEACA 'running expenses' for the next financial year.



#### **Risk Assessment:**

Should a budget not be agreed and adopted, the project may be put at risk.

### **Community & Strategic Objectives:**

SOCIAL - Create an environment that provides for a caring and healthy community

- S 2.1 Advocate and lobby for appropriate and accessible health services throughout the Shire
- S 2.2 Facilitate provision of infrastructure for aged persons and people with disabilities

#### Comment:

The Shire has contributed to the CEACA budget for the last two years. The payments have been split into two areas, namely General Subscription and Project and Consultancy Subscription. In year 1 the payments were \$4,000 and \$5,000 respectively. In year 2 (current year) the payments were \$4,000 and \$4,000. The request this year is \$10,000 and \$4,000, which is a significant increase on previous year's subscriptions. A copy of the budget showing where those increases are being absorbed is attached. Of significant note is the substantial increase in the suggested allowance for the Executive Officer, with an increase from \$35,000 to \$60,000 per annum. It is understood that this increase is due to the project moving from 'care and maintenance' to 'active project', along with the additional work this change requires.

Although the budget will be subject to scrutiny when the CEACA committee meets, and all additional expenditure will require explanation, it is recommended that Council resolve to include the full amount requested into the Shire budget. This will allow Mt Marshall to be able to play a part in the budget deliberations and agree to the maximum requested CEACA budget if all parties are convinced of the need for the additional expenditure.

#### 2017/05-7 OFFICER'S RECOMMENDATIONS / COUNCIL DECISION:

#### That Council:

- 1. Direct the Chief Executive Officer to include the sum of \$14,000 into the budget deliberations for the 2017/18 financial year.
- 2. Direct the Chief Executive Officer to confirm the above resolution to the CEACA Committee when it meets to determine the budget.

Moved Cr ARC Sachse Seconded Cr HJ Shemeld Carried 5/1

#### 12.1.20 NEWROC Health Funding

File No: F1/3
Location/Address: N/A
Name of Applicant: N/A

Name of Owner: NEWROC

**Author:** John Nuttall – Chief Executive Officer

Attachments: Nil

Declaration of Interest: Nil

**Voting Requirements:** Simple Majority

Previously Considered: Nil

#### Background:

Last year the NEWROC Annual Subscriptions for the Shires of Mukinbudin, Trayning, Mt Marshall and Nungarin included the following:

\$11,000 - NEWROC Annual Subscription

\$2,000 - Business Case contribution

\$2,500 - NewTravel Tourism Officer

\$500 - Wheatbelt Way Marketing

\$6,250 - Medical Enhancement Fund

The medical enhancement fund included in the subscriptions for these four Shires was previously named the Kununoppin Bonded Medical Scholarship, however this scholarship has now ceased (one recipient still in the process – Tony Hu). It was agreed in 2015 that it be renamed and still allocated to medical / health infrastructure or services – hence the new name of medical enhancement fund and that the NEWROC to collect it.

To date the collection of these funds in 2016/17 have not been expended by the NEWROC as the group was waiting on the outcome of the NEWROC Health Strategy, which is currently being developed.

The Shires of Koorda and Wyalkatchem have the same subscriptions, although no medical enhancement fund as they contribute to the Wyalkatchem – Koorda Medical Practice.

#### **Consultation:**

There was discussion regarding this topic at the most recent NEWROC Council Meeting, held 24 April 2017.

#### **Statutory Environment:**

Local Government Act 1995

6.2. Local government to prepare annual budget

Chairman Initial

22

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

#### **Relevant Plans and Policy:**

Nil

#### **Financial Implications:**

Any decision relating to this topic will have a cost implication regarding the funding of health issues in the region. The question raised in this report is whether to hand the money over to NEWROC to be used when required, or to hold the money in a reserve to be used as required, and to consolidate if not used.

#### **Risk Assessment:**

There is a risk that sufficient will not be budgeted regarding NEWROC for next financial year if this matter is not determined.

#### **Community & Strategic Objectives:**

SOCIAL - Create an environment that provides for a caring and healthy community

S 2.1 Advocate and lobby for appropriate and accessible health services throughout the Shire

#### CIVIC LEADERSHIP - Improve the Shire's capability and capacity

- C 2.3 Facilitate resource sharing on a regional basis
- C 2.4 Use resources efficiently and effectively
- C 2.5 Operate in a financially sustainable manner

#### Comment:

There was discussion at the last NEWROC Council Meeting on 24 April 2017 regarding whether the medical enhancement fund should still be included in annual NEWROC subscriptions or whether it be allocated in individual member Shire budgets and remain with the member, to be later put towards any medical / health initiatives that the NEWROC consider a priority.

The NEWROC Health Strategy is currently being prepared and is likely to see some health priorities identified for all members. The draft should be available in the coming month.

Member Councils are asked to consider whether the Medical Enhancement Fund is still relevant and whether it should be collected by the NEWROC or be allocated towards NEWROC health initiatives in individual member budgets.

It is recommended in this report that Council still budget towards health in the forthcoming budget process, but that money be placed into a 'health' reserve to be used for projects that may arise through the NEWROC health strategy. In that way any money not used will be consolidated with future monies should there be need for funding for any health reason in the future.

## 2017/05-8 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That appropriate monies be allocated in the 2017/2018 budget regarding NEWROC health projects, and that they be placed into a 'health' reserve, and called upon when required, rather than paying further into the NEWROC health fund.

Moved Cr ARC Sachse

Seconded Cr HJ Shemeld

Carried 6/0

## 12.2 Works Supervisor

## 12.2.4 Works Report May 2017

File No: N/A

Location/Address: Mt Marshall District

Name of Applicant: Nil Name of Owner: N/A

**Author:** Andrew Johnson – Works Supervisor

Attachments: Nil

Declaration of Interest: Nil

**Voting Requirements:** Simple Majority

Previously Considered: Nil

#### **Background:**

In the interest of better communications the following report of activities and tasks carried out by the Shire's works department is provided to Council.

#### **Consultation:**

Nil

### **Statutory Environment:**

Nil

#### **Relevant Plans and Policy:**

Nil

#### **Financial Implications:**

Nil

#### **Risk Assessment:**

Nil

#### **Community & Strategic Objectives:**

ECONOMIC - Provide an effective and efficient transportation network

E 3.2 Maintain an efficient, safe and quality local road network

#### <u>CIVIC LEADERSHIP - Provide efficient and effective management</u>

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

#### Comment:

#### Roads

Reconstruction works are complete and sealing works are expected to be completed by Friday the 19 May 2017. Extra sealing works are being carried out with savings made

over our sealing program. We will be using crumbed rubber on our reseals as it is a superior product to fill in cracking.



Re-sheeting works are ongoing and running to schedule, these will be completed before the financial year. Cleary/ Gabbin sheeting above.

I have engaged several contractors to undertake some of these works and this will give us an insight into the skill levels available for future works and to help with the vetting process when we ask for tenders at a later date.

Verge mulching and clearing has been carried out along Scotsman Road between Ingleton and Ayres Road. Scotsman Road has now had all clearing completed, which gives us a chance to lift the RAV status moving forward.

### **Town Maintenance**

I have received quotes for renovation work on the ovals, this was an exercise to find out what was happening in the market. We also have an option of taking up an offer from Mukinbudin Shire utilising some of the resources they have available including a horticulturalist they have on their staff. This would be a good outcome for all involved and I will pursue availability of the resources.



The footpath along the front of the Beacon Primary School has been completed, making access to the recreation complex a lot safer and easier.

The towns are reasonably tidy and we have been busy tidying several places of interest, such as the Pergandes and walking trails around the towns.

#### Waste Sites

We have had an exceptionally busy month at the Beacon waste site and we will need to come up with a future strategy moving forward and start planning for the expansion of the site sooner than I would have envisioned. The main issue is that we cannot get enough compaction with the plant that we are currently using.

#### **Plant**

Nothing to report.

#### Other Item of Interest

The water catchment projects in Beacon and Bencubbin are progressing. Handover of the tank at Beacon Rock will be on completion of the new tanks, which are due for commissioning at the end of June.

#### <u>2017/05–9 OFFICER'S RECOMMENDATION / COUNCIL DECISION:</u>

That the April report of the Works Supervisor be received.

Moved Cr HJ Shemeld Seconded Cr NR Gillett Carried 6/0

### 12.3 Executive Assistant

### 12.3.9 Minutes of NEWROC Council Meeting held 24 April 2017

File No: NEWROC District

Location/Address: N/A
Name of Applicant: Nil
Name of Owner: N/A

**Author:** Nadine Richmond – Executive Assistant

Attachments: 12.3.9 – Minutes of NEWROC Council Meeting

held 24 April 2017

**Declaration of Interest:** Nil

**Voting Requirements:** Simple Majority

Previously Considered: Nil

#### Background:

The Shire of Mt Marshall is a member of the North Eastern Wheatbelt Regional Organisation of Councils (NEWROC). NEWROC is not a formal organisation but was formed for the purpose of collaboration and joint initiatives between the Shires of Koorda, Mt Marshall, Mukinbudin, Nungarin, Trayning and Wyalkatchem, and is governed by a Memorandum of Understanding (MOU) between these Shires.

NEWROC Council and NEWROC Executive meetings alternate on a bi-monthly basis.

#### Consultation:

Nil

#### **Statutory Environment:**

Nil

#### **Relevant Plans and Policy:**

Nil

#### **Financial Implications:**

Nil

#### **Risk Assessment:**

Nil

#### **Community & Strategic Objectives:**

CIVIC LEADERSHIP - Provide efficient and effective management

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

#### Comment:

The Minutes of the NEWROC Council meeting held on 24 April are submitted (attachment 12.3.9) in order to keep all members abreast of the activities of the NEWROC Council.

The next meeting of the NEWROC Council is scheduled to be held on Tuesday 27 June 2017 at the Shire of Koorda.

### 2017/05-10 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the minutes of the NEWROC Council meeting held on 24 April 2017 be noted.

Moved Cr SE Faulkner Seconded Cr HJ Shemeld Carried 6/0

### 12.3.10 Status Report – April 2017

File No: N/A
Location/Address: N/A
Name of Applicant: Nil
Name of Owner: N/A

Author: Nadine Richmond – Executive Assistant Attachments: 12.3.10 – Status Report April 2017

Declaration of Interest: Nil

Voting Requirements: Simple Majority

Previously Considered: Nil

#### **Background:**

The status report is a register of Council resolutions that are allocated to Shire staff for actioning. When staff have progressed or completed any action in relation to Council's decision, comments are provided until the process is completed or superseded by more recent Council resolutions.

#### Consultation:

Nil

### **Statutory Environment:**

Nil

#### **Relevant Plans and Policy:**

Nil

### **Financial Implications:**

Nil

#### **Risk Assessment:**

Nil

#### **Community & Strategic Objectives:**

CIVIC LEADERSHIP - Provide efficient and effective management

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

#### Comment:

In the interest of increased transparency and communication with the community, the status report is provided for information.

### 2017/05-11 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the Status Report for April 2017 be received.

Moved Cr ARC Sachse Seconded Cr WJ Beagley Carried 6/0

### 12.4 Finance and Administration Manager

## 12.4.14 Statement of Financial Activity to 30 April 2017

File No: F1/4
Location/Address: N/A
Name of Applicant: Nil
Name of Owner: N/A

Author: Tanika McLennan – Finance & Admin Manager

Attachments: 12.4.14 – Statement of Financial Activity to 30 April

2017

**Declaration of Interest:** Nil

**Voting Requirements:** Simple Majority

Previously Considered: Nil

#### Background:

Under Regulation 34 of the Local Government (Financial Management) Regulations 1996 a local government is to prepare each month a statement of financial activity which includes annual budget estimates, year to date budget estimates, actual amounts expenditure, revenue and income, material variances and net current assets.

#### Consultation:

Nil

#### **Statutory Environment:**

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996

#### **Relevant Plans and Policy:**

Nil

#### **Financial Implications:**

The statement presented to Council is the most up to date information on its current financial position.

#### **Risk Assessment:**

Nil

#### **Community & Strategic Objectives:**

CIVIC LEADERSHIP - Provide efficient and effective management

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

#### Comment:

Nil

## 2017/05-12 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council endorse the Statement of Financial Activity for the month ending 30 April 2017.

Moved Cr NR Gillett

Seconded Cr WJ Beagley

Carried 6/0

## 12.4.15 Accounts Paid to 30 April 2017

File No: F1/4
Location/Address: N/A
Name of Applicant: Nil
Name of Owner: N/A

**Author:** Sandy Wyatt – Administration Officer

Attachments: Nil

Declaration of Interest: Nil

**Voting Requirements:** Simple Majority

Previously Considered: Nil

### **Background:**

Following is a List of Accounts submitted to Council on Tuesday 16 May 2017 for the Municipal Fund, Trust Fund and Mastercard. Councillor questions regarding any payments can be directed to Finance and Administration Manager, Tanika McLennan, <u>prior</u> to the meeting.

### 1. Municipal Fund

Chq/EFT	Date	Name	Description	Amount
46	10/04/2017	SYNERGY	UTILITY CHARGES 5.1.17-28.3.17	153.50
47	18/04/2017	WATER CORPORATION	UTILITY CHARGES 10.1.17-10.3.17	213.19
48	20/04/2017	TELSTRA	UTILITY CHARGES-APRIL17	2213.44
49	20/04/2017	SYNERGY	UTILITY CHARGES 8.2.17-8.4.17	6472.10
51	21/04/2017	BEACON COMMUNITY REC COUNCIL	ANNUAL CONTRIBUTION-POWER USAGE	1030.00
			BEACON GYM & RETIC FOR BEACON OVAL	
11	30/04/2017	BANK FEES - BANK FEES	BANK FEES	383.68
11	01/04/2017	BANK FEES - BANK FEES	BANK FEES	20.00
EFT12265	10/04/2017	BENCUBBIN COMMUNITY RECREATION	HIRE OF HALL-RAY RYDER (ACTUALLY	80.00
		COUNCIL	28.2.17)	

Chq/EFT	Date	Name	Description	Amount
EFT12266	10/04/2017	WESTRAC PTY LTD	MARCH SUPPLIES	44.47
EFT12267	10/04/2017	AVON WASTE	RUBBISH COLLECTION-MARCH17	4961.14
EFT12268	10/04/2017	TWO DOGS HOME HARDWARE	MARCH SUPPLIES	857.99
EFT12269	10/04/2017	CJD EQUIPMENT PTY LTD	MARCH SUPPLIES	2181.13
EFT12270	10/04/2017	COURIER AUSTRALIA	FREIGHT-MARCH17	30.28
EFT12271	10/04/2017	ST JOHN AMBULANCE AUSTRALIA	WORKPLACE VEHICLE FIRST AID KITS	1119.30
EFT12272	10/04/2017	SHIRE OF MERREDIN	LISTING-EASTERN WHEATBELT VISITORS GUIDE ACCOMMODATION PAGE	85.00
EFT12273	10/04/2017	KTY ELECTRICAL SERVICES	MARCH REPAIRS	2028.13
EFT12274	10/04/2017	JASON SIGNMAKERS	SIGNS	3174.49
EFT12275	10/04/2017	BENCUBBIN NEWS & POST	POSTAGE 27.3.17-31.3.17	75.00
EFT12276	10/04/2017	AUSTRALIAN COMMUNICATIONS & MEDIA AUTHORITY	ANNUAL TWO WAY LICENCE	56.00
EFT12277	10/04/2017	BENCUBBIN BULK HAULIERS	HIRE OF ROADTRAIN AND OPERATOR	19819.80
EFT12278	10/04/2017	MOORE STEPHENS (WA) PTY LTD	INTERIM BILLING IN RESPECT-AUDIT YEAR END 30.6.17	11979.00
EFT12279	10/04/2017	STAPLES AUSTRALIA	MARCH SUPPLIES	150.45
EFT12280	10/04/2017	ICS CARPENTRY	MARCH REPAIRS	1170.95
EFT12281	10/04/2017	STAR TRACK EXPRESS	FREIGHT-MARCH17	291.27
EFT12282	10/04/2017	TRANSPORT SPARES & EQUIPMENT	MARCH SUPPLIES	184.97
EFT12283	10/04/2017	ALL-WAYS FOODS	MARCH SUPPLIES	1240.33
EFT12284	10/04/2017	BENCUBBIN COMMUNITY RESOURCE CENTRE	AUSCHEM COURSE	1827.20
EFT12285	10/04/2017	MERREDIN TOYOTA	LIGHTS FOR BUS	469.49
EFT12286	10/04/2017	BENCUBBIN TRUCK N AUTO'S	MARCH SUPPLIES	2579.10
EFT12287		BENCUBBIN AG SUPPLIES	MARCH SUPPLIES	291.14
EFT12288	10/04/2017	SUNNY INDUSTRIAL BRUSHWARE	TRACTOR BROOM	750.20
EFT12289	10/04/2017	ADVANCED AUTOLOGIC PTY LTD	MARCH SUPPLIES	314.00
EFT12290		REFUEL AUSTRALIA	FUEL-MARCH17	329.39
EFT12291	10/04/2017	5RIVERS PLUMBING AND GAS	MARCH REPAIRS	897.91
EFT12292	10/04/2017	BENNY MART	MARCH SUPPLIES	99.25

Chq/EFT	Date	Name	Description	Amount
EFT12293	10/04/2017	ECHELON AUSTRALIA PTY LTD	REGIONAL RISK CO-ORDINATOR PROGRAM-	2876.50
			2ND INSTALLMENT (ONE ON EFT12110 ON	
			8.2.17 SHOULD OF BEEN RISK	
			MANAGEMENT)	
EFT12294	10/04/2017	KOORDA COMMUNITY RESOURCE CENTRE	ADVERTISING-NARKAL NOTES (ACTUALLY	30.00
			FROM 28.2.17)	
EFT12295			FUEL-MARCH17	17447.34
EFT12296	10/04/2017	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS	449.66
EFT12297	10/04/2017	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE	1072.50
			MANAGEMENT-MARCH17	
EFT12298			CATERING & AIR FRESHNERS	115.00
EFT12299		SALLY PUTT	MUKINBUDIN FAMILARISATION TOUR 27.3.17	59.20
EFT12300		CUMMINS LIQUID WASTE DISPOSALS	SEPTIC PUMP OUT	298.00
EFT12301	10/04/2017	AUTOMOTIVE SERVICE SOLUTIONS WA	HOIST SERVICING	949.30
EFT12302	10/04/2017	WHEATBELT COMMUNITY DEVELOPMENT	ADMINISTRATION REFLIEF 23.2.17 & 16.3.17	450.00
		SERVICE		
EFT12303	10/04/2017	MARKETFORCE PTY LTD	ADVERTISING(FROM 9.11.16)	2163.18
EFT12304	10/04/2017	SARAH MARY MOUG	REIMBURSEMENT-ITEMS FOR DAYCARE	11.89
EFT12305	10/04/2017	BENCUBBIN NETBALL CLUB	KIDSPORT FUNDING.	75.00
EFT12306	10/04/2017	TANIA FAULKNER	AQUATIC CENTRE REIMBURSEMENT	44.00
			SCHEME 2016/17	
EFT12307	10/04/2017		MARCH SUPPLIES	102.04
EFT12308	18/04/2017	BOC GASES	GAS CYLINDERS-MARCH17	47.24
EFT12309		MUKA TYRE MART	MARCH SUPPLIES	24.00
EFT12310	18/04/2017	NINGHAN SPRAYING & AG SERVICES	MARCH SUPPLIES	469.66
EFT12311	18/04/2017	BENCUBBIN NEWS & POST	NEWSPAPERS-MARCH17	56.10
EFT12312	18/04/2017	BEACON CENTRAL COMMUNITY RESOURCE	FEBRUARY SUPPLIES	54.00
		CENTRE		
EFT12313		AUSTRALIAN TAXATION OFFICE	BAS-MARCH17	25348.00
EFT12314	18/04/2017	LANDGATE	GRV INTERIM VALS COUNTRY FULL VALUE	227.20
EFT12315	18/04/2017	JACK WALKER	UNIFORMS	355.80
EFT12316	18/04/2017	SOUTHERN CROSS AUSTEREO PTY LTD	RADIO ADVERTISING	55.00

Chq/EFT	Date	Name	Description	Amount
EFT12317	14/04/2017	BENDIGO BANK	MARCH SUPPLIES	742.01
EFT12318	20/04/2017	WESTRAC PTY LTD	APRIL SUPPLIES	201.78
EFT12319	20/04/2017	SHIRE OF KOORDA	EHO EXPENSES-JANMARCH17	10703.58
EFT12320	20/04/2017	CJD EQUIPMENT PTY LTD	APRIL SUPPLIES	1377.08
EFT12321	20/04/2017	MUKA MATTERS	ADVERTISING-FEB17	15.00
EFT12322	20/04/2017	SHIRE OF TRAYNING	ADVERTISING-APRIL17	19.90
EFT12323	20/04/2017	BENCUBBIN NEWS & POST	POSTAGE 3.4.17-7.4.17	65.65
EFT12324	20/04/2017	DIELECTRIC SECURITY SERVICES	MONITORING FEES 1.5.17-31.7.17	101.20
EFT12325	20/04/2017	STAPLES AUSTRALIA	APRIL SUPPLIES	107.38
EFT12326	20/04/2017	ICS CARPENTRY	APRIL REPAIRS	1845.25
EFT12327	20/04/2017	ALL-WAYS FOODS	APRIL SUPPLIES	515.24
EFT12328	20/04/2017	BENCUBBIN TRUCK N AUTO'S	SERVICE-PRADO	284.90
EFT12329	20/04/2017	CUTTING EDGES EQUIPMENT PARTS	GRADER BLADES	1355.78
EFT12330	20/04/2017	BENCUBBIN AG SUPPLIES	APRIL SUPPLIES	30.30
EFT12331	20/04/2017	5RIVERS PLUMBING AND GAS	APRIL REPAIRS	1069.46
EFT12332	20/04/2017	NADINE RICHMOND	REIMBURSEMENT FOR UNIFORM	107.00
EFT12333	20/04/2017	SALLY PUTT	REIMBURSEMENT-ENGAGEMENT METHODS	411.44
			TRAINING 4-6.4.17	
EFT12334	20/04/2017	WURTH AUSTRALIA PTY LTD	APRIL SUPPLIES	211.12
	20/04/2017	GRIFFIN VALUATION ADVISORY	VALUATION-LAND & BUILDING-FINAL 50%	7258.34
EFT12336	20/04/2017	WA CONTRACT RANGER SERVICES	RANGER SERVICES 20.3.17 & 4.4.17	561.00
EFT12337	20/04/2017	SANDRA WYATT	REIMBURSEMENT-UNIFORM	29.00
EFT12338	20/04/2017	CR ARC SACHSE	MEETING FEES & ALLOWANCES 22.3.17-	712.18
			19.4.17	
EFT12339	20/04/2017	CR RM KIRBY	MEETING FEES & ALLOWANCES 22.3.17-	2560.90
			19.4.17	
EFT12340	20/04/2017	CR SE FAULKNER	MEETING FEES & ALLOWANCES 3.4.17-	812.50
			19.4.17	
EFT12341	20/04/2017	CR HJ SHEMELD	MEETING FEES & ALLOWANCES 27.3.17-	882.18
			19.4.17	
	20/04/2017	CALLUM THOMAS LUMSDEN	MEETING FEES & ALLOWANCES 19.4.17	493.18
EFT12343	20/04/2017	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES	512.88

Chq/EFT	Date	Name	Description	Amount
EFT12344	20/04/2017	RAMM SOFTWARE PTY LTD	RAMM TRAINING	1650.00
EFT12345	20/04/2017	SITE ARCHITECTURE	CONSTRUCTION DOCUMENTS	7436.44
EFT12346	20/04/2017	CR NICK GILLETT	MEETING FEES & ALLOWANCES 19.4.17	555.18
EFT12347	20/04/2017	STEPHEN TINDALE CONSULTING	CONSULTING WORK-APRIL17	300.00
EFT12348	20/04/2017	ANDREW JOHNSON	REIMBURSEMENT OF 50% RELOCATION EXPENSES	2192.50
EFT12349	20/04/2017	SHIRE OF DOWERIN	MOBILE TOILET HIRE	220.00
EFT12350	20/04/2017	JMG BUILDING SURVEYORS	FIRE ENGINEERING SERVICES	2750.00
EFT12351	27/04/2017	WA TREASURY CORPORATION	LOAN 119	975.84
EFT12353	28/04/2017	DC PAYMENTS AUSTRALASIA	ONGOING FEES FOR ATM-MARCH17	114.39
EFT12355	05/04/2017	TONY BUCHERT	RENT-GYM	400.00
DD8698.1	12/04/2017	WALGS PLAN	PAYROLL DEDUCTIONS	6374.41
DD8698.2	12/04/2017	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	210.60
DD8698.3	12/04/2017	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	183.69
DD8698.4	12/04/2017	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	161.50
DD8698.5	12/04/2017	HOSTPLUS	SUPERANNUATION CONTRIBUTIONS	44.35
DD8698.6	12/04/2017	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	353.57
DD8698.7	12/04/2017	CARESUPER	SUPERANNUATION CONTRIBUTIONS	156.78
DD8698.8	12/04/2017	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	475.00
				177,894.38

## 2. Trust

Chq/EFT	Date	Name	Description	Amount
EFT12354	30/04/2017	DEPARTMENT OF TRANSPORT	MMSO20170419	9482.90
				9,482.90

#### 3. Mastercard

Details	Amount
Bank fees	4.00
Bank fees	4.00
PO Box	77.00
Bank fees	4.00
Licensing fee	63.25
Nibble/napkins for Council	14.29
Ann.Subscript.Adobe IllustCdo	303.47
Bank fees	4.00
Accom-S.Putt 3-5/4/17	268.00
	742.01

This List of Accounts Paid under Delegation 14 and covering vouchers and direct debits as above was submitted to each Member of the Council for the Ordinary Meeting of **16 May 2017**. All invoices, being the subject of payments made, have been duly certified as to the receipt of goods and services, and prices, computations and costings have been checked against the expenditure authority (i.e. budget, purchase order, delegation).

John Nuttall

Chief Executive Officer

## **Consultation:**

Tanika McLennan - Finance and Administration Manager

## **Statutory Environment:**

Financial Management Regulations and the Local Government Act 1995

### **Relevant Plans and Policy:**

Nil

## **Financial Implications:**

An appropriate allowance has been made in the current year's budget to fund and authorise expenditure.

#### **Risk Assessment:**

Nil

## **Community & Strategic Objectives:**

CIVIC LEADERSHIP - Provide efficient and effective management

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

#### Comment:

Nil

### 2017/05-13 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

#### That the Accounts Listed

Municipal Fund	\$ <i>177,</i> 894.38	
Trust Fund	\$ 9,482.90	
Mastercard	\$ <u>742.01</u>	Detailed statement provided in Councillor Information.
Total	\$ 188 <u>.119.29</u>	-

Be endorsed.

Moved Cr SE Faulkner Seconded Cr HJ Shemeld Carried 6/0

### 12.4.16 Unspent Loan Funds – Bencubbin Multipurpose Complex Upgrade

**File No:** F3/23, F3/24, F3/25

Location/Address:N/AName of Applicant:N/AName of Owner:N/A

Author: Tanika McLennan – Finance & Administration

Manager

Attachments: Nil Declaration of Interest: Nil

**Voting Requirements:** Absolute Majority

Previously Considered: Nil

### Background:

Loan funds for the Bencubbin Multipurpose Complex were drawn down 28 April 2017, as per the 2016/17 Annual Budget.

#### Consultation:

John Nuttall - Chief Executive Officer

### **Statutory Environment:**

## 6.2. Local government to prepare annual budget

- (4) The annual budget is to incorporate
  - (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used

### 6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

### Relevant Plans and Policy:

Nil

#### **Financial Implications:**

Nil

#### **Risk Assessment:**

Nil

<sup>\*</sup> Absolute majority required.

## **Community & Strategic Objectives:**

Nil

#### Comment:

Although the loans have been drawn down for this project they will not be spent prior to 30 June 2017. In order to quarantine the funds for this project, it is recommended that they be set aside in the Bencubbin Recreation Complex Reserve. As this transfer of funds is unbudgeted, it requires Council approval.

### 2017/05-14 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the sum of \$1,173,900 being the total of loans 120, 121 and 122 drawn down on 28 April 2017 to fund the Bencubbin Multipurpose Complex Upgrade, be transferred to the Bencubbin Recreation Complex Reserve.

Moved Cr ARC Sachse Absolute Majority

Seconded Cr SE Faulkner

Carried 6/0

## 12.4.17 Execution of Caveats – Lake Moore Gypsum

**File No:** A6850 & A6857

Location/Address: Tenements E70/02891 and E70/4059

Lake Moore Mineral Field

Name of Applicant: Shire of Mt Marshall

Name of Owner: Lake Moore Gypsum Pty Ltd

Author: Tanika McLennan – Finance & Administration

Manager

Attachments: 12.4.17a – Caveat on E70 – 4059 Mining Tenement

12.4.17b - Caveat on E70 - 2891 Mining Tenement

**Declaration of Interest:** Nil

Voting Requirements: Simple Majority

Previously Considered: Nil

### Background:

Outstanding rates and charges on Mining Tenements A6850 and A6857, both owned by Lake Moore Gypsum Pty Ltd, have been pursued by AMPAC Debt Recovery since November 2016. In February 2017 part payment was received however there has been no further payment or response to contact from the author or AMPAC Debt Recovery. The current amounts outstanding are A6850 \$297.23 and A6857 \$296.93.

#### Consultation:

John Nuttall - Chief Executive Officer

## **Statutory Environment:**

#### **Local Government Act 1995**

### 9.49A. Execution of documents

- (1) A document is duly executed by a local government if
  - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
  - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- (4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

Relevant	Plans	and	Policy:
Relevant	riai15	anu	Pulley.

N/A

### **Financial Implications:**

Chairman	Initial

Ensures payment of outstanding rates and charges

#### Risk Assessment:

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal & public domain legal documentation. It includes (amongst others) the Local Government Act, Planning & Development Act, Health Act, Building Act, Dog Act, Cat Act, Freedom of Information Act and all other legislative based obligations for Local Government.

## **Community & Strategic Objectives:**

N/A

#### Comment:

The relatively small outstanding balances do not warrant further attempts to recover and it is recommended that a caveat be lodged on both tenements to ensure they are not extinguished without settlement of Shire rates and charges. See **Attachment 12.4.17**.

Ordinarily this would be performed as an administrative task, however, the Chief Executive Officer has not been delegated authority, under Section 9.49A of the Local Government Act 1995, to execute documents. This will be addressed in the review of the Delegations Register however, in order to proceed with this matter, authority is now sought to execute the caveats by way of a resolution of Council.

Unlike ordinary property locations, mining tenements can span shire boundaries and in this case, the Shire of Dalwallinu has already lodged a caveat on these tenements.

#### 2017/05–15 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the Chief Executive Officer be delegated authority to execute caveats for unpaid rates and charges, on mining tenements E70/02891 (A6850) and E70/4059 (A6857).

Moved Cr HJ Shemeld Seconded Cr ARC Sachse Carried 6/0

## 12.5 Community Development Officer

## 12.5.3 Beacon History Book

File No: F1/9

**Location/Address:** Mt Marshall District **Name of Applicant:** Marilyn Dunne

Name of Owner: N/A

**Author:** Sally Putt – Community Development Officer

**Attachments:** 12.5.3a – Printing Quote

12.5.3b – Excerpt from Beacon History Book

**Declaration of Interest:** Nil

**Voting Requirements:** Absolute Majority

Previously Considered: Nil

#### Background:

Mrs Marilyn Dunne from Beacon has been collating, editing and preparing a history book about Beacon since 2013. It is a very comprehensive account of early settlement from the mid 1920's through to the end of the 1950's with some stories extending into more recent years. There are twenty seven individual stories in total, some of which were written by the first settlers and handed on to Marilyn for publication. Three stories have been adapted from interviews conducted by the Mt Marshall History Working Group while other stories are by the descendants of the early people or written by Marilyn from her memories as a child in Beacon in the 1950's.

There is a biographical index of approximately 250 names associated with our district who feature in some way in the stories. The people and places of the districts of Cleary, Marindo, Wialki and Bencubbin are included, it provides a very good source of information about the Shire of Mt Marshall.

Marilyn undertook this project voluntarily as she has a passion for history and ensuring it is recorded and preserved for the future. The Beacon Progress Association and other community members have supported and assisted her in this project where possible with Megan Hele undertaking the design of the book.

#### **Consultation:**

John Nuttall – Chief Executive Officer Marilyn Dunne

#### **Statutory Environment:**

### Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

Chairman Initial

45

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution\*; or
- (c) is authorised in advance by the mayor or president in an emergency.

## **Relevant Plans and Policy:**

Nil

## **Financial Implications:**

\$3000 from the History Working Group Account in the 2016/17 Budget

#### **Risk Assessment:**

Nil

## **Community & Strategic Objectives:**

E 1.5 Facilitate and create sustainable business and community partnerships

E 2.1 Advocate, promote and market the Shire as a place to live, work and visit

#### Comment:

Marilyn has requested financial assistance from the Shire to help meet the costs of printing so the history book can be published. A quote was sourced for the printing from Picton Press (Attachment 12.5.3a). The budget required for publishing the book is;

Printing 500 copies	\$12,702.32
Design by Megan Hele (already committed)	\$ 3,000.00
	\$15,702.32

The Beacon Progress Association has committed \$7,500.00 towards the cost of production. Once the books are printed they will be available on sale to the public, with proceeds assisting with the costs of publication. After costs are covered, the remainder of proceeds will go towards the Beacon Progress Association.

Any expenditure is required to be pre-approved by Council if it is not specifically budgeted for at the beginning of the financial year. As we are nearing the end of the 2016/17 financial year, it is evident that monies allocated within the Mt Marshall History Working Group budget will not be expended as the group has gone into recess following the departure of various members. A total of \$3000 is available in this account.

The purpose of the Mt Marshall History Working Group is to record, store and maintain recollections and personal observations of memories, places and events in the history of the Shire. Given the nature of Marilyn's request, it fits perfectly with the original means for the budget and it is recommended that Council support the publication.

## 2017/05-16 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That a contribution of \$3,000 be made towards the publication of the Beacon History Book.

Moved Cr HJ Shemeld Seconded Cr SE Faulkner Carried 6/0

### 12.5.4 Caravan Park Caretakers

**File No:** B2/8 & B2/10

**Location/Address:** Bencubbin and Beacon Caravan Parks

Name of Applicant: Nil

Name of Owner: Shire of Mt Marshall

**Author:** Sally Putt – Community Development Officer

Attachments: Nil

Declaration of Interest: Nil

**Voting Requirements:** Absolute Majority

Previously Considered: Nil

### **Background:**

The Bencubbin & Beacon Caravan Parks are currently operated by off-site Managers. Shire staff manage the Bencubbin Caravan Park during office hours. Bookings must be made during weekdays, a lock box is set up for visitors that arrive after hours and require keys. The Shire Cleaner undertakes cleaning as and when required during weekdays.

The Beacon Caravan Park is managed by Deborah Jacob, who manages the Beacon Co-op. Bookings are taken throughout the day and visitors are able to pick up their keys, vouchers or make payments at the Co-op during open hours. Deborah liaises with the Beacon Town Maintenance Officer to arrange the cleaning of the park as required on weekdays. Deborah does have the park mobile phone number to take after hour's or weekend calls for bookings however bookings are encouraged to be made during weekdays.

While the management of both parks is running effectively, operating the bookings systems only during office hours does limit their potential and can be frustrating for visitors requiring last minute bookings on weekends or after hours. If issues arise during their stay with the facility and no one is available onsite or in the office it also causes frustration for the visitor. Our cleaners are only available during weekdays so this means ablution blocks and general areas do not get cleaned over the weekend, this can lead to issues during busy periods and public holidays.

#### Consultation:

John Nuttall – Chief Executive Officer

#### **Statutory Environment:**

Local Government Act 1995

- 6.12. Power to defer, grant discounts, waive or write off debts
  - (1) Subject to subsection (2) and any other written law, a local government may
    - (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
    - (b) waive or grant concessions in relation to any amount of money; or

Chairman Initial

48

- (c) write off any amount of money, which is owed to the local government.
- \* Absolute majority required.
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

### **Relevant Plans and Policy:**

Nil

## **Financial Implications:**

Weekly powered caravan site at the Beacon or Bencubbin Caravan Park is \$155. This fee would be waived for the appointed Caretaker.

#### **Risk Assessment:**

Nil

### **Community & Strategic Objectives:**

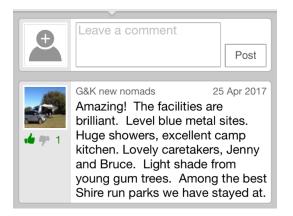
- E 2.1 Advocate, promote and market the Shire as a place to live, work and visit
- E 2.2 Assist with the provision of relevant tourist information and marketing services
- E 2.5 Develop partnerships to actively support visitor growth

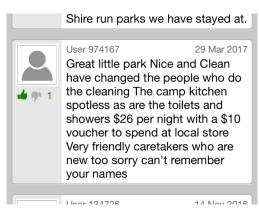
#### Comment:

Recently, the Beacon Co-operative employed a staff member whom is living at the Beacon Caravan Park. While staying there they, Jenny & Bruce Adamson, have taken it upon themselves to act as Caretakers, providing a friendly welcome to visitors, tourist information, reporting cleaning & maintenance works and assisting with after hours or weekend requests from visitors. They took on this role without seeking any financial compensation, they simply have a passion for the industry and enjoy the community.

An on-site caretaker role is common across Caravan Parks in Australia, it provides a welcoming atmosphere and improves operations. Many travellers, mostly grey nomads, travel around Australia and work as caretakers from time to time in return for free rent or payment. There are websites to advertise these positions.

Since Jenny & Bruce have been staying we have recognised it has improved our reviews on common caravan park promotional sites. The below is a screen capture of recent reviews for the Beacon Caravan Park on the app Wikicamps;





With both the Beacon & Bencubbin Caravan Parks being operated by off-site managers there would be a real benefit for the Shire to engage onsite Caretakers. Such a simple measure can boost the profile of the park to tourists, generate great reviews and improve the day to day functions of the park.

It is recommended that the Shire waive the weekly rent fees (for a powered caravan site) for Jenny & Bruce Adamson in return for them performing the formal Caretaker role at the Beacon Caravan Park. Jenny & Bruce have indicated they will be staying in the area until late 2017. They will continue to assist any visitors after hours or over weekends, ensure the park is in a tidy condition over the weekend or public holidays (when the Beacon Town Maintenance Officer is not available) and assist visitors with any tourist information or requests. As there is currently no policy granting authority to the Chief Executive Officer to wipe debt over \$10, this request needs to be determined by Council.

It is also recommended that the Shire seek a Caretaker for the Bencubbin Caravan Park in return for a free weekly powered caravan site. This will allow staff to advertise, seeking interest from any suitable candidates for the role.

#### 2017/05-17 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

### That;

- 1. The weekly powered caravan site fee at the Beacon Caravan Park of \$155.00 is waived for Jenny & Bruce Adamson while they fulfil the role of Caretaker; and
- 2. The weekly powered caravan site fee is waived for any future prospective Caretakers of the Bencubbin and/or Beacon Caravan Park.

Moved Cr SE Faulkner
Absolute Majority

Seconded Cr ARC Sachse

Carried 6/0

## 12.6 Regulatory Officer

## 12.6.4 Proposed Extractive Industries Local law – Public Submissions

File No: A2/4 Location/Address: N/A

Name of Applicant: Shire of Mt Marshall

Name of Owner: N/A

**Author:** Jack Walker – Regulatory Officer

12.6.4a – Submission from Whitestone

Quarries

Attachments: 12.6.4b – Submission from Qstone

12.6.4c – Email from Paul Bashall

**Declaration of Interest:** Nil

**Voting Requirements:** Absolute Majority

Previously Considered: Nil

### Background:

At the February 2017 meeting Council resolved as follows:

#### 2017/029 OFFICERS RECOMMENDATION / COUNCIL DECISION:

#### That:

- subject to Section 3.12(3) of the Local Government Act 1995 the Shire of
   Marshall advertise its intention to adopt the Shire of Collie Extractive
   Industries Local Law 2015 with the following amendments:
- (a) Delete "Shire of Collie" wherever it occurs and substitute "Shire of Marshall"
- (b) Delete Clause 1.4 "Repeal" as the Shire of Mt Marshall does not have current Extractive Industries Local Law to Repeal.
  - (c) Delete "2015" and substitute with "2017"
- 2. the Shire of Mt Marshall notes that the purpose of the proposed Extractive Industries Local Law 2017 is to prohibit the carrying on of an extractive industry unless by authority of a licence issued by the local government; regulate the carrying on of the extractive industry in order to minimise damage to the environment, roads and other peoples' health and property; and provide for the restoration and reinstatement of any excavation site.
- 3. that the Shire of Mt Marshall notes the effect of the proposed Extractive Industries Local Law 2017 is that any person wanting to carry on an

Chairman Initial

51

extractive industry will need to be licensed and will need to comply with the provisions of the local law.

**Moved Cr NR Gillett** 

Seconded Cr SE Faulkner

Carried 5/0

During the consultation period two submissions (Attachments 12.6.4a and 12.4.6b) were received relating to the proposed extractive industries local law. Both submissions request Council to consider an alternative proposal as they feel the local law is too restrictive, cumbersome and overlaps with the Mines Safety and Inspections Act. Both submissions are from companies who have current development approval for an extractive industry in the Shire.

#### Consultation:

- Mr John Nuttall Chief Executive Officer
- Mr Paul Bashall Planwest
- Mr Alan Chisolm Whitestone Quarries

### **Statutory Environment:**

Local Government Act 1995

### Division 2 — Legislative functions of local governments

Subdivision 1 — Local laws made under this Act

- 3.12 Procedure for making local laws
  - (3) The local government is to
    - (a) give Statewide public notice stating that
      - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
      - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
      - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given:

and

- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

Chairman	Initial

- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.

## Relevant Plans and Policy:

There are no plans or policies that cover Extractive Industries in the Shire of Mt Marshall.

### **Financial Implications:**

\$860.00 has currently been spent on advertising. A significantly greater sum will be spent if Council determines that the local law should proceed.

#### **Risk Assessment:**

As the Shire wishes to encourage industry in the district it is important that any prospective businesses are not discouraged by over regulation and red tape.

## **Community & Strategic Objectives:**

<u>CIVIC LEADERSHIP – provide accountable and transparent leadership:</u>

C1.1 Enhance open and interactive communication between Council and the community C1.2 Promote and support community members' participation in the Shires' governance

## <u>CIVIC LEADERSHIP – provide efficient and effective management:</u>

C3.2 Enhance the capacity and effectiveness of the administrative process.

### Comment:

As a result of comments made in the two submissions Shire staff have investigated the possibility of an alternative solution to a local law for the control of an extractive industry. Several Shires have a local planning policy which appears less restrictive than a local law and easier to implement.

The Shire's Town Planning Consultant, Mr Paul Bashall was contacted in regards to the adoption of a Town Planning Policy and the only issue he had with the proposal was that in the event of an appeal there was very little support from the WA Planning Commission or the Local Government Department as they do not have a role in the development of Council policies.

Extractive industries require development approval and part of the process requires the owners of the land to give permission for the development to proceed, without that permission the development does not go ahead. This provides Council with the knowledge that they will have the final say regarding an approval and conditions attached

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## 2017/05-18 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

#### That:

- 1. Council resolve not to proceed with the Extractive Industries Local Law.
- 2. The Chief Executive Officer be directed to draw up and present to Council an Extractive Industries Local Planning Policy.

Moved Cr HJ Shemeld Absolute Majority Seconded Cr ARC Sachse

Carried 6/0

## 12.6.5 Dual Registration – Bush Fire Control Officers

File No: A6/6 Location/Address: N/A

Name of Applicant: Shire of Mt Marshall

Name of Owner: N/A

**Author:** Jack Walker – Regulatory Officer

Attachments: 12.6.5 – Correspondence from Shire of

Koorda

**Declaration of Interest:** Nil

Voting Requirements: Simple Majority

Previously Considered: Nil

#### **Background:**

At the Bush Fire Advisory Committee meeting held in September 2016 it was recommended that several Bush Fire Control Officers in the Shire of Mt Marshall be nominated for dual registration with adjoining local authorities. A reciprocal arrangement would be extended to the adjoining Shire's. Both recommendations were approved by Council.

Correspondence from the Shire of Koorda to appoint Mr Andrew Leeke was received in December 2016. Other nominations from the Shire of Koorda being Mr George Storer and Mr Greg Westlund have been approved previously.

#### Consultation:

Nil

#### **Statutory Environment:**

Bush Fires Act 1954

Section 40 (1)

States that two or more local governments may by agreement join in appointing, employing and renumerating Bush Fire Control Officers for the purpose of this Act.

Section 40 (2)

States that Bush Fire Control Officers so appointed may exercise their powers and authorities and shall perform their duties under this Act in each and every one of the districts of the local government who have joined in appointing them.

#### **Relevant Plans and Policy:**

Shire of Mt Marshall Policy and Procedures Manual 2016

Part 7 – Fire Control

FC1 – Fire Brigades

FC3.1 – Duties of a Bush Fire Control Officer

Chairman Initial

55

### **Financial Implications:**

Nil

#### **Risk Assessment:**

The appointment of dual bush Fire Control Officers enables the appointed person the powers to take control of a fire burning in an adjoining local authority in the event they are first on the scene or if they are requested to do so by a member of the local Bush Fire Brigade.

## **Community & Strategic Objectives:**

SOCIAL - Provide services and processes to enhance public safety

S 3.1 Support provision of emergency services such as bush fire brigades, ambulance and LEMC

## CIVIC LEADERSHIP - Improve the Shire's capability and capacity

C 2.3 Facilitate resource sharing on a regional basis

#### Comment:

Several Bush Fire Control Officers from the Shire of Mt Marshall have been appointed dual Bush Fire Control Officers with the Shires of Koorda and Trayning. Council has also approved the appointment of several Bush Fire Control Officers in the Shire of Trayning as dual Bush Fire Control Offices. Mr George Storer and Mr Greg Westlund have been dual Bush Fire Control Officers for several years. No response has been received from the Shire of Mukinbudin in this regard.

### 2017/05–19 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

Mr Andrew Leeke from the Shire of Koorda be appointed a dual Bush Fire Control Officer with the Shire of Mt Marshall until further notice.

Moved Cr NR Gillett Seconded Cr SE Faulkner Carried 6/0

## 12.7 Development

Nil

### 13.0 Elected Members' Motions of Which Previous Notice Has Been Given

Nil

## 14.0 New Business of an Urgent Nature Introduced by Decision of the Meeting

#### **2017/05-20 COUNCIL DECISION:**

That the late items 14.1 and 14.2 be considered as presented.

Moved Cr HJ Shemeld Seconded Cr SE Faulkner Carried 6/0

## 14.1 LATE ITEM: DA Application – CEACA Housing Development, Bencubbin

**File No:** A5/15

Location/Address: Lot 152 (HN 43) Brown Street, Bencubbin

Name of Applicant: Jeff Thierfelder, Edgefield Projects for CEACA

Name of Owner: N/A

Author: Paul Bashall, Consultant Planner - Planwest

14.1.1a – Application for Development Approval

**Attachments:** 14.1.1b – Edgefield Projects Report and Assorted

Attachments - Bencubbin

Declaration of Interest: Nil

**Voting Requirements:**Recommendation 1: Absolute Majority Recommendation 2: Simple Majority

**Previously Considered:** N/A

#### Background:

An application for Development Approval (DA) has been received by the Council for the development of 2 aged person's dwellings in Bencubbin. The proposal has been lodged by Jeff Thierfelder, the Principal of Edgefield Projects on behalf of CEACA (Central East Aged Care Alliance). The site selected for the development is located on Lot 152 Brown Street, Bencubbin.

The overall project has been awarded funding from Royalties for Regions on behalf of the CEACA, for land assembly, servicing, and construction of 75 Independent Living Units (ILUs) for seniors on 13 sites (in 11 different Wheatbelt Shires). The purpose of

the Stage 2 CEACA Seniors Housing Project is to construct aged-appropriate houses that will deliver the following outcomes:

- retention of older people in rural communities through the provision of appropriate and affordable housing options
- economic and employment growth via the construction and management of assets and provision of aged care services
- creation of an asset base and cash flow that can be leveraged for the ongoing growth of community housing in the region
- efficient delivery of health and support services to the ageing community.

The purpose and outcomes are aligned with the objectives of Royalties for Regions funding and the Ageing in the Bush Initiative.

Housing will be developed in accordance with the recommendation of the Central East Aged Care Report, the Wheatbelt Aged Support and Care Solution Report and the State-Wide Ageing in the Bush Report, with all houses:

- developed in clusters that are centrally located near key services and facilities including health centres, shops and community services
- built to contemporary universal friendly design. All housing will meet the Gold or Platinum level requirements of the Liveable Housing Design Requirements
- built to feature Dementia Enabling Environment Principles
- connected to the Town CBD (or Main Street) by age friendly pathways.

**Figure 1** shows the location of the proposed development in respect to the Beacon townsite zoning. The subject land is currently designated as 'Residential' with a Residential Design Code (RCode) of R10/30.

The Figure shows the land surrounding the property is zoned 'Residential' with an R10/30 density code. The land to the north-west is developed with 4 aged persons' accommodation units, the land to the north-east (over the laneway) developed with a dwelling located on the Collins Street boundary. The land to the south-east of the property is occupied with a single dwelling. The property facing the subject land is currently vacant and has a dwelling on each side.

The 'Commercial' zoned property on the corner of Brown and Padbury Streets is used for fuel pumps.

Figure 2 shows an aerial photograph of the area.

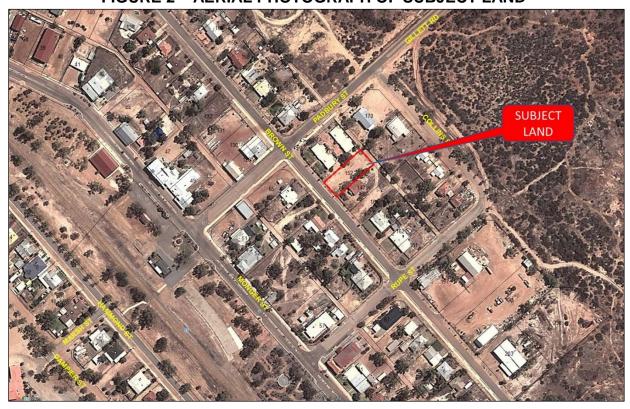
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FIGURE 1 - LOCATION PLAN



Source: DoP, Planwest

FIGURE 2 – AERIAL PHOTOGRAPH OF SUBJECT LAND



Source: Google, Planwest]

The land (Lot 152 Brown street, Bencubbin) is currently a Crown Land Reserve (No. 22783) for a 'Park' with a vesting to the Shire of Mt Marshall. Action has now been completed to change this purpose to 'Aged Persons accommodation' with management order in favour of the Shire.

The subject site is 1012m² in size, and is bounded by Brown Street to the south-west and a right-of-way to the north-east. It is within a 200m walk of Monger Street, where the Shire offices and other services are located. The site sits within a primarily residential precinct, adjoining a relatively new Aged Persons development to the north-west, an old church to the south-east, and across the right-of-way from a community hall.

The site is currently zoned Residential R10/R30. The slightly sloping site is currently vacant and mostly cleared (aside from several gum trees on the south-east side boundary).

In January 2017, Edgefield Projects were engaged to undertake a master planning exercise over the site to test capacity to fit 4 aged persons' dwellings on the allocated site. This exercise revealed that it would be very difficult to fit that many dwellings on this relatively small site, especially given the lack of reticulated sewerage on site. The master plan contemplated vehicle access off Brown Street, but in more recent discussions Edgefield Projects changed the configuration to gain vehicle access through the adjacent Aged Persons housing development to the north-west. This master plan was the basis for further detailed design work leading up to the current proposal.

### **Proposed Development:**

The block has a relatively narrow frontage and slopes up from Brown Street to the right-of-way at the back. The site is currently unsewered so requires an on-site septic system to service the new dwellings. The local soils are predominantly clay, so infiltration is low.

In order to create a zone for the leach drain, a retaining wall is proposed to be built along the Brown Street footpath and the land behind backfilled with sand. This system will service both of the proposed 2 units on site.

A footpath connection allows pedestrian and visitor access to the dwellings from Brown Street. Vehicle access is gained via a shared driveway with the existing development to the north-west. Each of the units has access to north-facing private courtyards as well as some common landscaped area along the south and western edge of the site.

All dwellings are single storey and modest in size. Within the broader CEACA program, there are five distinct types designed to respond to four criteria: level of universal access, vehicle access direction, visitor entry direction, and north orientation of outdoor living area. The five unit types have been designed so that they can be used on all 13 CEACA sites, and not all types are used on each individual site. All dwellings are designed according to the universal access requirements contained within the Liveable Housing

Design Guidelines, and achieve either Gold or Platinum standard. Below is a summary of the unit types and objectives, as well as the number proposed for the Bencubbin site:

Unit Type	FECA Size (m2)	Number Proposed	Universal Access	Vehicle Access	Front Door	Outdoor Living
<b>A1</b>	88.8	0	Gold	South	North	North
A2	90.7	0	Platinum	South	North	North
B1	88.4	0	Gold	South	South	North
B2	90.7	1	Platinum	South	South	North
D1	85.8	1	Gold	North	South	North
TOTAL		2				

Source: Edgefield Projects, 2017

All units are designed as 2 bedroom dwellings. The Gold standard units (A1, B1, D1) offer a full bathroom, a separate toilet room, and a full laundry room (see inset on floor plans for an alternative wet area configuration that includes a study nook, separate toilet room, laundry room, but no toilet in the main bathroom). The Platinum standard units (A2, B2) allow for a full bathroom plus an additional toilet in the laundry room.

The Gold standard units are designed to be able to attach to another like unit or be freestanding. The Platinum standard units are always freestanding. All units allow for a generous private courtyard accessed off the lounge room, as well as a single carport and external store room. Where site conditions allow, the courtyards are oriented to the north to allow for natural light and passive winter heating. All units are afforded a fenced in private yard to screen clothes drying racks and bins.

The proposed dwellings have been designed to fit in harmoniously with the surrounding site context, taking cues from the traditional residential buildings by using gable and hip roofs and street-facing verandahs. The detailing and colour palettes, however, offer a more contemporary and fresh approach that refer to more modern design trends.

The buildings have been designed as frame construction and have the ability to be produced via modular construction. As such, they are laid out on a standard 4.2m width and do not exceed 4.1m in height. Despite the height constraint, we have worked with the roof form to ensure that we can achieve an attractive proportion on the gable ends with sufficiently steep roof slopes. The roof slope on the gable ends is approximately 30 degrees while the main roof is approximately 14 degrees. Veranda roofs vary from 5-14 degrees.

The application provides front elevation massing studies (Figures 9-13) to provide an indication of the intended built form for each unit type (though keep in mind that cladding materials and colours are not indicated). These should be viewed in conjunction with the relevant plans in the DA application.

Figure 3 provides a copy of the Landscaping Plan contained in the DA.



FIGURE 3 - LANDSCAPING PLAN

Source: Edgefield Projects, May 2017

The subject site is currently zoned 'Residential' R10/30 under the Shire of Mt Marshall's Local Planning Scheme 3. The proposed land use Aged and Dependent Persons Dwelling is a permitted use ('P') within the Residential zone. However, given that the subject site is a split zone R10/R30, proposed development at the higher R30 density is considered a 'D' use, requiring Council to exercise its discretion.

The subject site area is 1012m<sup>2</sup>. The applicant states that the proposal is for 2 Aged Persons' units on site, which translates into an average site area of 506m<sup>2</sup>. This is more than required under the Residential R30 zoning which allows for an average site area per dwelling of 300m<sup>2</sup>. There is no current proposal to subdivide these dwellings off into separate titles.

The R30 development standards require at least 45% of the site to be retained as open space. The current development proposes 817m<sup>2</sup> or 81% of open space, considerably exceeding the minimum set by SPP3.1 (Residential Design Codes) of 45% for this zone.

The Residential R30 zone requires dwellings to be set back minimum 4m from the primary street and 1.5m from any side or rear boundary. This proposal maintains a minimum of 4m setback from all external boundaries.

The R30 allows for buildings up to 6m in height (plate height) and 9m at the top of roof. The current application proposes all single level dwellings with a maximum height of 4.1m.

As per SPP3.1 (Residential Design Codes) section 5.3.3 C3.1, Aged Person's dwellings are required to provide 1 car bay per dwelling. In addition, there are a number of requirements under the Liveable Housing Design Guidelines relating to car parking.

Visitor bays to be provided at a rate of 1 bay per 4 dwellings (in excess of 4 dwellings), which given that there are only 2 dwellings proposed, removes this requirement.

The proposed development allows for 1 car bay in a carport adjacent to each dwelling, accessed via a shared driveway through the Aged Persons dwelling development to the north-west.

The landscape response builds on the approach of "buildings within a landscape setting" with both the retention of the existing trees coupled with proposed extensive tree planting to the site to provide a shaded and comfortable living environment.

### **Landscape Principles**

The key principles of the landscape design focus on the following:

#### Solar orientation

Deciduous trees used predominately to the north and north west of buildings to shade summer sun and allow winter sun to penetrate. Evergreen trees and hedges to the east and west of buildings as a means to minimise the effect of hot winds and low angled sun

#### Fit for purpose

Materials have been selected to be durable and low maintenance, readily available, and able to be installed and maintained locally.

## Planting selection and design

A focus upon extensive tree planting to shade buildings and hard surfaces (including roads, driveways and pathways) as a means to mitigate heat loading to sites to create comfortable living environments for residents.

The water-wise and low-maintenance plant species indicated in the landscape plans have been selected from extensive experience of project work within the Wheatbelt, and



cross referenced via the Wheatbelt Waterwise = Saltwise: Gardening Guide (Colwill, J and Roe, J. 2004)

The use of both suitable fruit trees, shade trees and turf provides opportunities for residents to socialise with neighbours

The report states that all the urban services are available including water, power, drainage and telecommunications. Septic tanks and leach drains will be installed as there is no deep sewerage in the town.

In light of the above information, the applicant believes that the proposed development would make a positive contribution to the physical and social infrastructure of Bencubbin, and would warrant favourable consideration and approval for the following reasons:

- The proposal satisfies the need for Aged Persons housing identified by several strategic reports (Central East Aged Care Report, Wheatbelt Aged Support and Care Solution Report, State Wide Ageing in the Bush Report)
- The proposed development adds further accommodation capacity in the town for this underserved demographic adjacent to an existing similar development
- The proposed development meets the development requirements of the Residential R30 zone, and is therefore consistent with other such Aged Persons housing projects in Western Australia.
- The site is well serviced by most relevant services (power, water, telecom)
- The site is within easy walking distance of community services such as daily shopping, library, and Council offices
- The increased population in the townsite will support the commercial viability of local businesses and increase the vitality of the town

### **Bushfire:**

As the subject site was identified as a 'bushfire prone' location on the SLIP website (https:// maps.slip.wa.gov.au/landgate/bushfireprone2016), a Bushfire Attack Level (BAL) assessment was commissioned by a qualified assessor in accordance with SPP 3.7 Planning in Bushfire Prone Areas. The BAL Assessment report is included in Edgefield's report.

The assessment resulted in a BAL rating for the site of 12.5. This is a relatively low BAL rating that can be easily addressed at Building Permit stage by using appropriate construction methods and materials.

#### Consultation:

Nil

#### **Statutory Environment:**

The subject land is zoned 'Residential' with an R10/30 density code. In respect to this coding the Scheme (Part 5.3) says;

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- (b) Residential development with the R10/30 code shall be permitted at the R10 density, however the Council may approve developments up to the R30 density as an 'D' use.
- (d) The Council shall not approve a residential development with a density exceeding R10 unless the Council is satisfied that an alternative sewerage disposal system can be installed and managed to its satisfaction, and in accordance with any relevant government sewerage policy.

The proposed development has been designed to conform to the R30 Code, this assumes that the Council is satisfied that an alternative sewerage disposal system can be installed and managed to its satisfaction, and that the development will be accordance with the Government Sewerage Policy.

The proposal complies with the site area per dwelling, setbacks, open space, building heights, parking and landscaping for the R30 density.

## **Relevant Plans and Policy:**

Nil

### **Financial Implications:**

The Shire will receive the DA Application fee of \$1,584.30 from CEACA once an invoice is lodged with them as per recent CEACA resolution.

#### **Risk Assessment:**

Nil

## **Community & Strategic Objectives:**

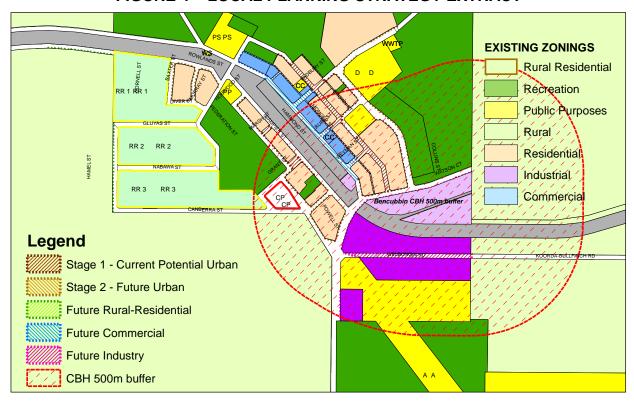
The WA Planning Commission endorsed the Shire's Local Planning Strategy (the Strategy) in 2013. **Figure 4** provides an extract from the Strategy Map for the Bencubbin townsite.

The Strategy map shows the 500m buffer from the CBH site as slightly impacting the proposed site. As the boundary of this buffer area just touches the southernmost dwelling it is not an issue that concerns the Council.

The current proposal is consistent with the Strategy proposals.

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FIGURE 4 - LOCAL PLANNING STRATEGY EXTRACT



Source: DoP, 2013, Planwest

#### **Comment:**

This development complies with the RCode definition of an aged and dependent persons' accommodation by nature of its size and facilities, however – as the RCodes stand at this time – an aged or dependent person's accommodation needs to be in a group of at least 5 dwellings (Part 5 Clause C2.1 ii)).

Proposed changes to the RCodes (currently proposed) seek to reduce the minimum number to 2 dwellings. If a development qualifies as an aged or dependent person's accommodation the site area may be reduced **by up to one third** (Part 5 Clause 1.4 i) of the RCodes), however the setbacks for the primary density remain.

The Clause C1.4 of the RCodes says;

Subject to clause 5.1.1 C1.3 only, the following variations to the minimum and average site area set out in Table 1 may be made:

i. for the purposes of an aged or dependent persons' dwelling or a single bedroom dwelling, the site area may **be reduced by up to one third**, in accordance with clauses 5.5.2 and 5.5.3 which shall only be applied where development is proposed;

This is not the same as saying all development can comply with the R30 code because it is aged or dependent persons' accommodation. However, the 'split' coding in the Scheme provides for R30 where the sewerage issue can be sorted out.

Notwithstanding this, the development can be approved in accordance with the R30 density code under certain conditions outlined in the statutory implications section of this report.

### 2017/05-21 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

### That Council;

- 1. subject to section 9.49A of the Local Government Act 1995, delegate the Chief Executive Officer to sign the Development Approval application form for the proposed development of aged care accommodation (as the owner Lot 152 Brown Street, Bencubbin); and
- 2. approves the application for Development Approval submitted on 9th May 2017 be granted subject to;
  - a. The details of fencing to Brown Streets being designed to the satisfaction of the Council and the R Codes.
  - b. The Council being satisfied that an alternative sewerage disposal system can be installed and managed to its satisfaction, and in accordance with any relevant government sewerage policy
  - c. Any new cross-overs to the public street to be constructed to Shire standards.

#### Footnotes:

The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the Shire of Mt Marshall and be approved before any work requiring a building permit can commence on site.

Moved Cr SE Faulkner Se Absolute Majority

Seconded Cr ARC Sachse

Carried 6/0

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## 14.2 LATE ITEM: DA Application – CEACA Housing Development, Beacon

**File No:** A5/15

**Location/Address:** Lot 40 Rowlands Street, Beacon

Name of Applicant: Jeff Thierfelder, Edgefield Projects for CEACA

Name of Owner: N/A

Author: Paul Bashall, Consultant Planner - Planwest

14.2a – Application for Development Approval

Attachments: 14.2b – Edgefield Projects Report and Assorted

Attachments - Beacon

**Declaration of Interest:** Nil

**Voting Requirements:**Recommendation 1: Absolute Majority Recommendation 2: Simple Majority

**Previously Considered:** N/A

#### Background:

An application for Development Approval (DA) has been received by the Council for the development of 1 aged person's dwelling in Beacon. The proposal has been lodged by Jeff Thierfelder, the Principal of Edgefield Projects on behalf of CEACA (Central East Aged Care Alliance). The site selected for the development is located on Lot 40 Rowlands Street, Beacon.

The overall project has been awarded funding from Royalties for Regions on behalf of the CEACA, for land assembly, servicing, and construction of 75 Independent Living Units (ILUs) for seniors on 13 sites (in 11 different Wheatbelt Shires). The purpose of the Stage 2 CEACA Seniors Housing Project is to construct aged-appropriate houses that will deliver the following outcomes:

- retention of older people in rural communities through the provision of appropriate and affordable housing options
- economic and employment growth via the construction and management of assets and provision of aged care services
- creation of an asset base and cash flow that can be leveraged for the ongoing growth of community housing in the region
- efficient delivery of health and support services to the ageing community.

The purpose and outcomes are aligned with the objectives of Royalties for Regions funding and the Ageing in the Bush Initiative.

Housing will be developed in accordance with the recommendation of the Central East Aged Care Report, the Wheatbelt Aged Support and Care Solution Report and the State-Wide Ageing in the Bush Report, with all houses:

 developed in clusters that are centrally located near key services and facilities including health centres, shops and community services

- built to contemporary universal friendly design. All housing will meet the Gold or Platinum level requirements of the Liveable Housing Design Requirements
- built to feature Dementia Enabling Environment Principles
- connected to the Town CBD (or Main Street) by age friendly pathways.

**Figure 1** shows the location of the proposed development in respect to the Beacon townsite zoning. The subject land is currently designated as 'Residential' with a Residential Design Code (RCode) of R10/30.

The Figure shows the land to the north of the site is zoned Commercial and developed with a community hall and a community resource centre. The lot adjacent to the subject land is zoned Residential and is developed with a CWA building. The land to the south, also zoned Residential, is occupied by a church. The land on the east side of Hamilton Street is zoned 'Special Use – MVR' (Motor Vehicle Repairs) and is composed of a shed that is also use for post office operations.

Figure 2 shows an aerial photograph of the area.



## FIGURE 1 - LOCATION PLAN

Source: DoP, Planwest

## FIGURE 2 - AERIAL PHOTOGRAPH OF SUBJECT LAND



Source: Google, Planwest]

The land (Lot 40 Rowlands Street, Beacon) is currently a Crown Land Reserve (No. 23238) for Recreation (Children's Playground) with a vesting to the Mt Marshall Road Board – now the Shire of Mt Marshall.

The whole lot measures 989m² in area and is mostly flat with a number of small trees and shrubs. It appears to be currently used as a small pocket park surrounded by a simple pine fence along the lot boundary.

/No. 15

S. 194c

## 50

THE LAND ACT, 1933-1939
Corr. No. 1963/51
I, Sir James Mitchell, Knight Grand Cross of the Most
Distinguished Order of Saint Michael and Saint George,
, Eieutenant-Governor in and
over the State of Western Australia and its Dependencies, in the Commonwealth
of Australia, do hereby, in pursuance of the powers enabling me in that behalf,
and under and by virtue of the provisions of section 33 of the Land Act,
1933-1950, direct that Reserve No. 23238 at Beacon (Lot 40)
shall vest in and be held by the Mount Marshall Road Board
in trust for the following objects and purposes
(that is to say) Recreation (Children's Playground)  or other the purposes for which the land
is reserved, subject nevertheless to the powers reserved to me by section 37 of the
said Act.
Given under my hand, at Perth, this 26 56
day of Cyril 1951
day of Cyric 19.57  James Mc GOVERNOR.
18207/6/48—2m. GOVERNOR.

## **Proposed Development:**

The current proposal is for 1 Aged Persons dwelling facing onto, and accessed from, Rowland Street. There has been allowance for a second future unit on the south portion of the subject site once additional funding is secured.

As the townsite is un-sewered, provision has been made for a shared septic system to accommodate both units with a leach drain south-east of the proposed dwelling. The layout strives to retain as many on-site trees as possible.

Within the broader CEACA program, there are five distinct unit types designed to respond to four criteria: level of universal access, vehicle access direction, visitor entry direction, and north orientation of outdoor living area. The five unit types have been designed so that they can be used on all 13 CEACA sites, and not all types are used on each individual site. All dwellings are designed according to the universal access requirements contained within the Liveable Housing Design Guidelines, and achieve either Gold or Platinum standard. All dwellings are single storey and modest in size.

Below is a summary of the unit type and objectives proposed for the Beacon site:

Unit Type	FECA Size (m2)	Number Proposed	Universal Access	Vehicle Access	Front Door	Outdoor Living
<b>A1</b>	88.8	0	Gold	South	North	North
A2	90.7	0	Platinum	South	North	North
B1	88.4	1	Gold	South	South	North
B2	90.7	0	Platinum	South	South	North
D1	85.8	0	Gold	North	South	North
TOTAL		1				

Source: Edgefield Projects, 2017

The Beacon unit will be designed as a 2 bedroom dwelling. The Gold standard unit offers a full bathroom, a separate toilet room, and a full laundry room (see inset on floor plans for an alternative wet area configuration that includes a study nook, separate toilet room, and laundry room, but no toilet in the main bathroom).

The Gold standard units are designed to be able to attach to another like unit or be freestanding. All units allow for a generous private courtyard accessed from the lounge room, as well as a single carport and external store room. Where site conditions allow, the courtyards are oriented to the north to allow for natural light and passive winter heating. All units are afforded a fenced in private yard to screen clothes drying racks and bins.

The proposed dwelling has been designed to fit in harmoniously with the surrounding site context, taking cues from the traditional residential buildings in the townsite by using gable and hip roofs and street-facing verandahs. The detailing and colour palettes, however, offer a more contemporary and fresh approach that refer to more modern design trends.

**Figure 3** provides a copy of the Landscaping Plan contained in the DA.



FIGURE 3 - LANDSCAPING PLAN

Source: Edgefield Projects, May 2017

The development will comply with the Residential R30 standards that may allow for another unit to be added at a later date. As this is theoretically a single house (as it is the first dwelling on the lot) it does not require a DA application (according to the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations* 2015).

The proposal conforms to the R10 Code minimum site area, parking, landscaping, building height, open space, setbacks and services availability.

The landscape response builds on the approach of "buildings within a landscape setting" with both the retention of the existing trees coupled with proposed extensive tree planting to the site to provide a shaded and comfortable living environment.

## **Landscape Principles**

The key principles of the landscape design focus on the following:

#### Solar orientation

- Deciduous trees used predominately to the north and north west of buildings to shade summer sun and allow winter sun to penetrate.
- Evergreen trees and hedges to the east and west of buildings as a means to minimise the effect of hot winds and low angled sun.

### Fit for purpose

Materials have been selected to be durable and low maintenance, readily available, and able to be installed and maintained locally.

### Planting selection and design

A focus upon extensive tree planting to shade buildings and hard surfaces (including roads, driveways and pathways) as a means to mitigate heat loading to sites to create comfortable living environments for residents.

The water-wise and low-maintenance plant species indicated in the landscape plans have been selected from extensive experience of project work within the Wheatbelt, and cross referenced via the Wheatbelt Waterwise = Saltwise: Gardening Guide (Colwill, J and Roe, J. 2004).

The use of both suitable fruit trees, shade trees and turf provides opportunities for residents to socialise with neighbours.

The report states that all the urban services are available including water, power, drainage and telecommunications. Septic tanks and leach drains will be installed as there is no deep sewerage in the town.

In light of the above information, the applicant believes that the proposed development would make a positive contribution to the physical and social infrastructure of Beacon, and would warrant favourable consideration and approval for the following reasons:

- The proposal satisfies the need for Aged Persons housing identified by several strategic reports (Central East Aged Care Report, Wheatbelt Aged Support and Care Solution Report, State Wide Ageing in the Bush Report).
- The proposed development adds further accommodation capacity in the town for this under-served demographic.
- The proposed development meets the development requirements of the Residential R30 zone, and is therefore consistent with other such Aged Persons housing projects in Western Australia.
- The site is well serviced by most relevant services (power, water, telephone).
- The site is within easy walking distance of community services within the townsite.

• The increased population in the townsite will support the commercial viability of local businesses and increase the vitality of the town.

#### **Bushfire**

Given the location central to the townsite and the mapping for the site found on the SLIP website (https://maps.slip.wa.gov.au/landgate/bushfireprone2016), it does not appear that the subject site is within a 'bushfire prone' location. As such, it does not require a Bushfire Attack Level (BAL) assessment as part of the Development Application, according to SPP 3.7 Planning in Bushfire Prone Areas.

Therefore no special design considerations relating to bushfire risk apply - either at the site planning or building design level.

#### Consultation:

Nil

## **Statutory Environment:**

The subject land is zoned 'Residential' with an R10/30 density code. In respect to this coding the Scheme (Part 5.3) says;

- (b) Residential development with the R10/30 code shall be permitted at the R10 density, however the Council may approve developments up to the R30 density as an 'D' use.
- (d) The Council shall not approve a residential development with a density exceeding R10 unless the Council is satisfied that an alternative sewerage disposal system can be installed and managed to its satisfaction, and in accordance with any relevant government sewerage policy.

The proposed development has been designed to conform to the R30 Code, although it does not need to comply until an additional dwelling is added to the site. The additional unit will be termed a 'grouped dwelling' and will require the Council to determine a DA when this occurs (as a 'D' use).

A 'D' use means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

As the application stands it must be considered as a single house with an R10 density.

The proposal complies with the site area per dwelling, open space, building heights, parking and landscaping for an R10 density. The Rowlands Street setback of 4 metres complies with a side boundary setback for R10, with the Hamilton Street setback complying with the front setback requirement of 7.5 metres (as per the R10 code).

#### **Relevant Plans and Policy:**

Nil

### **Financial Implications:**

The Shire will receive the DA Application fee of \$772.26 from CEACA once an invoice is lodged with them as per recent CEACA resolution.

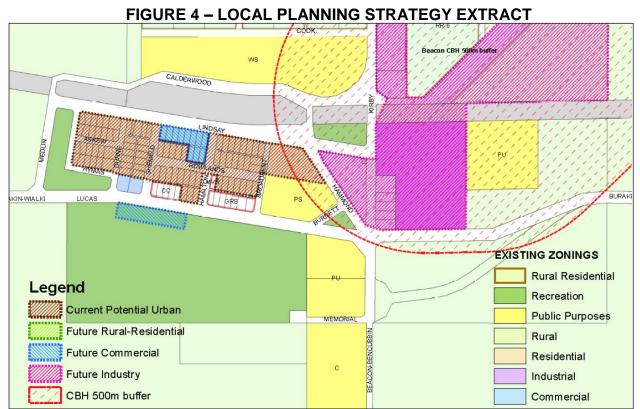
#### **Risk Assessment:**

Nil

## **Community & Strategic Objectives:**

The WA Planning Commission endorsed the Council's Local Planning Strategy (the Strategy) in 2013. **Figure 4** provides an extract from the Strategy Map for the Beacon townsite.

The current proposal is consistent with the Strategy proposals.



Source: DoP, 2013, Planwest

#### Comment:

The proposed development includes a single house. A single house (that is the first house on a lot) is exempt from requiring a DA - provided it complies with the RCodes.

This development complies with the RCode definition of an aged and dependent persons' accommodation by nature of its size and facilities, however – as the RCodes stand at this time – an aged or dependent person's accommodation needs to be in a group of at least 5 dwellings (Part 5 Clause C2.1 ii)).

Proposed changes to the RCodes (currently proposed) seek to reduce the minimum number to 2 dwellings. If a development qualifies as an aged or dependent person's accommodation the site area may be reduced **by up to one third** (Part 5 Clause 1.4 i) of the RCodes), however the setbacks for the primary density remain.

The Clause C1.4 of the RCodes says;

Subject to clause 5.1.1 C1.3 only, the following variations to the minimum and average site area set out in Table 1 may be made:

ii. for the purposes of an aged or dependent persons' dwelling or a single bedroom dwelling, the site area may be reduced by up to one third, in accordance with clauses 5.5.2 and 5.5.3 which shall only be applied where development is proposed;

This is not the same as saying all development can comply with the R30 code because it is aged or dependent persons' accommodation. However, the 'split' coding in the Scheme provides for R30 where the sewerage issue can be sorted out.

## 2017/05–22 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

### That Council;

- 1. subject to section 9.49A of the Local Government Act 1995, delegate the Chief Executive Officer to sign the Development Approval application form for the proposed development of aged care accommodation (as the owner Lot 40 Rowlands Street, Beacon); and
- 2. approves the application for Development Approval submitted on 9th May 2017 be granted subject to;
  - a. The details of fencing to Hamilton and Rowlands Streets being designed to the satisfaction of Council and the R Codes.
  - b. The cross-overs to the public street to be constructed to Shire standards.

#### Footnotes:

- I. The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the Shire of Mt Marshall and be approved before any work requiring a building permit can commence on site.
- II. Further consideration of any additional dwellings on this property will be subject to compliance with the RCodes and satisfactory sewerage system issues.

Moved Cr SE Faulkner	Seconded Cr NR Gillett	Carried 6/0
Absolute Majority		

15.0 Next Meeting – Tuesday 20 June 2017 commencing at 3:00pm at the Beacon Country Club, Shemeld St, Beacon

16.0	Closure of Meeting		
The Presid	ling Member declared the meeting closed a	t 8.00pm	
These Mi	nutes were confirmed by the Council	at its Ordinary Me	eting held on
Da	ate	Cr RM Kirby	President