



**MINUTES
ORDINARY COUNCIL MEETING**

8 MARCH 2016

**COUNCIL CHAMBERS
THE TOWN OF NARROGIN
89 EARL STREET
NARROGIN WA 6312**

Meaning of and CAUTION concerning Council's "In Principle" support:

When Council uses this expression it means that: (a) Council is generally in favour of the proposal BUT is not yet willing to give its consent; and (b) Importantly, Council reserves the right to (and may well) either decide against the proposal or to formally support it but with restrictive conditions or modifications.

Therefore, whilst you can take some comfort from Council's "support" you are clearly at risk if you act upon it before Council makes its actual (and binding) decision and communicates that to you in writing.

Disclaimer:

"Warning - Verbal Information & Advice: Given the inherent unreliability and uncertainty that surrounds verbal communication, the Town strongly recommends that, if a matter is of importance to you, then you should NOT act upon or otherwise rely upon any VERBAL information or advice you receive from the Town unless it is first confirmed in writing."

These minutes were confirmed at the Ordinary Council Meeting held on 22 March 2016

Signed: Date

(Presiding Member at the meeting at which minutes were confirmed)

Council Minutes are 'Unconfirmed' until they have been adopted at the following meeting of Council.

ORDINARY COUNCIL MEETING MINUTES

8 MARCH 2016

1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS

7.30 pm – The Presiding Person declared the meeting open.

2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

Elected Members

Mayor L Ballard
Deputy Mayor Cr A Paternoster
Cr C Bartron
Cr J McKenzie
Cr M Kain
Cr D Russell
Cr M Fisher

Staff

Mr A Cook – Chief Executive Officer
Mr A Awang – Executive Manager Development & Regulator Services
Mr C Bastow – Director Corporate and Community Services
Mr T Evans – Executive Manager Technical Services
Ms C Thompson – Executive Assistant

Visitors

Mr B Seale
Mr S Ratcliffe

Apologies

Cr C Ward
Cr P Schutz

3. DECLARATION OF INTEREST BY ELECTED MEMBERS AND COUNCIL EMPLOYEES IN MATTERS INCLUDED IN THE MEETING AGENDA

Cr Fisher declared an interest in item 10.2.030. The nature of his interest was Persons Closely Associated.

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

7.31 pm – Public Question time commenced

Steve Ratcliffe – Narrogin

1. Summary of Question

With regards to the forthcoming Revheads event on 12 March 2016 can Council tell me what the difference is from breathing smoke emitted from a burning pile of tyres and smoke emitted from the back of a car doing burnouts and what advice do you have for people with: babies: breathing difficulties; mental illness and other such disabilities?

Summary of Response

The CEO responded that the Rev Heads event is an event that is endorsed by Council. The required environmental approvals are carried out by the Health Department. The Executive Manager Development and Regulatory Services also added that it is requirement for the event organisers to obtain the necessary permits from the relevant agencies, in this case the Department of Health and also the Department of Environment and Regulatory Services for approval based on emission of pollutants and the noise factor. The applicant is required to demonstrate as part of their management plan how those factors are managed at the event. The Mayor concluded that it is regulatory matter for the Department of Health.

Brian Seale – Narrogin

1. Summary of Question

Will Council consider deferring item 10.2.028 to enable further consideration of the item?

Mr Seale outlined his suggestions to the following components of the agenda item:

- Change the Policy heading to Purchasing of Goods & Services Policy – make a subheading for Tenders
- Administrative change to wording in summary replace “to \$150,000” to “exceeding \$150,000” to avoid confusion
- Recommend backdating this resolution to take effect as of 1 October to protect the administration in case any purchases were made in the period since 18 September 2015.

The Mayor responded that the policy stays in place until Council adopts the new policy.

Mr Seale continued his comments:

- There is no suitable inclusion in the policy of the requirement of 11A.3 of *The Act*. ie obtaining of written quotations.
- Under *Policy Implications*, again change the word “to” to “exceeding”.
- This is a policy item, should it not be adopted by ‘Absolute Majority’.
- Change heading - Same as dot point 1.

- With regard to Purchasing thresholds I recommend you delete first block and make the first tier \$0-\$5,000 - but if you keep it change word practical to practicable and I recommend another tier \$20,000-\$100,000 – 3 written quotes be obtained.
- Amend the administrative error under “Tender Criteria” heading of the policy from \$100,000 to \$150,000.

Summary of Response

The Mayor thanked Mr Seale for his questions and advised that they cannot be answered as Council is yet to consider this item and the resolution will address his concerns.

7.45 pm – Mayor Ballard declared Public Question Time closed and noted that no questions have been taken on notice.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COUNCIL RESOLUTION 0316.029 AND OFFICER’S RECOMMENDATION

Moved: Cr Bartron

Seconded: Cr Fisher

That Council

Accept the minutes of the Ordinary Council Meeting held on 23 February 2016 and be confirmed as an accurate record of proceedings.

CARRIED 7/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

The Mayor announced that Mrs Lauren Schutz and Cr Paul Schutz announced the arrival of their healthy son on the weekend.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. MATTERS WHICH REQUIRE DECISIONS

10.1	DEVELOPMENT AND TECHNICAL SERVICES.....	6
10.1.025	SUBDIVISION CLEARANCE – CASH IN LIEU CONTRIBUTION, LOT 255 DONEY STREET, NARROGIN (WAPC REF: 149475)	6
10.1.026	PROPOSED SURVEY STRATA SUBDIVISION – LOT 920 (No.27) ARGUS STREET, NARROGIN.....	36
10.1.027	APPOINTMENT OF AUTHORISED OFFICER – RELIEF RANGER (NOEL WHITE).....	56
10.2	CORPORATE AND COMMUNITY SERVICES.....	58
10.2.028	C.2 PURCHASING AND TENDER POLICY AMENDMENT...	58
10.2.029	AUDIT COMMITTEE – ANNUAL COMPLIANCE RETURN ...	65
10.2.030	LIBRARY RENOVATION – BUDGET AMENDMENT	76

10.1 DEVELOPMENT AND TECHNICAL SERVICES

10.1.025 SUBDIVISION CLEARANCE – CASH IN LIEU CONTRIBUTION, LOT 255 DONEY STREET, NARROGIN (WAPC REF: 149475)

File Reference: A133100
Disclosure of Interest: Nil
Applicant: Tajay Nominees Pty Ltd
Previous Item Nos: Item 10.2.246 – Ordinary Council Meeting 25 February 2014
Date: 1 March 2016.
Author: Azhar Awang, Executive Manger Development & Regulatory Services.

Attachments

- Locality Plan
- Proposed Subdivision
- WAPC Approval subject to conditions
- Land Valuation Report.

Summary

Council is requested to consider the subdivision approval clearance at Lot 255 Doney Street, Narrogin, in regards to the provision of cash in lieu contribution for the requirement of public open space (POS).

Background

The matter was previously considered by Council at its meeting held on 25 February 2014 for the creation of eight (8) lots with an average lot size of 800m². Council at that meeting resolved as follows:

Council Resolution 0214.009

Moved: Cr McKenzie Seconded: Cr Bartron

That Council advise the Western Australian Planning Commission that:

a) the Town of Narrogin raises no objection to the subdivision of No 51 (Lot 255) Doney

Street as proposed subject to compliance with the following conditions:

i. No lot having a frontage of less than 16.4m. (LG)

ii. No lot being less than 1,000m² in area. (LG)

iii. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision.

iv. Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s shown on the approved plan of subdivision. (Water Corporation)

v. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lot(s) shown on the approved plan of subdivision.

vi. Such padmount sites as may be required by Western Power being transferred free of cost to Western Power, with the locations of the site being to the satisfaction of the Western Australian Planning Commission (Western Power)(LG).

b) should the applicant be required to provide 10% public open space, the Town of Narrogin would prefer the payment of cash-in-lieu given that adequate open space exists in the immediately locality.

CARRIED 5/0

On 29 April 2014, the Western Australian Planning Commission (WAPC) granted approval for the proposed subdivision subject to conditions.

In satisfying the condition for subdivision approval, the applicant has provided a land valuation report which has been prepared by National Property Valuers and Consultants.

Comment

The requirement to satisfy Condition 6 of the WAPC approval is that:

An area(s) of land at least 876m² in area, in a position to be agreed with the Western Australian Planning Commission, being shown on the diagram or plan survey (deposited plan) as a reserve for Recreation and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)

The approval further state in Advice Note 3:

With regard to Condition 6, provisions of section 153 of the Planning and Development Act 2005 provide that arrangements can be made, subject to further approval of the Western Australian Planning Commission, for a cash-in-lieu contribution by the landowner/applicant to the local government.

The applicant in satisfying condition 6 of the above approval has appointed National Property Valuers and Consultants to provide the valuation report on the subject property.

According to the valuation report, the market value "As Is" is \$230,000 for a total area of 8,751m². Based on this valuation, the cost unit per m² is (\$230,000/8,751m²) \$26.3m². This would result in the POS value for an area of 876m² to be at a total cost \$23,039.

It must be noted that money received is to be applied on items such as purchase of land by the local government for parks and recreation space generally in the locality in which the land

included in the plan of subdivision referred to in section 153 of *The Planning and Development Act 2005*.

Planning Bulletin No 21 – Cash-In-Lieu of Public Open Space, outlines the appropriate uses for cash-in-lieu funds such as expenditure for clearing, seating, earthworks, landscaping, toilets, reticulation, lighting, play equipment, pathways, fencing, walk trails, car parking and signage. Unacceptable use of the cash-in-lieu include such things as community halls or indoor recreation centres, enclosed tennis courts, bowling green for clubs, facilitates for private clubs and similar facilities where access by general public is restricted.

On this basis, it is recommended that Council accepts the cash-in-lieu contribution for the amount of \$23,039 for the purpose of public open space.

Consultation

- Applicant Tajay Nominees PtyLtd
- Officers from the Western Australian Planning Commission

Statutory Environment

Planning and Development act 2005 – section 152 Certain land to vest in Crown, section 153 – Payment in lieu of giving land for open space when permitted, 154 – Money paid in lieu of open space, application of.

WAPC Planning Bulletin No.21 – Cash-in-Lieu of Public Open Space

Policy Implications

Nil

Financial Implications

In accordance with section 154 of the *Planning and Development Act 2005*, All money received by a local government under section 153 is to be paid into a separate account of the trust fund of the local government established under section 6.9 of the *Local Government Act 1995*.

Strategic Implications

Town of Narrogin Strategic Community Plan 2012-2022

	Strategy	Task Allocation	Timeline	Score
3.3	Consolidate and identify purposes for all of Councils Reserves and properties for ongoing and future use.	DTES	2016	2

Actions Key Objective 3.3	2012-13	2013-14	2014-15	2015-16	2016-17	Est Budget
Prepare a full plan of all Reserves, there intended uses, current and future uses.		✓	✓			

Voting Requirements

Absolute Majority.

COUNCIL RESOLUTION 0316.030 AND OFFICER'S RECOMMENDATION

Moved: Cr Paternoster

Seconded: Cr McKenzie

That Council:

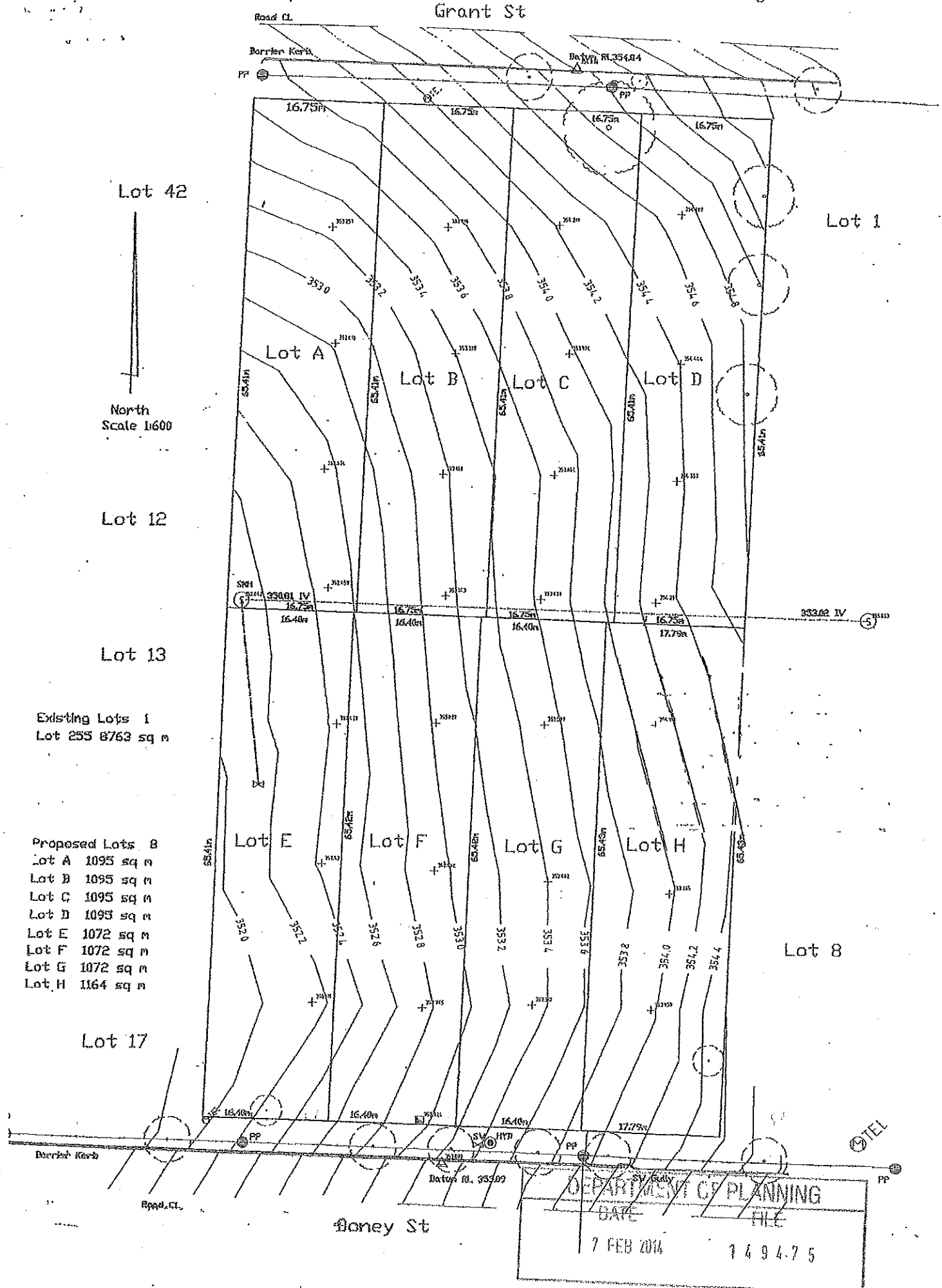
1. Advise the applicant that it supports the cash-in-lieu contribution for the public open space (total area of 876m²) at Lot 255 Doney Street, Narrogin to the amount of \$23,039.
2. Allocate the money in its Trust fund for the purpose of public open space and the money is to be applied as outlined under section 154 of the *Planning and Development Act 2005*.
3. Advise the Western Australian Planning Commission of the above.
4. Is prepared to clear condition 6 of WAPC Application No. 149475 of the subdivision approval upon the payment of the above money.

CARRIED 7/0



Attachment 1 – Locality Plan

Attachment 2 - Proposed Subdivision



Lot 42

North
Scale 1:600

Lot 12

Lot 13

Existing Lots 1
Lot 255 8763 sq m

- Proposed Lots 8
- Lot A 1095 sq m
 - Lot B 1095 sq m
 - Lot C 1095 sq m
 - Lot D 1095 sq m
 - Lot E 1072 sq m
 - Lot F 1072 sq m
 - Lot G 1072 sq m
 - Lot H 1164 sq m

Lot 17



Your Ref :
Enquiries : Peter Wright (Ph 6551 9542)

Tajay Nominees Pty Ltd
P O Box 1182
NARROGIN WA 6312

**Approval Subject To Condition(s)
Freehold (Green Title) Subdivision**

Application No : 149475

Planning and Development Act 2005

Applicant	:	Tajay Nominees Pty Ltd P O Box 1182 NARROGIN WA 6312
Owner	:	Tajay Nominees Pty Ltd P O Box 1182 NARROGIN WA 6312
Application Receipt	:	7 February 2014

Lot Number	:	255
Diagram / Plan	:	DP 222891
Location	:	-
C/T Volume/Folio	:	1253/924
Street Address	:	Doney Street, Narrogin
Local Government	:	Town of Narrogin

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the plan date-stamped 07 February 2014 once the condition(s) set out have been fulfilled.

This decision is valid for four years from the date of this advice, which includes the lodgement of the deposited plan within this period.

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 29 April 2018 or this approval no longer will remain valid.

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 9000; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: corporate@planning.wa.gov.au; web address <http://www.planning.wa.gov.au>
ABN 35 482 341 493



Reconsideration - 28 days

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, 12 St Georges Terrace, Perth, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

Deposited plan

The deposited plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the deposited plan. A copy of the deposited plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Condition(s)

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the deposited plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the deposited plan.

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ABN 35 482 341 493



If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the deposited plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

CONDITION(S):

1. The diagram or plan of survey (deposited plan) shall contain no lot with a frontage less than 16.4 metres. (Local Government)
2. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply to the lot(s) shown on the approved plan of subdivision. (Western Power).
3. The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)
4. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
5. Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
6. An area(s) of land at least 876m² in area, in a position to be agreed with the Western Australian Planning Commission, being shown on the diagram or plan of survey (deposited plan) as a reserve for Recreation and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)

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ADVICE:

1. In regard to Condition 2, Western Power provides only one underground point of electricity supply per freehold lot.
2. In regard to Conditions 4 and 5, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 67 of the *Water Agencies (Powers) Act 1984* will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.
3. With regard to Condition 6, provisions of section 153 of the *Planning and Development Act 2005* provide that arrangements can be made, subject to further approval of the Western Australian Planning Commission, for a cash-in-lieu contribution by the landowner/applicant to the local government.

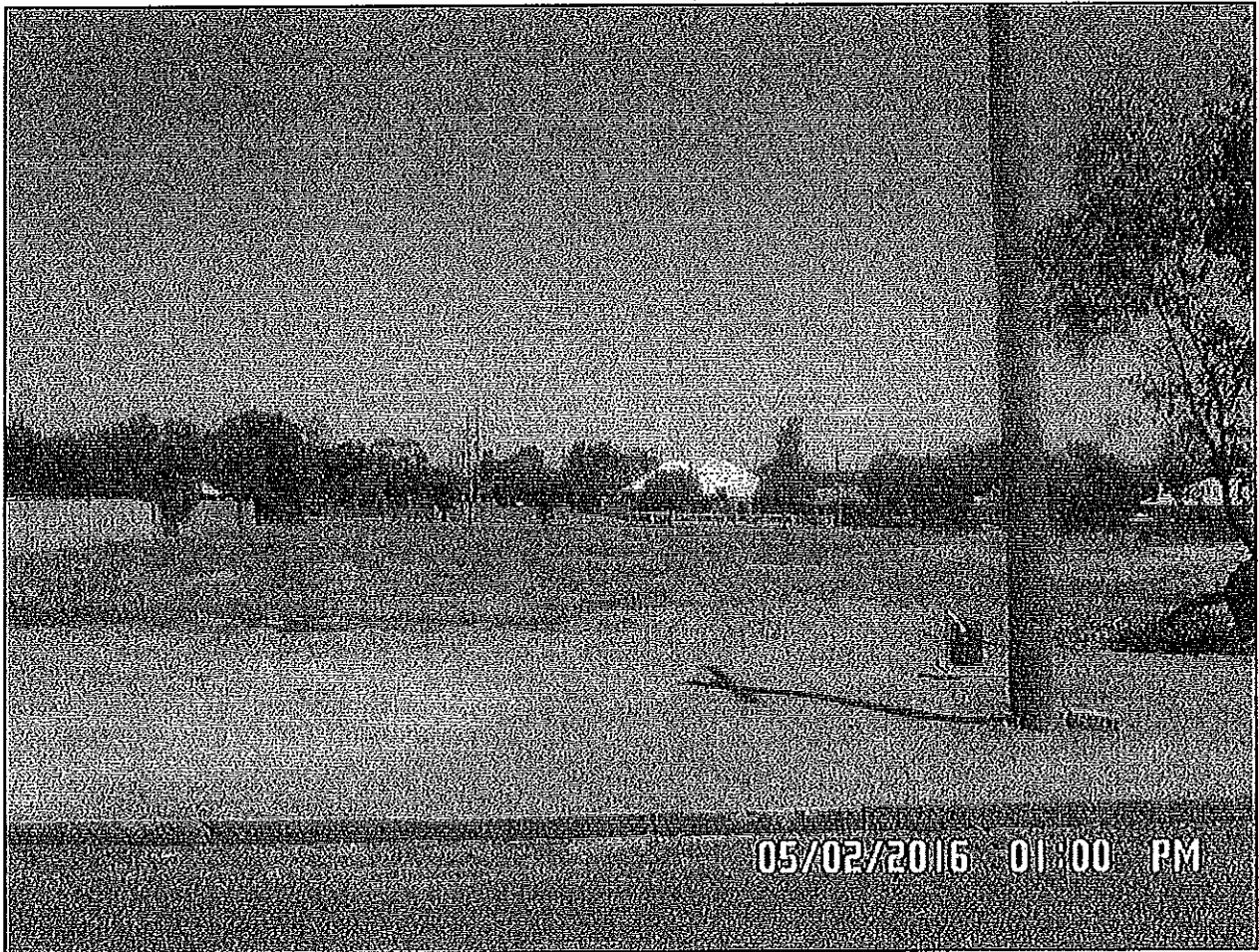
A handwritten signature in black ink, appearing to read "T. Hillyard".

Tim Hillyard
Secretary
Western Australian Planning Commission
29 April 2014



Valuation Report

Property	51 Doney Street, Narrogin WA 6312
Prepared for	Tajay Nominees Pty Limited.
Instructed by	Tracey Brandner on behalf of Tajay Nominees Pty Limited.
Purpose	Determination of current market value in relation to Cash-In-Lieu of Public Open Space contribution in subdividing land.
Title details	Lot 255 on Deposited Plan 222891, Certificate of Title Volume 1253 Folio 924.
Owner	Tajay Nominees Pty Limited. Registered 2 January 2014.
File ref	65918



National Property Valuers and Consultants

Southpoint Nominees Pty Ltd trading as LMW South West ABN 30 096 877 191 ACN 096 877 191
 Suite 4, 10, Victoria Street, Bunbury WA 6230 / PO Box 2493, Bunbury WA 6231
 T: 08 9792 5544 F: 08 9792 5540 www.lmw.com.au
 National Offices: NSW, VIC, QLD, WA & SA



Table of Contents

EXECUTIVE SUMMARY.....	1
INSTRUCTIONS & ASSUMPTIONS.....	2
LAND & LOCATION	3
IMPROVEMENTS	6
SALES EVIDENCE & MARKET COMMENT	7
COMMENTS & VALUATION RATIONALE	9
VALUATION STATEMENT.....	12
DISCLAIMERS.....	13
ANNEXURES.....	14



51 Doney Street, Narrogin WA 6312

Executive Summary

IMPORTANT: All data provided in this summary is wholly reliant on and must be read in conjunction with the information provided in the attached report. It is a synopsis only designed to provide a brief overview and must not be acted on in isolation.

1.1 Property details

Address	51 Doney Street, Narrogin WA 6312		
Title details	Lot 255 on Deposited Plan 222891. Certificate of Title Volume 1253 Folio 924.		
Registered proprietor / owner	Tajay Nominees Pty Ltd. Registered 2 January 2014.		
Encumbrances	1. *N072685 Mortgage to Nallonal Australia Bank Ltd. Registered 24 July 2015.		
Interest being valued	Fee Simple with vacant possession.		
Basis of valuation	Market Value "As Is".		
Relevant dates	Valuation Date:	5 February 2016	Inspection Date: 5 February 2016
	Submission Date:	24 February 2016	
Local authority / Zoning	Town of Narrogin.	'Residential R12.5'.	
Brief description	Comprises a vacant 'Residential' zoned allotment.		
Site area	8,751 m ²		

1.2 Recent sale history

	Sale date	Sale amount
Most recent transfer	November 2013	\$300,000
Comments	Most recent purchase of the subject property.	
Previous transfer	December 2005	\$207,000
Comments	Sale in a lower property market.	

1.3 Valuation

The valuation is made on the basis of "Market Value" as adopted by the Australian Property Institute from the International Assets Valuation Standards Committee definition. That is:

"The estimated amount for which an asset should exchange on the date of valuation between a willing buyer and a willing seller in an arms' length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently, and without compulsion."

In accordance with valuation principles I have ascertained a fair market value having regard to the highest and best use of the site. The highest and best use is defined as:

"The most probable use of a property, which is physically possible, appropriately justified, legally permissible, financially feasible, and which results in the highest value of the property being valued."

If there is any GST payable the figure is inclusive (refer to Section GST Implications).

Market Value "As Is"	\$230,000
(TWO HUNDRED AND THIRTY THOUSAND DOLLARS) subject to an unencumbered Fee Simple Title.	

Signature:

Firm: Southpoint Nominees Pty Ltd trading as LMW
ABN: 30 096 877 191
Address: Suite 4, 10 Victoria Street, Bunbury WA 6230

Valuer: Richard Graham
Qualifications / Reg#: Director
AAPI Lic Val #44062
Certified Practising Valuer

Liability limited by a scheme approved under Professional Standards Legislation



Instructions & Assumptions

2.1 Instructions

Following Instructions received from Tajay Nominees Pty Ltd we have prepared a valuation effective as at 5 February 2016 of the property known as 51 Doney Street, Narrogin to be used to establish current Market Value for cash-in-lieu of Public Open Space contribution in accordance with the Planning and Development Act 2005 (Sections 153 and 155) as per the requirements of the said Act.

2.2 Assumptions, conditions and limitations

This valuation is subject to the qualifications and assumptions set out in this report and the whole of the report should be read before any reliance is placed upon this valuation.

The valuation is prepared based on the following pertinent assumptions, conditions and limitations:

- Based on an unencumbered Fee Simple Title being obtained.
- This valuation is prepared on the understanding that no encumbrances, easements, rights of way or encroachments exist by or on the subject property other than those set out by the Certificate of Title.
- No asbestos related health risk with any material on site.
- The site is not in any way affected by environmental contamination.
- No encroachment of adjoining buildings onto the subject land.
- Town Planning information has been obtained verbally from representatives of the respective authorities and this valuation assumes this information is correct.
- The property is not affected by historical or anthropological matters.
- The site is not prone to flooding under normal climatic conditions.

If there is any variance / contradiction in any of the above assumptions then we reserve the right to review this valuation accordingly.



51 Doney Street, Narrogin WA 6312

Land & Location

3.1 Title details

Registered proprietor	Tajay Nominees Pty Ltd. Registered 2 January 2014.
Legal description	Lot 255 on Deposited Plan 222891, Certificate of Title Volume 1253 Folio 924.
Encumbrances & interests	1. *N072685 Mortgage to National Australia Bank Ltd. Registered 24 July 2015.

3.2 Town planning

Local authority	Town of Narrogin.
Zoning	Residential R12.5.
Permissible uses	State Planning Policy 3.1 referring to the Residential Design Codes set out that the minimum site area per dwelling is 700 m ² with the average of the subdivided area being 800 m ² . Minimum allotment frontage is not less than 16.4 metres as part of the subdivision approval.
Planning approvals / applications	The subject allotment has a subdivision approval granted on 29 April 2014. The conditions of the subdivision approval are relatively typical of a residential subdivision approval and mainly relate to conditions of connection of services and development guidelines. The subdivision conditions do not seem overly onerous for a developer to meet. The subdivision approval is for 8 lots varying in size from 1,096 m ² to 1,096 m ² .

The planning information noted has been obtained from the relevant local council. This information has been relied upon in my assessment of value and no responsibility is accepted for the accuracy of the planning information provided. Should the information prove incorrect in any significant respect, the matter should be referred to the valuer for review of the valuation.

3.3 The land

The dimensions of the site are as follows:

Doney Street frontage:	66.99 m	
Grant Street frontage:	66.99 m	
Even depth:	130.78 m	
Total site area	8,751 m ² based on Landgate	

Access to the site is directly off both Doney Street and Grant Street.

A current survey has not been sighted. The valuation is made on the basis that there are no encroachments by or upon the property and that all improvements are located entirely within the property. This should be confirmed by a current survey report and / or advice from a registered surveyor. If any encroachment is noted by the survey report, the valuer should be consulted to re-assess any effect on the value stated in this report.

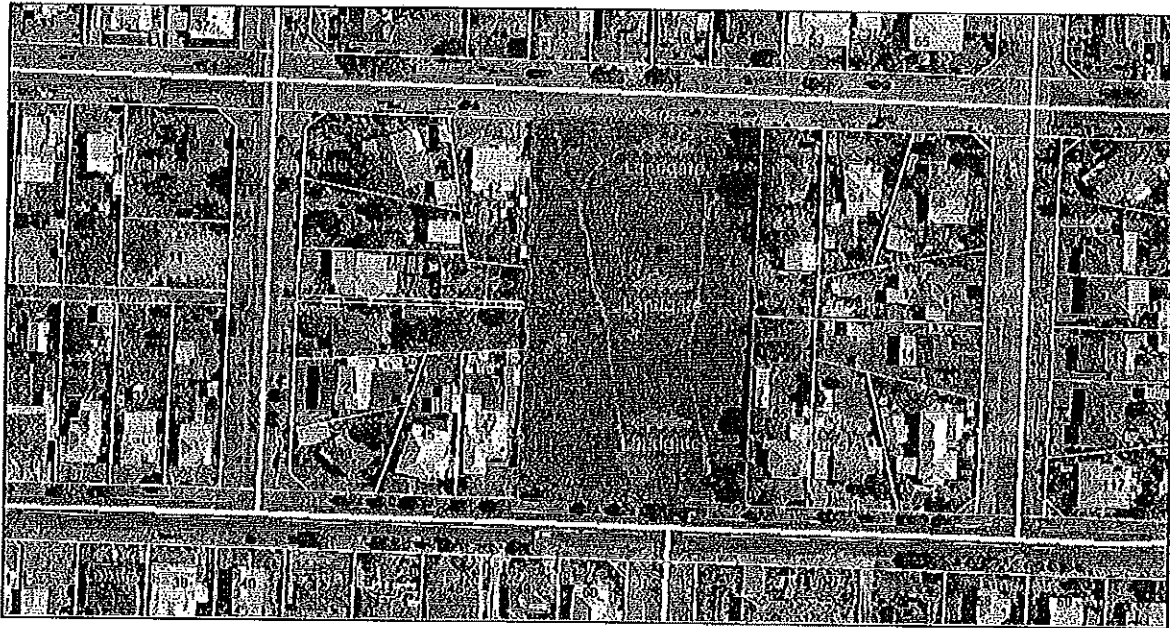


51 Doney Street, Narrogin WA 6312

3.4 Site description

Soil types comprise mainly red brown loams situated over a clay base subsoil.

The lot has a moderate crossfall from east to west.



Source: Landgate

3.5 Road description

Both Doney Street and Grant Street are bitumen sealed roads with concrete kerbing. These roads are quiet suburban roads within the townsite.

3.6 Services

Mains electricity, mains water, mains sewer and telephone are available to the property. These will be required to be connected as part of the subdivision approval.

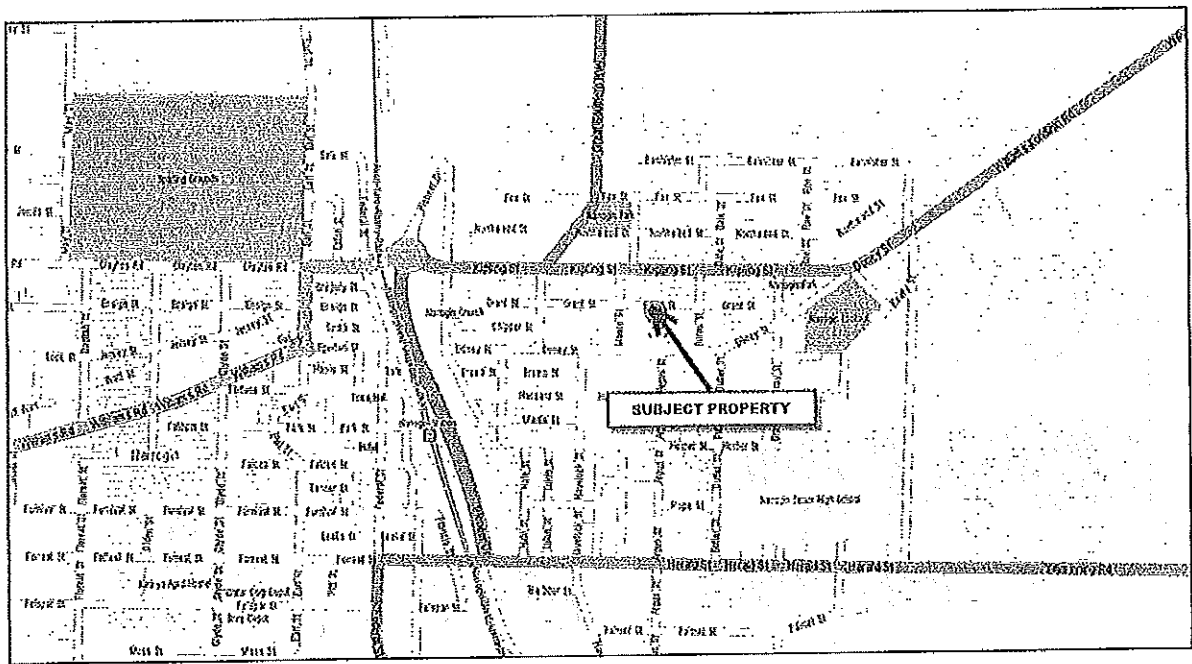
Other services provided within this locality include transport, shopping, local schools and public recreation facilities.

3.7 Location and neighbourhood

The subject property is situated in Narrogin and is some 199 kilometres south of the Perth CBD. The townsite has a population of approximately 4,219 (ABS 2011 SSC). The surrounding Shire of Narrogin has a population of 875 (ABS 2011 LGA).

Facilities within Narrogin include education (primary school, high school and agricultural college), medical (public hospital, aged care facilities, medical centres and local doctors), retail (shopping centre, supermarket, local stores, post office, bank and service station) and government administration (police station, emergency services and public library). Industry and employment in this locality is based around broadacre farming with sheep and grain production.

More specifically, the subject property is situated on the eastern side of the Narrogin townsite. The property has frontage to both Doney Street and Grant Street. This area of the townsite is considered to represent the mid levels of residential housing within the town.



3.8 Environmental hazards

By the Commencement of the Contaminated Sites Act 2003, a Public Register is now kept in Western Australia of land that has been identified as having past or current site contamination. I have undertaken a Contaminated Sites Register search which discloses that the land is not classified as a site with any past or current contamination issues. I do not accept any responsibility or liability whatsoever for the accuracy of the information contained in the search of the Contaminated Sites Register. In addition to searching the Register I have undertaken general enquiries on the previous use of the land and have relied on the accuracy of the information provided by you to use for this purpose.

No soil tests or environmental studies or 'Asbestos Materials Report' have been made available for my perusal. Therefore, my valuation has been assessed on the basis that there are no surface or sub-surface soil problems including instability, toxic or hazardous wastes, toxic mould, asbestos or hazardous building material in or on the property that would adversely affect its existing or potential use and / or reduce its marketability. Should any form of site contamination be known or discovered, I reserve the right to review this valuation.

While comment is made on readily noticeable environmental hazards or contaminations issues, valuers are not expert in such matters. Any party relying on this report should make their own judgement in relation to these matters and seek appropriate expert advice from a suitably qualified environmental consultant if they consider it necessary.

3.9 Native title

The value and utility of land can be adversely affected by the presence of aboriginal sacred sites. I have made no investigations in this regard, as Aboriginal requirements can only be determined by the appointment of an appropriate expert. Under these circumstances, I cannot warrant that there are no such sites on the land and if it is subsequently determined that the really is so affected I reserve the right to review this valuation.



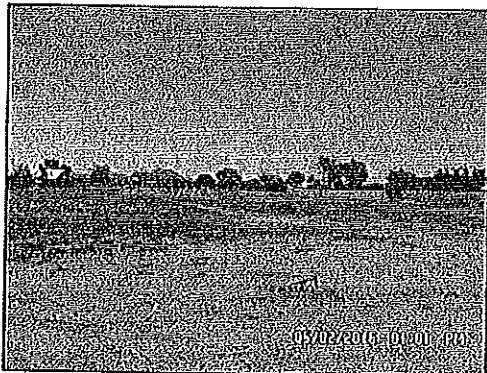
51 Doney Street, Narrogin WA 6312

Improvements

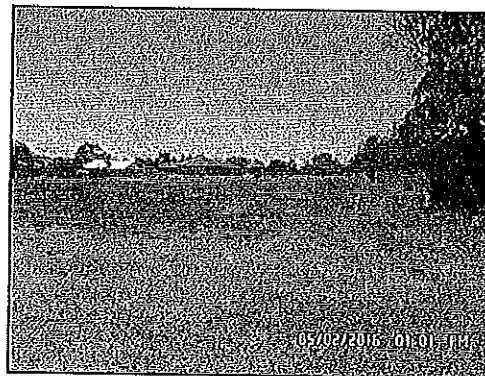
4.1 Building construction details

The subject property is vacant land and devoid of building improvements.

4.2 Supporting photographs



Subject property



Subject property



Sales Evidence & Market Comment

5.1 Sales evidence

The following sales provide a sample of the information that has been investigated and analysed for the purpose of this assessment. Whilst I believe the information to be accurate, it was obtained from third party sources and not all details have been formally verified.

Address	Sale Date	Sale Price
1. Lot 320 Walker Street, Narrogin WA	06/2015	\$97,500
Comments:	Comprises a 5,564 m ² vacant residential allotment. The property comprises part cleared / part remnant vegetation. Zoned 'Rural Residential'. No current subdivision potential.	
Comparison:	Smaller allotment without subdivision potential. Considered inferior overall.	
2. 23 Fox Street, Narrogin WA	10/2014	\$75,000
Comments:	Comprises a 2,028 m ² vacant residential allotment located in an average area of the Narrogin townsite. Fully serviced with mains water, mains sewer, electricity and telephone.	
Comparison:	Location inferior but larger allotment in size in comparison to the developed residential lots from the subdivision of the subject property.	
3. 57 Havelock Street, Narrogin WA	02/2015	\$94,000
Comments:	Comprises a 3,001 m ² vacant 'Rural Residential' zoned allotment with two street frontages. Connected to mains water with electricity available. Limited subdivision potential.	
Comparison:	Inferior development potential. Smaller allotment.	
4. 96 Felspar Street, Narrogin WA	06/2014	\$165,000
Comments:	Comprises a 1,593 m ² vacant residential lot in a well regarded part of Narrogin. Level site with minimum siteworks required. Fully serviced allotment.	
Comparison:	Smaller allotment in premier subdivision area of the townsite.	
5. 31 Fox Street, Narrogin WA	08/2015	\$40,000
Comments:	Comprises a 1,012 m ² vacant residential allotment. Situated below road level. Fully serviced.	
Comparison:	Location inferior to the subject property. We note this property sold for \$76,000 in October 2006 indicating the decline in the residential vacant land market within Narrogin since the "property boom" period of 2006 - 2008.	

5.2 Recent sale history

	Sale date	Sale amount
Most recent transfer	November 2013	\$300,000
Comments	Most recent purchase of the subject property.	
Previous transfer	December 2006	\$207,000
Comments	Sale in a lower property market.	



5.3 Market comment

There is a relatively low volume of vacant residential land available for sale within the townsite. Much of the vacant residential lots currently listed for sale are in poorly regarded locations and at asking prices less than \$50,000. There is a limited supply of well located land within the townsite. Demand however has been very slow for good quality vacant residential land and the sales that have occurred have reflected a softening in values over the past 2 to 3 years.

The demand for large residential development sites that could be subdivided within Narrogin is low. Extended selling periods for the developed lots and the resultant holding costs and developments costs mean that the development of residential land in Narrogin currently has marginal profitability and analysis would indicate that developers would pay less for development sites in the current market than they would have 12 to 18 months ago. Hence, whilst the subject property was purchased by the current owner for \$300,000 in November 2013, analysis of current development costs and likely sale prices for developed lots indicate that such a developer could not viably pay \$300,000 in today's market and still achieve a reasonable return on investment for the risk associated with developing residential land in Narrogin. As a result, we consider the value of the subject property has declined significantly since it was purchased in November 2013.



Comments & Valuation Rationale

6.1 Property overview

The subject property comprises a vacant 8,751 m² 'Residential' zoned allotment situated within an established part of the Narrogin townsite. Surrounding development comprises predominantly older style residential housing which is considered to represent the mid levels of residential housing within Narrogin.

Under the Town of Narrogin current Town Planning Scheme the subject property is zoned 'Residential R12.5'. Under this zoning the average minimum lot size for a single residential lot in a developed subdivision is 800 m². Given the size and dimensions of the subject allotment and two road frontages, the approved subdivision is for eight lots utilising the two existing road frontages. We understand that the main sewer line runs through the centre of the property in an east / west direction which would suit development of the lots, utilising the existing street frontages.

6.1.1 Cash-in-lieu of public open space provisions

The Planning and Development Act 2005 came into operation on 9 April 2006. The Act refers to cash-in-lieu provisions for public open space, Sections 153-156 of the Planning and Development Act. A summary of these Sections are as follows:

- a) enable the Western Australian Planning Commission to require subdividers to pay cash-in-lieu of public open space in respect of subdivisions of three lots or more in place of the current arrangements whereby cash-in-lieu is by agreement between the owners, Western Australian Planning Commission and local government in all cases (Section 153);
- b) enable cash-in-lieu funds to be used to reimburse owners who have ceded excess land for public open space under a joint subdivision agreement by private landowners (Section 154); and
- c) provide for the valuation of a cash-in-lieu payment for public open space to be determined on a specified date following a request by the subdivider and for the subdivider to be given 90 days from that date (or such longer period as agreed with the local government) to make the payment after which the local government may require an updated valuation (Section 155).
- d) market value of the land means the capital sum of the unencumbered estate in fee simple that the land might be reasonably expected to realise if offered for sale on such terms and conditions as a bona fide seller would require. The market value of the land is to be determined;
 - 1) as at the date on which the valuation is made.
 - 2) on the basis that there are no buildings, fences or other improvements of a like nature on the land.
 - 3) on the assumption that any re-zoning necessary for the purposes of the subdivision has come into force.
 - 4) taking into account the added value of all other improvements on or appurtenant to the land (Section 155).

In Western Australia, land owners and developers are typically required to give up to 10% of their land, or cash equivalent, free of cost upon subdivision of land to provide land for future recreational needs of residents.



51 Doney Street, Narrogin WA. 6312

6.2 Valuation methodology

In establishing a market value for the subject property we have used the accepted valuation principle of Direct Comparison and a Hypothetical Development approach.

The initial method of valuation is the Direct Comparison method, that being the analysis of sales of similar properties by comparative basis. When undertaking this comparison factors such as, but not limited to, the following are assessed and then related back to the subject property as a whole.

- Location
- Land Area
- Frontages
- Topography
- Services and Access
- Zoning
- Development Potential

We have also considered the Hypothetical Subdivision Method of Valuation. This method involves first calculating the gross realisation of the sale of the lots yielded by the subdivision of the property. From this figure we then deduct an allowance for GST (if applicable), an allowance for selling fees, developer's profit and risk, less development costs and less borrowing interest over the development and the associated purchasing costs. The end figure adopted is the residual land value. This is considered to be the residential englobo land value as required to be determined for a cash-in-lieu Public Open Space valuation.

This value is considered to be a realistic guide as to the market value of the land as it represents what a prudent purchaser would pay for the land before subdivision, after taking into account the relevant costs and profit margin from the venture.

6.3 Valuation rationale

6.3.1 Direct comparison

There has not been a directly comparable residential parcel of land with subdivision potential that has sold within the Narrogin townsite over the past 5 years. We have considered what single residential vacant lots have achieved within the townsite. These lots are fully serviced and are therefore not directly comparable when determining the value of the subject property. They provide an indication of the value of fully serviced lots used in our Hypothetical Development method.

We acknowledge the subject property sold for \$300,000 in November 2013. Whilst there is no directly comparable sales evidence, the fact that the upper levels of the residential property market within Narrogin generally has softened over recent years would indicate a lower value than what was achieved in 2013.

Secondly, when the land was purchased in 2013 it was not anticipated that development costs would be as extensive and that market conditions would soften for the finished developed lots.

6.3.2 Hypothetical development approach

Since the land was purchased the owner has undertaken the subdivision of approval process. Subsequent to this, the subdivision has been developed to the point that almost all subdivision conditions have now been met and the individual Certificates of Title are ready for issue. Subdivision development costs, as supplied by the owner, have currently equated to \$270,180 inclusive of GST. In addition, the developer will incur a public open space contribution plus make a small contingency allowance. Overall, estimated developments costs will be in the order of \$296,000 including GST.

Our analysis of the current residential market within Narrogin would indicate the subdivided lots would represent the upper levels of residential housing within the town. We anticipate achievable sale prices for these lots in the order of \$110,000. Given current demand, we would anticipate that it would be reasonable to sell between two to three lots per year, equating to a 3 year selling period based on current market conditions.

We have adopted a Profit and Risk Margin of 30% for this development as at the date of valuation. Development costs are known but development period is somewhat uncertain given the current state of the residential market and the requirement to sell eight vacant residential lots which are relatively high value vacant lots for the townsite. We estimate it would be realistic to sell two to three lots per annum over a 3 year period. Therefore the Profit and Risk Margin needs to be analysed in terms of the profit achieved over this period.

Our calculations under this methodology are set out on the following page.



51 Doney Street, Narrogin WA 6312

Hypothetical Development calculations

Gross Realisation

Lot numbers under proposed subdivision	8	@	\$110,000	\$880,000
Less GST				\$80,000
Gross Realisation				\$800,000
Less Selling and Marketing Costs	@	3.0%		\$24,000
				\$776,000
Less Profit and Risk Margin	@	30.0%		\$179,077
				\$596,923
<u>Less Development Costs</u>				
8 lots @\$50,000 per lot	8	\$37,000	\$296,000	
Less Input Tax Credit			\$26,909	
Less Net Development Costs (excluding GST)				\$269,091
				\$327,832
Less Interest on Development Costs	36	months		\$24,218
	6%			\$303,614
Less Interest on the Land Acquisition Cost	60	months		\$45,542
	6%			\$258,072
Less Rates & Taxes Over the Holding Period				\$22,000
				\$236,072
Less Stamp Duty and Purchasing Costs				\$6,553
				\$229,519
Net Realisation				\$229,519
Say				\$230,000

6.4 GST Implications

The property should not attract a GST liability if it is an existing residential property. In most cases the elements of a taxable supply do not exist in the sale of an existing residential property and hence nil GST is payable.

Residential property that is newly constructed and sold after the 1st of July, 2000 may attract a Goods and Services Tax. Any property having undergone extensive renovations after the 2nd of December 1998 may also attract a Goods and Services Tax.

A Goods and Services Tax (GST) applies to most types of property transactions, the extent of which depends on whether the property is being used for residential, commercial residential or commercial use. (In addition to a number of other related criteria).

If applicable, the Goods and Services Tax under a standard contract is liable at the date of settlement. Due to the nature of the workings of the tax, the seller must pay GST and therefore, GST is included in the sale price of a new residential property.

It must be clarified that we are not experts in the area of taxation and appropriate professional advice should be sought in relation to taxation and GST.

If there is any GST payable the valuation amount is inclusive.



51 Doney Street, Narrogin WA 6312

Valuation Statement

7.1 Adopted value

Subject to the qualifications and assumptions contained within the body of this report, I consider the assessed Market Value "As Is", as at 5 February 2016 to be:

Market Value "As Is"

\$230,000

(Two Hundred and Thirty Thousand Dollars)

Signature:

Valuer: Richard Graham
Qualifications / Reg#: Director
AAPI Lic Val #44062
Certified Practising Valuer

Firm: Southpoint Nominees Pty Ltd trading as LMW
ABN: 30 096 877 191
Address: Suite 4, 10 Victoria Street, Bunbury WA 6230
Phone: (08) 9792 5544
Fax: (08) 9792 5540
Email: bunbury@lmw.com.au
Website: www.lmw.com.au

Liability limited by a scheme approved under Professional Standards Legislation



Disclaimers

8.1 Disclaimers

This valuation is for the private and confidential use only of Tajay Nominees Pty Limited and for the specific purpose for which it has been requested. No third party is entitled to use or rely upon this report in any way and neither the valuer nor Southpoint Nominees Pty Ltd t/as LMW shall have any liability to any third party who does.

No part of this valuation or any reference to it may be included in any other document or reproduced or published in any way without written approval of the form and context in which it is to appear.

Neither the valuer nor Southpoint Nominees Pty Ltd t/as LMW has any pecuniary interest giving rise to a conflict of interest in valuing the property.

The opinion of value expressed in this report is that of the valuer who is the prime signatory to the report.

MARKET COMMENT CLAUSE

The valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of general market movements or factors specific to the particular property). Liability for losses arising from such subsequent changes in value is excluded as is liability where the valuation is relied upon after the date of valuation.

PRUDENT LENDER CLAUSE

Southpoint Nominees Pty Ltd t/as LMW will only extend liability to the lender referred to in the valuation report, if any (and no other) on the assumption the person or entity making a loan is an authorised deposit taking institution within the meaning of the Banking Act 1959 (including but not limited to any bank, building society or credit union).

or

This valuation is prepared on the assumption that the lender as referred to in the valuation report (and no other) may rely on the valuation for mortgage finance purposes and the lender has complied with its own lending guidelines as well as prudent finance industry lending practices, and has considered all prudent aspects of credit risks for any potential borrower, including the borrower's ability to service and repay any mortgage loan. Further, the valuation is prepared on the assumption that any such lender is providing mortgage financing at a conservative and prudent loan to value ratio. This clause only applies if the lender is not a lender regulated by the Banking Act of 1959.

ASSIGNED VALUATIONS CLAUSE

We prohibit use of this report in respect of an;

- Assignment of a valuation ('the initial valuation');
- Confirmation of the initial valuation;
- Reissue of the initial valuation; or
- Other act which has the effect of assuming or of extending responsibility to any person other than the person to whom the initial valuation was addressed ('other act') unless:
 1. The initial valuation was dated within 3 months of the request for the assignment, confirmation, reissue or other act; and
 2. Such assignment, confirmation, reissue or other act is provided together with a clear written statement that the valuer has not re-inspected the property nor undertaken further investigation or analysis as to any changes since the initial valuation and accepts no responsibility for reliance upon the initial valuation other than as a valuation of the property as at the date of the initial valuation.

SOLICITOR LOANS CLAUSE

We prohibit the use of this report;

1. For or on behalf of a Solicitor Lender or any person lending money through a Solicitor Lender; or
2. For which responsibility is accepted to any Solicitor Lender or any person lending money through a Solicitor Lender.



Annexures

1. Instructions
2. Title search



51 Doney Street, Narrogin WA 6312

I herein instruct LMW South West to undertake a valuation of the below property:

[F: 08 97925540 or E: bunbury@lmw.com.au]

CLIENT TO WHOM THE VALUATION IS TO BE ADDRESSED	
Tajay Nominees Pty Ltd	
CLIENT CONTACT DETAILS	
POSTAL ADDRESS: 40-48 Federal Street	
LOCALITY: NARROGIN	STATE: WA POST CODE: 6312
PHONE #: 0801 0888	MOBILE #: 0429 814 001
EMAIL ADDRESS: tracy.henderson@tajayllc.com.au	
EMAIL PDF COPY OF REPORT: <input type="checkbox"/>	YES Valuation reports to be emailed to the controlled email address if selected.
HARD COPY REPORT REQUIRED: <input type="checkbox"/>	YES One report will be printed to the controlled postal address if selected.
ADDITIONAL HARD COPY REPORTS: <input type="checkbox"/>	YES Surcharge of \$25 per each additional hard copy report. QTY: _____
ADDRESS OF PROPERTY TO BE VALUED	
51 Doney Street, NARROGIN WA 6312	
TYPE OF PROPERTY	
<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> RURAL <input checked="" type="checkbox"/> LAND
PROPERTY ACCESS DETAILS	
<input checked="" type="checkbox"/> OWNER AS ABOVE	<input type="checkbox"/> AGENT <input type="checkbox"/> OTHER _____
NAME: _____	MOBILE #: _____
PHONE #: _____	EMAIL: _____
REASON FOR VALUATION	
<input type="checkbox"/> SEPARATION / FAMILY COURT	<input type="checkbox"/> SUPERANNUATION <input type="checkbox"/> TAXATION
<input type="checkbox"/> ASSET MANAGEMENT	<input type="checkbox"/> FINANCE
<input checked="" type="checkbox"/> OTHER	
DATE OF VALUATION REQUIRED	
<input checked="" type="checkbox"/> CURRENT DATE	<input type="checkbox"/> RETROSPECTIVE DATE:
PURCHASE PRICE / ESTIMATE VALUE	\$ 2,201,000
SPECIAL COMMENTS RELATING TO THE VALUATION	
DATE:	SIGNED:



51 Doney Street, Narrogin WA 6312



REGISTER NUMBER	
255/DP222891	
OF THE TITLE	DATE WHEN MADE ISSUABLE TO
2	10/3/2007

WESTERN AUSTRALIA
RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limits contained in the original grant (if a grant thereof) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 255 ON DEPOSITED PLAN 222891

**REGISTERED PROPRIETOR:
(FIRST SCHEDULE)**

TAJAY NOMINEES PTY LTD OF 47 HOMER STREET, NARROGIN
(M510641) REGISTERED 2 JANUARY 2014

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)**

1. M072685 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 24.7.2015.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any notice provided by an interest holder may not appear on the current edition of the duplicate certificate of title.
† If as described in the land description may be a lot or locality.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1253-924 (255/DP222891).
PREVIOUS TITLE: 1054-269.
PROPERTY STREET ADDRESS: 51 DONEY ST, NARROGIN.
LOCAL GOVERNMENT AREA: TOWN OF NARROGIN.

- NOTE 1: A000001A LAND PARCEL IDENTIFIER OF NARROGIN TOWN LOT/LOT 255 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 255 ON DEPOSITED PLAN 222891 ON 29-APR-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
- NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.
- NOTE 3: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING M510642
- NOTE 4: N216130 DEPOSITED PLAN 405625 LOADED

LANDGATE COPY OF ORIGINAL NOT TO SCALE Fri Feb 12 11:24:18 2016 JOB 50125161





Transfer 1605/1951 (1909)
Volume 1024 Folio 269.



WESTERN AUSTRALIA.

REGISTER BOOK.

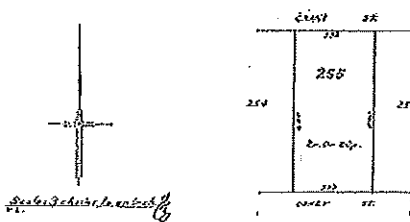
Vol. 1253 Fol. No. 924

Certificate of Title



under "The Transfer of Land Act, 1893" in V. II. II. II.

Robert Erikur Anderson, Farmer and Gerda Anna Anderson, his wife, Carl Xavier Mallon, Farmer, and Kerola Violet Mallon, Married Women, all of Wickham, are now the proprietors as joint tenants of an estate in fee simple subject to the easements and encumbrances notified hereunder in the natural surface and therefore to a depth of two thousand feet of all that piece of land delineated and coloured green on the map hereon containing two acres and twenty-six perches or thereabouts, being Narrogin Town Lot 253.



Dated the twenty-fifth day of September One thousand nine hundred and sixty-two.

J. J. Moran
Solicitor of Titles.

Application 1216521 On the 14th December 1961. Elizabeth Anna Anderson died and therefore Robert Anderson, Carl Xavier Mallon and Kerola Violet Mallon became the proprietors

Application 1232292 the registered proprietors are Kerola Violet Mallon, Married Women and Carl Xavier Mallon, Farmer, both of Wickham, East Wickham, by survivorship. (Robert Erikur Anderson died 22-8-1955).

25th Sept 1962

Subscribed and sworn to before me this 25th day of September 1962

For encumbrances and other matters affecting the land see back.

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Landgate
www.landgate.wa.gov.au



51 Doney Street, Narrogin WA 6312


EASEMENTS AND ENCUMBRANCES REFERRED TO

Superseded - Copy for Sketch Only


CERTIFICATE OF TITLE

Vol. 1253 Pt. 62

BY 1253 0924 B



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10.1.026 PROPOSED SURVEY STRATA SUBDIVISION – LOT 920 (No.27) ARGUS STREET, NARROGIN

File Reference: A102000 & WAPC REF 129-16
Disclosure of Interest: Nil
Applicant: Cottage & Engineering Surveys
Previous Item Nos: Item 10.1.653 – 24 August 2010
Item 10.1.665 – 26 October 2010
Item 10.1.665 – 23 November 2010
Item 10.1.069 – 14 July 2015
Date: 2 March 2016
Author: Azhar Awang, Executive Manager Development & Regulatory Services.

Attachments

- Locality Plan
- WAPC Approval of Strata 4 May 2011
- WAPC Application 17 February 2016

Summary

The Western Australian Planning Commission (WAPC) is seeking comments from the Town of Narrogin on a proposed survey strata on Lot 290 (No. 27) Argus Street, Narrogin, prior to determining the application.

Background

The subject land has a total area of 2,011m² which is located on the eastern side of Argus Street, at the intersection between Argus and Hope Streets. The site is currently vacant, however an approval for two grouped dwellings have been granted for planning approval which was issued on 20 July 2015.

The WAPC is in receipt of an application for approval to the creation of four strata titles ranging from 487m² to 517m² in area. Lots 1 & 2 will have direct frontage to Argus Street and the remainder Lots 3 & 4 will have direct frontage onto Hope Street. Lot 4 currently abuts a 5m wide Right of Way (ROW)

On 23 November 2010, Council approved the planning application for four grouped dwellings subject to conditions. The planning approval expired on 24 November 2012 and as there was no commencement for the development, the applicant had to make a fresh planning application for Council's consideration.

On 4 May 2011, the WAPC granted an Approval for a survey strata subject to conditions for the creation of four survey strata lots. This approval expired on 4 May 2014 and as the applicant has not commenced development, the approval is no longer valid and requires a fresh application.

The applicant has now submitted a fresh survey strata application to the WAPC which has now been referred to the Town of Narrogin for its comments, prior to determining the application.

Comment

To assist Council in determining the application, the following comments are offered.

Current Zoning & Permissibility

The provisions of Town Planning Scheme No 2 identified the land as falling within the Single Residential Zone. In accordance with the Zoning and Development Table, Group Dwellings are an “AP” use in the Single Residential Zone. That is a use which is not permitted unless special approval is granted after advertising of the proposal.

It is noted that a planning approval was granted on 23 November 2010 for the construction of four grouped dwellings. However this approval has since expired.

Density

The Zoning and Development Table for the Single Residential Zone specified that where approved, grouped dwellings may be permitted to have a maximum density of R25. As detailed by the Residential Design Codes of Western Australia, a density of R25 equates to an average of 350m² with a minimum lot size of 320m². The current proposal complies with the maximum density permitted for group dwelling development.

Parking

The Town of Narrogin Town Planning Scheme No. 2 - Zoning and Development Table identifies that car parking is required at a rate of two roofed car bays per dwelling. In addition one visitor parking space is required for every two dwellings. As stated in Part 6 clause C4.2 of the Residential Design Codes, visitor parking spaces must be:

- Clearly marked
- Located close to and clearly signposted from the point of entry to the development and outside of any security barrier; and
- Providing a barrier free path of travel for people with disabilities.

It is noted in the officer’s report of 14 July 2015, that the proposed two grouped dwellings on Lots 1 & 2 will be constructed with a double garage under the main roof with an independent double width driveway providing access to each of the two dwellings, thereby allowing for two visitor bays for each dwelling.

Relaxation of Standards

Council may, pursuant to clause 6.2.1 of the Scheme, relax the requirement for visitor parking, provided that it is satisfied that:

- (i) Approval of the proposal would be consistent with the orderly and proper planning of the locality and the objectives of the scheme;
- (ii) The non-compliance will not have any adverse impact on the occupiers or users of the development, or the inhabitants of the locality; and

- (iii) The spirit and purpose of the requirements/standards are not unreasonably departed from.

As the proposed Survey Strata Subdivisions had been previously approved by the Town and granted approval by the WAPC subject to conditions and that the proposal is consistent with the previous plan, it is recommend that Council support the proposed Survey strata subdivisions.

Consultation

- Nil

Statutory Environment

Applications for Subdivision, including survey strata, are made to and determined by the Western Australian Planning Commission in accordance with the *Planning and Development Act 2005*, associated acts and regulations.

Policy Implications

Pursuant to Planning Policy No 2, the CEO has delegated authority to support applications for subdivision involving less than 5 lots. However in this case, the proposal has expired and that it is for Survey Strata Subdivisions for the purpose of grouped dwellings which is listed as 'AP' use. Such use is not permitted unless special approval given by Council after advertising.

Financial Implications

It is noted that Hope Road is an unconstructed road and may require Council to have this road sealed in the very near future in order to allow direct access to a constructed road for Lots 3 and 4.

Strategic Implications

Nil.

Voting Requirements

Simple Majority.

COUNCIL RESOLUTION 0316.031 AND OFFICER'S RECOMMENDATION

Moved: Cr Paternoster

Seconded: Cr Kain

That Council:

Advises the Western Australian Planning Commission, that it supports the proposed survey strata subdivision at Lot 920 (No.27) Argus Street, Narrogin subject to the following conditions:

1. All buildings having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia
2. The land being filled, stabilised, drained and/or graded as required to ensure that:
 - a) lots can accommodate their intended development;
 - b) finished ground levels at the boundaries of the lot(s), subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and
 - c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government).
3. Street corners within the subdivision are to be truncated to the standard truncation of 6 metres on the plan in accordance with the Western Australian Planning Commission's Liveable Neighbourhoods policy/ DC 2.6 Residential Road Planning. (Local Government)
4. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved strata plan. (Local Government).

LOST 0/7

COUNCIL RESOLUTION 0316.032

Moved: Cr Paternoster

Seconded: Cr Kain

That Council:

Defer the consideration of this item to the next meeting scheduled 22 March 2016 to allow the Executive Manager Development and Regulatory Services time to investigate and obtain further information in regards to retaining status of right-of-way, storm water run-off and Hope Street condition.

CARRIED 7/0



Attachment 1 – Locality Plan

assessment # 102000



9 JAN 2011

Your Ref : -
Enquiries : Alex Petrovski (Ph 9264 7576)

Chief Executive Officer
Town of Narrogin
P O Box 188
NARROGIN WA 6312

Approval Subject To Condition(s) Survey-Strata Plan

Application No : 69-11

Planning and Development Act 2005

Applicant	:	P H & K E Gow (Licensed Surveyors) P O Box 580 NARROGIN WA 6312
Owner	:	P J Heslop 10 Fellbridge Way LANGFORD WA 6147
Application Receipt	:	31 January 2011

Lot Number	:	920
<i>House number</i>	:	<i>27</i>
Diagram / Plan	:	DP 228721
Location	:	-
C/T Volume/Folio	:	1730/468
Street Address	:	Argus Street, Narrogin
Local Government	:	Town of Narrogin

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a survey-strata plan in accordance with the plan date-stamped 31 January 2011 once the condition(s) set out have been fulfilled.

This decision is valid for three years from the date of this advice, which includes the lodgement of the survey-strata plan within this period.

The survey-strata plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 4 May 2014 or this approval no longer will remain valid.

Albert Facey House, 469 Wellington Street (cnr Forrest Place), Perth, Western Australia 6000
Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infoline: 1800 626 477
e-mail: corporate@wapc.wa.gov.au; web address <http://www.planning.wa.gov.au>
ABN 35 482 341 493

Reconsideration - 28 days

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.wapc.wa.gov.au>

Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, 12 St Georges Terrace, Perth, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

Survey-strata plan

The survey-strata plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the survey-strata plan. A copy of the survey-strata plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.wapc.wa.gov.au>

Condition(s)

The WAPC is prepared to endorse a survey-strata plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the survey-strata plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the survey-strata plan.

If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the survey-strata plan for endorsement.

Prior to the commencement of any site works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

CONDITION(S)

1. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)
2. All buildings, outbuildings and/or structures being demolished and materials removed from all proposed lots. (Local Government)
3. The land being graded and stabilised. (Local Government)
4. The land being filled and/or drained. (Local Government)
5. Street corners within the subdivision are to be truncated to the standard truncation of 6 metres as shown on the plan of subdivision. (Local Government)
6. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power, for the provision of an electricity supply service to the survey strata lot(s) shown on the approved plan of subdivision, which may include the provision of necessary service access rights either as an easement under Section 136C (Schedule 9A) of the Transfer of Land Act 1893 for the transmission of electricity by underground cable, or (in the case of approvals that include common property) via a portion of the common property suitable for consumer mains. (Western Power)

7. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (Water Corporation)
8. Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s shown on the approved plan of subdivision. (Water Corporation)

ADVICE

1. In respect of Condition 2, if any portion of the existing building is to be demolished to facilitate the proposed subdivision, a Planning Approval and/or Demolition Licence is to be obtained from the local government prior to the commencement of demolition works.
2. Approval from the local government may be needed prior to the construction of vehicle crossovers.
3. With regard to Condition 6, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground. Western Power also requires that a site man switch board (MSB) is installed to accommodate multiple connections.
4. If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable.
5. With regard to Conditions 7 and 8, Water Corporation policy and practice for the locality may involve the provision of land (for plant and works), easements and/or the payment of financial contributions towards infrastructure. You are advised to contact the Water Corporation.

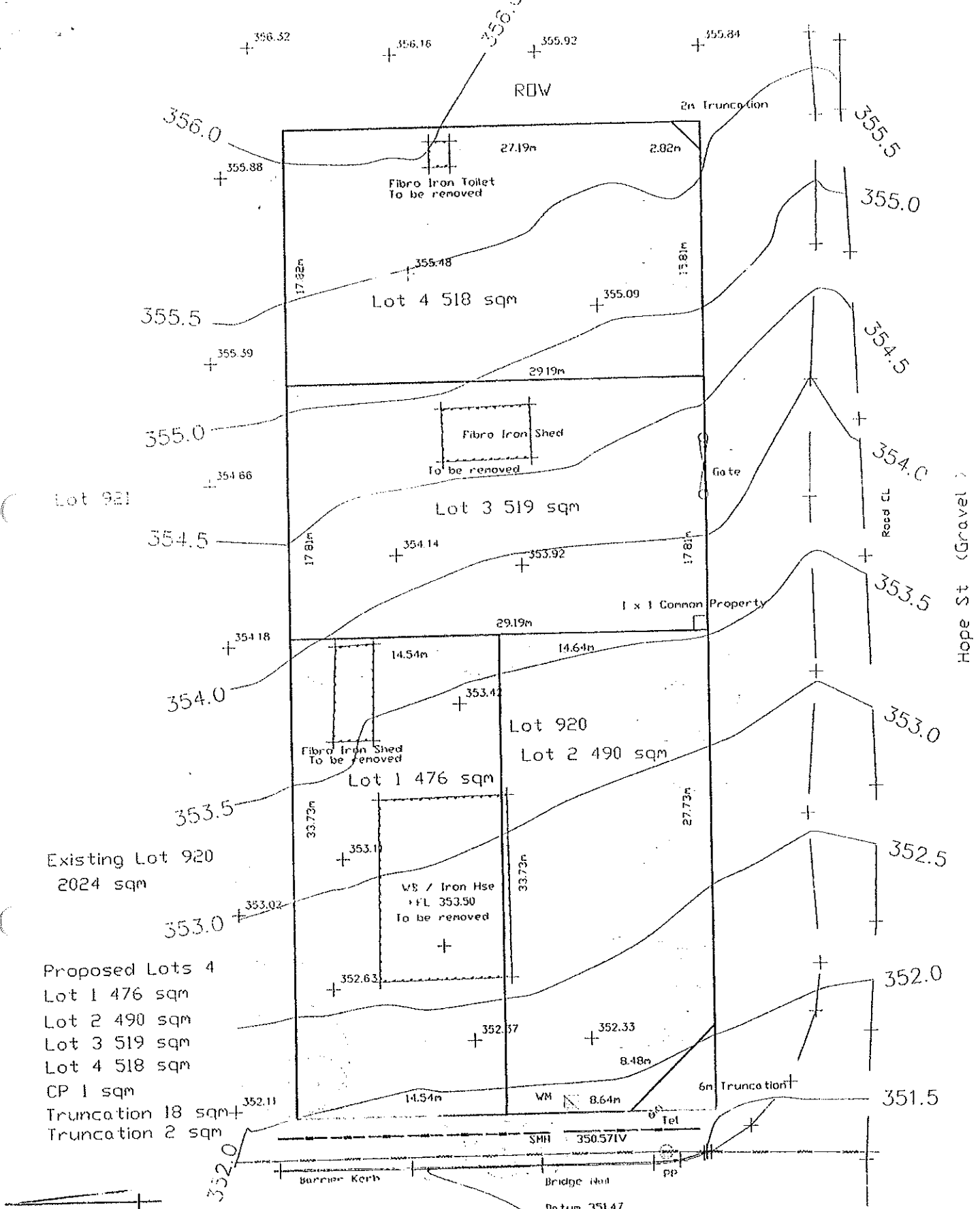


Tony Evans
Secretary
Western Australian Planning Commission
4 May 2011

ADVICE TO LOCAL GOVERNMENT

1. It has been noted that a number of conditions pertaining to the built form of the development have been requested. The Town of Narrogin is advised that only conditions relating specifically to the subdivision of the land can be imposed by the WAPC. Relevant development conditions are the responsibility of the Local Government and can be imposed at development application stage.

Proposed Survey Strata Lot 920 (27) Argus St Narragin



Existing Lot 920
2024 sqm

Proposed Lots 4
 Lot 1 476 sqm
 Lot 2 490 sqm
 Lot 3 519 sqm
 Lot 4 518 sqm
 CP 1 sqm
 Truncation 18 sqm
 Truncation 2 sqm

North 19/01/11
 Scale 1:350 @ A4 plot
 Contour Interval 0.5m
 Datum AHD
 Boundaries plotted in approximate position only
 Contours Interpolated from Spot Heights

Argus St
 DEPARTMENT OF PLANNING
 PH and KE Gow Licensed Surveyors
 License No. 98815140
 31 JAN 2011 - 69 - 11



Our Ref : 129-16
 Previous Ref :
 Your Ref :
 Enquiries : Thomas Dellavedova (6551 9634)

17 February 2016

Chief Executive Officer
 Town Of Narrogin
 P O Box 188
 NARROGIN WA 6312

Application No: 129-16 - Lot No 920 Argus Street Narrogin

The Western Australian Planning Commission has received an application for planning approval as detailed below. Plans and documentation relating to the proposal are attached. The Commission intends to determine this application within 90 days from the date of lodgement.

Please provide any information, comment or recommended conditions pertinent to this application by the 30th March 2016 being 42 days from the date of this letter. The Commission will not determine the application until the expiry of this time unless all responses have been received from referral agencies. If your response cannot be provided within that period, please provide an interim reply advising of the reasons for the delay and the date by which a completed response will be made or if you have no comments to offer.

Referral agencies are to use the Model Subdivision Conditions Schedule (October 2012) in providing a recommendation to the Commission. Non-standard conditions are discouraged, however, if a non-standard condition is recommended additional information will need to be provided to justify the condition. The condition will need to be assessed for consistency against the validity test for conditions. A copy of the Model Subdivision Conditions Schedule can be accessed: www.planning.wa.gov.au

Send responses via email to referrals@planning.wa.gov.au. **Always quote reference number "129-16" when responding.**

This proposal has also been referred to the following organisations for their comments:
Department Of Parks And Wildlife, Health Dept Of Wa, Water Corporation, Western Power and LG As Above.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Kerrine Blenkinsop'.

Kerrine Blenkinsop
 Secretary
 Western Australian Planning Commission

APPLICATION DETAILS

Application Type	Survey Strata	Application No	129-16
Applicant(s)	Cottage & Engineering Surveys		
Owner(s)	Patrick James Heslop		

Locality	Lot No 920 Argus Street Narrogin		
Lot No(s)	920	Purpose	Residential
Location		Local Gov. Zoning	Single Residential
Volume/Folio No.	1730/468	Local Government	As Above
Plan/Diagram No.	P228721	Tax Sheet	
Centroid Coordinates	mE mN		
Other Factors	BUSHFIRE PRONE AREA, THREATENED FAUNA BUFFER		



Application for Approval of Freehold or Survey Strata Subdivisions

Lodgement ID: 2016-203546

Submission Date: 15/02/2016 01:06 PM

Your Reference	T389948 - 27 Argus Street
Location of Subject Property	Lot 920 (#27) Argus Street, Narrogin
No. of applicants	1
Are you applying on your own behalf?	Yes
Are you the primary applicant?	Yes
Do you have consent to apply from all landowners?	Yes
Lodgement Type	Survey Strata
Submitted by	Silas Kierath
Email	subdivisions@cottage.com.au

About the land

Number of current lots on the land	1	Total number of proposed lots on the land including balance lots	4
Drainage Reserves	0	Public Access Ways	0
Recreation Reserves	0	Right of Ways	0
Road Reserves	0	Road Widening	0
Number of fee paying lots	4	Number of fee exempt lots	0

What is the proposed use/development?

Proposed Use	Lot size	Number of Lots	
Residential	450 - 499 Sqm	2	
Residential	500 - 549 Sqm	2	
Local Government	Town Of Narrogin	Existing dwellings	Yes
Is common property proposed	No		

DEPARTMENT OF PLANNING	
DATE	FILE
15/02/2016	129-16

Applicants

Primary applicant (1)

Is the applicant a company/organisation?	Yes	Is the applicant a landowner?	No
Name/Company	Cottage & Engineering Surveys	ABN / ACN	14584119422
Email	subdivisions@cottage.com.au	Phone number	94467361
Address		Town / Suburb or City	OSBORNE PARK
Street address	87-89 Guthrie	Post Code	6916
State	WA	OR Non-Australian Address, P.O. Box, & etc	N/A
Country	AUSTRALIA		

Certificate of Title Details

Lots with certificate (1)

Volume	1730	Folio	468
Lot Number	920	Plan Number	DP 228721
Total land area	2011	Land Area Units	Square metres
Reserve number (if applicable)	N/A	No. of landowners	1
Is the Landowners name different to that shown on the Certificate of Title?			No

Landowners

Landowner (1)

Full name	Patrick James Heslop	Company / Agency	N/A
ACN / ABN	N/A	Landowner type	Registered Proprietor/s
Address		Town / Suburb or City	Langford
Street address	10 Fellbridge Way	Post code	6147
State	WA	OR Non-Australian Address, P.O. Box, & etc	N/A
Country	AUSTRALIA		

Subdivision detail

No. of dwellings	2	Dwelling retained	Yes
Dwelling description	N/A		
Number of structures	4	Structure/s retained	Yes
Structure description	N/A		
Other description	N/A		
Is a battleaxe lot/s proposed?			No
Does plan show the width and length of the access leg, the area of the access leg and total area of the rear lot			Not applicable
Has the land ever been used for potentially contaminating activity			No
Does the land contain any sites that have been classified under the Contaminated Sites Act 2003			No
Does the land contain any sites that have been reported or required to be reported under the Contaminated Sites Act 2003			No
Is the land located in an area where site characteristics or local knowledge lead you to form the view that there is a significant risk of acid sulfate soils in this location			No
Is this application to be assessed under the Liveable Neighbourhoods policy and is supporting documentation attached?			No
Is the development within a Bushfire Prone Area?			No
Are there any dewatering or drainage works proposed to be undertaken			No
Is excavation of 100 cubic metres or more of soil proposed			No
If yes did the Acid Sulfate Soils investigation indicate acid sulfate soils were present			No

Fee & Payment

Fee amount	\$3,177.88	Payment Type	By Card
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Attachments

Attachment name	Attachment type
1. Title 1730-468-1.pdf	Certificate of Title
2. WAPC Application Sketch-3.pdf	Subdivision Plan
3. WAPC Authority - Lot 920 (_27) Argus Street_ Narrogin-2.pdf	Authorised Letter of Consent

Perth	Albany	Bunbury	Geraldton	Mandurah
140 William Street	PO Box 1108	Sixth Floor	Regional Planning and Strategy	Unit 2B
Perth	Albany	Bunbury Tower	Office 10	11-13 Pinjarra Road
Western Australia, 6000,	Western Australia, 6330	61 Victoria Street	209 Foreshore Drive	Mandurah
Locked Bag 2506 Perth, 6001		Bunbury	Geraldton	Western Australia, 6210
		Western Australia, 6230	Western Australia, 6530	
Tel: (08) 6551 9000	Tel: (08) 9892 7333	Tel: (08) 9791 0577	Tel: (08) 9960 6999	Tel: (08) 9586 4680
Fax: (08) 6551 9001	Fax: (08) 9841 8304	Fax: (08) 9791 0576	Fax: (08) 9964 2912	Fax: (08) 9581 5491



**Location Plan for:
Survey Strata Application**

This data is to be used only for the processing of a
Survey Strata Application

Application Number: **129-16**
Decision: **Outstanding**
Printed: **16/02/2016**

Application Status

Outstanding

Existing LPS Zones and Reserves

R Code boundaries

Recreation

Single residential

Easements and Referrals

Region Scheme Reserves

Localities & Local Government Boundaries

Local government boundary

Locality



Department of
Planning



Western
Australian
Planning
Commission

WESTERN



AUSTRALIA

REGISTER NUMBER 920/DP228721	
DUPLICATE EDITION 3	DATE DUPLICATE ISSUED 23/4/2010

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME 1730 FOLIO 468

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 920 ON DEPOSITED PLAN 228721

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

PATRICK JAMES HESLOP OF 3 CARROLL PASS, LANGFORD
(T L284748) REGISTERED 13 APRIL 2010

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

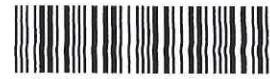
SKETCH OF LAND: 1730-468 (920/DP228721).
PREVIOUS TITLE: 884-101.
PROPERTY STREET ADDRESS: 27 ARGUS ST, NARROGIN.
LOCAL GOVERNMENT AREA: TOWN OF NARROGIN.

Sundry Document D291126

Volume 884 Folio 101 WESTERN



AUSTRALIA



1730 468

CERTIFICATE OF TITLE

UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED

I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements and encumbrances shown in the Second Schedule hereto.

Dated 18th July 1986

N. J. Smyth

REGISTRAR OF TITLES



ESTATE AND LAND REFERRED TO

Estate in fee simple in Narrogin Lot 920, delineated on the map in the Third Schedule hereto, limited however to the natural surface and therefrom to a depth of 60.96 metres.

FIRST SCHEDULE (continued overleaf)

Antoni Smigiel of 27 Argus Street, Narrogin, Retired Westrail Employee.

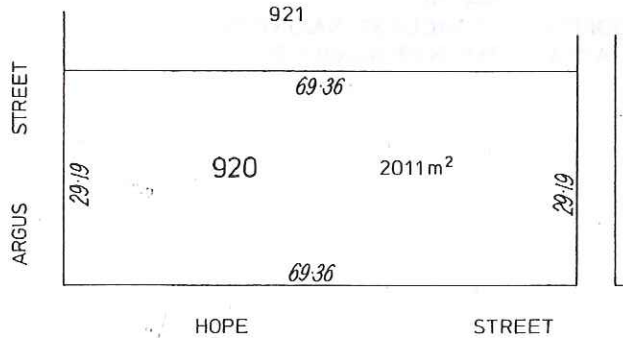
SECOND SCHEDULE (continued overleaf)

NIL

N. J. Smyth

REGISTRAR OF TITLES

THIRD SCHEDULE



SCALE 1:750

INDEX PLAN BUCHANAN 2000 11.36

SM

NOTE: RULING THROUGH AND SEALING WITH THE OFFICE SEAL INDICATES THAT AN ENTRY NO LONGER HAS EFFECT. ENTRIES NOT RULED THROUGH MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

72009/12/77-45M-S/2860

Page 1 (of 2 pages) 1730 468 VOL. FOL.

Superseded - Copy for Sketch Only

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

FIRST SCHEDULE (continued) NOTE: RULING THROUGH AND SEALING WITH THE OFFICE SEAL INDICATES THAT AN ENTRY NO LONGER HAS EFFECT. ENTRIES NOT RULED THROUGH MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

REGISTERED PROPRIETOR	INSTRUMENT NATURE	REGISTERED NUMBER	REGISTERED DATE	TIME	SEAL	INITIALS
REGISTERED PROPRIETOR Superseded Copy for Sketch Only Krystyna Matthews of Lot 162 Pink Lake Road, Esperance and Teresa Barrett of 16 Wegner Drive, Esperance as Executors of the Will of Antoni Smigiel who died on 10.4.1999. David Ross McNaught and Christine Mary Carter both of 27 Argus Street, Narrogin, as joint tenants.	Application	H179433	28.7.99	8.22		
	Transfer	H179434	28.7.99	8.22		

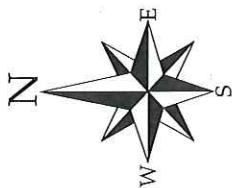
SECOND SCHEDULE (continued) NOTE: RULING THROUGH AND SEALING WITH THE OFFICE SEAL INDICATES THAT AN ENTRY NO LONGER HAS EFFECT. ENTRIES NOT RULED THROUGH MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

INSTRUMENT NATURE	INSTRUMENT NUMBER	PARTICULARS	REGISTERED DATE	TIME	SEAL	INITIALS	REGISTERED OR LODGED NUMBER	SEAL	INITIALS
Mortgage	H179435	to Westpac Banking Corporation.	28.7.99	8.22					

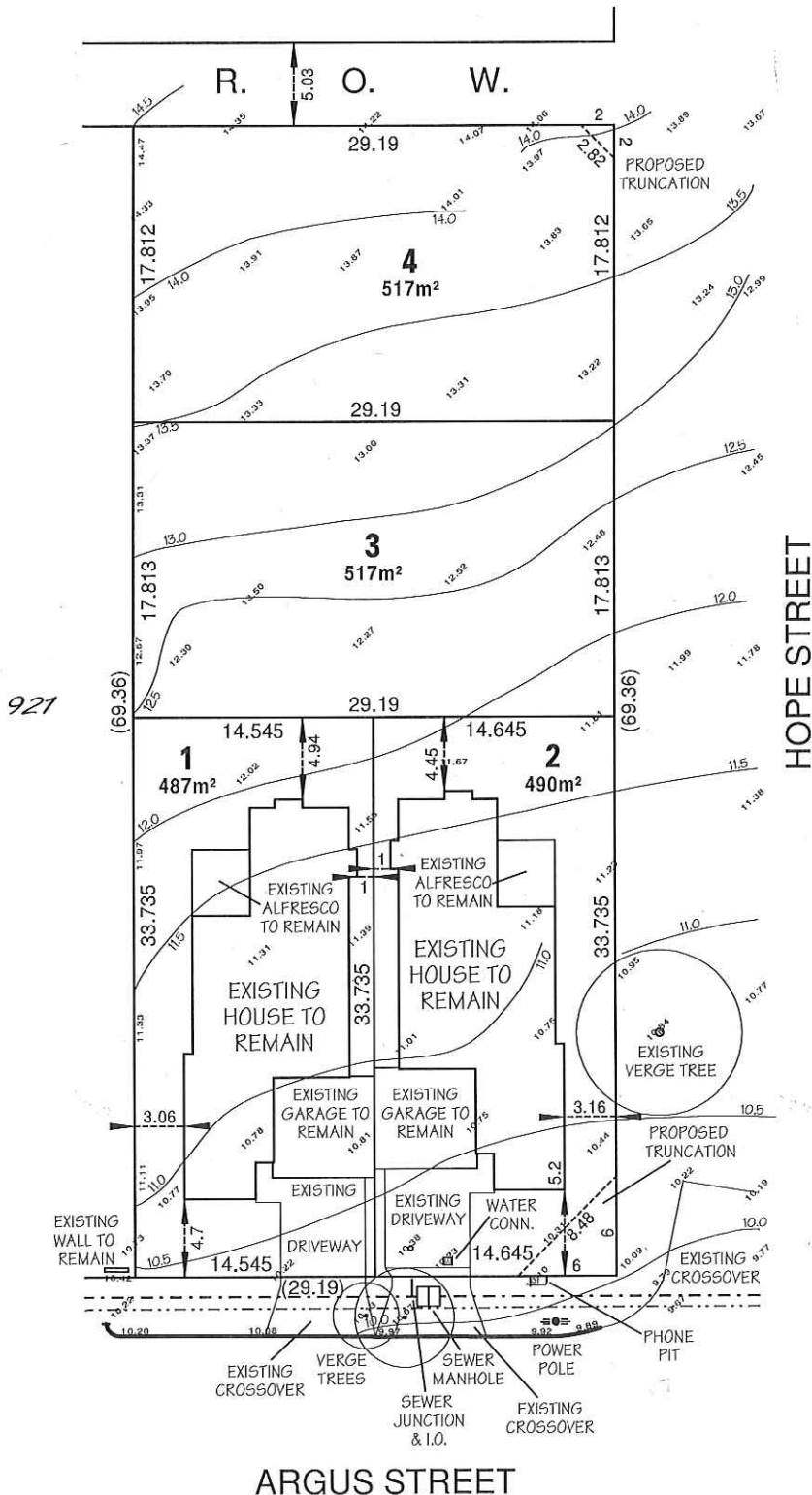
CERTIFICATE OF TITLE VOL. 1730 468

PROPOSED SURVEY STRATA SUBDIVISION

NOTE: THIS IS A PROPOSED SKETCH ONLY, AND SHOULD NOT BE USED FOR FINAL DIMENSIONS AND AREAS FOR SELLING PURPOSES OR FOR DESIGNING A NEW HOUSE(S) TO FIT THE PROPOSED LOTS.



NOTE: PROPOSED LOT NUMBERS, ANGLES, DIMENSIONS, AND AREAS ARE ALL SUBJECT TO SURVEY AND TITLES OFFICE EXAMINATION



DEPARTMENT OF PLANNING	
DATE	FILE
15/02/2016	129-16

ORIGINAL AREAS
 LOT 920 = 2011m²
 No. OF EXISTING LOTS = 1
 No. OF PROPOSED LOTS = 4
 ————— PROPOSED BOUNDARIES
 - - - - - EXISTING BOUNDARIES
 Town of Narrogin

PROPOSED SURVEY STRATA SUBDIVISION: LOT 920
(#27) ARGUS STREET / HOPE STREET, NARROGIN
 TOWN OF NARROGIN
 PLAN 228721 VOL. 1730 FOL. 468
 DATE 11/02/2016, SCALE 1:300 AT A3

COTTAGE & ENGINEERING
SURVEYS

87-89 Guthrie Street, Osborne Park, Western Australia
 Postal: P.O. Box 1611 Osborne Park Business Centre WA 6917
 Telephone: (08) 9445 7361 Facsimile: (08) 9445 2968
 Email: pafrh@cottage.com.au Website: www.cottage.com.au
 JN: SK389948 11/02/2016

10.1.027 APPOINTMENT OF AUTHORISED OFFICER – RELIEF RANGER (NOEL WHITE)

File Reference: 19.1.2
Disclosure of Interest: Nil
Applicant: Town of Narrogin
Previous Item Nos: Nil
Date: 1 March 2016
Author: Azhar Awang, Executive Manager Development & Regulatory Services.

Attachments

Nil

Summary

Council is requested to designate Mr Noel White, as the Relief Ranger as an Authorised Officer in performing this role under the relevant acts and legislations.

Background

The relief Ranger is a backup position to assist the Town Ranger on weekends and in the absence of the Ranger when he is not available to perform his duty. Mr Noel White has completed the required level of training to competently perform the duty as a relief Ranger.

Comment

The endorsement of the relief Ranger will ensure compliance with the associated acts, regulations and local laws in performing his duty.

Consultation

- Chief Executive Officer – Mr Aaron Cook
- Ranger - Mr Guy Maley

Statutory Environment

Local Government Act 1995, Part 3, Division 3, sections 3.28 & 3.29 – Powers of Entry, sections 3.39 – Power to remove and impound, 9.10 – Appointment of Authorised Persons, 9.11 – Persons found committing breach of Act to give name on demand

- *Dog Act 1976 & Regulations*
- *Control of (Off Road Areas) Act 1978 & Regulations*
- *Litter Act 1976 & Regulations*
- *Town of Narrogin Local Laws*
- *Cat Act 2011*
- *Local Government (Miscellaneous Provisions) Act 1960 – section 449 – Ranger & Pound Keeper*
- *Bush Fires Act 1954 – section 38 – Fire Control Officer, section 59(2) (a) – Issue of Infringement Notices*

- *Cemeteries Act 1986 – section 64(1) – Authorised Persons*
- *Caravan Parks and Camping Grounds Act 1995, Part 3, section 17 – Appointment of Authorised Persons*

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Nil.

Voting Requirements

Absolute Majority.

COUNCIL RESOLUTION 0316.033 AND OFFICER'S RECOMMENDATION

Moved: Cr Fisher

Seconded: Cr Russell

That Council:

Endorse the appointment of Noel White (Relief Ranger) to represent the Town of Narrogin in the capacity nominated under the:

- *Local Government Act 1995, Part 3, Division 3, sections 3.28 & 3.29 – Powers of Entry, sections 3.39 – Power to remove and impound, 9.10 – Appointment of Authorised Persons, 9.11 – Persons found committing breach of Act to give name on demand*
- *Dog Act 1976 & Regulations*
- *Control of (Off Road Areas) Act 1978 & Regulations*
- *Litter Act 1976 & Regulations*
- *Town of Narrogin Local Laws*
- *Cat Act 2011*
- *Local Government (Miscellaneous Provisions) Act 1960 – section 449 – Ranger & Pound Keeper*
- *Bush Fires Act 1954 – section 38 – Fire Control Officer, section 59(2)(a) – Issue of Infringement Notices*
- *Cemeteries Act 1986 – section 64(1) – Authorised Persons*
- *Caravan Parks and Camping Grounds Act 1995, Part 3, section 17 – Appointment of Authorised Persons*

CARRIED 7/0

10.2 CORPORATE AND COMMUNITY SERVICES

10.2.028 C.2 PURCHASING AND TENDER POLICY AMENDMENT

File Reference: 23.1.1
Disclosure of Interest: Nil
Applicant: Not Applicable
Previous Item Nos: Nil
Date: 3 March 2016.
Author: Colin Bastow, Director Corporate & Community Services.

Attachments

- C.2 Purchasing and Tender Policy

Summary

Council to consider amending the Town's Purchasing and Tender Policy to increase the threshold for tenders to \$150,000.

Background

The information below is from the Department of Local Government and Communities Circular No 16-2015:

Amendments to the Local Government (Functions and General) Regulations 1996 were published in the Government Gazette on 18 September 2015 and take effect on 1 October 2015.

The amendments are a result of recommendations made by the Local Government Steering Committee and the Corruption and Crime Commission (CCC), with the aim of improving the purchase and tendering practices of local government. In addition to increasing the tender threshold, the amendments provide for local governments to appoint a panel of pre-qualified suppliers.

A summary of the key amendments are provided below.

Tender Threshold

The tender threshold has been increased from \$100,000 to \$150,000.

For the purchase of goods and services under this threshold, the amendments have introduced the requirement for the purchasing policy to include the minimum number of oral and written quotes that must be received. If the contract for goods or services is expected to be more than \$150,000 a public tender process is required.

Amendments have been made to Regulation 11(2) which relates to circumstances when tenders do not need to be publically invited. This includes when goods or services are obtained through:

- the WA Local Government Association preferred supplier program
- a person registered on the Aboriginal Business Directory WA for contracts worth \$250,000 or less, or
- an Australian Disability Enterprise.

It is also not necessary to invite public submissions if the term of the original contract is being renewed or extended where -

- (i) the original contract was entered into after a public submission period,*
- (ii) the invitation to tender included the option for a renewal or extension,*
- (iii) the original contract contained an option to renew or extend, and*
- (iv) the supplier's tender included a requirement for such an option.*

Anti-avoidance provisions

Reports prepared by the CCC made recommendations that the anti-avoidance provisions be strengthened to ensure that contracts were not split for the purposes of avoiding the tender threshold.

Regulation 12 has been amended to clarify this. It is expected that if a local government reasonably believes that the purchase of a good or service from one supplier will exceed the tender threshold of \$150,000 they should publically invite tenders.

No timeframe for the tender threshold has been included in the regulations. However, local governments should consider the importance of testing the market through a public tender process for low value, repetitive contracts. A best practice suggestion is that if the tender threshold is reached within three years, then a public tender is invited for that good or service.

Receiving and opening tenders

Regulation 16 has been amended to require that when tenders are opened there must be at least two employees of the local government present, or one local government employee and at least one person authorised by the Chief Executive Officer.

If tenders are received by email, it is suggested that a separate email inbox is created and no tenders are opened until the application period has closed.

policy continues

Other amendments

In addition to amendments around the tender provisions, the prescribed value of abandoned vehicle wrecks under regulation 29A(a) has been increased to \$500.

The consideration under 30(3)(b) has been increased to \$75,000 in regards to the disposition of property. This provision has been reworked to clarify that if the entire consideration received for the sale of property is used to purchase new property, which is not worth more than \$75,000, it is an exempt disposition.

For example: Vehicle 'x' is sold for \$50,000 and vehicle 'y' is purchased with that sale money. If the total cost of vehicle 'y' is \$75,000 or less, then vehicle 'x' is an exempt disposition.

If the purchase price of vehicle 'y' is more than \$75,000, even if the consideration received from the sale of vehicle 'x' is less than \$75,000, vehicle 'x' is not an exempt disposition.

This amendment clarifies that it is not the difference between the purchase price and the sale price, but the total consideration of the new property (\$75,000 or less).

Comment

The increasing of the tender threshold amounts from \$100,000 to \$150,000 will reduce the requirement for the Town to undertake tenders which are time consuming for officers to prepare, evaluate and manage.

The proposed policy amendments also describe how tenders should be received and opened. As well as a basic procedure to handle tenders that are received via email.

All proposed amendments to the current Purchasing and Tender Policy have been highlighted yellow for Council convenience.

Consultation

- Aaron Cook - CEO
- Town Records staff

Statutory Environment

Local Government Act 1995 - Local Government (Functions and General) Regulations 1996.

11A. Purchasing policies for local governments

1. *A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less or worth \$150,000 or less.*
2. *A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).*
3. *A purchasing policy must make provision in respect of —*
 - (a) the form of quotations acceptable; and*
 - (ba) the minimum number of oral quotations and written quotations that must be obtained; and*
 - (b) the recording and retention of written information, or documents, in respect of —*
 - (i) all quotations received; and*
 - (ii) all purchases made.*

Policy Implications

Update the Town's current Purchasing and Tender Policy to increase cash threshold for tenders to \$150,000.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 0316.034 AND OFFICER'S RECOMMENDATION

Moved: Cr Russell

Seconded: Cr Bartron

That Council:

Endorse the attached C.2 Purchasing and Tender Policy.

CARRIED 7/0

Please note: A change was made to the attachment to correct an administrative error under the Heading of "Tender Criteria". \$100,000 changed to \$150,000.

C.2 PURCHASING AND TENDER POLICY

Objectives

The object of the Purchasing and Tender process is to:

- obtain quality goods and services that are judged by Council to deliver the best value-for-money or be the most advantageous.
- provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended).
- deliver a best practice approach and procedures to internal purchasing for the Town of Narrogin.
- ensure consistency for all purchasing activities that integrates within all the Town of Narrogin operational areas.

Ethics and Integrity

All officers and employees of the Town of Narrogin shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Town of Narrogin.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Town of Narrogin's policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Town of Narrogin by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

Value for Money

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Town of Narrogin. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

Sustainable Procurement

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

The Town of Narrogin is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Town of Narrogin's sustainability objectives.

Practically, sustainable procurement means the Town of Narrogin shall endeavour at all times to identify and procure products and services that:

- Have been determined as necessary;
- Demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling.
- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste. For motor vehicles - select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishment - where available use renewable energy and technologies.

Purchasing Thresholds

Where the value of procurement (excluding GST) for the value of the purchase/contract over the full contract period (including options to extend) is, or is expected to be:-

Value	Policy
Up to \$1,000	Obtain at least one verbal or written quotation where practical
\$1,001 - \$5,000	Direct purchase from suppliers requiring only two verbal or written quotations
\$5,001 - \$19,999	Obtain at least three verbal or written quotations.
\$20,000 - \$149,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations including the buy local policy)
\$150,000 and above	Conduct a public tender process as per the Local Government Act.

Tender / Quotation Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements),
- Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- **a person registered on the Aboriginal Business Directory WA for contracts worth \$250,000 or less;**

- an Australian Disability Enterprise;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

Receiving and Opening Tenders

All tenders must be clearly marked, sealed and placed in the locked tender box until the official opening.

When the Town allows the receipt of tenders by email. The email is to be sent to a separate email inbox that remains unused until the close of the tender period.

When tenders are opened there must be at least two employees of the Town present, or one local government employee and at least one person authorised by the Chief Executive Officer

Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

Anti-Avoidance

The Local Government shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$150,000, thereby avoiding the need to publicly tender.

Tender Criteria

The Town of Narrogin shall, before tenders are publicly invited, determine in writing the criteria for determining the successful tenderer.

The evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase. For Requests with a total estimated (ex GST) price of: \$100,000 and above.

Amendments/Review: April 2014

16 December 2014 by Council Resolution 1216.191.

10.2.029 **AUDIT COMMITTEE – ANNUAL COMPLIANCE RETURN**

File Reference: 14.1.1
Disclosure of Interest: Nil
Applicant: Nil
Previous Item Nos: Nil
Date: 3 March 2016
Author: Mr Colin Bastow – Director Corporate & Community Services.

Attachments

Annual Compliance Audit Return 2015

Summary

The completed Annual Compliance Audit Return 2015 is presented to Council for endorsement and adoption.

Background

It is a requirement of all Local Governments to complete the Annual Compliance Audit Return as part of its regulatory obligations to the Department of Local Government.

Comment:

The Compliance Audit Return has been completed for the 2015 year and is presented for adoption. The review was conducted by the CEO who had compiled the Town's Annual Compliance Return after undertaking some investigation into the practices of the administration and has advised the author that he did not identify any significant noncompliance issues. As per the local government regulations, this item has been presented to the Audit Committee who recommends its adoption by Council.

Consultation:

- Mr Aaron Cook – Chief Executive Officer
- Audit Committee

Statutory Environment:

Local Government Act 1995 - Regulation 13 Local Government Audit Regulations 1996

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Absolute Majority

COUNCIL RESOLUTION 0316. 035 & OFFICER/S COMMITTEE'S RECOMMENDATION
--

Moved: Cr Fisher

Seconded: Cr Kain

That Council

Endorse the Annual Compliance Audit Return for the 2015 calendar year, as presented, and the Mayor is endorsed along with the Chief Executive Officer to sign the Compliance Audit Return form enabling the document to be submitted to the Department of Local Government before 31 March 2016.

**CARRIED 7/0
BY ABSOLUTE MAJORITY**



Narrogin - Compliance Audit Return 2015

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government and Communities together with a copy of section of relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2015.	N/A	No major trading's have been undertaken during the period	Aaron Cook
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2015.	N/A	See Above	Aaron Cook
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2015.	N/A	See Above	Aaron Cook
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2015.	N/A	See Above	Aaron Cook
5	s3.59(5)	Did the Council, during 2015, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A	See Above	Aaron Cook

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A	No Committees have Delegated Authority	Aaron Cook
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Aaron Cook
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Aaron Cook
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Aaron Cook
5	s5.18	Has Council reviewed delegations to its committees in the 2014/2015 financial year.	Yes		Aaron Cook
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Aaron Cook
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Aaron Cook



8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Aaron Cook
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Aaron Cook
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Aaron Cook
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Aaron Cook
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2014/2015 financial year.	Yes		Aaron Cook
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Aaron Cook

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Aaron Cook
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Aaron Cook
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Aaron Cook
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Aaron Cook
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Aaron Cook
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2015.	Yes		Aaron Cook
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2015.	Yes		Aaron Cook
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written	Yes		Aaron Cook



			acknowledgment of having received the return.			
9	s5.88(1)(2) Admin Reg 28	Admin	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Aaron Cook
10	s5.88(1)(2) Admin Reg 28	Admin	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Aaron Cook
11	s5.88 (3)		Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	N/A		Aaron Cook
12	s5.88(4)		Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Aaron Cook
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Admin	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Aaron Cook
14	s5.70(2)		Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes		Aaron Cook
15	s5.70(3)		Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes		Aaron Cook
16	s5.103(3) Admin Reg 34B	Admin	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	N/A	No Gift recieved	Aaron Cook

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	N/A		Aaron Cook
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Aaron Cook



Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes	No Gifts were received during this period of the October election.	Aaron Cook

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Aaron Cook
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	No	No Delegation made	Aaron Cook
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Aaron Cook
4	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Aaron Cook
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2015 received by the local government within 30 days of completion of the audit.	Yes		Aaron Cook
6	s7.9(1)	Was the Auditor's report for 2014/2015 received by the local government by 31 December 2015.	Yes		Aaron Cook
7	S7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9(1) of the Act required action to be taken by the local government, was that action undertaken.	N/A	No Matters Raised	Aaron Cook
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A	As above	Aaron Cook
9	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to	N/A	As above	Aaron Cook



		be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.		
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes	Aaron Cook
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes	Aaron Cook
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes	Aaron Cook
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes	Aaron Cook
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes	Aaron Cook

Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	N/A		Aaron Cook
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	N/A		Aaron Cook
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	N/A		Aaron Cook
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A		Aaron Cook
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	N/A		Aaron Cook



Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A	CEO is the Complaints Officer	Aaron Cook
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes	No Complaints Received	Aaron Cook
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Aaron Cook
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Aaron Cook
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Aaron Cook
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) or (c).	Yes		Aaron Cook



Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		Aaron Cook
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	N/A		Aaron Cook
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	Yes		Aaron Cook
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes		Aaron Cook
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Aaron Cook
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16.	Yes		Aaron Cook
7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Aaron Cook
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Aaron Cook
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		Aaron Cook
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Aaron Cook
11	F&G Reg 21 & 22	Did the local governments' advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	N/A		Aaron Cook
12	F&G Reg 23(1)	Did the local government reject the	N/A		Aaron Cook



		expressions of interest that were not submitted at the place and within the time specified in the notice.		
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	N/A	Aaron Cook
14	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A	Aaron Cook
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	N/A	Aaron Cook
16	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE.	N/A	Aaron Cook
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	N/A	Aaron Cook
18	F&G Reg 24AD(6)	If the local government to sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, notice of the variation.	N/A	Aaron Cook
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications.	N/A	Aaron Cook
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria.	N/A	Aaron Cook
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	N/A	Aaron Cook
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	N/A	Aaron Cook



23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A	Aaron Cook
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	Yes	Aaron Cook
25	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less.	Yes	Aaron Cook

I certify this Compliance Audit return has been adopted by Council at its meeting on _____

Signed Mayor / President, Narrogin

Signed CEO, Narrogin

8.31pm Cr Fisher declared an interest in the following item and departed chambers.

10.2.030 LIBRARY RENOVATION – BUDGET AMENDMENT

File Reference: 5.4.3
Disclosure of Interest: Nil
Applicant: Not Applicable
Previous Item Nos: Nil
Date: 3 March 2016
Author: Colin Bastow, Director Corporate & Community Services

Attachments

- Nil

Summary

Council to consider increasing the budget allocation for the Library Renovations.

Background

Council has approved a design and budget allocation for the stage 1 renovations of the Town's Library Building. These works included the upgrading of the toilet facility to cater for disability and parent access as well as the relocation of the library office.

The Town has invited four local building contractors to submit quotes for the Library Building Renovation works. The final quote has not been officially received as the Contractor is awaiting costings from an electrical subcontractor. Unfortunately all quotes that have been received are substantially above the Town's budget allocation for this project.

Comment

The advice received from the Town's Architect is the cost of this project should be around \$55,000, unfortunately the Town has been provided written quotes that are substantially above the Architect's estimated cost. This means the Town will be required to delay the project until next year's budget, reduce the scope of the works or increase the budget allocation.

The Town's preferred option would be to complete the project due to a number of concerns relation to the suitability of the current toilet facilities, inappropriate location of the kitchen and lack of privacy in the office area.

The Town can access an additional \$20,000 from the removal of the Records Storage Shed from this year's budget, as the Town is not planning to commence this project before the end of the financial year.

If Council approve the recommended increase to the budget allocation for the Library Building Renovation, then the Town will have \$65,000 available to complete this project. The Town will also review the lowest quote, to see if further saving can be achieved the renovation works can be completed within the amended budget allocation.

However in the situation that no additional funding is allocated to this project then the Town would investigate the renovation of the disability toilet only.as this part of the Stage 1 renovation is considered to be urgent.

Consultation

- Aaron Cook - CEO
- M & V Ranieri
- A & A Corasantiti
- P & F Kulker Building Contractors
- Yuen Construction

Statutory Environment

Local Government Act 1995

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.

Policy Implications

Nil.

Financial Implications

The Town had allocated \$45,000 for the construction of the disabled toilet and office area and \$5,379 had been allocated for architectural drawings.

The Town has been quoted from \$71,428 to \$82,616 for a contract price to complete stage 1 of the Library Building renovation project.

Strategic Implications

2.5	Further develop and encourage and support youth activities and initiatives within Narrogin.	MLC	Ongoing	3
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Voting Requirements

Absolute Majority

COUNCIL RESOLUTION 0316.036 AND OFFICER'S RECOMMENDATION

Moved: Cr Bartron

Seconded: Cr McKenzie

That Council:

Approve the following 2015/16 Budget Amendments:

1. delete the Records Storage Shed \$20,000 (LB026 – Capital Expenditure);
2. increase the budget allocation for the Library Building Renovations by \$20,000 (BC190 – Capital Expenditure) (revised budget allocation of \$70,379).

**CARRIED 6/0
BY ABSOLUTE MAJORITY**

8.33pm Cr Fisher returned to chambers.

11. ELECTED MEMBER'S MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING

The CEO advised Council that entry to the building for future Council meetings will be via the front door on Earl Street owing to the construction of the new Council Chambers.

13. CLOSURE OF MEETING

8.34pm Mayor Ballard declared the meeting closed.