

SHIRE OF CARNAMAH

Ordinary Meeting of Council

21 November 2018

Notice of Meeting

Dear Councillor,

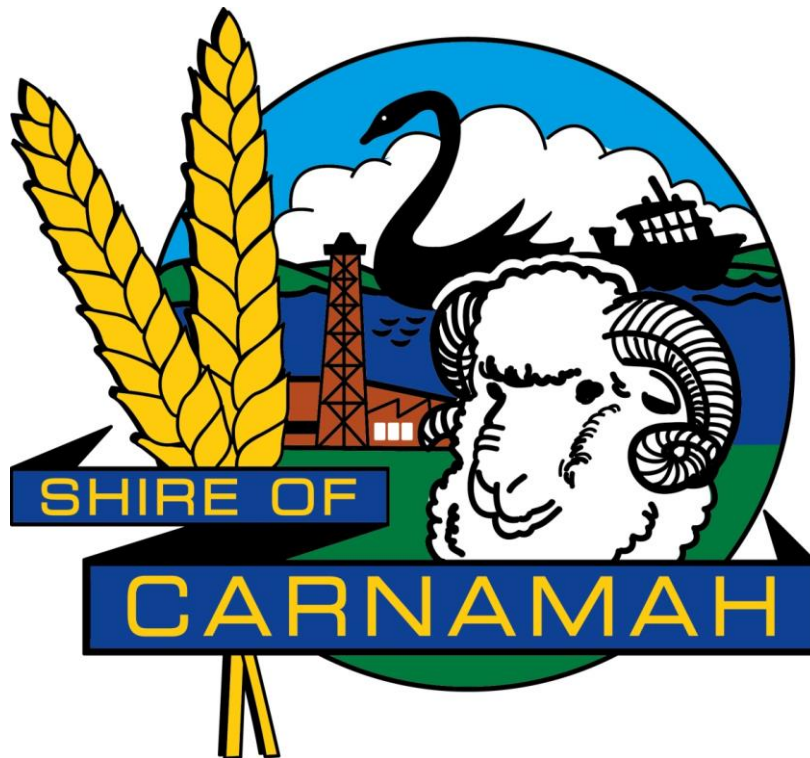
The next Ordinary Meeting of the Carnamah Shire Council is to be held:

On: Wednesday 21 November 2018

At: Council Chambers – 33-37 Macpherson Street
Carnamah WA 6517

Commencing at: 4:00pm

.....
K L OBORN
CHIEF EXECUTIVE OFFICER



AGENDA

Ordinary Meeting of Council

21 November 2018

SHIRE OF CARNAMAH
ORDINARY MEETING OF COUNCIL – 21 November 2018

AGENDA

	Page
DISCLAIMER	5
1. DECLARATION OF OPENING	6
2. RECORD OF ATTENDANCE	6
Present	
Apologies	
Leave of Absence (previously approved)	
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	6
4. PUBLIC QUESTION TIME	6
5. APPLICATIONS FOR LEAVE OF ABSENCE	6
6. DISCLOSURE OF INTEREST	6
7. PETITIONS, DEPUTATIONS AND PRESENTATIONS	6
8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION	6
9. CONFIRMATION OF MINUTES	6
9.1 Ordinary Meeting of Council – 24 October 2018 (as circulated)	7
10. MANAGEMENT REPORTS	8
10.1 FINANCE REPORTS	8
10.1.1 Accounts for Payment File: ADM0075 (Attachment 10.1.1 – List of Creditors Due & Submitted)	9
10.1.2 Financial Reports to 31 October 2018 File: ADM0075 (Attachment 10.1.2 – Monthly Financial Statement)	10

10.2	ADMINISTRATION REPORTS	11
10.2.1	Ordinary Meeting of Council – 2019 Calendar File: ADM0198	11
10.2.2	Waste to Energy Initiatives File: ADM	13
10.2.3	Planning Application – L & B Haeusler – ‘Home Occupation’ Assessment (Catering) File: ADM0270 (Attachment: 10.3.2 - Letter from Lydia Haeusler) (Attachment: 10.3.2 (a) – Town Planning Application)	16
10.2.4	Indigenous Statement File: ADM	18
10.3	CONFIDENTIAL REPORTS	20
	Motion to close the meeting to the public, consideration of Confidential Reports	20
10.3.1	Performance Review – Deputy Chief Executive Officer File: Per #101	
10.3.2	Damage to Sealed Surface (Roadhouse) File: ADM	
	Motion to re-open the meeting	22
11.	ORDERING THE COMMON SEAL	23
12.	REPORTS OF COMMITTEES AND MEMBERS	23
13.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	23
14.	NOTICE OF MOTIONS (For consideration at the following meeting, if given during the meeting)	23
15.	NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL	23
16.	CLOSURE OF MEETING	23

APPENDICES

APPENDIX “A”	Minutes of Ordinary Meeting of Council – 24 October 2018 (As circulated)
--------------	---

SHIRE OF CARNAMAH

DISCLAIMER

No responsibility is implied or accepted by the Shire of Carnamah for any act, omission or statement or intimation occurring during Council or committee meetings.

The Shire of Carnamah disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

In particular and without detracting in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Shire of Carnamah during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Carnamah.

The Shire of Carnamah advises that anyone who has any application lodged with the Shire of Carnamah shall obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Carnamah in respect of the application.

Signed: _____

CHIEF EXECUTIVE OFFICER

SHIRE OF CARNAMAH

AGENDA

ORDINARY MEETING OF COUNCIL

To be held at the Council Chambers – 33-37 Macpherson Street, Carnamah
On Wednesday 21 November 2018
Commencing at 4:00pm

1. **DECLARATION OF OPENING**

2. **RECORD OF ATTENDANCE**
 - Present

 - Apologies

 - Leave Of Absence (Previously Approved)

3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

4. **PUBLIC QUESTION TIME**

5. **APPLICATIONS FOR LEAVE OF ABSENCE**

6. **DISCLOSURE OF INTEREST**

7. **PETITIONS, DEPUTATIONS AND PRESENTATIONS**

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

9. **CONFIRMATION OF MINUTES**

9.1 Minutes of Ordinary Meeting of Council held 24 October 2018
--

As Circulated

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item 9.1

That the Minutes of the Ordinary Meeting of Council held on 24 October 2018 be accepted as a true and correct record.

10 MANAGEMENT REPORTS

10.1 FINANCE REPORTS

10.1.1 Accounts for Payment

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	15 November 2018
Author:	Ian Walsh - Deputy Chief Executive Officer
Attachments:	10.1.1 - Cheque & EFT Listing

SUMMARY

Council to confirm the payment of creditors for the period 18 October 2018 to 14 November 2018, in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

ATTACHMENT

Copy of list of accounts paid (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

BACKGROUND

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

COMMENT

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the provision of services and as to prices, computations and costings, and that the amounts shown were due for payment.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.4 *Financial Report*
Local Government (Financial Management) Regulations 1996 -
Section 12 Payments from municipal fund or trust fund;
Section 13 Lists of accounts; and
Section 15 Rounding off figures

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 10.1.1

That payment listed as Attachment 10.1.1. List of Accounts Due and Paid for the period 18 October 2018 to 14 November 2018; and paid by the Chief Executive Officer under delegated authority of Council, or by the Deputy CEO (in the Chief Executive Officer's absence) as delegated by the Chief Executive Officer including:

Manual Municipal cheques:	022566 – 022571
Municipal cheques:	28133 – 28134
Municipal EFT's:	11765 – 11850
Trust Cheques:	Nil
Payroll direct debits:	#09 - #10
Municipal Direct Debits	31/10/2018

Totalling \$ 892,536.28 be approved and passed for payment.

10.1.2 Financial Reports to 31 October 2018

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	15 November 2018
Author:	Ian Walsh - Deputy Chief Executive Officer
Attachments:	10.1.2 Monthly Statement of Financial Activity,

SUMMARY

A Statement of Financial Activity and other supplementary financial information is produced monthly as part of the Council meeting agenda.

BACKGROUND

The attached financial report for the period 1 July 2018 to 31 October 2018 (Attachment 10.1.2) has been prepared in accordance with the Local Government Financial Management Regulations.

COMMENT

Included with this report is the following:

- Statement of Financial Activity for the period 1 July 2018 to end of 31 October 2018;
- Summary Rates Trial Balance Report as at 31 October 2018;
- Cash and Investment Listing;
- Debtors Listing;
- Other Supplementary Information;

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulation 34 - *Financial activity statement report* — s. 6.4

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 10.1.2

That Council receive the Statement of Financial Activity for the period 1 July 2018 to 31 October 2018; and other supplementary financial information as presented.

10.2 ADMINISTRATION REPORTS

10.2.1 Ordinary Meeting of Council – 2019 Calendar

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0198
Disclosure of Interest:	Nil
Date:	25 October 2018
Author:	Karen Oborn, Chief Executive Officer
Attachments:	Nil

SUMMARY

This report recommends that the scheduled dates for Ordinary Meetings of Council for 2019 be adopted and advertised.

BACKGROUND

The scheduled time for Ordinary Meetings of Council is the third Wednesday of each month.

COMMENT

The proposed meeting times for Ordinary Meetings of Council for 2019 are set on the third Wednesday of each month. Council may amend these throughout the year if need be.

STATUTORY ENVIRONMENT

LGA s. s. 5.3 *Ordinary and special council meetings*

Convening council meetings

5.5. (1) The CEO is to convene an ordinary meeting by giving each council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.

STRATEGIC IMPLICATIONS Strategic Community Plan 2017 - 2027

Civic Leadership Objective 4:

To be a professional, customer focussed organisation, which

- *effectively engages (with) the community to determine strategic direction,*
- *responsibly manages the organisation's assets and financial resources....*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple majority

That Council approve –

1. *The scheduled dates for Ordinary Meetings of Council during 2019;*

2019 COUNCIL MEETING DATES

20 February	Carnamah Council Chambers
20 March	Eneabba Sportsman's Club
17 April	Carnamah Council Chambers
15 May	Carnamah Council Chambers
19 June	Carnamah Council Chambers
17 July	Carnamah Council Chambers
21 August	Carnamah Council Chambers
18 September	Eneabba Sportsman's Club
16 October	Carnamah Council Chambers
20 November	Carnamah Council Chambers
18 December	Carnamah Council Chambers

*All meetings held at Eneabba commence at 3:00pm, unless otherwise advised.
All meetings held at Carnamah will now commence at 4:00pm, unless otherwise advised.*

and

2. *These matters are advertised locally.*

10.2.2 Waste to Energy Initiatives

Applicant:	N/A
Location / Address:	N/A
File Ref:	
Disclosure of Interest:	CEO would benefit with paid travel opportunity
Date:	2 November 2018
Author:	Karen Oborn – Chief Executive Officer
Attachments:	Nil

SUMMARY

This report recommends that Council give their approval for the CEO to seek grant funding, for future peer to peer learning opportunities and to conduct research into eco-friendly Waste Incineration, in order to ascertain the viability of developing a regional Waste to Energy industry in the Shire of Carnamah, which is also designed to be a tourist attraction.

BACKGROUND

Planning for and implementing, Waste to Energy initiatives, is needed for a sustainable future. A part of sustainable waste management is the burning of rubbish for energy, as a viable alternative to landfill. Contemporary waste-to-energy systems involve burning rubbish to produce electricity, potentially reducing the amount of waste going to landfill by up to 90%, resulting in "broad support" for waste-to-energy technology over landfill. <http://www.abc.net.au/news/2018-02-26/waste-for-energy-plant-for-melbourne-proposed/9482850>.

A key concern of the 2017 UN Environment Assembly was "the mountains of solid waste produced by humanity, with fifty of the "anti-pollution actions" contained in their report, relating directly to solid waste. One of the Cities showcased at the 2017 UN Environment Assembly, was Osaka, Japan.

Osaka has embraced burning rubbish, as an alternative to landfill. Utilising a massive waste incinerator, "styled by Austrian architect and eco-activist Friedensreich Hundertwasser", Japan's second-biggest city has transformed itself from a pollution hotspot to a frontrunner in environmental care. Along with tighter regulations, strict environmental planning and a drive to create green urban spaces, rather than landfill, most waste is burned in high-tech plants, and used "to produce electricity for an estimated 125,000 households". <https://www.unenvironment.org/news-and-stories/story/solid-approach-waste-how-5-cities-are-beating-pollution>

COMMENT

I particularly like Osaka Japan's incinerator, as Osaka was a pollution hot spot in the 1970's, and has now become a frontrunner in environmental care. Most of their waste is now burned in high-tech plants, and used "to produce electricity for an estimated 125,000 households". As a result Osaka was one of the eco - champion Cities showcased at the 2017 UN Environment Assembly.

This plant is now also a major international tourist attraction. As Carnamah is in the middle of our region, and has key power infrastructure running through it, I think it's worth investigating if this technology and waste practices, could be modified for us to use rubbish and meet demand for low cost energy. It could also power desalination and other high energy initiatives in the future. As an added bonus, if there was one here in a regional area, it too could become a major tourist attraction. Perth is also getting a "metro" incinerator at Kewdale, so in the future

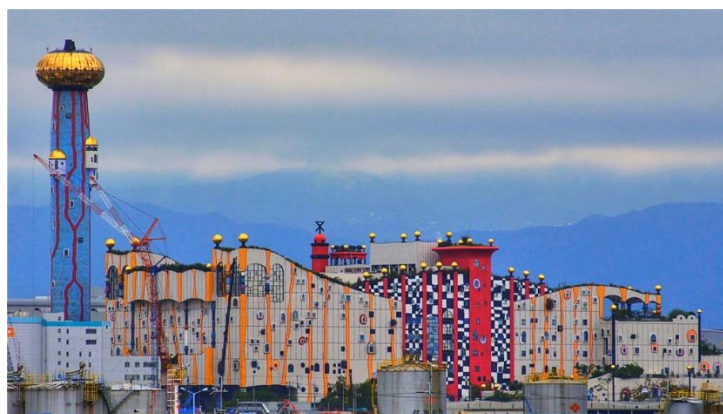
there will be fewer obstacles in the way of this type of power generation.
<https://arena.gov.au/news/australias-first-energy-from-waste-plant-to-be-built-in-wa/>

I am submitting travel scholarship applications, but in addition to submitting these applications as an individual, I would also like Council to consider giving their approval for me to submit grant applications, to undertake this research.

The project would be to provide an opportunity for peer to peer learning overseas, to conduct research into Osaka, Japan's Waste Incineration plant. Osaka is providing eco-friendly waste to energy solutions and greening initiatives, not readily available in Australia, which have also become major tourism attractions. In addition, the project will include undertaking an economic benefit analysis of implementing a similar initiative in Regional WA, as a model for the enrichment of the regional economy and waste management practices.

Return Travel to Osaka Japan	\$ 4,500
1 weeks accommodation	\$ 2,100
1 weeks meals	\$ 1,400
Draft of report and findings (~20hrs \$1,500)	<i>in-kind</i>
Development of Strategy & Action (Consultant)	\$11,400

Total \$19,240 *grant funding*



CONSULTATION

Shire President
MWDC

STATUTORY ENVIRONMENT

Nil

STRATEGIC COMMUNITY PLAN 2017-2027 IMPLICATIONS

Environment Objective 2: *To provide sustainable management of resources and the protection and enhancement of biodiversity, land, air and water:* **Waste Management** -*To identify future development and ongoing maintenance requirements at Shire waste disposal sites, &* **Recycling** -*To identify future recycling options.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Officer time

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 10.2.2

That Council gives approval for the CEO to seek grant funding, for future opportunities to conduct research into eco-friendly Waste Incineration, in order to ascertain the viability of developing a regional Waste to Energy industry in the Shire of Carnamah, which can also be designed to be a tourist attraction.

10.2.3 Development Application – L & B Haeusler - “Home Occupation” Assessment (Catering)

Applicant:	L & B Haeusler
Location / Address:	1270 Turner Road
File Ref:	ADM0270
Disclosure of Interest:	Nil
Date:	12 November 2018
Author:	Karen Oborn, Chief Executive Officer
Attachments:	Att 10.2.3 a) Town Planning Application Att 10.2.3 b) Letter to the Shire of Carnamah

SUMMARY

An application has been received from L & B Haeusler, Turner Farms Pty Ltd, to operate a “Home Occupation” being a catering business, from their ‘rural’ property, which is an “A” use. This is a discretionary use, with special notice requirements. This report recommends that Council approve the application.

BACKGROUND

An application was received from L & B Haeusler, Turner Farms Pty Ltd, to operate a “Home Occupation” being a catering business, from their property. The property is zoned “Rural” and the Shire of Carnamah’s Town Planning Scheme Zoning Table provides that a “Home Occupation” is a “A” use (vis. the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice.). The Shire may therefore permit a Home Occupation in a “Rural” zone if it believes that is appropriate to do so.

COMMENT

Home Occupations come in many forms. This request is for a home business to prepare food in the home, for the purposes of providing catering services to the community. The Health Inspector Mr Gordon Houston has engaged with the applicant, to ensure all related aspects of the health and food acts will be adhered to, at all times. This includes ensuring the preparation and storage areas are compliant with the relevant legislation.

CONSULTATION

EHO
DCEO
Shire President

STATUTORY ENVIRONMENT

The Local Government Act 1995 at section 3.1 outlines that the general Function of Local Government is to provide for the good government of people in its district.

The property is zoned ‘Rural’ and the Shire of Carnamah’s Town Planning Scheme Table 1 - Zoning Table provides that a “Home Occupation” is a “A” use (vis. the use is not permitted unless the local government has exercised its discretion by granting planning approval following it being advertised prior to being presented to Council).

The Planning and Development (Local Planning Schemes) Regulations 2015 defines a Home Occupation as follows –

means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that —

- (a) does not involve employing a person who is not a member of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 m²; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not —
 - (i) require a greater number of parking spaces than normally required for a single dwelling; or
 - (ii) result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

STRATEGIC COMMUNITY PLAN 2017-2027 IMPLICATIONS

Economic Objective 3: Business - Retain existing industries and encourage the establishment of new industries to broaden the district's economic base.

POLICY IMPLICATIONS

Policy 2.10 (Community Engagement) outlines the various forms of community engagement options available to the Shire.

FINANCIAL IMPLICATIONS

There is a small fee for the provision of the Home Occupation License if one is issued. The properties 'Rating' category may change, subject to review.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item 10.2.3

That Council approve the application for L & B Haeusler to operate a "Home Occupation", being a catering business, from their 'Rural' property on Turner Road, Carnamah WA, subject to the planning application fee being paid in full.

10.2.4 Indigenous Statement

Applicant:	N/A
Location / Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	12 November 2018
Author:	Karen Oborn – Chief Executive Officer
Attachments:	Att 10.2.4 Uluru Statement

SUMMARY

This report recommends that Council recognises the Indigenous community's objectives outlined in the 'Uluru Statement from the Heart'.

BACKGROUND

A convention, convened by a bipartisan-appointed Referendum Council, met from 23 to 26 May 2017 to discuss and agree on an approach to constitutional reform to recognise Aboriginal and Torres Strait Islander peoples. The majority resolved, in the 'Uluru Statement from the Heart', to call for two objectives for reform—the establishment of a First Nations Voice and a Makarrata Commission. These objectives reflect the nature of reform desired rather than specifying the fine detail of any proposed changes to the Australian Constitution.

COMMENT

Recently the Shire of Carnamah engaged an Economic Development consultant to develop an Economic Development Plan. As a part of that process, it has been proposed that the Shire of Carnamah give consideration to the Uluru Statement, in order to ensure the whole community is included in this. The statement is attached for your reference. It is believed that this has the potential to play a beneficial role in economic projects and community cohesion.

CONSULTATION

Shire President
EDP Consultant

STATUTORY ENVIRONMENT

Nil

STRATEGIC COMMUNITY PLAN 2017-2027 IMPLICATIONS

Civic Leadership Objective 4: To be a professional, customer focussed organisation, which - *is a strong advocate for the community.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 10.2.4

That Council recognise the Indigenous community’s objectives outlined in the ‘Uluru Statement from the Heart’.

10.3 CONFIDENTIAL REPORTS

Motion to close the meeting to the public: Consideration of confidential reports

Applicant:	N/A
Location / Address:	N/A
File Ref:	N/A
Disclosure of Interest:	
Date:	15 November 2018
Author:	Executive Support Officer
Attachments:	Nil

BACKGROUND

Items 10.3.1 and 10.3.2 of the Agenda of 21 November 2018, deals with matters affecting Council, of which the meeting may be closed to the public.

COMMENT

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 5.23 (2) (a) (c) (d) (e) Meetings generally open to the public.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That the meeting be closed to the public to consider Confidential Items 10.3.1 and 10.3.2 of the 21 November 2018 Agenda.

10.3.1 CONFIDENTIAL ITEM

File: PER#101
Author: Karen Oborn – Chief Executive Officer

Date: 15 November 2018

VOTING REQUIREMENT
Simple Majority

10.3.2 CONFIDENTIAL ITEM

File:
Author: Karen Oborn – Chief Executive Officer

Date: 15 November 2018

VOTING REQUIREMENT
Simple Majority

Motion to re-open the meeting

Applicant:	N/A
Location / Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	15 November 2018
Author:	Executive Support Officer
Attachments:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That the meeting be re-opened to the public.

- 11. ORDERING THE COMMON SEAL**

- 12. REPORTS OF COMMITTEES AND MEMBERS**

- 13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

- 14. NOTICE OF MOTIONS**
(For consideration at the following meeting, if given during the meeting)

- 15. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL**

- 16. CLOSURE OF MEETING**