

SHIRE OF CARNAMAH

Ordinary Meeting of Council

22 May 2019

Notice of Meeting

Dear Councillor,

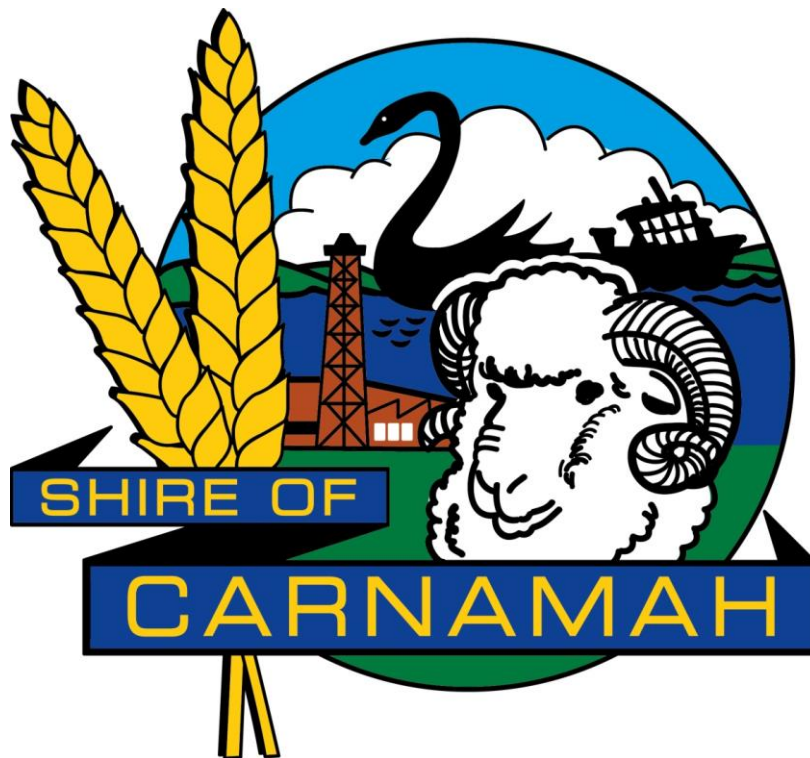
The next Ordinary Meeting of the Carnamah Shire Council is to be held:

On: Wednesday - 22 May 2019

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

22 May 2019

SHIRE OF CARNAMAH
ORDINARY MEETING OF COUNCIL - 22 May 2019

AGENDA

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APPENDIX "A"

Minutes of Ordinary Meeting of Council - 17 April 2019.
(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 33-37 Macpherson Street, Carnamah WA 6517
On Wednesday 22 May 2019
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 17 April 2019.

As Circulated

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 9.1

That the minutes of the Ordinary Meeting of Council held on 17 April 2019 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:	
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 9 April 2019 to 13 May 2019, 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 9 April 2019 to 13 May 2019; 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:

<i>Manual Municipal cheques:</i>	<i>022599 - 022602</i>
<i>Municipal cheques:</i>	<i>Nil</i>
<i>Municipal EFT's:</i>	<i>12274 - 12368</i>
<i>Trust Cheques:</i>	<i>Nil</i>
<i>Payroll direct debits:</i>	<i>#21 - #22</i>
<i>Municipal Direct Debits</i>	<i>30/04/2019</i>

Totalling \$773,362.41 be approved and passed for payment.

10.1.2 Financial Reports to 30 April 2019

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	
Author:	Ian Walsh - Deputy Chief Executive Officer
Attachments:	10.1.2 Monthly Statement of Financial Activity. (Presented Under Cover)

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 2019 to 30 April 2019 (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 2019 to 20 April 2019;
- Summary Rates Trial Balance Report as at 30 April 2019;
- 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 2019 to 30 April 2019; and other supplementary financial information as presented.

10.2 ADMINISTRATION REPORTS

10.2.1 Acknowledgment of Traditional Land Owners

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0063
Disclosure of Interest:	Nil
Date:	01 May 2019
Author:	Karen Oborn - Chief Executive Officer
Attachments:	Nil

SUMMARY

This report recommends that the Shire of Carnamah adopts the use of an acknowledgment of traditional land owners, at the end of email transmissions.

BACKGROUND

It has become common place for many Government Agencies and NGO's to recognise Aboriginal and Torres Strait Islander peoples. As such, many Government Agencies and NGO's use a written acknowledgment of traditional land owners, at the end of email transmissions.

COMMENT

It has been proposed that the Shire of Carnamah give consideration to the use of an acknowledgment of traditional land owners at the end of email transmissions. The statement proposed is - *"The Shire of Carnamah strives to enhance the quality of life and well-being of people living within the Shire and our region. We would like to acknowledge the Traditional Owners of country throughout Australia and their Elders past, present and emerging"*.

CONSULTATION

Councillors

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: 10.2.1

That Council adopts the practice of use of using an acknowledgment of traditional land owners, at the end of email transmissions, being: "The Shire of Carnamah strives to enhance the quality of life and well-being of people living within the Shire and our region. We would like to acknowledge the Traditional Owners of country throughout Australia and their Elders past, present and emerging".

10.2.2 Sponsorship for North Midlands Agricultural Society Art Exhibition

Applicant:	North Midlands Agricultural Society
Location / Address:	N/A
File Ref:	ADM0175
Disclosure of Interest:	Nil
Date:	10 May 2019
Author:	Karen Oborn, Chief Executive Officer
Attachments:	Letter from the North Midlands Agricultural Society

SUMMARY

This report recommends that the scheduled fees for the hire of The Carnamah Performing Arts and Community Centre' and associated facilities, by the North Midlands Agricultural Society from Friday 6 September 2019, to Tuesday 10 September 2019, be waived as a donation from Council. And that the Shire also acts as a collection point for paintings prior to the proposed art exhibition, as well as contributes \$ 700 cash sponsorship as requested.

BACKGROUND

The North Midlands Agricultural Society Art Exhibition is planning the Opening Night for their Bi-Annual Art Exhibition on Friday 6 September 2019 at The Carnamah Performing Arts and Community Centre'. The exhibition will be open for display until Tuesday 10 September and an art workshop is scheduled for Sunday 8 September, where local artists and beginners, are welcome to participate. This is a cultural weekend many people anticipate and enjoy. Previously the Art Exhibition has been possible due to the generous sponsorship given by the community and the North Midlands Agricultural Society fundraising activities. The North Midlands Agricultural Society is seeking the support this year as well from Council, to bring this event to fruition and help cover the art awards and a few expenses. The Shire of Carnamah has previously played a pivotal role in the success of this event, as much of what happens occurs in Shire premises.

COMMENT

The sponsorship requested by the North Midlands Agricultural Society, includes;

1. Complimentary access and use of the Carnamah Performing Arts and Community Centre' from Monday 2 September 2019 to Tuesday 10 September 2019 - including the Lesser Hall, kitchen, glasses, crockery, cutlery, back office meeting area, stage area, PA System, lighting, toilets, tables and chairs.
2. Council act as a collection point for paintings prior to exhibition;
3. A cash sponsorship request towards awards, catering and expenses (\$700).

STATUTORY ENVIRONMENT

Nil

STRATEGIC COMMUNITY PLAN 2017-2027 IMPLICATIONS

Social Objective 1: *Continuity and improvement of existing services and facilities in the Shire.*
5. *To encourage the level of participation in sport and recreation whilst improving facilities and access; and 6. To promote and facilitate the development of a wide variety of artistic and cultural pursuits that forge connections between residents of the district and their natural and built environments.*

Civic Leadership Objective 4: *To be a professional, customer focussed organisation, which responsibly manages the organisation's assets and financial resources.*

POLICY IMPLICATIONS

Council policy 2.1: Contributions and Donations, requires donations over \$200 of value to be considered by Council.

FINANCIAL IMPLICATIONS

There will be a reduction of Fees and Charges revenue by \$1,560 from the 6/09/2019 to 10/09/2019, in addition to a \$700 donation towards the Exhibitions expenses.

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION:

Item: 10.2.2

That Council;

1. Waive the scheduled fee for the hire of The Carnamah Performing Arts and Community Centre and associated facilities, from the 6 September to the 10 September 2019; and
2. Gives approval for the Shire to act as a collection point for paintings prior to the proposed art exhibition; and
3. Contributes \$700 cash towards the 2019 Art Exhibition as a donation from Council to the North Midlands Agricultural Society.

10.2.3 Request to Crop Carnamah Airfield Surrounds

Applicant:	Mr Scott Bowman
Location / Address:	N/A
File Ref:	ADM0023
Disclosure of Interest:	Nil
Date:	10 th May 2019
Author:	Karen Oborn, Chief Executive Officer
Attachments:	Nil

SUMMARY

This report recommends that the Council gives approval for the Carnamah/Perenjori Football Club to have access to the cropping lease situated at the Carnamah airfield surrounds for a three year period from May 2019 to May 2022.

BACKGROUND

The applicant has forwarded the following letter of request;

I'm writing on behalf of the Carnamah/Perenjori Football Club to tender for the cropping lease situated at the airstrip. As a club we would like to tender for a three year lease. We will farm the land in line with current best practise. Using adequate crop nutrition so as to not deplete soil reserves and utilising a robust weed strategy to ensure the area is suitable for cropping into the future. As many in the club work as farmers already we have the assets and knowledge to undertake this lease in a timely and well run manner. We look forward to working with you to maximise the output of this great community asset.

COMMENT

Council has allowed clubs to crop this portion of land for fundraising purposes event in the past. As the amount fundraised could exceed the CEO's discretionary donation threshold, Councils approval is sought to give approval to the Carnamah/Perenjori Football Club to have access to the cropping lease situated at the Carnamah airstrip for a three year lease from May 2019 to May 2022, for that stated purpose without charge.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC COMMUNITY PLAN 2027 IMPLICATIONS

Social Objective 1: Continuity and improvement of existing services and facilities in the Shire - 5. *To encourage the level of participation in sport and recreation whilst improving facilities and access; and 6. To promote and facilitate the development of a wide variety of artistic and cultural pursuits that forge connections between residents of the district and their natural and built environments.*

POLICY IMPLICATIONS

Council policy 2.1: Contributions and Donations, requires donations over \$200 of value to be considered by Council.

FINANCIAL IMPLICATIONS

Typically revenue is not collected from this parcel of land.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 10.2.3

That Council gives approval for the Carnamah/Perenjori Football Club to have access to the cropping lease situated at the Carnamah airfield surrounds for a three year period from May 2019 to May 2022, for the stated purpose of cropping to fundraise for the sporting body.

10.2.4 TPS2 Review Due 2019 - Quote Approval

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0208
Disclosure of Interest:	Nil
Date:	13 th May 2019
Author:	Karen Oborn - Chief Executive Officer
Attachments:	Nil

SUMMARY

Councils approval is sought to engage a consultant to undertake the 2019 review of the Shire of Carnamah's "Local Planning Scheme No.2, March 2014".

BACKGROUND

A local planning scheme must be reviewed every five years from the day the scheme was published in the Government Gazette, and subsequently reviewed every five years thereafter. This has not been consistently occurring, and so the Planning and Development (Local Planning Scheme) Regulations 2015 now require existing schemes to be reviewed in 2017 if gazetted on or before 18 October 2010, and in 2020 if gazetted on or after 19 October 2010. The Shire of Carnamah's "Local Planning Scheme No.2, March 2014" is now five years old.

COMMENT

The following advertisement was placed in a number of publications and emailed to known Town Planning Consultants;

Request for Quote
2014 Local Planning Scheme 2 Review

The Shire of Carnamah has a mandate in the "Strategic Community Plan" from the Community - *"Economic - Objective 3: To retain existing industries and encourage the establishment of new industries to broaden the district's economic base"*. An action that has been identified to achieve this objective is to – *"To review and amend as necessary the Shire of Carnamah Local Planning Scheme No 2, to ensure appropriate land use zoning to accommodate future business activity"*.

The procedure for reviewing a Scheme is prescribed under the Planning and Development Act 2005 - A local government is to either consolidate or review its Scheme, subject to the approval of the Minister for Planning **every five years** in accordance with the State Planning Framework.

The Shire of Carnamah is now seeking quotes to review and amend the 2014 Local Planning Scheme No 2, to ensure appropriate land use zoning is in place to accommodate future business activity. Whilst there is a legislated need to align with the States requirements for local planning schemes, there is also a need to have a greater flexibility in local decision making. To ensure we can develop our Shire and meet the needs of our Community.

The scope of the review - *will be to comply with legislative requirements and importantly, amend the permitted uses in each Zone to provide greater flexibility in and around the town sites, as well as rural areas, to facilitate the implementation of a wider range of uses in existing and proposed infrastructure. As well as encourage economic development in balance with community amenity and ambiance, whilst preserving the living environment and agricultural resources.*

Quotes are now being sought from parties interested in providing this service. The submission period for quotes will **close on Monday 6th May 2019 at 9am.**

Two quotes were received by Monday 6th May 2019 at 9am. The two submissions were of similar quality, both of which were a very high standard. As such pricing became the determining factor in selecting a preferred supplier. The applicant also is the original author of the current 2014 Local Planning Scheme No. 2. The quoted price includes review the Shire of Carnamah's Local Planning Scheme No 2 includes;

- The items outlined in Stages 1-4;
 1. Scheme Assessment
 2. Inclusion and Consideration of 'Deemed Provisions' (2015)
 3. Scheme Amendments to ensure Scheme remains relevant
 4. Assessment of Submissions
- Travel costs;
- Printing costs of draft and final copies of documents (where necessary);
- Draft letters from the Council to agencies on matters relating to the Amendment(s).

CONSULTATION

Town Planning Consultants

STATUTORY ENVIRONMENT

- Planning and Development Act 2005 (as amended)
- Planning and Development (Local Planning Schemes) Regulations 2015
- Shire of Carnamah Local Planning Scheme No.2

STRATEGIC COMMUNITY PLAN 2027 IMPLICATIONS

Strategic Community Plan - Economic - Objective 3:

"To retain existing industries and encourage the establishment of new industries to broaden the district's economic base". Action: "To review and amend as necessary the Shire of Carnamah Local Planning Scheme No 2, to ensure appropriate land use zoning to accommodate future business activity".

POLICY IMPLICATIONS

- Shire of Carnamah Policy 2.8 - *Purchasing Policy*
- Shire of Carnamah Policy 3.8 - *Townscape Amenity Policy*
- State Planning Policy 3 - *Urban Growth and Settlement*

FINANCIAL IMPLICATIONS

The current 18/19 budget includes an available amount of \$42,828 'other consultancy' account 2040252. The quote received, is less than this sum but higher than the CEO's threshold for approving non-budgeted items.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 10.2.4

That Council gives the CEO approval to engage Paul Bashall of 'PLANWEST' (WA) Pty Ltd to undertake the whole review, update and amendment processes, required to review the current 2014 Local Planning Scheme No. 2, as prescribed by the relevant legislative requirements and to also produce the resultant documentation, for the sum quoted on the 3rd May 2019.

10.2.5 Request to Waive Hire Fees - Salvation Army Blanket Appeal

Applicant:	Mrs Carole Rayner
Location / Address:	N/A
File Ref:	ADM0051
Disclosure of Interest:	Nil
Date:	10 th May 2019
Author:	Karen Oborn, Chief Executive Officer
Attachments:	Nil

SUMMARY

This report recommends that the Shire waive the hire fees for the Niven Park Recreation Complex by way of support for the local ladies participating in this year's 2019 *Salvation Army Blanket Appeal*.

BACKGROUND

The applicant has forwarded the following letter of request:

Our local ladies have been busy knitting, crocheting & making patchwork rugs to donate to the Salvation Army Blanket Appeal. Last year our town donated 87 blankets to this worthy cause. I am writing to request permission from the Carnamah Shire to be able to use the Niven Park Complex free of charge on Monday 10th June so that we can all get together to join the remaining knitted squares together and enjoy each other's company. Carnamah is well known for its support of this cause which has been going for approx 21 years. Last year it was a fun day with 31 ladies attending from Carnamah, Three Springs, Coorow & Dalwallinu. We also receive donations of squares & rugs from Perenjori, Mandurah, Perth & Albany.

A representative (Robin Falloon) from the Salvation Army will be driving up from Perth for the day to meet with us and collect the blankets for distribution to the needy. Last years rugs were distributed to Graceville Women's Refuge and Beacon Homeless Centre. A lovely luncheon is provided & you are most welcome to join us if you are available.

*Kind Regards
Carole Rayner*

COMMENT

Council has waived fees for this event in the past. As the amount involved could exceed the CEO's discretionary donation threshold, Councils approval is sought to make the Niven Park Complex available for the stated purpose without charge.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC COMMUNITY PLAN 2027 IMPLICATIONS

Social Objective 1: Continuity and improvement of existing services and facilities in the Shire - 5. *To encourage the level of participation in sport and recreation whilst improving facilities and access; and 6. To promote and facilitate the development of a wide variety of artistic and cultural pursuits that forge connections between residents of the district and their natural and built environments.*

POLICY IMPLICATIONS

Council policy 2.1: Contributions and Donations, requires donations over \$200 of value to be considered by Council.

FINANCIAL IMPLICATIONS

Revenue not collected.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 10.2.5

That Council waive the hire fees for Niven Park Recreation Centre Complex by way of support of the local ladies participating in this year's 2019 Salvation Army Blanket Appeal.

10.3 CONFIDENTIAL REPORTS

10.3.1 MOTION: Council declare the meeting closed to the public and move behind closed doors to discuss confidential items; Agenda Item 10.3.2 and Agenda Item 10.3.3.

Moved:

Seconded:

Carried:

Meeting closed to the public and Council moved behind closed doors at:

10.3.2 CONFIDENTIAL ITEM: Appointment of Manager Works & Services

Applicant:	CEO
Location / Address:	N/A
File Ref:	HR
Disclosure of Interest:	Nil
Date:	14 May 2019
Author:	Karen Oborn - Chief Executive Officer
Attachments:	Nil

Moved:

Seconded:

Carried:

10.3.3 CONFIDENTIAL ITEM: Councillors Item

Applicant:	Shire President
Location / Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	10 May 2019
Author:	Merle Isbister - Shire President
Attachments:	Att: 10.3.3 - Confidential Item Request

Moved:

Seconded:

Carried:

10.3.1 MOTION: Council declare the meeting re-opened to the public and move behind closed doors to discuss confidential items; Agenda Item 10.3.2 and Agenda Item 10.3.3.

Moved:

Seconded:

Carried:

Meeting re-opened to the public and Council returned from behind closed doors at:

- 11. REPORTS OF COMMITTEES AND MEMBERS**
- 12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 13. NOTICE OF MOTIONS**
(For consideration at the following meeting, if given during the meeting)
- 14. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL**
- 15. CLOSURE OF MEETING**