

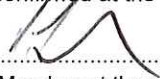


Shire of
Narrogin

**MINUTES
ORDINARY COUNCIL MEETING**

11 OCTOBER 2016

These minutes were confirmed at the Ordinary Council Meeting held on 25 October 2016

Signed:  Date 25/10/16
(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

11 OCTOBER 2016

1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS

7.30 pm – Commissioner Yuryevich declared the meeting open and advised that this is the last meeting of the Shire of Narrogin under Commissioners.

Commissioner Yuryevich advised that he has allowed a late item to be included in the agenda being 10.2.129 – Draft Policy – Elected Members Recognition of Service. A letter was received today from the Department of Local Government which under Legislation they specifically list a meeting date at which members declaring an interest can be exempted, that date being 11 October 2016.

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

Commissioners

Commissioner R Yuryevich AM RFD (Chairperson)
Commissioner G Ballard
Commissioner L Ballard

Staff

Mr A Cook – Chief Executive Officer
Mr A Awang – Executive Manager Development & Regulatory Services
Ms R Hawkins – Executive Manager Corporate & Community Services
Mr T Evans – Executive Manager Technical & Rural Services
Ms C Thompson – Executive Assistant

Visitors

Mr B Seale
Mr C Bartron
Mr M Fisher
Mr N Walker
Mr T Wiese
Mr N Mitchell
Mr D Charlesworth – Narrogin Observer

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

- Commissioner Leigh Ballard declared an interest in item 10.1.123. The nature of his interest was proximity.
- Commissioner Geoff Ballard declared an interest in item 10.1.124. The nature of his interest was financial and proximity.
- Commissioner Leigh Ballard declared an interest in item 10.2.129. The nature of his interest was financial.
- Commissioner Geoff Ballard declared an interest in item 10.2.129. The nature of his interest was financial.

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

7.32 pm – Public Question time commenced

Mr Brian Seale

1. Summary of Question

“Will Council accept a note of gratitude for the government of this organisation for the last four months on behalf of the community?”

Summary of Response

The Chairperson thanked Mr Seale.

2. Summary of Question

“In relation to late item 10.2.129 – Draft Policy – Elected Members Recognition of Service, will Council consider deferring this item for consideration by the newly elected Council?”

Summary of Response

The Chairperson agreed that the question will be raised immediately when the item is discussed on the agenda.

7.34 pm – The Presiding Person 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 1016.151 AND OFFICER'S RECOMMENDATION

Moved: Commissioner G Ballard

Seconded: Commissioner L Ballard

That Council:

Accept the minutes of the Ordinary Council Meeting held 27 September 2016 and be confirmed as an accurate record of proceedings.

CARRIED 3/0

**8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION
DISCLAIMER READING**

The Chairperson read the disclaimer to those present.

The recommendations contained in this Agenda are Officer's Recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the Minutes of the Council Meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. MATTERS WHICH REQUIRE DECISIONS

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7.34 pm – Commissioner L Ballard declared an interest in the following item and left the meeting.

10.1 DEVELOPMENT AND TECHNICAL SERVICES

10.1.123 NARROGIN LINK ROAD NAME

File Reference: 14.9.11
Disclosure of Interest: Nil
Applicant: Main Roads
Previous Item Nos: 10.2.131
Date: 5 October 2016
Author: Torre Evans – Executive Manager Technical & Rural Services

Attachments

- Letter from Main Roads
- Supporting Diagram

Summary

Council is asked to consider supporting Main Roads' request to name the Narrogin Link Road.

Background

The Narrogin Link Road project has been underway now for an extended period of time with completion and Ministerial opening due in November 2016.

This item was presented to the previous Town Council for consideration at the Ordinary Council Meeting 13 October 2015, item 10.2.131. At that time Council resolved to "*advise Main Roads of Narrogin that support is provided for the existing section of Pioneer Drive and the new section of Narrogin Link Road to be incorporated into and named Great Southern Hwy*". This was carried 6/0.

This resolution will need to be rescinded if Council wishes to accept the Main Roads' recommendation.

Comment

Main Roads is now seeking support from Council to name the Narrogin Link Road as follows:

1. The existing name Pioneer Drive is to be retained between Kipling Street and Herald Street (It is believed that this name has historical significance related to pioneer settlements in the area).
2. The proposed south extension (currently under construction) is to be named;
 - a. "Pioneer Drive" from Herald Street to the proposed southern roundabout;
 - b. "Great Southern Highway" from the southern roundabout southbound;

- c. "Federal Street" to be extended to the southern roundabout;
 - d. The existing section of Great Southern Highway not part of the Federal Street extension to be made redundant.
3. The proposed north extension (scheduled for construction this financial year) is to be named;
- a. "Great Southern Highway" from the existing Kipling Street roundabout to the northern tie-in;

The existing Great Southern Highway between the proposed northern tie in and the intersection at Bannister Street is to be closed and will not require a name.

Please also see attached diagram that illustrates Main Roads' proposal.

Main Roads also advise that following support from Council, they will consult the local community prior to submitting the proposed changes to Landgate for consideration by the Geographic Names Committee.

In addition, the above changes to road names will result in one business requiring a change of address, this property is;

Ballards of Narrogin,
1 Great Southern Highway,
Narrogin WA 6312

The address is proposed to be changed to Federal Street and Main Roads Narrogin will consult with the business owner following support from Council and prior to submission to Landgate.

Consultation

- Main Roads
- Gary Rasmussen – Manager Operations

Statutory Environment

From the Shire's perspective there are no statutory or regulatory actions required as the Narrogin Link Road is under Main Roads' control.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Rescind resolution No.1015.162 from the Ordinary Council Meeting held on 13 October 2015.
2. Advise Main Roads that support is given for Main Roads to name the Narrogin Link Road as follows:
 - a. The existing name Pioneer Drive is to be retained between Kipling Street and Herald Street (It is believed that this name has historical significance related to pioneer settlements in the area).
 - b. The proposed south extension (currently under construction) is to be named;
 - i. "Pioneer Drive" from Herald Street to the proposed southern roundabout;
 - ii. "Great Southern Highway" from the southern roundabout southbound;
 - iii. "Federal Street" to be extended to the southern roundabout;
 - iv. The existing section of Great Southern Highway not part of the Federal street extension to be made redundant.
 - c. The proposed north extension (scheduled for construction this financial year) is to be named;
 - i. "Great Southern Highway" from the existing Kipling Street roundabout to the northern tie in;
 - ii. The existing Great Southern Highway between the proposed northern tie in and the intersection at Bannister Street is to be closed and will not require a name.

COUNCIL RESOLUTION 1016.152

Moved: Commissioner G Ballard

Seconded: Commissioner R Yuryevich

That Council:

Rescind resolution number 1015.162 from the Ordinary Council Meeting held on 13 October 2015.

**CARRIED 2/0
BY ABSOLUTE MAJORITY**

COUNCIL RESOLUTION 1016.153

Moved: Commissioner G Ballard

Seconded: Commissioner R Yuryevich

That Council:

1. Advise Main Roads that support is given for Main Roads to name the Narrogin Link Road as follows:
 - a. The existing name Pioneer Drive is to be retained between Kipling Street and Herald Street (It is believed that this name has historical significance related to pioneer settlements in the area).
 - b. The proposed south extension (currently under construction) is to be named;
 - i. "Pioneer Drive" from Herald Street to the proposed southern roundabout;
 - ii. "Great Southern Highway" from the southern roundabout southbound;
 - iii. "Federal Street" to be extended to the southern roundabout;
 - iv. The existing section of Great Southern Highway not part of the Federal street extension to be made redundant.
 - c. The proposed north extension (scheduled for construction this financial year) is to be named;
 - i. "Great Southern Highway" from the existing Kipling Street roundabout to the northern tie in;
 - ii. The existing Great Southern Highway between the proposed northern tie in and the intersection at Bannister Street is to be closed and will not require a name.

**CARRIED 2/0
BY ABSOLUTE MAJORITY**

Reason for change: Council wanted to treat the rescission motion separately to the new resolution.



Enquiries: Mark Russell
Our Ref: 15/2676
Your Ref:

4 October 2016

Mr Aaron Cook
Chief Executive Officer
Shire of Narrogin
89 Earl Street
Narrogin WA 6312

Dear Aaron

NARROGIN LINK ROAD PROJECT – PROPOSED CHANGES TO ROAD NAMING

On 26 May 2015 Main Roads wrote to the then Town of Narrogin, requesting advice on the Main Roads proposal to name the new section of road between Herald Street and the southern roundabout, "Pioneer Drive", whilst south of the roundabout retaining the existing name of Great Southern Highway.

At Council's Ordinary Meeting on 13th October 2015, Council supported changing the existing section of Pioneer Drive and the new sections of the Narrogin Link Road as "Great Southern Highway".

Main Roads has undertaken a review of the road naming conventions and further to previous correspondence, and our recent discussion in the Main Roads Office, Narrogin (02/10/2016) between Main Roads officers and Shire representatives Torre Evans and Gary Rasmussen, Main Roads seeks Shire support for the proposed name changes listed below and shown on the attached sketch:

1. The existing name Pioneer Drive is to be retained between Kipling Street and Herald Street (It is believed that this name has historical significance related to pioneer settlements in the area).
2. The proposed south extension (currently under construction) is to be named;
 - a) "Pioneer Drive" from Herald Street to the proposed southern roundabout;
 - b) "Great Southern Highway" from the southern roundabout southbound;
 - c) "Federal Street" to be extended to the southern roundabout;
 - d) The existing section of Great Southern Highway not part of the Federal street extension to be made redundant.



mainroads
WESTERN AUSTRALIA

3. The proposed north extension (scheduled for construction this financial year) is to be named;
 - a) "Great Southern Highway" from the existing Kipling Street Roundabout to the northern tie in;
 - b) The existing Great Southern Highway between the proposed northern tie in and the intersection with Bannister Street is to be closed and will not require a name.

Following support from Council, Main Roads will consult the local community prior to submitting the proposed changes to Landgate for consideration by the Geographic Names Committee.

In addition, the above changes to road names will result in one business requiring a change of address, this property is;

Ballards of Narrogin,
1 Great Southern Highway,
Narrogin WA 6312

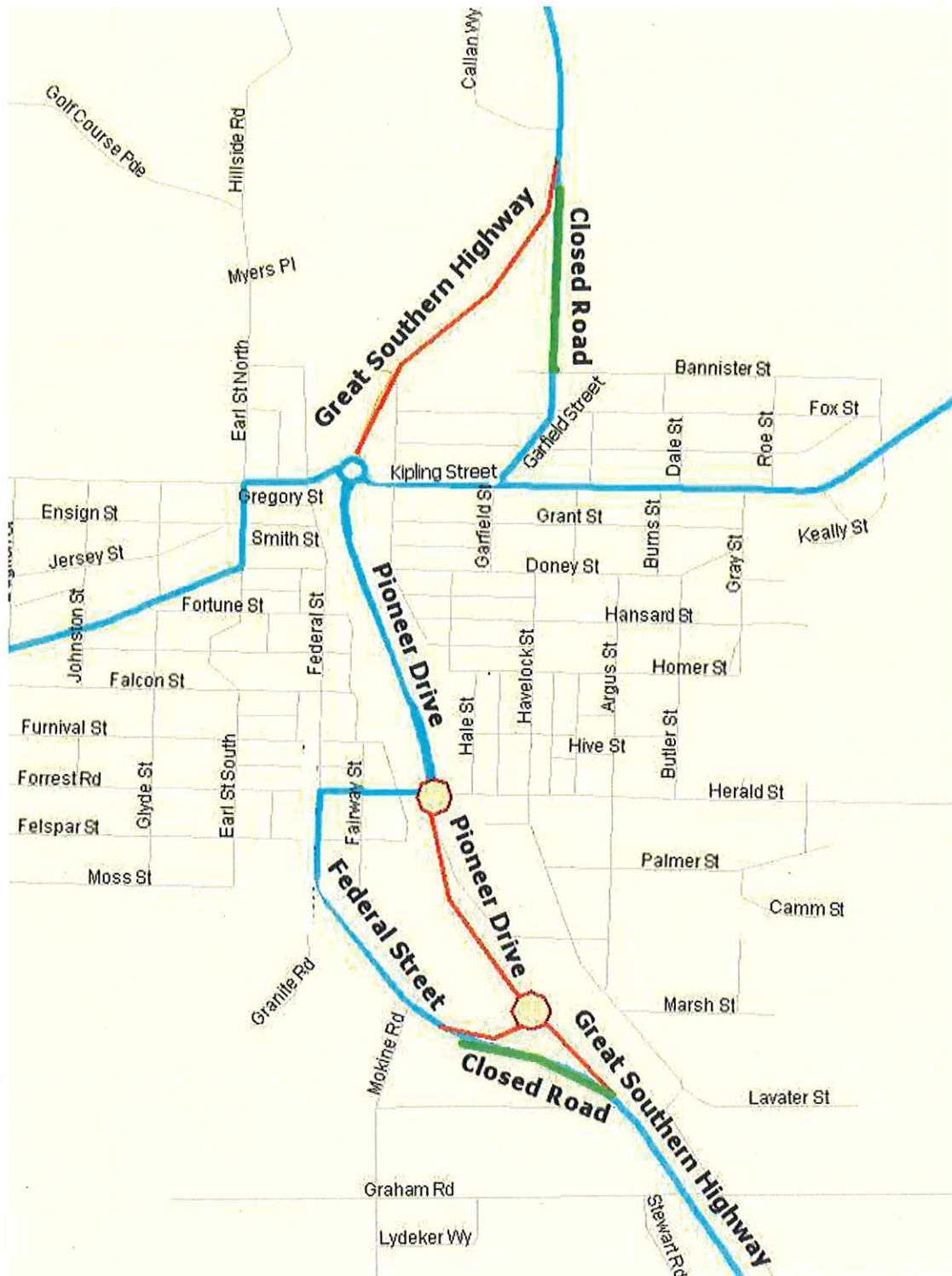
The address is proposed to be changed to Federal Street and Main Roads Narrogin will consult with the business owner following support from Council and prior to submission to Landgate.

It would be appreciated if the above matter could be added as an agenda item in the next Ordinary Council Meeting.

If you require any further information please contact Mark Russell (Operations Manager) on 98810513.

Yours sincerely

Mark Russell
Operations Manager Narrogin



7.37 pm – Commissioner Leigh Ballard returned to the meeting.

7.37 pm – Commissioner Geoff Ballard declared an interest in the following item and left the meeting.

10.1.124 ADDITIONAL ROAD PROJECTS

File Reference: 28.1.1
Disclosure of Interest: Nil
Applicant: Executive Manager, Technical & Rural Services
Previous Item Nos: 10.1.104
Date: 6 October 2016
Author: Torre Evans - Executive Manager, Technical & Rural Services

Attachments

Nil

Summary

Council is requested to reallocate savings from the recent road seal tender being \$198,471, to further road works.

Background

At the Ordinary Council Meeting, 13 September 2016 Agenda Item 10.1.104 - 2016/17 Road Seal Tender, Council resolved to award the 2016/17 road seal tender to Colas for \$490,310.

Within the item, it was identified that there would be savings of \$203,301 due to cheaper than expected road seal rates. Further review of this estimate has been completed and the confirmed figure for savings is \$198,471.

Comment

Council is requested to reallocate savings \$198,471 to further road works as follows:

Roads to Recovery (RTR)

- Additional project for reseal works on Wagin Wickepin Road up to 1,200 metres \$26,587
- Allocate funding towards the February flood damage claim of \$31,909 and \$18,091 from Council savings, totalling \$50,000.

Regional Road Group (RRG)

- Extend the Tarwonga Road reseal by 5,500 metres \$83,360.

Council Funded Road Seal

- Additional project for reseal works on Win Bin Rock Road up to 1,900 metres \$38,514.

The savings from the 2016/17 Road Seal Tender from the Roads to Recovery program funding and the Regional Road Group funding amounts to \$141,866. As such, the savings must be spent on roads meeting the criteria and cannot be absorbed as general savings for the budget.

Consultation

- Aaron Cook – Chief Executive Officer
- Rhona Hawkins – Executive Manager Corporate & Community Services (Acting)
- Nicole Bryant – Manager Finance (Acting)
- Garry Rasmussen – Works Manager

Statutory Environment

Local Government Act 1995 s6.8 Expenditure from municipal fund not included in annual budget.

Policy Implications - Nil

Financial Implications - Nil

Strategic Implications - Nil

Voting Requirements

Absolute Majority

COUNCIL RESOLUTION 1016.154 AND OFFICER'S RECOMMENDATION

Moved: Commissioner L Ballard

Seconded: Commissioner R Yuryevich

That Council:

Endorse the reallocation of savings from the 2016/17 Road Seal Tender for further road works as follows:

Roads to Recovery (RTR)

- Additional project for reseal works on Wagin Wickepin Road up to 1,200 metres \$26,587
- Allocate funding towards the February flood damage claim of \$31,909 and \$18,091 from Council savings, totalling \$50,000.

Regional Road Group (RRG)

- Extend the Tarwonga Road reseal by 5,500 metres \$83,360.

Council Funded Road Seal

- Additional project for reseal works on Win Bin Rock Road up to 1,900 metres \$38,514.

**CARRIED 2/0
BY ABSOLUTE MAJORITY**

7.38 pm – Commissioner Geoff Ballard returned to the meeting.

10.1.125 BUDGET ALLOCATION FROM TRUST FUNDS (PUBLIC OPEN SPACE BOND)

File Reference: 12.4.1
Disclosure of Interest: Nil
Applicant: Not Applicable
Previous Item Nos: Nil
Date: 4 October 2016
Author: Azhar Awang, Executive Manager Development and Regulatory Services

Attachments

- Locality Plan

Summary

Council's consideration is requested in regards to the transfer of Trust Funds (Public Open Space) for the purpose of capital expenditure for the purchase of playground equipment and for the preparation of a Master Plan for Gnarojin Park.

Background

The Shire has Trust Funds set up for the purpose of Public Open Space which has been collected over the years through developers for the cash in lieu contribution as part of the subdivision process. A total of \$72,599 has been collected from this process.

The proposal is to transfer some of the monies (\$22,000) from the Trust Funds to help purchase playground equipment and to leverage funds for grant application to undertake the development of a Master Plan for Gnarojin Park.

The two Public Open Spaces that are being developed are Yale Place Park (Reserve 35534) and Sydney Hall Way Park (Reserve 27934). There are funds allocated for the play equipment however there are insufficient funds to complete the projects which include the purchase of additional set of swings and the associated soft fall areas. An amount of \$3,500 each is required for these two parks.

In relation to the development of a Master Plan for Gnarojin Park (Reserve 21637 and Reserve 49048), an amount of \$15,000 is required as part of the Shire's contribution for the funding application through the Wheatbelt Development Commission (WDC). An amount of \$16,230 is being sought from the WDC funding for the development of the Gnarojin Masterplan for recreational and leisure pursuits for the local and regional community. This will be dependent on the successful application of the grant funding from the WDC.

The Shire has also been successful in securing funds from WALGA funding for the design and to construct a Changing Place (\$66,000) and Lotterywest grant (over \$250,000) for the design and extension of the current skate park at the northern end of Gnarojin Park, hence the proposed Master Plan to provide a strategic direction for the future development of Gnarojin Park.

Comment

The *Planning and Development Act 2005* section 154 (1) states that:

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.

The *Planning and Development Act 2005* under section 154(2) goes on further stating how this money is to be applied as follow:

(2) *The money is to be applied —*

(a) for the purchase of land by the local government for parks, recreation grounds or open spaces generally, in the locality in which the land included in the plan of subdivision referred to in section 153 is situated; or

(b) in repaying any loans raised by the local government for the purchase of any such land; or

(c) with the approval of the Minister, for the improvement or development as parks, recreation grounds or open spaces generally of any land in that locality vested in or administered by the local government for any of those purposes;

There is some information on the specific amount and the details of the developer who has made the cash in lieu contribution, however the remainder of the cash in lieu contribution had no details as to the make-up of the trust fund.

The proposal for disbursement of the trust funds is generally consistent with the requirement of section 154 of the *Planning and Development Act 2005* which will require the approval of the Minister.

It is therefore recommended that Council supports the proposed transfer of \$22,000 from the Public Open Space Trust Funds subject to the approval from the Minister for Planning.

Consultation

- Torre Evans - Executive Manager Technical and Rural Services
- Keenan Wening - Technical Officer – Technical and Rural Services
- Susan Guy - Manager Leisure and Culture
- Rhona Hawkins – Executive Manager Corporate & Community Services (Acting)

Statutory Environment

Planning and Development Act 2005 section 153 *Payment in lieu of giving land for open space, when permitted* and section 154 - *Money paid in lieu of open space, application of.*

LOCAL GOVERNMENT ACT 1995 - SECT 6.9

6.9 Trust fund

- (1) A local government is to hold in the trust fund all money or the value of assets —
- (a) that are required by this Act or any other written law to be credited to that fund; and
 - (b) held by the local government in trust.
- (2) Money or other property held in the trust fund is to be applied for the purposes of, and in accordance with, the trusts affecting it.
- (3) Where money or other property is held in the trust fund, the local government is to —
- (a) in the case of money, pay it to the person entitled to it together with, if the money has been invested, any interest earned from that investment;
 - (b) in the case of property, deliver it to the person entitled to it.
- (4) Where money has been held in the trust fund for 10 years it may be transferred by the local government to the municipal fund but the local government is required to repay the money, together with any interest earned from its investment, from that fund to a person claiming and establishing a right to the repayment.

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
3.3	Consolidate and identify purposes for all of Council's Reserves and properties for ongoing and future use

Voting Requirements

Absolute Majority.

COUNCIL RESOLUTION 1016.155 AND OFFICER'S RECOMMENDATION

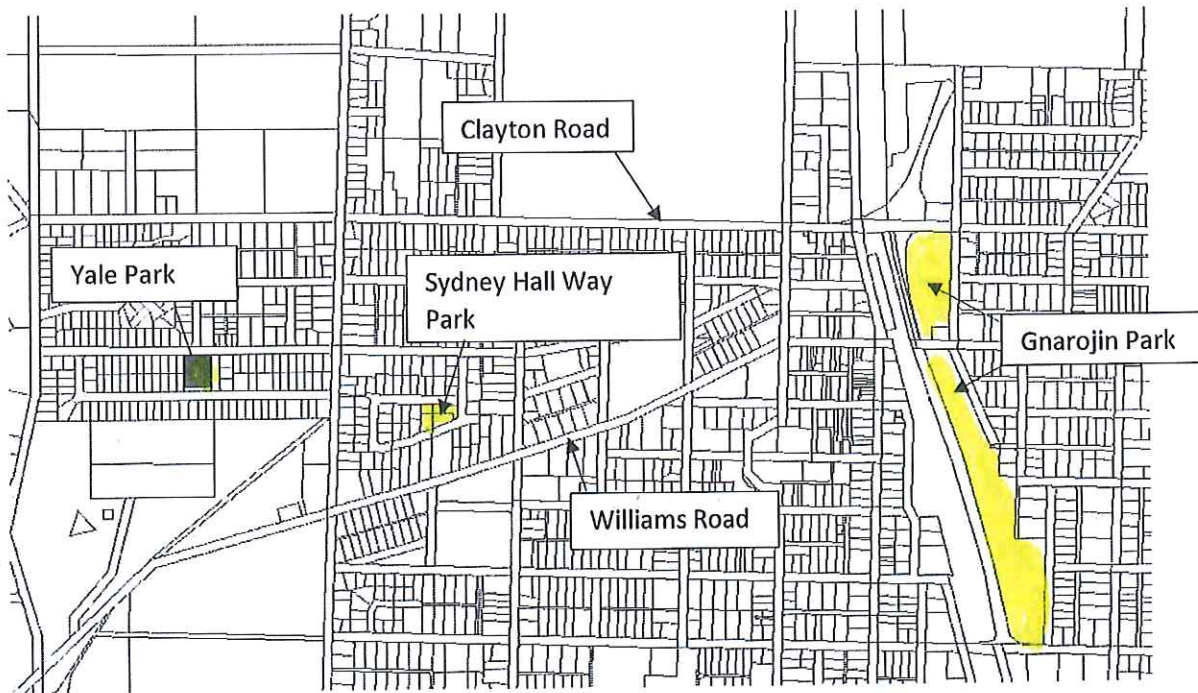
Moved: Commissioner L Ballard

Seconded: Commissioner G Ballard

That Council:

1. Supports the transfer of \$22,000 from the Trust Funds from the Public Open Space into the Operating Income account number 3110307 (IE1102) for the following expenditure:
 - a. On the successful grant application from the Wheatbelt Development Commission, \$15,000 is to be allocated to account 2110300 (IE3111) for the development of the Master Plan for Gnarojin Park.
 - b. \$3,500 is to be allocated to Yale Park Capital Works (Account 4110365, Job no.IO070) for the purchase and installation of the soft fall area and additional playground equipment.
 - c. \$3,500 is to be allocated to Sydney Hall Way Park (Account. 4110365, Job no.IO064) for the purchase and installation of the soft fall area and additional playground equipment.
2. Writes to the Hon. Minister for Planning seeking approval for the above expenditure in accordance with section 154(2)(c) of the *Planning and Development Act 2005*.

**CARRIED 3/0
BY ABSOLUTE MAJORITY**



Locality Plan

**10.1.126 PROPOSED OUTSIDE SCHOOL HOURS CARE - LOT 9739 (NO. 22)
WILLIAMS ROAD, NARROGIN**

File Reference: IPA168664, A34200
Disclosure of Interest: Nil
Applicant: Narrogin Regional Child Care Services
Previous Item Nos: Nil
Date: 6 October 2016
Author: Azhar Awang, Executive Manager Development and Regulatory Services

Attachments

- Locality Plan
- Aerial Photo

Summary

Council's consideration is requested in regards to the proposed Outside School Hours Care to be undertaken at the Narrogin Primary School.

Background

Council has received a Planning Application from the Narrogin Regional Child Care Services for a proposed Outside School Hours Care to be established at the Narrogin Primary School. The proposal is to use the existing Art room with an area of 100m² before and after school hours. The services proposed before school care is from 7:30 am to 9.00 am and after school care between the hours of 3.00 pm to 5:45 pm Monday to Friday. The proposal is to also provide this service during school holiday as vacation care.

A total of 30 children is proposed and this will be supervised by 3 staff operating the facility.

Comment

Zoning

Lot 9739 (No. 22) Williams Road is currently zoned 'School' which currently hosts the Narrogin Primary School. The site has a total area of approximately 26 hectares.

The proposal may be classified as falling under the definition of Day Care Centre which is defined as:

means land and buildings used for the daily or occasional care of Children in accordance with the Child Welfare (Care Centres) Regulations, 1968 (as amended).

A Day Care Centre is not listed as a permitted use under the 'School' zoning.

Clause 2.2.4 of the Town of Narrogin Town Planning Scheme No. 2 states:

If a particular use or purpose is not mentioned in the list of use classes or is not included in the general terms of any of the use classes in the Development Table, that use or purposes is prohibited unless it is permitted by the subsequent provision of the Scheme.

Clause 2.2.5 states:

Clause 2.2.4 does not prohibit the Council from giving consent to a use that is not –

(a) Mentioned in the list of use classes in the Development Table; or

(b) Defined in Clause 1.8; or

(c) Defined in Appendix D to the Town Planning Regulations, 1967

and determining the zone in which the use may be carried on pursuant to Clause 2.2.6 nor does Clause 2.2.4 prohibit the use of the land in accordance with consent so given.

No such use for Outside Hours School Care is listed in the Development Table. Although the use may be classified as Day Care Centre, the age group for this facility is mainly primary school age and therefore could be considered as falling outside the realm of the definition of a Day Care Centre. Furthermore, the Centre does not provide facilities for food and uses school amenities and caring for the children attending the school.

On this basis it can be considered that the proposed use satisfies the above Clause 2.2.5 and therefore provides Council the ability to consider the proposal.

In determining the application, Clause 2.2.7 states:

An application to the Council for its consent under Clause 2.2.5 –

(a) Shall be advertised in accordance with the provisions of Clause 6.3.2; and

(b) Shall not be granted unless a resolution to do so is passed by an absolute majority of the Council.

Clause 6.3.2 states:

Where the Council is required or decides to give notice of an application the Council shall cause:

(a) notice of the proposed use and development to be sent by post or delivered to the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of the application;

(b) notice of the proposed use and development to be published in a newspaper circulating in the Scheme Area and in the State of Western Australia stating that submissions may be made to the Council within 21 days from the publication thereof; and

(c) a sign displaying notice of the proposed use and development to be erected in a conspicuous position on the land for a period of 21 days from the date of publication of the notice referred to in paragraph (b) hereof.

It is therefore recommended that the proposal be advertised in accordance with Clause 6.3.2. At the closing date of advertising, all submissions received shall be tabled at the Council meeting for its consideration.

Consultation

- Public advertising shall be undertaken in accordance with Clause 6.3.2 of the Town Planning Scheme No 2 for a period of twenty one (21) days. After the closing date of advertising the matter including any submissions will be tabled at the Council meeting for its consideration.

Statutory Environment

- Town of Narrogin Town Planning Scheme No.2
 - Clause 2.2.5, 2.2.6 & 2.2.7 – process in dealing with a use that is not listed in the Scheme.
 - Clause 6.3.2 – process for public advertising prior to Council's determination.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Undertake public advertising for a period of twenty one (21) days in accordance with Clause 6.3.2 of the Town Planning Scheme No 2 for the proposed Outside School Hours Care at the Narrogin Primary School located at Lot 9739 (No.22) Williams Road, Narrogin.
2. Upon the completion of the advertising period, the proposal is to be presented to Council including any submissions received for its determination.

COUNCIL RESOLUTION 1016.156

Moved: Commissioner L Ballard

Seconded: Commissioner G Ballard

That Council:

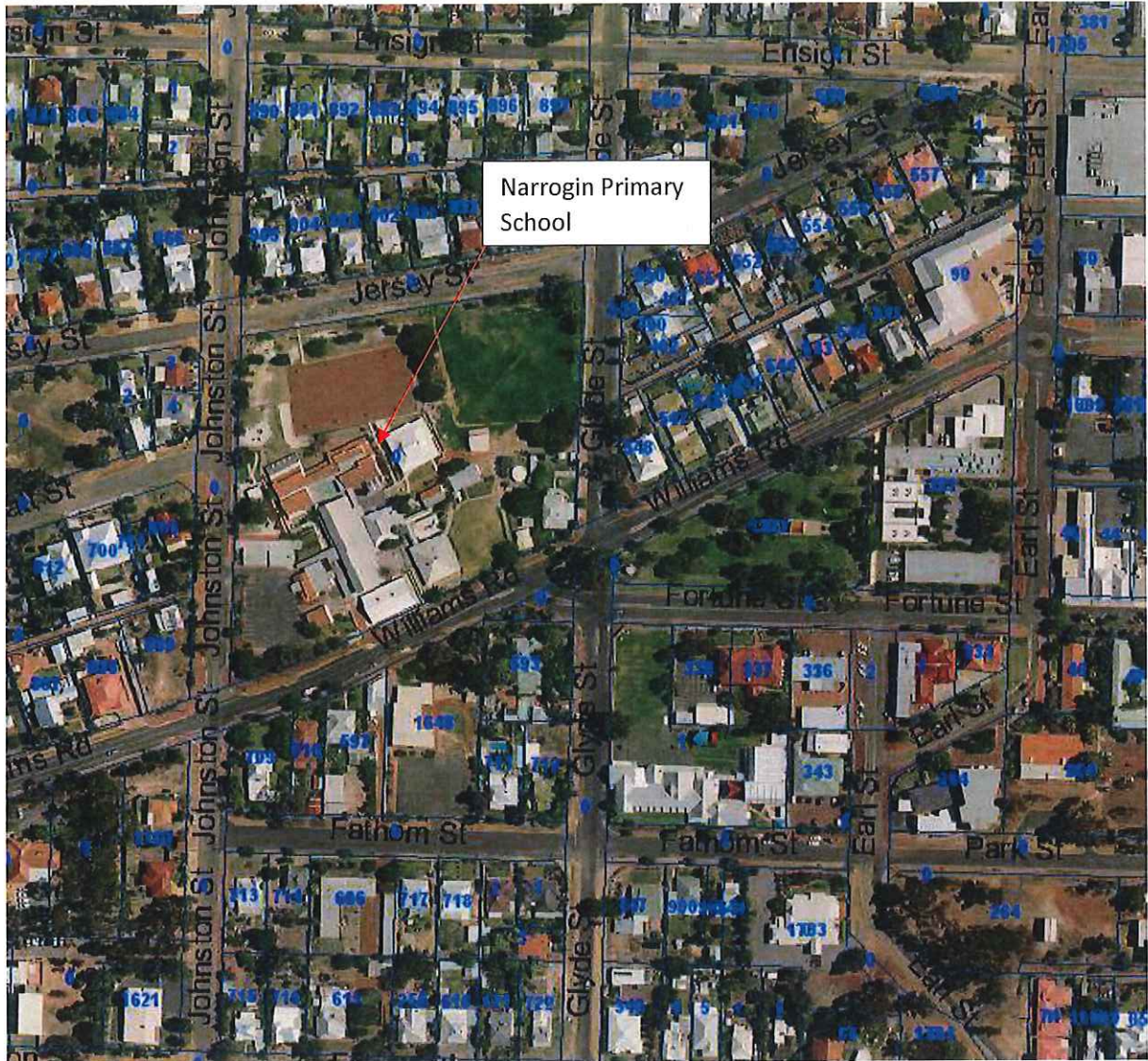
1. Undertake public advertising for a period of twenty one (21) days in accordance with Clause 6.3.2 of the Town Planning Scheme No 2 for the proposed Outside School Hours Care at the Narrogin Primary School located at Lot 9739 (No.22) Williams Road, Narrogin.
2. ~~Upon the completion of the advertising period, and if no objections are received, the application is approved under the delegated authority of the Executive Manager Development and Regulatory Services.~~

**CARRIED 3/0
BY ABSOLUTE MAJORITY**

~~Please note: The reason for change was to pass the delegated authority to the Executive Manager Development and Regulatory Services to make application without further Council approval in the case of no objections. This will expedite the process so that the school will be able to accommodate working parents sooner.~~

This portion of the resolution was rescinded at Ordinary Council Meeting of 25/10/2016.

Reason for change: not required after resolution was rescinded.



Attachment 1 - Locality Plan



Attachment 2 - Aerial Photo of Narrogin Primary School

10.2 CORPORATE AND COMMUNITY SERVICES

10.2.127 NARROGIN REGIONAL HOMECARE TRANSPORT ACCIDENT COMMISSION APPLICATION FOR PROVISION OF SERVICES

File Reference: 24.6.9
Disclosure of Interest: Nil
Applicant: Transport Accident Commission (TAC)
Previous Item Nos: Nil
Date: 28 September 2016
Author: Lynne Yorke, Manager Community Care Services

Attachments

Nil

Summary

Narrogin Regional Homecare has been requested to provide services for the Transport Accident Commission (TAC).

The TAC is a Victorian Government-owned organisation whose role is to promote road safety, improve the State's trauma system and support those who have been injured on Victorian roads.

The funds that TAC needs to perform these functions come from payments made by Victorian motorists when they register their vehicles each year with VicRoads.

The TAC covers transport accidents directly caused by the driving of a car, motorcycle, bus, train or tram. The TAC can provide support services for people injured in a transport accident as a driver, passenger, pedestrian, motorcyclist, or in some cases, a cyclist.

The services requested to be provided are Domestic Assistance and Personal Care, although they could be any of the services that Narrogin Regional Homecare provides under other funding.

Background

As part of the commitment to provide comprehensive Home and Community Services in the Region, Narrogin Regional Homecare requires Council to endorse the request from TAC for Shire of Narrogin, Narrogin Regional Homecare to become a preferred provider for TAC.

Comment

TAC have a client who has moved to Narrogin. The client has injuries resulting from a motor vehicle accident and is not able to receive services from other funding. The client requires services as soon as possible.

The program will be self-sufficient therefore there will be no impact on the current budget. Should these circumstances change the project will cease immediately.

Consultation

- Courtney Shiels – Long Term Support Coordinator, Claims, Transport Accident Commission
- Lynne Yorke – Manager Community Care Services
- Colin Bastow – Director of Corporate and Community Services

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

The proposal will bring more funding to Narrogin Regional Homecare which assists to ensure viability into the future. It will be self-sufficient and therefore have little effect on the overall budget.

Strategic Implications

Narrogin Regional Homecare Policies and Procedures ensure all the documentation requested can be provided.

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 1016.157 AND OFFICER'S RECOMMENDATION

Moved: Commissioner L Ballard

Seconded: Commissioner G Ballard

That Council:

Endorse the request from Transport Accident Commission to become a service provider.

CARRIED 3/0

10.2.128 REVISED ADMINISTRATION OFFICE LAYOUT

File Reference: Nil
Disclosure of Interest: Nil
Applicant: Chief Executive Officer
Previous Item Nos: Nil
Date: 5 October 2016
Author: Mr Aaron Cook – Chief Executive Officer

Attachments

- Copy of the proposed internal office layout for the Administration Centre.

Summary

It is presented to Council to endorse the revised design for the administration centre layout.

Background

Due to the merger process additional pressure has been placed on the allocation of seating space for staff within the building. Several designs were prepared and consulted with staff with the presented design being provided by the Building Surveyor.

The changes that are being proposed are consistent with the direction that has been discussed since the plans were prepared for the new Chambers. This included re-utilising the previous chambers as office space and a records "shop front".

Comment

It is requested that Council endorse the design and layout of office space within the renovated administration centre.

The main changes to the current layout is to open the western side of the building up to be more open plan and accommodate the Development and Planning's department. This requires several stud walls to be removed with some minor walls to be erected and partitioning installed. Within the Corporate and Finance area the photocopier area is to be altered to improve the functionality of the space and relocate the kitchen to provide space for the Executive Manager and Manager to be located with their staff. As has been stated, the old Chambers are to be converted to the records shop front and store, Shire President's office and a store room. The CEO's office is to be split into two offices with the CEO relocating into the smaller old Mayor's office. The remaining space currently next to the previous committee room will be utilised as future spare office space.

This design has been provided to staff for comment, especially those that have been affected directly. It is felt that this design will bring the office space into current design layouts and allow for future increases in staff levels.

Consultation

- Administration Staff

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

All costs are contained within the current budget.

Strategic Implications

The relocation of the administration layout allows for the organisation to be more open plan and accommodate for future expansion requirements.

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 1016.158 AND OFFICER'S RECOMMENDATION

Moved: Commissioner G Ballard

Seconded: Commissioner L Ballard

That Council:

Endorse the attached administration centre layout to allow for improved utilisation of workspace and cater for the Shire's future requirements.

CARRIED 3/0

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

LATE ITEM

Commissioner G Ballard declared a Financial interest in the following agenda item and was allowed to remain in Chambers to discuss the matter.

Commissioner L Ballard declared a Financial interest in the following agenda item and was allowed to remain in Chambers to discuss the matter.

Councillors considered the question raised by Mr Seale at public question time to defer this agenda item for the new elected council to consider. Council decided to deal with the matter at this meeting owing to the approval having been obtained from the Department of Local Government and Communities allowing Councillors declaring an interest to be allowed to fully participate in the discussion and decision making relating to the item during the meeting held on 11 October 2016 only.

10.2.129 DRAFT POLICY – ELECTED MEMBERS RECOGNITION OF SERVICE

File Reference:

Disclosure of Interest: Nil
Applicant: Not Applicable
Previous Item Nos: 10.2.089 of 26 July 2016
Date: 11 October 2016
Author: Niel Mitchell, Merger Project Manager

Attachments

- Draft Policy – Elected members recognition of service
- Department of Local Government And Communities Approval to Participate

Summary

Consideration of a draft policy elected members recognition of services

Background

Many Councils have a policy in recognition of the service given by their elected members.

Comment

This item is deferred from the Council meeting of 12 July 2016.

As former Shire of Narrogin has now been abolished, and all elected members of the former Town of Narrogin have resigned, it would be appropriate that consideration be given to such a policy for the merged Shire.

The Local Government Act s.5.100A specifies that a gift cannot be given to a Council member except as prescribed. The Administration Regulations r.34AC restricts the gift to –

- elected members who have completed at least one 4 year term.
- maximum amount of gifts is up to \$100 per year of service to a maximum of \$1,000.

It should be noted that a decision to make a gift is a financial interest for any person that may benefit from the adoption of the policy, and must therefore be declared under the Act. For the Councils or Commissioners to consider the matter, the approval of the Minister will be required under the Act s.5.69, and if to be a Policy, a draft policy submitted.

Application under s.5.69 may be made by council or the CEO.

Attached is the draft Policy as discussed by the Transition Working Group.

Comment 11 October 2016

Letter of approval to participate was received on 11 October 2016 from the Dept of Local Government and Communities under delegated authority of Minister for Local Government, and a copy is attached for information.

In order to clarify application of the proposed policy, DLGC requested that length of service of current Commissioners as elected members of the former local governments be noted –

- Commissioner Geoff Ballard – Shire of Narrogin from May 2005 to June 2016
- Commissioner Leigh Ballard – Town of Narrogin from October 2011 to June 2016

It is also noted that it is the intention that the Policy, if approved, will apply to the members of the former Shire and former Town who term of office ended on 30 June 2016.

At a previous meeting of Council, a question from the Public Question Time of Council Meeting held 26 July 2016 was –

Summary of Question

Will Council consider deferring item 10.2.089 until the full Council is elected? (i.e. consideration of draft Policy for Elected Members Recognition of Service)

Summary of Response

Commissioner Yuryevich clarified that the agenda item will trigger an administrative action by providing a letter to the Minister for exemption under the Act which will then allow persons who have disclosed an interest to participate and vote and will be returned to Council where this can be considered.

Should the matter be deferred, the process will need to be recommenced in full.

Consultation

- Aaron Cook – Chief Executive Officer
- Transition Working Group, 14 June 2016
- Department of Local Government and Communities

Statutory Environment

Local Government Act 1995 –

- s.5.60 – when a person has an interest
- s.5.60A – financial interest
- s.5.69 – Minister may allow members disclosing interests to participate etc. in meetings
- s.5.100A – gifts to elected members may only be made in prescribed circumstances

Local Government (Administration) Regulations 1996 –

- r.34AC – gifts to council members, when permitted etc.
 - (1) at least one 4 year term must be completed
 - (2) maximum gift of \$100 per year of service to maximum of \$1,000

Policy Implications

Draft new Policy

Financial Implications

Cost of gifts to departing elected members

Strategic Implications

Nil

Voting Requirements

Simple Majority

COUNCIL RESOLUTION 1016.159 AND OFFICER'S RECOMMENDATION

Moved: Commissioner G Ballard

Seconded: Commissioner L Ballard

That Council:

Adopt the attached Policy for Elected Members Recognition of Service, and apply to those members who concluded in Office on 30 June 2016.

CARRIED 3/0

Draft Policy

Elected Members – Recognition of service

- Statutory context**
- Local Government Act 1995 –
- s.5.60 – when a person has an interest
 - s.5.60A – financial interest
 - s.5.69 – Minister may allow members disclosing interests to participate etc. in meetings
 - s.5.100A – gifts to elected members may only be made in prescribed circumstances
- Local Government (Administration) Regulations 1996 –
- r.34AC – gifts to council members, when permitted etc.
 - (1) at least one 4 year term must be completed
 - (2) maximum gift of \$100 per year of service to maximum of \$1,000

Council context None

History Adopted _____
Last amended _____

Policy Statement

1. The CEO is to arrange a suitable gift for departing elected members, to the value permitted by the *Local Government (Administration) Regulations 1996 s.34AC*, on the basis of –
 - a) \$50.00 per year for each Elected Member,
 - b) an additional \$25.00 per year for each year of service as Deputy President / Mayor,
 - c) an additional \$50.00 per year for each year of service as President / Mayor,
2. Multiple terms of service as a member of Council are to be considered individually according to each period, and not cumulatively.
3. Each departing Councillor shall also receive an appropriate plaque or certificate of service.
4. Presentation of the gift and plaque or certificate will generally be made at the final meeting being attended by the Councillor, or at a suitable function.
5. Where qualifying, application for a Certificate of Appreciation from the Minister is to be made through the Department of Local Government.

– End of Policy

Notes

Statutory requirement – Prior to adoption, amendment or revocation to clauses 1, 2 or 3 of this Policy, elected members must –

- **declare a financial interest in accordance with the Local Government Act, and**
- **receive written permission of the Minister for Local Government to participate and vote.**

This Policy is a Financial Interest as defined by the Local Government Act s.5.60 and 5.60A and an exemption from the Minister under s.5.69, is therefore required prior to any amendment, alteration or revocation of the Policy whatsoever.

Although Councillors are able to claim travel, meeting expenses etc as of right, it is considered appropriate that there be some recognition from the Shire on behalf of the community, for their commitment to the district.

Where qualifying, enquiries should also be made through the Department of Local Government to obtain a Certificate of Appreciation from the Minister



Government of **Western Australia**
Department of **Local Government and Communities**

Your Ref: OCR161914-13.3.2
Our Ref: NO1-7#02 E1644242

|||||
Mr Aaron Cook
Chief Executive Officer
Shire of Narrogin
PO Box 1145
NARROGIN WA 6312

Dear Mr Cook

I refer to your correspondence dated 10 August 2016 and advise that in accordance with authority delegated by the Minister for Local Government, the Executive Director Sector Regulation and Support has approved the Shire of Narrogin's application, under section 5.69(3)(a) of the *Local Government Act 1995* (the Act).

This approval allows Commissioners, Mr Leigh Ballard and Mr Geoff Ballard to fully participate in the discussion and decision making relating to the following item at the Shire's Ordinary Council Meeting of 11 October 2016:

"10.2.129: DRAFT POLICY – ELECTED MEMBERS RECOGNITION OF SERVICE"

Subject to the following conditions:

1. The approval is only valid for the 11 October 2016 Ordinary Council Meeting when the above agenda item is considered;
2. The abovementioned persons must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;
3. You, as the CEO are to provide a copy of the Department's letter of approval to the abovementioned persons;
4. You, as the CEO are to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;
5. You, as the CEO are to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and

Gordon Stephenson House
140 William Street Perth WA 6000
GPO Box R1250 Perth WA 6844

6. The approval granted is based solely on the interest disclosed by the abovementioned persons, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

Should you have any queries in relation to this matter, please contact Ms Jade Hall, Senior Investigations Officer on (08) 6552 1521 or via email at jade.hall@dlgc.wa.gov.au.

Yours sincerely



Jenni Law

DIRECTOR LOCAL GOVERNMENT REGULATION AND SUPPORT

11 October 2016

13. CLOSURE OF MEETING

Commissioner Ron Yuryevich thanked all those present for an enjoyable term during which time everyone worked well together. He expressed his thanks to Aaron Cook and his staff and Niel Mitchell (Project Manager Merger); the people of Narrogin, expressing what a great town Narrogin is. He extended congratulations to the new Councillors-elect and wished good luck to the candidates in the forthcoming election.

7.50 pm – Commissioner Yuryevich closed the meeting.

The CEO on behalf of all the staff thanked the Commissioners for their efforts and advice during this important period for the Shire of Narrogin. He thanked Commissioner Ron Yuryevich for the knowledge and experiences he has been able to share and the strong working relationship we have formed and take forward into the future.