



# Town of Narrogin

## MINUTES ORDINARY COUNCIL MEETING

8 SEPTEMBER 2015

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 September 2015

Signed: ..... Date: 22/9/15  
(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 AGENDA**

## **8 SEPTEMBER 2015**

### **1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS**

7.30pm – The Presiding Member 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 C Ward  
Cr J McKenzie – Arrived at 7:31pm.  
Cr D Russell  
Cr P Schutz

#### **Staff**

Mr A Cook – Chief Executive Officer  
Mr B Robinson – Director Technical and Environmental Services  
Mr C Bastow – Director Corporate and Community Services  
Miss T Nicholls – Acting Executive Assistant

#### **Approved Leave of Absence**

Cr M Kain

#### **Member of Public**

Mr Geoff Blades

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

- Cr McKenzie declared an interest in item 10.1.112. The nature of the interest was proximity.
- CEO Cook declared an interest in item 10.2.111. The nature of the interest was financial.
- Cr Schutz, Cr Bartron, Cr McKenzie, Mayor Ballard, Deputy Mayor Cr Paternoster declared interest in item 10.2.108. The nature of the interest was 'in common' due to their membership or their spouses in the Narrogin Chamber of Commerce.

### **4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

## **5. PUBLIC QUESTION TIME**

7.34pm – Public Question time commenced

Mr Seale provided the following question via email at 5.24pm on the 8 September 2015 with backing information that was read out by the Mayor.

Mr Seale - Will council consider a philosophic concept relative to its decision making process, when it receives advice from the Department of Local Government and Communities?

Mayor Ballard - Council considers all advice from its staff and the Department on Legislative requirements and makes an educated and informed decision as to what action is to be taken if any is required. The Department of Local Government is the regulatory body that has the skill set and legislative ability to guide and require Local Governments to take certain actions if required. It is felt from your comments that your issue does not lay with Council and its decision making processes, rather with the Department of Local Government advices made to Council. Furthermore you are advocating for the Department to change the Act to be reflective of the expectations placed on Local Government and this needs to be taken up with the Department directly.

7.36pm – 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**

<b>COUNCIL RESOLUTION 0915.132 and Officer's Recommendation</b>
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**Moved: Cr Ward**

**Seconded: Cr Shutz**

That Council:

Accept the minutes of the Ordinary Council Meeting held on 25 August 2015 as amended and be confirmed as an accurate record of proceedings.

Amendments include:

- Correction to a typographical error in Question 2 from Robert White with the inclusion of the word 'area' on page 3.
- Correction to a typographical errors in Question 3 from Brian Seale on page 4.
- Correction to a typographical error in Comments section on page 11.

**CARRIED 7/0**

## **8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Mayor Ballard acknowledged Mr Geoff Blades attendance in relation to item 10.1.111 and will be available for questions.

## **9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

## **10. MATTERS WHICH REQUIRE DECISIONS**

<b>10.1</b>	<b>DEVELOPMENT AND TECHNICAL SERVICES.....</b>	<b>5</b>
10.1.112	PROPOSED CONSULTING ROOMS GROUP – NO 64 (LOTS 14 & 5) FEDERAL STREET, NARROGIN.....	5
<b>10.2</b>	<b>CORPORATE AND COMMUNITY SERVICES.....</b>	<b>14</b>
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10.2.109	PROPOSAL TO ISSUE PROPERTY SEIZURE AND SALE ORDER – PROCEED TO SALE OF LAND.....	18
10.2.110	BETTER PRACTICE REVIEW .....	21
10.2.111	MERGER – SELECTION CEO DESIGNATE – CONFIDENTIAL ITEM .....	40

7.35pm – Cr McKenzie left Chambers due to the declaration of interest.

## **10.1 DEVELOPMENT AND TECHNICAL SERVICES**

### **10.1.112 PROPOSED CONSULTING ROOMS GROUP – NO 64 (LOTS 14 & 5) FEDERAL STREET, NARROGIN**

**File Reference:** A167400, IPA156305 & DA7/15-16  
**Disclosure of Interest:** Nil  
**Applicant:** Phil Hoskins  
**Previous Item Nos:** Nil  
**Date:** 7 September 2015  
**Author:** Brian Robinson, Director Technical & Environmental Services

#### **Attachments**

- Aerial Photograph demonstrating location of property.
- Copy of submitted floor plan.

#### **Summary**

Council is requested to consider approving an application for planning consent to utilise existing retail premises for a Medical Practice.

#### **Background**

The subject land comprises Lots 14 and 5 Federal Street, which are currently developed for retail purposes. With the shops now having been vacant for some time, the owner is seeking approval to use the premises for a medical practice with approximately 8 staff, including up to three doctors at any one time.

An aerial photograph showing the current development is shown at Attachment No 1.

Plans submitted with the application indicate that numerous internal walls will be erected within the premises to provide for:

- a) A reception, records and storage room;
- b) Waiting area;
- c) Three (3) consulting rooms;
- d) A nurses station and two treatment rooms; and
- e) A staff room.

The plans further detail that new ablution facilities will be provided in the rear half of the building. Access to the toilets and rear carpark will be facilitated by a Disability Access Ramp.

The submitted site plan details that a total of 10 car parking bays are proposed at the rear.

Copies of the submitted site and floor plans are shown as attachment no 2.

#### **Comment**

The provisions of Town Planning Scheme No 2 (TPS No 2) include the subject land within the Central Business Zone, where various uses maybe permitted. To assist Council in determining the application, the following comments are offered:

### Land Use Classification

TPS No 2 defines several land uses relating to medical practitioners being “Consulting Rooms”, “Consulting Room Group” and “Medical Centre”. The land use definition best suited to the proposal is that of “Consulting Room Group”, which TPS No 2 defines as follows:

*Consulting Rooms Group: means a building (other than a hospital or medical clinic) used by more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors, and persons ordinarily associated with a practitioner, in the prevention, investigation or treatment of physical or mental injuries or ailments, and the practitioners may be of the one profession or any combination or professions or practices.*

It should be noted that the use is not consistent with the definition of “Consulting Rooms”, which relates to a use where a maximum of two practitioners will operate. It is also noted that the use is not consistent with the definition of a “Medical Centre”, which relates to circumstances where both practitioners and ancillary services (ie Chemist or radiologists) operate from the same premises.

### Permissibility

Whilst defined by TPS No 2, “Consulting Rooms Group” is not listed in the Zoning and Development Table for any zone. In accordance with clause 2.2.4 of the Scheme:

*“If a particular use or purpose is not mentioned in the list of use clauses or is not included in the general terms of any of the use classes in the Development Table, that use or purpose is prohibited unless it is permitted by the subsequent provisions of the scheme”.*

As detailed in the “Land Use Classification” section above, the proposed use is not consistent with the definition of Consulting Rooms, which are a “PS” use within the Central Business Zone. That is a use which is not permitted unless special approval is granted by Council. Given this, the proposed use is not *“included in the general terms of any of the use classes in the Development Table”*.

In accordance with clause 2.2.5, the provisions of Clause 2.2.4 do not prohibit the Council from giving consent to a use that it not mentioned in the list of use classes in the Development Table. The application may therefore be considered as “Consulting Rooms Group”, being a use not listed in TPS No 2.

It should be noted that applications for a use not listed may only be approved by Council through a resolution passed by absolute majority.

### Advertising

Clause 2.2.7 of the Scheme states that applications for a use not listed made under clause 2.2.5 shall be advertised for public comment.

In this case, if the applicant was to reduce the number of practitioners to 2, the application would comply with the definition of a Consulting Room, allowing the application to be approved as a “PS” use. It is the author’s opinion that to advertise the application to allow one additional practitioner (total of 3 practitioners) appears to be un-necessarily onerous.

It is recommended that consideration be given to relaxing this requirement in accordance with Part 6.2 of the Scheme relating to “Relaxation of Standards”. Further information on this is provided in the Statutory Environment Section below.

### Carparking

The major issue associated with this application is the provision of carparking. The following comments are offered to guide Council on this issue:

### Required No of Parking Bays

As a retail premises, carparking is required at a rate of not less than 1 car bay per 33m<sup>2</sup>. With a floor area of approximately 324m<sup>2</sup>, a minimum of 10 carbays would be required to service the development.

Currently the development is serviced by an unmarked parking area at the rear, being accessed off Rowley Street and kerbside parking in Federal Street. The rear carparking area currently provides significantly less than 10 bays.

TPS No 2 identifies that parking for consulting room type uses is usually required at a rate of 4 car bays per consultant. With three consulting rooms proposed, 12 car parking bays would normally be required by TPS No 2.

To address this requirement, the applicant is proposing to establish 10 carbays at the rear and has verbally requested consideration of the two kerbside parking bays located in Federal Street, ensuring that 12 carbays are in fact provided. This approach is consistent with the manner in which the Town has approved other uses in the Central Business District.

Examination of the submitted plans however, has identified that the proposed parking design is not acceptable.

### Carparking Design

As detailed on the submitted plans, the applicant is proposing to establish 7 parking bays as 45° angle parking bays abutting the southern boundary. An additional 3 bays, including a accessibility parking bay are proposed as tandem parking bays abutting the northern side boundary.

In accordance with clause 6.4 of TPS No 2, Council must have regard to various matters when determining applications for planning consent. These matters include:

- (g) *the provision of car parking, access for the manoeuvring of vehicles and likely traffic hazards.*

With respect to the current proposal, the author of this report does not support the current parking design as all vehicles parking on the property would be forced to reverse out of the site to regain access to Rowley Street. This is likely to result in traffic hazards for pedestrians and vehicles using Rowley Street.

With the property being some 14 metres in width, sufficient room exists for 9-10 standard right angle parking bays (2.5m by 5.5m) to be established with a 6 metre access way allowing vehicles to enter and leave in forward gear. This design may also allow for some tandem bays (suitable for staff use) abutting the northern side boundary.

This will allow a total of 10 carbays in a more acceptable design.

### Carparking Standard

In accordance with clause 3.4.1 of the Scheme, all parking spaces and all necessary access ways shall be sealed/paved, marked and drained unless otherwise approved by Council.

The current carpark area is of sealed construction, but it is not marked and no formal drainage is in place. Approval to the application as submitted will allow an opportunity to improve the existing carpark.

Whilst the applicants attempt to maximise the number of available parking bays is acknowledged, the submitted car park design is not acceptable as it will result in all vehicles entering the site to reverse out of the property. This is likely to result in the creation of traffic

hazards for both pedestrians and vehicles using Rowley Street, particularly those attempting to enter the site.

Should Council wish to approve the proposal, it is recommended that a condition be imposed requiring the redesign of the proposed parking area.

### **Consultation**

- Chief Executive Officer

### **Statutory Environment**

Council's prior planning consent is required in accordance with Part 6 of TPS No 2.

If a development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the Scheme, Council may in accordance with clause 6.2.1 approve the application, provided it is satisfied that:

- a) Approval to the proposed development would be consistent with the orderly and proper planning of the locality, the preservation of the amenity of the area and be consistent with the objectives of the Scheme;
- b) The non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future of the development of the locality; and
- c) The spirit and purpose of the requirements or standards will not be unreasonable departed from thereby.

In respect of this application, the applicant is proposing to provide 10 carbays when scheme requirements identify that 12 bays are required to service the development. A relaxation of two carbays is therefore being sought.

Having regard to the availability of kerbside parking abutting the site, it is the authors opinion that a relaxation of two bays would be consistent with the orderly and proper planning of the area and the non-compliance will not result in a detrimental impact. It is therefore recommended that the relaxation of two carbays be approved.

As detailed in the section titled "Advertising", a use not listed is normally required to be advertised for public comment over a 21 days period. Given that application for two practitioners could be approved as a Consulting Room, advertising the application as three practitioners are proposed is in the author's opinion un-necessarily onerous.

It is therefore recommended that the requirement to advertise the proposal be relaxed and the application be approved without first being advertised.

### **Policy Implications**

Nil

### **Financial Implications**

The required application fee has been paid in accordance with the Schedule of Fees and Charges as adopted in association with the 2015/16 annual budget.

### **Strategic Implications**

Key objective No 1 of the Town's Strategic Community Plan outlines that the Town's objective for "Industry and Business Development" is:



*“The promotion of Narrogin as prosperous community and area and providing positive assistance to industry/developers where possible, Council will aim to positively attract new business and industry to Narrogin.”*

It is the author’s opinion that relaxation of the required parking by two bays and waiving of the advertising period as proposed is consistent with this aim.

### **Voting Requirements**

Absolute Majority

<b>COUNCIL RESOLUTION 0915.133 and Officer’s Recommendation</b>
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**Moved: Cr Schutz**

**Seconded: Cr Bartron**

That Council:

1. Pursuant to Part 6.2 of Town Planning Scheme No 2 vary the required parking provision by two bays on the basis of kerbside parking that is available immediately adjacent to the premises;
2. Relax the requirement for advertising of the proposed “Consulting Rooms Group” prescribed by clause 2.2.7 of Town Planning Scheme No 2 on the basis that “Consulting Rooms” are a permissible use within the Central Business Zone and that advertising of the proposal is un-necessarily onerous given that the operation of three practitioners (one more than permitted under “Consulting Rooms”) will not detrimentally impact on the amenity of the area.
3. Grant planning consent to the proposed Consulting Rooms Group at No 64 (Lots 14 & 5) Federal Street, subject to compliance with the following conditions:
  - a) This approval shall expire if the development hereby permitted is not completed within two years of the date hereof, or within extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to the Town, is granted by it in writing.
  - b) Prior to commencement of the use hereby approved, the submitted plans shall be modified to ensure the majority of parking bays are provided via right angle parking bays. The required car parking bays shall be a minimum of 2.5m by 5.5m and shall be provided a 6m access way, allowing vehicles to enter and leave the site in forward gear.
  - c) A minimum of 10 parking bays being provided at the rear of the property, with any tandem bays abutting the northern side boundary to be identified for staff parking only.
  - d) The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan shall:
    - i. Be designed, constructed, drained and marked to the satisfaction of the Council prior to the commencement of the use hereby permitted.
    - ii. Thereafter be maintained to the satisfaction of the Council.
    - iii. Be made available for such use at all times and not used for any other purpose.
    - iv. Be properly formed to such levels that it can be used in accordance with the plan.

- e) Vehicle crossovers to be designed and constructed to the satisfaction and specifications of Council.
- f) Stormwater associated with the development hereby approved shall be contained on site, or disposed of in a manner acceptable to the Town of Narrogin.

Advice to Applicant:

- a) Any use, additions to and further intensification of any part of the development or land which is not in accordance with the original application or conditions of approval shall be subject to a further development application and consent for that use.

**CARRIED 6/0  
Absolute Majority**

PROPOSED CONSULTING ROOMS GROUP  
NO 64 (LOTS 14 & 5) FEDERAL STREET, NARROGIN





All Plumbing to Comply with WAWA Requirements, NCC and Health Act

All Interior Walls to be Sound Insulated to Comply with the NCC 2014

All Access and Facilities to Comply with the NCC 2014 and Australian Standards 1428.1 and Australian Standards 1428.4

400 mm High Ramp over 6.7M thus gradient is Less than 1:14, To have Hand rails in keeping with AS 1428.1 and Tactile Indicators AS 1428.4

Internal Ramp walled both sides, gradient lesser than 1:14, no hand rails to be installed, however tactile indicators to be installed in keeping with AS 1428.4 at start and finish of Sloped Walkway

ALL WORK TO AS/NZS 3500 AND BCA VOLUME 2 SECTION 3.5.2  
125 Quad gutter maximum 40 sq.m of roof contributing to DP in each direction.  
150 Quad gutter maximum 60 sq.m of roof contributing to DP in each direction.  
Down Pipes (DP) to be Ø90 upvc.  
Down Pipes (DP) are to be max. 12m Linear apart.

Storm Water Pipe Selection  
Guide: Pipe Ø Slope Max. Roof Area Contribution.

90	1:100	80
100	1:100	100
100	1:60	160
100	1:40	200
150	1:100	346

Connect Storm Water System to legal point of DISCHARGE.

1. KERB ADAPTERS TO STREET (2 max.).
2. Storm water pipe at rear of block.
3. Bubblers to COUNCIL specifications (Council approval required.)

ALL GUTTERS MUST BE DESIGNED TO AS/NZS 3500 3.2

## Notes:

1. SEWERAGE PLAN TO BE ACCORDANCE WITH COUNCIL PREPARED PLAN.
2. STORMWATER:  
TO BE DISCHARGED TO COUNCIL APPROVED DISCHARGE POINT.  
POSITION OF DOWNPIPES TO BE VERIFIED BY BUILDER PRIOR TO COMMENCEMENT OF DRAINAGE.
3. RETAINING WALLS:  
ALL RETAINING WALLS & EMBANKMENTS ARE TO COMPLY WITH COUNCIL REQUIREMENTS FOR RETAINING WALLS & BANKS FOR RESIDENTIAL SITES.
4. SITE SETOUT:  
ALL BOUNDARY CLEARANCES SHOWN ARE TO BE VERIFIED BY BUILDER PRIOR TO SETOUT & PRIOR TO ANY CONSTRUCTION COMMENCING.  
ANY VARIATION TO SETOUT DIMENSIONS MUST REMAIN WITHIN COUNCIL REQUIREMENTS.  
IT IS RECOMMENDED THAT A LICENSED SURVEYOR OR BE ENGAGED TO SETOUT BUILDING TO ENSURE MINIMUM SETBACKS ARE NOT ENCROACHED ON.
5. CHECK ALL LEVELS & DIMENSIONS ON SITE PRIOR TO COMMENCEMENT.  
WRITTEN DIMENSIONS TO TAKE PRECEDENCE OVER SCALED DIMENSIONS.

STREET NAME



### Revision Notes

PHIL HOSKINS  
LOT 14 & LOT 5 (64) FEDERAL STREET  
PO BOX 173 NARROGIN WA 6312

Revision

D Baxter Energy Assessor

90 Forrest Street, Narrogin WA 6312

PHONE: 08 9881 1503  
EMAIL: dbaxter@live.com.au

Designed by:

Drawn By:

Checked By:

Date:

Title

Mobile Phone 042 88 36 827

SITE PLAN

Scale

1:200

Job No.

??

Drawing No.

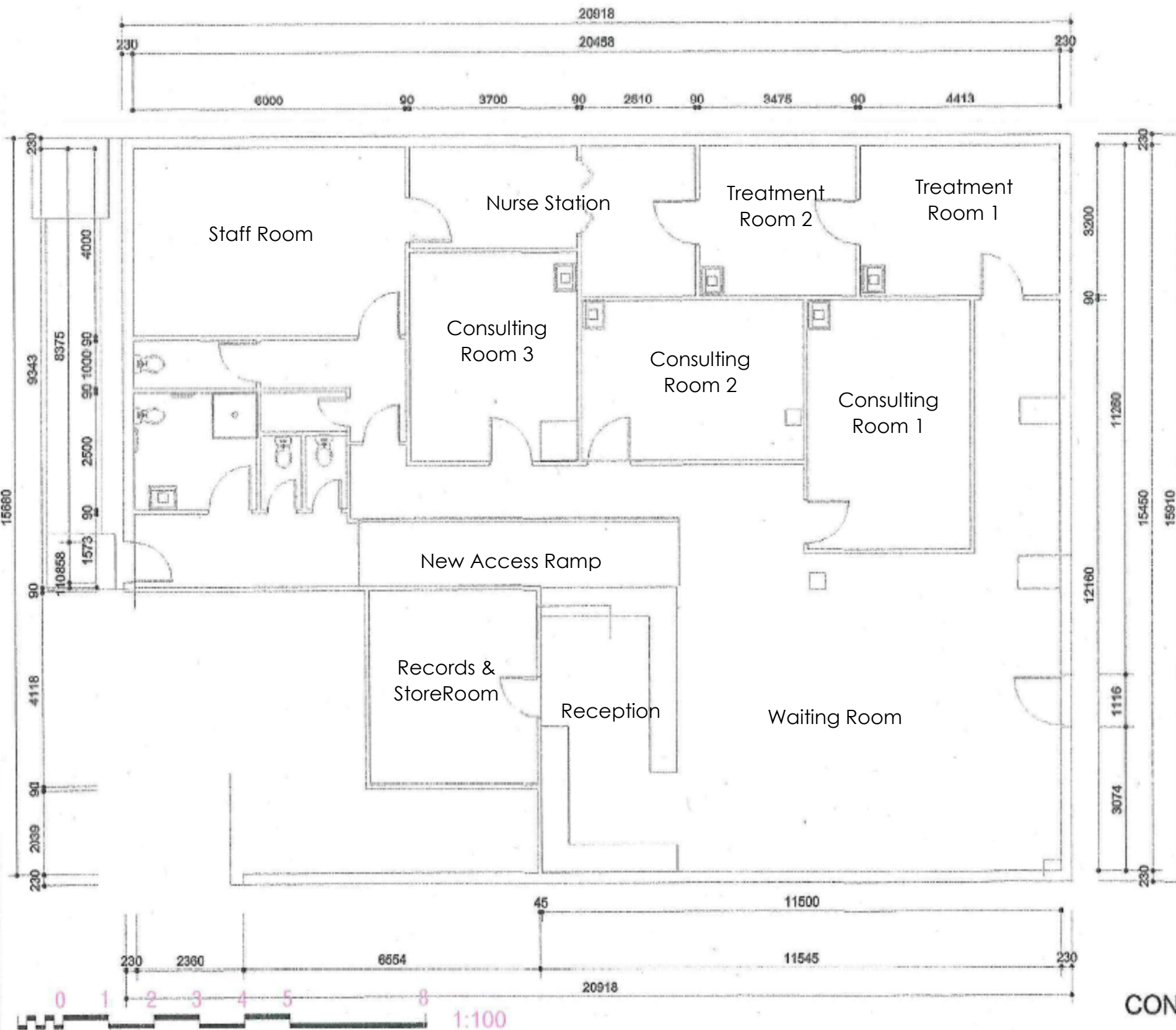
1000

Rev.

PP



Natural Ground Line  
Proposed Ground Line



**WIND RATING N2**  
NAILING & ANCHORING ACCORDING TO MANUFACTURERS SPECIFICATIONS.  
ALL FIXINGS, TIE DOWNS & BRACING IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA & AS 1684.3-2006 RESIDENTIAL TIMBER-FRAMED CONSTRUCTION.

CN 201314 013  
CERTIFICATE OF DESIGN COMPLIANCE TO BE READ IN CONJUNCTION WITH CERTIFICATE NO. 131  
BUILDING SURVEYOR / REG NO 24-8-15  
DATE

All Plumbing to Comply with WAWA Requirements, NCC and Health Act

All Interior Walls to be Sound Insulated to Comply with the NCC 2014

All Ceilings to have R3.5 Batts installed to Ceiling Cavity

Exhaust Fans to be installed into Each Room and Fluned Through to Out side Air

All Access and Facilities to Comply with the NCC 2014 and Australian Standards 1428.1 and Australian Standards 1428.4

PROVIDE ALL NECESSARY FLASHINGS, CAPPINGS, GUTTERS AND DOWNPIPES, FIXINGS & ACCESSORIES TO ENSURE A COMPLETELY WATERTIGHT FINISH.

CONCEPT 1

<p>Revision Notes</p> <p><b>PHIL HOSKINS</b> LOT 14 &amp; LOT 5 (64) FEDERAL STREET PO BOX 173 NARROGIN WA 6312</p> <p>Revision</p>	<p><b>D Baxter Energy Assessor</b></p> <p>90 Forrest Street, Narrogin WA 6312</p> <p>PHONE: 08 9881 1503 Mobile: 0438 811 944</p> <p>EMAIL: dbaxter@live.com.au</p>	<p>Designed by:</p> <p>Drawn By:</p> <p>Checked By:</p> <p>Date:</p>	<p>Title</p> <p>Mobile Phone 042 88 36 827</p>	<p>Scale 1:100</p> <p>Job No. ??</p> <p>Drawing No. 3000 Rev. PP</p>
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7.40PM Cr McKenzie returned to Chambers

Cr Schutz, Cr Bartron, Cr McKenzie, Mayor Ballard, Deputy Mayor Cr Paternoster declared interest in item 10.2.108. The nature of the interest was 'in common' due to their, or their spouses membership or in the Narrogin Chamber of Commerce and did not leave the meeting.

## **10.2 CORPORATE AND COMMUNITY SERVICES**

### **10.2.108 CHAMBER OF COMMERCE CHRISTMAS TRADING HOURS REQUEST**

**File Reference:** 23.12.1  
**Disclosure of Interest:** Nil  
**Applicant:** Narrogin Chamber of Commerce  
**Previous Item Nos:** Nil  
**Date:** 2 September 2015  
**Author:** Mr Aaron Cook – Chief Executive Officer

#### **Attachments**

- Letter of request from the Narrogin Chamber of Commerce.

#### **Summary**

It is presented to Council to consider the request from the Narrogin Chamber of Commerce for the Christmas trading hours as per previous years.

#### **Background**

The Narrogin Chamber of Commerce present each year their recommendations to Council for the Christmas Trading Hours. Once approved by Council the attached list of dates is sent to the Department of Commerce.

#### **Comment**

It is proposed for Council to consider the attached request from the Chamber of Commerce for the Christmas trading hours. This request is presented each year and has been endorsed previously to enable the local businesses to trade in excess of normal operating hours.

The hours that are presented to Council are the same as what was accepted by Council last year other than the Sunday after Christmas is not recommended for opening this year.

#### **Consultation**

- Narrogin Chamber of Commerce

#### **Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

**COUNCIL RESOLUTION 0915.134 and Officer's Recommendation**

**Moved: Cr McKenzie**

**Seconded: Cr Ward**

That Council:

Endorse the 2015 Christmas trading hours as presented by the Narrogin Chamber of Commerce and present this to the Department of Commerce for action and endorsement.

**CARRIED 7/0**

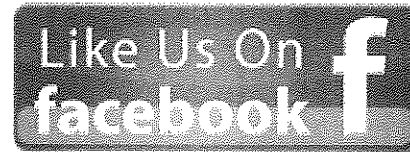


# Narrogin Chamber of Commerce

*"To be a representative body promoting the growth and development of business in our community"*

PO Box 374  
NARROGIN WA 6312

[narroginchamber@westnet.com.au](mailto:narroginchamber@westnet.com.au)



<https://www.facebook.com/narroginchamber>

Michael Kain:  
Kerry Bryant:

Chairperson:  
Executive Officer

Tel  
Tel  
Fax

0428 858 011  
0428 812 607  
08 9881 2605

Mr Aaron Cook  
Chief Executive Officer  
Town of Narrogin  
PO Box 188  
NARROGIN WA 6312

Town of Narrogin RECEIVED	
Directed to	CEO
Ref No.	19 AUG 2015 ICRIS6265
Property File	
Subject File	8-1-3
C-Point No.	

Dear Aaron

## PROPOSED TRADING HOURS FOR 2015 / 2016 CHRISTMAS / NEW YEAR PERIOD

At the committee meeting held on the 28<sup>th</sup> July 2015 the attached proposed Narrogin Christmas / New Year retail trading hours for 2015-2016 was felt to meet the needs of both shoppers and retailers in our region.

When the dates applied for by the Town of Narrogin are approved, would you please advise the chamber so that we can forward this information to our members?

Kind regards

Kerry Bryant  
Executive Officer

10 August 2015

Enc: 2015-2016 Proposed Hours

The online directory can be updated throughout the year at:

<http://www.narrogindirectoryonline.com.au>



<b>Date</b>	<b>Trading Hours</b>
Tuesday 1 December 2015	8.00 am to 6.00 pm
Wednesday 2 December 2015	8.00 am to 6.00 pm
Thursday 3 December 2015	8.00 am to 9.00 pm
Friday 4 December 2015	8.00 am to 6.00 pm
Saturday 5 December 2015	8.00 am to 5.00 pm
Monday 7 December 2015	8.00 am to 6.00 pm
Tuesday 8 December 2015	8.00 am to 6.00 pm
Wednesday 9 December 2015	8.00 am to 6.00 pm
Thursday 10 December 2015	8.00 am to 9.00pm
Friday 11 December 2015	8.00 am to 6.00pm
Saturday 12 December 2015	8.00 am to 5.00pm
Sunday 13 December 2015	10.00 am to 5.00pm
Monday 14 December 2015	8.00 am to 9.00pm
Tuesday 15 December 2015	8.00 am to 9.00 pm
Wednesday 16 December 2015	8.00 am to 9.00 pm
Thursday 17 December 2015	8.00 am to 9.00 pm
Friday 18 December 2015	8.00 am to 9.00 pm
Saturday 19 December 2015	8.00 am to 5.00 pm
Sunday 20 December 2015	10.00 am to 5.00 pm
Monday 21 December 2015	8.00 am to 9.00 pm
Tuesday 22 December 2015	8.00 am to 9.00 pm
Wednesday 23 December 2015	8.00 am to 9.00 pm
Thursday 24 December 2015	8.00 am to 9.00 pm
Friday 25 December 2015 (public holiday)	CLOSED
Saturday 26 December 2015 (public holiday)	CLOSED
Sunday 27 December 2015	CLOSED
Monday 28 December 2015	8.00 am to 6.00 pm
Tuesday 29 December 2015	8.00 am to 6.00 pm
Wednesday 30 December 2015	8.00 am to 6.00 pm
Thursday 31 December 2015	8.00 am to 9.00 pm
Friday 1 January 2016 (public holiday)	CLOSED

## 10.2.109 PROPOSAL TO ISSUE PROPERTY SEIZURE AND SALE ORDER – PROCEED TO SALE OF LAND

**File Reference:** A284500, A303700, 25.5.2  
**Disclosure of Interest:** Nil  
**Applicant:** Nil  
**Previous Item Nos:** Nil  
**Date:** 1 September 2015  
**Author:** Narelle Rowe – Finance Officer - Rates

### Attachments

Nil

### Summary

This report recommends that the Town instigate proceedings to issue a 'Property Seizure and Sale Order' (PSSO) – Sale of Land against the owners of the properties listed to sell the land to recover outstanding rates and charges.

### Background

In accordance with the following section of Policy C.29 – Rate Recovery Policy

*“...4. Where a Claim has been issued and remains unsatisfied, action will be taken to pursue that claim through the Town’s Solicitors or collection agency as the case may be, to secure payment of the debt.*

*5. Following the issue of a Claim and addition of legal costs, a reasonable offer to enter into a payment arrangement to discharge the debt will not be refused.*

*6. Where the owner is non-resident or a company (ie the property is an investment) the maximum period over which repayment will be permitted will be three months.*

*7. Legal proceedings will continue until payment of Rates imposed is secured. This includes the issue of a Property Seizure and Sale Order against goods and land if necessary.*

*a. If a Property Seizure and Sale Order against land is proposed to collect outstanding Rates due on a property where the owner resides, approval of Council shall be obtained before the Property Seizure and Sale Order is lodged.*

*b. Property Seizure and Sale Orders against land will be used to collect outstanding amounts in respect to investment properties without a requirement that these be referred to Council...”*

A 'Property Seizure and Sale Order' is the next step following issue of a 'General Procedure claim' (formerly known as a 'Summons') and the procedure is performed by a Bailiff appointed by the Debt Collection Agency who will visit the property and ascertain all goods of equivalent value to the debt that can be potentially seized.

## Comment

All efforts to recover the debts using methods of collection as stated within the Rate Recovery Policy C.29 have been followed. A 'General Procedure Claim' has been served to the last known address provided by the owners. Once served with a 'General Procedure Claim' the process for the owner/ratepayer is to file an Admission of Claim. No Admission of Claim has been lodged from either owner. The Bailiff attempted to seize goods to the value of the debt via PSSO, unfortunately the Town has been advised by the Bailiff that there were no goods of value. The next step of the Debt Collection process is to proceed to Sale of Land. This process will require the Town to register its interest over the Certificate of Title. Below are the details of the properties:

Assess No	Property Address	PSSO Served	2014/15 Charges				Legal Fees and Interest	Total Balance
			Rates	Recycling	Rubbish	ESL		
A284500	55 NORTHWOOD STREET	12 Aug 15 & 21 Aug 15	1 823.00	77.30	210.00	68.00	1 119.14	3 297.44
A303700	32 WILLIAMS ROAD	1 Aug 15	2 413.22	153.30	415.00	132.00	1 230.14	4 343.66

## Consultation

- Rhona Hawkins, Manager of Finance
- Ampac

## Statutory Environment

Local Government Act 1995 Section 6.56 – Rates or service charges recoverable in court  
Magistrates Court, Civil Jurisdiction

## Policy Implications

Nil.

## Financial Implications

All costs associated with the debt recovery process are recoverable from the ratepayers as debt collection costs are a charge to the land.

## Strategic Implications

Nil.

## Voting Requirements

Simple Majority

<b>COUNCIL RESOLUTION 0915.135 and Officer's Recommendation</b>
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**Moved: Cr Russell**

**Seconded: Cr Paternoster**

That Council

Approve the issuing of a 'Property Seizure and Sale Order – Sale of Land' against the owners of the properties listed below for outstanding rates if the debt remains outstanding as of 30 June 2016

Assess No	Property Address	PSSO Served	2014/15 Charges				Legal Fees and Interest	Total Balance
			Rates	Recycling	Rubbish	ESL		
A284500	55 NORTHWOOD STREET	12 Aug 15 & 21 Aug 15	1 823.00	77.30	210.00	68.00	1 119.14	3 297.44
A303700	32 WILLIAMS ROAD	1 Aug 15	2 413.22	153.30	415.00	132.00	1 230.14	4 343.66

**CARRIED 7/0**

## 10.2.110 BETTER PRACTICE REVIEW

**File Reference:** 14.9.6  
**Disclosure of Interest:** Nil  
**Applicant:** Department of Local Government  
**Previous Item Nos:** Nil  
**Date:** 4 September 2015  
**Author:** Mr Aaron Cook – Chief Executive Officer

### Attachments

- Better Practice Report – with comments provided by the CEO as requested by the Department.
- A revised attachment will be presented at the meeting.

### Summary

It is presented to Council to receive the Draft Final Better Practice Review and response comments as prepared by the Department of Local Government and the Chief Executive Officer.

### Background

The Department of Local Government some six months ago requested that the Town of Narrogin participate in the Better Practice Review. The intent of the review was not to audit the Council on compliance issues but rather to trial a voluntary review that would allow the Local Government to gauge how their systems compare to others.

The Department is planning to have a large data base for Councils to utilise to then improve their documentation and processes to increase to better practice standards.

### Comment

The entire review was conducted over a period of one week. As a result, the Department have raised 32 items that they would like the Town to consider. The Administration was already aware of many of these and have already planned to resolve during the merger. Several others were also very minor in nature and have already been resolved. It was considered by the Administration and raised with the Department that several other items are not reflective and should be removed. It is then expected that the list will reduce to approximately 25 items.

From the list that was provided, Council has already completed four action items and several more will be completed in the coming months.

It is felt by officers, and commented by the Department in their report, that the Town of Narrogin is, administratively, being run with good governance and procedures.

Currently the report, as attached, shows the following number of items that are satisfactory and better practice and require review:

	Satisfactory and Better Practice	Require Review
Total of 80 Items	74%	26%

From the remarks provided back to the Department, it is expected that the report will reflect the following percentages:

	Satisfactory and Better Practice	Require Review
Total of 80 Items	79%	21%

It has been raised with the Department that a number of the items raised were very minor. Despite their low importance, they still fell into the category of *Requiring Review*. It has been suggested to the Department that a separate grade should be implemented. The recommendation of grading would then be reflective of the following:

1) Require Review      2) Satisfactory with Minor Review      3) Satisfactory      4) Better Practice

If this grading is implemented it would further improve the percentages of the Town.

This review was voluntary and will greatly assist Council in its merger processes. It is a shame that the Department did not also review the Shire of Narrogin, however, this would really have only been for information purposes only.

It is felt by the CEO and senior staff that the exercise was beneficial and although there are areas requiring review it is a positive report with beneficial outcomes for continuing the Town's improvement of processes.

It is not planned to bring this finalised report back to Council, but will be available for review through the briefing session process.

### **Consultation**

- Department of Local Government
- Executive Staff
- Mayor Ballard

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

The receipt of this report and endorsing the actions to be taken over time shows a commitment of the Council and staff to continue to improve the Town of Narrogin processes improving its strategic abilities into the future.

### **Voting Requirements**

Simple Majority

<b>COUNCIL RESOLUTION 0915.136 and Officer's Recommendation</b>
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**Moved: Cr Russell**

**Seconded: Cr Ward**

That Council:

Receive the attached Draft Final Better Practice Review Report from the Department of Local Government and comments from the Chief Executive Officer with the action list and timeline and endorse the CEO to finalise the report with the Department and action the items.

**CARRIED 7/0**



# Better Practice Review

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## Town of Narrogin response to draft report

Department of Local Government and Communities  
Gordon Stephenson House  
140 William Street  
PERTH WA 6000  
Telephone: (08) 6551 8700 Facsimile: (08) 6552 1555  
Website: [www.dlgc.wa.gov.au](http://www.dlgc.wa.gov.au)



As part of the review process, please provide feedback and/or a response to each area of the report in the section below, to ensure it captures an accurate reflection of the Town's practices and procedures. Please also review and complete the draft action plan as attached.

Your responses for each section and the completed action plan will then be included in the final report.

## 1. Governance

### The Town's response

**Organisational Risk Management:** These comments are accepted and work will commence on the advice received in the near future.

**Business Continuity:** The Town will source examples of Business Continuity Plans adopted by local governments that have comparable levels of staffing and resources.

**ICT Framework:** The Town will source and review ICT framework examples adopted by similarly resourced local governments.

**Complaints Handling and Customer Service:** Although informal, the Town does have internal processes to follow in regard to these areas. A formalisation of these procedures will be undertaken in the near future.

**Information Statement:** The Director of Corporate and Community Services has been directed to include an FOI information statement for the 2014/2015 Annual Report. An FOI manual for internal use is also to be prepared and endorsed.

**CEO Performance Review and Audit Committee (Audit Committee):** Procedures were implemented some 18 months ago to prevent such recording occurrences. The Audit Committee Policy and Terms of Reference have been reviewed and updated. It is noted that all other aspects of the Committee and its functions are as required.

**Closed Meetings:** In the interests of transparency and accountability, in future the relevant provision of S5.23(2) of the Act will be included when recording the reason for the decision to close a meeting.

## 2. Planning and Regulatory functions

### The Town's response

**Local Laws:** The Town of Narrogin has recently performed a review of the Local Laws to ensure compliance within this area. As such, the Town of Narrogin is compliant with the Local Law requirements. The repeal of Local Laws that may not

be applicable has already been undertaken as of July 2015. The Town is providing access on its website, through a link to the Department's website, so that access to the Town's current Local Laws is guaranteed.

**Heritage of Municipal Inventory:** An update has been commenced to be compliant with the annual requirements. A full review is proposed to be undertaken in 2016 to ensure that the new local government entity is compliant with this requirement.

### 3. Plan for the Future

#### The Town's response

**Corporate Business Plan:** The Corporate Business Plan is being reviewed on an annual basis as the report stated. The comments stated have been reviewed and the plan will continue to be updated when revised in the future.

In regards to the reference to the business as usual actions of Council being included within the plan - this needs to be considered to ensure that this is not confused with strategic outcomes etc. Examples of how this can be incorporated in an efficient manner will be sourced and considered when reviewing.

### 4. Asset and Finance

#### The Town's response

**Long Term Financial Plan -** It is agreed that this document requires review and it is planned that this will occur through the process of the merger with the Shire.

Asset Management Plans - Again it is agreed that these documents require review. This has been put on hold for the merger process, to be combined with the Shire's documents.

### 5. Workforce Planning

#### The Town's response

**Staff Turnover:** High Staff turnover was reported for prior to 2013. The systemic issues that were within the Town were large and this needed to occur to ensure a fresh start and progress the organisation forward. As was stated during the assessment, turnover rates are now the lowest that they have been for many years. As the CEO of the Town is responsible for signing off all termination and resignation letters and is the only officer approved to appoint employees, continual assessment of the organisation's staffing is well in hand.

**Employee Surveys:** These surveys can be a useful tool within the organisation to monitor staff perceptions and issues. There was a survey conducted of all staff during the Workforce Plan preparation; however no additional surveys have been undertaken since that time. Further surveys will be considered in the future.

**Recruitment and Selection:** It is agreed that a recruitment and selection procedure would be of benefit to the organisation. The Town will source examples of Recruitment and Retention Policies from similar sized and resourced local governments to be amended and implemented.

**Succession Planning:** The Town maintains a training register and encourages all staff to become multi skilled and proactively trains staff to enable this to occur. This point of succession planning will be covered within the proposed Recruitment and Retention Policy. Vacancies still need to be advertised outside the organisation to ensure that the Town recruits people with strong skills and relevant experience.

## 6. Community and Consultation

### The Town's response

**Economic Development:** The discussion cited agreed that economic development is crucial to the development of a local Government. As was stated within the review it is proposed that in the near future a Regional Economic Development Officer be recruited to perform this function over several Local Governments, so that the most constructive and positive outcomes are realised for the regional area, not just Narrogin.

**Reconciliation Action Plan (RAP) Committee:** The Mayor, Council and CEO have all engaged the Indigenous Community when and where required and are hoping to recommence engagement with Elders from Narrogin at a meeting that is facilitated by a third party. It is hoped that this will result in the outcomes outlined within a RAP Committee terms of reference.

## PART V – ACTION PLAN

Areas for further development that were highlighted throughout the report can either begin to be progressed prior to the merger or it may be more appropriate to address these as part of the new entity after the merger. In most instances these are not a reflection of adverse operational issues, however addressing these matters pre and post-merger will contribute to building the capacity of the organisation to operate as an effective regional centre providing good governance into the future.

The below action plan presents an opportunity for positive improvement and change by identifying areas of further development. The action plan allows the Town to provide comment on and appropriately action the recommendations. Recommendations that are legislative requirements are listed first in each of the assessed area.

Areas for Further Development	Recommendation / Action	Priority – pre or post-merger	Time frame	Responsibility	Progress Report
<b>Governance</b>					
Information statement	1. Develop an information statement and report on it annually through the Town's Annual Report, as per the FOI Act.	Pre	October 15	DCCS	Ongoing
	2. Consider the creating an internal manual as per the FOI Act	Pre	October 15	DCCS	Ongoing

Closed meetings	3. As per S5.23(2) and (3) of the Act, when a meeting, or part of, is closed to the public the Town records the specific reason for closing the meeting by citing the applicable area of the Act.	Pre	Ongoing adjustment to Procedures	CEO	Done
Audit Committee	4. Ensure that the Audit Committee membership is appointed by absolute majority as per S7.1A (2) of the Act and record accordingly in the Council minutes.	Pre	Ongoing adjustment to Procedures	CEO	Done
	5. Amend the Audit Committee Terms of Reference to reflect the committee's membership.	Pre	July 15	CEO	Done
Organisational risk management	6. Consider the development of a risk management plan as part of a broader risk management framework once the merger has been completed.	Post	2016/17	DCCS	
	7. Revise and update the current Risk Management Policy C.26.	Post	2016/17	DCCS	It is seen that this would be completed in conjunction with item 6.

Business continuity	8. Consider the development of a business continuity plan to complement any risk management documentation once the merger has been completed.	Post	2016/17	DCCS	Again this is to be developed as part of action item 6.
Information Technology	9. Further develop the Town's ICT Framework as per the guidelines on the Department's Integrated Planning and Reporting website.	Pre	2015	DCCS	The Town manages its ITC effectively within the budget provided to it by Council and for the size of the organization.
Customer service charter	10. Document the Town's approach to customer service as part of a charter and ensure staff and public accessibility.	Pre	Dec 2015	CEO	Ongoing
Complaints handling policy	11. Formalise and document the Town's complaints handling procedures as part of a policy and ensure staff and public accessibility.	Pre	Dec 2015	CEO	Ongoing
<b>Planning and Regulatory</b>					
Local Laws	12. Continue to review and repeal any local laws that may no longer be applicable in preparation for the merger.	Pre	July 15	CEO	Commenced in July

	13. After the merger, consider the possibility of making the local laws more accessible through the Town's website.	Pre	July 15	CEO	Done - Link provided on Towns Website to the Local Laws section of the Department Website.
Heritage Inventory	14. Update and review the heritage inventory in line with the legislative requirement.	1) Update 2) Full review	August 15	DTES	1) A update is to be provided to Council in August 15 2) Full review will be completed in 2016 for the merged entity.
<b><i>Plan for the Future</i></b>					

Strategic Community Plan – community engagement	15. Future full reviews of the Strategic Community Plan should expand the use of community engagement mechanisms to least two as well as include the number or percentage of community members who actively participated in the engagement process.	Post	2016/17	CEO	It is understood why this is being requested however from a practical level showing a very low percentage of participants will not encourage greater participation but rather criticism of Council. Strategies to increase participation will be considered for the next full review.
Community Engagement Strategy	16. Develop a community engagement strategy outlining the engagement methods and support the Communication and Consultation policy.	Pre	June 2016	CEO	This will be prepared in the near future.



Corporate Business Plan	17. Include business as usual operations, projects, services and associated costs in the Corporate Business Plan and link the cost breakdown to the Long Term Financial Plan.	Post	2016/17	DCCS	Showing the operations as usual is provided in the annual budget. If placed in the Corp Bus Plan this could confuse items as being strategic when they are operational.
	18. Ensure annual review of the Corporate Business Plan is an evolving plan that contains current information resulting in a plan for the upcoming four-year period i.e. 2014/15-2018/19 and then 2015/16-2019/20.	Pre	Done	CEO	This matter is resolved.
<b>Assets and Finance</b>					

Regional Price Preference Policy	19. Update the Regional Price Preference Policy so that the discounts of up to 5% for construction services are capped at a maximum of \$50,000 as per the <i>Local Government (Functions and General) Regulations 1996</i> .	Pre	Aug 15	DCCS	Revised policy to be presented to Council in August 2015
Financial management	20. Monitor the Debt Service Cover, Operating Surplus and Asset Renewal Funding Ratios and implement strategies, where appropriate, to prevent the risk of any long term adverse trends.	Pre	Dec 15	DCCS	
Long Term Financial Plan	21. Include up to date financial projections, sensitivity analysis, scenario modelling and the Own Source Revenue Coverage Ratio (rather than the Rates Coverage ratio) in the Long Term Financial Plan.	Post	2016/17	DCCS	This will be prepared when the report is revised and combined in the merged entity.

Asset Management	22. Develop an asset management policy to complement the Town's Asset Management Plan and Strategy	Post	2016/17	DCCS	The Merged entity is to have these documents revised and combined and this will be implemented at this stage.
	23. Revise and update asset data in the Asset Management Plan and then fully integrate the plan with the Long Term Financial Plan, financial records and other IPR documents.	Post	2016/17	DCCS	The Merged entity is to have these documents revised and combined and this will be implemented at this stage.
Long outstanding debtors	24. If not already undertaken, initiate debt recovery processes or consider writing off long term outstanding debts where not recoverable.	Pre	Already actioned.	DCCS	Council has been aware of this for a long period of time. This number has been reduced and we are currently processing the sale of several properties as discussed during the review.
Asset disposal policy	25. Develop an asset disposal policy as part of the merger process.	Post	2016/17	DCCS	This will be actioned as part of the merged Asset management reporting
Monthly financial report to Council	26. Consider including the variances trend in the Monthly Financial Reports to Council.	Pre	Dec 2015	DCCS	Variances are being commented on to Council in each month's financial statements. The trend of variances will also be considered.

**Workforce Planning and HR Management**

Staff turnover	27. Develop strategies and/or policies that aim to address staff retention and monitor staff turnover rates.	Pre	Aug / Sept 15	DCCS / Payroll	Develop a 6 monthly report for staff turnover rates and go back 2 – 3 years
Employee surveys	28. Consider introducing periodic employee surveys to assist to identify workplace issues and include in future Workforce Plans.	Pre	Nov 15	CEO / DCCS	
Recruitment and selection	29. Document the recruitment, selection and appointment of staff procedures and develop relevant policies to support these.		Dec 2015	CEO / DCCS	This is being worked on currently.

Ageing workforce and succession planning	30. Ensure succession planning is considered as a means of capturing the existing level of experience and knowledge carried by senior management.	Pre	Nov 15	CEO / DCCS	Succession Planning is already strongly in place within the organization, as is multi skilling.
<b>Community and Consultation</b>					

Economic development	31. Assess whether a more localised economic development plan should be introduced aligning with the broader, more strategic economic development strategies that have been identified through the WDC.	Post	Long term	CEO / Mayor	A change in direction was instigated away from the localised Economic Development focus to enable Narrogin to be considered a more regional centre.
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Reconciliation	32. Investigate the possibility of re-instating a RAP or other appropriate measures as a way to further engage with the Aboriginal community	Unknown	Ongoing	CEO / Mayor	It has been proposed that the Mayor and CEO attend a regular meeting with Elders to progress relations and outcomes and this may form the conduit required.
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<b>COUNCIL RESOLUTION 0915.137</b>
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**Moved: Cr Paternoster**

**Seconded: Cr Schutz**

That Council:

Close the meeting to all members of the public and staff, as per section 5.23(2)a of the Local Government Act 1995.

**CARRIED 7/0**

7.53pm – Mr Bastow, Mr Robinson and Miss Nicholls, left the Chambers due to the confidential nature of the next item and did not return. Mr Cook also left the Meeting and returned at the completion of the confidential item. Mr Geoff Blades remained at Councils request to answer questions in relation to the matter presented.

**10.2.111 MERGER – SELECTION CEO DESIGNATE**

Due to the confidential nature of this report, it has been removed from this agenda paper and distributed to council separately as per s5.23(2)a of the Local Government Act 1995.



8.31pm – Mr Cook returned to the meeting

**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**

Nil

**13. CLOSURE OF MEETING**

8.32pm – The Presiding Member declared the meeting closed.

Commonly-used abbreviations:	
CEO	Chief Executive Officer
DCCS	Director Corporate & Community Services
DTES	Director Technical & Environmental Services
EFT	Electronic Funds Transfer
EPA	Environmental Protection Authority
LEMC	Local Emergency Management Committee
PSSO	Property Seizure and Sale Order