

# MINUTES

Ordinary Meeting of Council

18 April 2018

**SHIRE OF CARNAMAH**  
**ORDINARY MEETING OF COUNCIL – 18 April 2018**  
**MINUTES**

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## 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**  
**MINUTES**  
**ORDINARY MEETING OF COUNCIL**

**Held at the Council Chambers, 33-37 Macpherson Street, Carnamah**

**On Wednesday 18 April 2018**

**Commencing at 4:00pm**

**1. DECLARATION OF OPENING**

The President welcomed those in attendance and declared the meeting open at 4.00pm.

**2. RECORD OF ATTENDANCE**

**Present**

Cr Merle Isbister

President

Cr Dwayne Wooltorton

Deputy President

Cr Ian Bowman

Cr Con Kikeros

Cr Andrew Bowman-Bright

Ms Karen Oborn

Chief Executive Officer

Mr Ian Walsh

Deputy Chief Executive Officer

Mr Phil Casbolt

Acting Manager of Works and Services

Ms Jennie Benson

Executive Support Officer

Cr Karen Chappel

Shire President (Morawa)

Mr Stewart Wallace

Member of the public

**Apologies**

Cr Ian Stirling

**Leave Of Absence (Previously Approved)**

Cr Liz Piccles-Popham

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

Nil

**4. PUBLIC QUESTION TIME**

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**6. DISCLOSURE OF INTEREST**

Cr Bowman-Bright declared an interest in Item 10.2.8 of the Agenda Addendum.

**7. PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Cr Karen Chappel (Shire President – Morawa)

Cr Chappel congratulated Council on the appearance of the town of Carnamah and thanked Council for welcoming her to the meeting. Cr Chappel has an advisory role with the newly formed WALGA Mentoring Program, which will see her visit various Councils throughout the State.

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

Nil

**9. CONFIRMATION OF MINUTES**

**9.1 Minutes of Ordinary Meeting of Council held 21 March 2018**

*As Circulated*

**VOTING REQUIREMENT**

Simple Majority

**Council Resolution 20180401**

**Item 9.1**

**Moved: Cr Kikeros**

**Seconded: Cr Woollorton**

***That the Minutes of the Ordinary Meeting of Council held on 21 March 2018 be accepted as a true and correct record.***

**CARRIED 5-0**

## 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:	11 April 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 9 March 2018 to 6 April 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

**Council Resolution 20180402**

**Item: 10.1.1**

**Moved: Cr Bowman**

**Seconded: Cr Kikeros**

***That payment listed as Attachment 10.1.1. List of Accounts Due and Paid for the period 9 March 2018 to 6 April 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: 022535 – 022536***

***Municipal cheques: 28108 – 28109***

***Municipal EFT's: 11077 – 11162***

***Trust Cheques: Nil***

***Payroll direct debits: #19 - #20***

***Municipal Direct Debits 31/03/2018***

***Totalling \$ 1,009,407.25 be approved and passed for payment.***

**CARRIED 5-0**

## 10.1.2 Financial Reports to 31 March 2018

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	10 April 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 2017 to 31 March 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 2017 to 31 March 2018;
- Summary Rates Trial Balance Report as at 31 March 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

**Council Resolution 20180403**

**Item: 10.1.2**

**Moved: Cr Kikeros**

**Seconded: Cr Bowman-Bright**

***That Council receive the Statement of Financial Activity for the period 1 July 2017 to 31 March 2018; and other supplementary financial information as presented.***

**CARRIED 5-0**

## 10.2 ADMINISTRATION REPORTS

### 10.2.1 Astro-Tourism Towns Project

Applicant:	Stargazers Club WA (Carol Redford)
Location / Address:	N/A
File Ref:	ADM0201
Disclosure of Interest:	Nil
Date:	5 April 2018
Author:	Karen Oborn – Chief Executive Officer
Attachments:	10.2.1 – Astro-Tourism Towns Package

#### SUMMARY

This report recommends that Council confirm their intention with Stargazers Club WA to commit to Carnamah becoming an Astro-Tourism Town, commencing in 2018/2019.

#### BACKGROUND

Stargazers Club WA have asked the Shire of Carnamah to participate in the Astro-Tourism Town project. The project is designed to grow the value of the Tourism Industry and will assist to diversify the economy in the regions. This will be achieved using astronomy, stargazing and astrophotography opportunities in our world-class dark night skies. The concept for the project would be a regional Solar System Drive Trail. This concept places Scitech Planetarium in Perth as the starting point (the Sun) and Geraldton would be a natural end point (dwarf planet Pluto). This concept creates a meaningful inter-regional tourism route. This route will help move people into the smaller regional communities and will also have a significant economic value added to each town. This route will be a unique journey that will have both educational and novelty value for the tourist and a distinct marketing tool for our communities. Towns on the Wildflower Way and Midlands Routes can be designated as planets to which they can then market themselves as. To complete a meaningful and round-trip route the coastal towns could be included, so for our Shire this would include Eneabba. To continue the astro-theme these coastal towns could become something like the asteroid belt, a satellite, spacecraft or comet etc. As a part of this concept each "Planet Town" will be supported with the Astro-Tourism Towns dedicated night sky viewing site with interpretive panelling and night sky friendly lighting as appropriate. This will ensure there is continuity from Perth through to Geraldton and back.

#### COMMENT

The project would make a significant contribution to the community by becoming an Astro-Tourism Town. The Shire of Carnamah would be building the community's economic sustainability and diversifying local industry by taking advantage of an under-utilised asset. This opportunity will also assist in building community capacity while simultaneously protecting the dark night sky asset. In addition, the already successful North Midlands Project is incorporating an Astronomy Club and related educational extension program into their project and would like to be involved as well. Initial consideration of this project indicates the Macpherson Homestead would be an ideal venue for holding these events, as it has the facilities and amenity to accommodate them and would also provide opportunity to showcase the Homestead to visitors. Or alternatively, the Shire can collaborate with the North Midlands Project to select a suitable venue. The attachment to this item provides details on the program and the potential benefits for the community.

## CONSULTATION

DCEO  
Council Briefing Session Notes  
Director, North Midlands Project

## STATUTORY ENVIRONMENT

Nil

## POLICY IMPLICATIONS

Council Policy 2.12 “Proposals Requiring Shire Funding and/or In-Kind Support”

## FINANCIAL IMPLICATIONS

The Astro-Tourism Towns will be implemented in the 2018/19 financial year. Annual support costs can be paid in one lump sum or in monthly instalments over 12 months, and would need to be in Councils budget provision for 2018/2019. Depending on the number of LGA’s committing to the program, the cost would be between \$4,500 and \$7,975 for the year. The North Midlands Project has indicated they would make a contribution as well.

## STRATEGIC IMPLICATIONS

Community Strategic Plan 2012-2022 (updated June 2013);

### Culture and the Arts –

*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.*

## VOTING REQUIREMENT

Simple Majority

**Council Resolution 20180404**

**Item: 10.2.1**

**Moved: Cr Wooltorton**  
**Seconded: Cr Bowman-Bright**

***That Council writes to Stargazers Club WA and confirms their intention to commit to Carnamah becoming an Astro-Tourism Town, commencing in 2018/2019, in collaboration with the North Midlands Project.***

**CARRIED 5-0**

## 10.2.2 Application for Planning Approval – Proposed Caretaker’s Dwelling and Advertising Signage

Applicant:	Sal’s Company Pty Ltd (Landowner)
Location / Address:	Lot 4 (23) Macpherson Street, Carnamah
File Ref:	A75
Disclosure of Interest:	Nil
Date:	5 April 2018
Author:	Mr Joe Douglas – Exurban Rural & Regional Planning (Town Planning Consultant)
Attachments:	10.2.2 – Application for Planning Approval including plans

### SUMMARY

This report recommends that an application for planning approval submitted by Sal’s Company Pty Ltd (Landowner) for a proposed caretaker’s dwelling and advertising signage on Lot 4 (23) Macpherson Street, Carnamah, be approved subject to conditions.

### BACKGROUND

The applicant is seeking Council’s planning approval to use an existing dwelling at the rear of a commercial building on Lot 4 (23) Macpherson Street, Carnamah, for the purposes of a caretaker’s dwelling and to erect advertising signage on the front window of the commercial building. These proposals relate directly to the landowner’s intention to establish a new pharmacy in the commercial building on the land to service the needs of the local community with the caretaker’s dwelling to be occupied by the pharmacy manager.

Lot 4 is located in the north-eastern segment of the Carnamah townsite in the town’s designated commercial area. The subject land comprises a total area of approximately 1,088m<sup>2</sup> and has direct access to Macpherson Street along its front boundary and an existing public right-of-way along its rear boundary.



*Location & Lot Configuration Plan (Source: Landgate)*

Lot 4 has historically been developed and used for both commercial and residential purposes and contains buildings that were constructed in the early 1900’s which are recognised in the

Shire's Municipal Heritage Inventory as being of cultural heritage significance. Previous approved commercial uses include a post office, butcher shop, tea rooms, fish and chip shop, electrical services and clothing boutique. It is understood the existing residence at the rear of the commercial building has been occupied on an intermittent basis over many years without any formal planning approvals and is currently vacant hence the need for Council's approval in this instance.

Other improvements on the land include a dedicated on-site parking area immediately adjacent to the commercial building which is capable of accommodating two (2) vehicles, a driveway and parking area to the rear, landscaping and boundary fencing.

Immediately adjoining and nearby land uses include low density residential development (i.e. single houses) to the north and number of well-established commercial and public uses to the east, west and south.

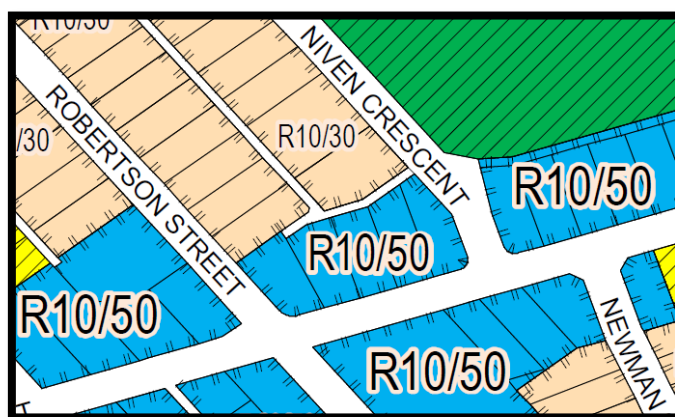
Under the terms of the information and plans submitted in support of the application the following is proposed:

- i) Use of the existing dwelling attached to the rear of the existing commercial building on Lot 4 for the purposes of a caretaker's dwelling;
- ii) The caretaker's dwelling will be occupied by the manager of the pharmacy soon to be established in the existing commercial building at the front of the property;
- iii) The erection of a new advertising sign in the right hand front window of the existing commercial building on Lot 4 to promote the new pharmacy;
- iv) The proposed new sign will be made using paper or plastic (i.e. corflute sheeting) and range in size from 594 to 841mm high, 420 to 594mm wide and up to 20mm thick;
- v) The new sign will comprise seven (7) different colours as well as wording and numbers to promote the pharmacy business; and
- vi) No external modifications or additions to the existing buildings on the land are proposed as part of the application.

Full details of the application submitted are provided in the attachment to this report.

## COMMENT

Lot 4 is classified 'Commercial' zone under the Shire of Carnamah Local Planning Scheme No.2 (LPS No.2) and has been assigned a residential density coding of R10/50.



*Current Zoning Plan (Source: Shire of Carnamah Local Planning Scheme No.2)*

Under the terms of LPS No.2 the development and use of any land classified 'Commercial' zone for the purposes of a caretaker's dwelling is not permitted unless Council has exercised

its discretion by granting planning approval (i.e. it is listed as a discretionary use in the Zoning Table of LPS No.2).

Having regard for:

- a) Council's stated objectives for all land classified 'Commercial' zone which allow for residential uses only where such use is combined with an existing approved commercial use;
- b) the prescribed definition for the use class 'caretaker's dwelling' which only allows for a supervisor or manager of a commercial building to reside within a dwelling on the same site and the applicant's stated intention to accommodate a manager of the new pharmacy within the existing dwelling on Lot 4; and
- c) the fact the existing commercial building at the front of Lot 4 has previously been approved to be used for commercial purposes (i.e. a shop) and this use right runs with the land in perpetuity,

it is concluded there is scope for Council to favorably consider and grant formal approval to this application.

Assessment of the proposal in the context of the specific requirements of LPS No.2 and the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 has confirmed it is consistent with the prescribed objectives for land's current 'Commercial' zoning classification and the various development standards applicable to that zone including on-site parking.

In addition it is the reporting officer's view the new advertising signage proposed to be affixed to the front window of the existing commercial building on Lot 4 will not compromise the land's cultural heritage significance due its suitable location, size and finish.

As such it is recommended Council grant approval to the application subject to a number of conditions to ensure it proceeds in an orderly and proper manner.

## **CONSULTATION**

Not required or deemed necessary

## **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

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil. All costs associated with the project's implementation will be borne by the landowner.

## **VOTING REQUIREMENT**

Simple majority



Moved: Cr Kikeros  
 Seconded: Cr Bowman-Bright

*That the application for planning approval submitted by Sal's Company Pty Ltd (Landowner) for a proposed caretaker's dwelling and advertising signage on Lot 4 (23) Macpherson Street, Carnamah be APPROVED subject to the following conditions and advice notes:*

### **Conditions**

1. *The proposed development shall be undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.*
2. *The proposed caretaker's dwelling shall be established within the existing dwelling at the rear of Lot 4 and may only be occupied by a supervisor or manager of the pharmacy to be established within the existing commercial building on the land including their immediate family.*
3. *All car parking associated with the proposed caretaker's dwelling shall be undertaken at the rear of Lot 4 so as to not reduce the number of parking bays available at the front of the land to accommodate the parking demand likely to be generated by the proposed pharmacy.*
4. *The proposed advertising signage may only advertise products or services offered by the proposed pharmacy and shall be maintained in good condition at all times to the specifications and satisfaction of the Shire's Chief Executive Officer so it remains effective for the purpose for which it is displayed.*
5. *The proposed advertising signage may only be displayed in the windows that do not currently have historical photographs displayed in them, and the historical photographs are not removed prior to 31st January 2020, in accordance with the agreement adopted by Council on the 18th June 2014.*

### **Advice Notes**

1. *The development is to be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Carnamah having first been sought and obtained.*
2. *This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.*
3. *This is a development approval of the Shire of Carnamah under its Local Planning Scheme No.2. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant and landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.*
4. *Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Carnamah Local Planning Scheme No.2 and may result in legal action being initiated by the local government.*
5. *If the applicant / landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted within 28 days of the determination.*

**CARRIED 5-0**

### 10.2.3 WALGA Climate Change Statement

Applicant:	WALGA
Location / Address:	N/A
File Ref:	ADM0175
Disclosure of Interest:	Nil
Date:	6 April 2018
Author:	Karen Oborn – Chief Executive Officer
Attachments:	10.2.3 – Climate Change Statement from WALGA

#### SUMMARY

This report recommends that the Council submit a comment to WALGA regarding their representative statement regarding Climate Change from the LG sector, and endorse the draft statement.

#### BACKGROUND

Comments are being sought (as well as endorsement) by Councils on WALGA's Draft Climate Change Policy Statement. After input has been received and considered, the draft Policy Statement will be submitted to State Council for its approval or comment. If endorsed by State Council, it will provide the basis for WALGA's climate change advocacy plan, which will be developed in consultation with the sector and further detail how WALGA will promote and prosecute Local Governments' key climate change priorities.

#### COMMENT

In responding to WALGA's request for CEO's comments, it is believed that the word 'demand' in reference to the State Government, be changed to 'strongly implore' or similar (pages 4 & 9).

#### STATUTORY ENVIRONMENT

Nil

#### STRATEGIC IMPLICATIONS

##### Community Strategic Plan

***Be characterised by a clean, friendly and safe environment.***

*We will have an outstanding reputation for caring for our natural environment, cultural diversity and heritage.*

##### Corporate Business Plan

##### Environment

##### Objective 2:

***To provide sustainable management of resources and the protection and enhancement of biodiversity, land, air and water.***

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Nil

## VOTING REQUIREMENT

Simple majority

**Council Resolution 20180406**

**Item: 10.2.3**

**Moved: Cr Kikeros**

**Seconded: Cr Bowman-Bright**

***That Council –***

- 1. Endorses WALGA's Climate Change Policy Statement;***
- 2. Commends WALGA for undertaking this initiative. As taking action now to address climate change has become increasingly urgent, and WALGA are correct in stating, 'urgent action to mitigate against catastrophic climate change and to adapt to the climate change that is now unavoidable' is needed; and***
- 3. Suggests the term 'demands' should be removed from the statements requesting action from the State and Federal Governments (pages 4 & 9) and that the term 'strongly implore' (or similar) be used instead.***

**CARRIED 4-1**

## 10.2.4 Date for Extraordinary Election

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0169 and ADM0258
Disclosure of Interest:	Nil
Date:	6 April 2018
Author:	Karen Oborn – Chief Executive Officer
Attachments:	Nil

### SUMMARY

This report recommends that an extraordinary election be advertised and scheduled for Saturday 14 July 2018.

### BACKGROUND

A letter dated 28 March 2018 was received on 5 April 2018, from Cr Piccles-Popham, tendering her resignation as a Councillor effective immediately. As a result the Shire of Carnamah will need to hold an extraordinary election.

### COMMENT

On behalf of the Shire of Carnamah and the community, we thank Cr Piccles-Popham very much for the contribution she has made as a Shire Councillor, and I know she will be very much missed.

### STATUTORY ENVIRONMENT

LGA s. **Division 4 — Extraordinary elections**

#### 4.8 Extraordinary elections

- (1) *If the office of a councillor or of an elector mayor or president becomes vacant under section 2.32 or 2.33 an election to fill the office is to be held.*

#### 4.9 Election day for extraordinary election

- (1) *Any poll needed for an extraordinary election is to be held on a day decided on and fixed –*
  - (a) *by the mayor or president, in writing, if a day has not already been fixed under paragraph (b); or*
  - (b) *by the council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a).*
- (2) *The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with but, unless the Electoral Commissioner approves or section 4.10 (b) applies, it cannot be later than 4 months after the vacancy occurs.*

## STRATEGIC IMPLICATIONS

### Corporate Business Plan

#### 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,*
- *is a strong advocate for the community.*

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

The cost of holding an extraordinary election

## VOTING REQUIREMENT

Simple majority

**Council Resolution 20180407**

**Item: 10.2.4**

**Moved: Cr Woollorton**

**Seconded: Cr Bowman**

***That Council approves –***

- 1. The holding of an extraordinary election on Saturday 14 July 2018, 8am to 6pm;***
- 2. The calling for nominations from 1 June 2018 to 14 June 2018 by 4pm; and***
- 3. The advertising of an extraordinary election to be held on Saturday 14 July 2018, 8am to 6pm, with polling to be at the Shire of Carnamah Council Chambers.***

**CARRIED 5-0**

## 10.2.5 Ordinary Meeting of Council – Change of Time

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0198
Disclosure of Interest:	Nil
Date:	6 April 2018
Author:	Karen Oborn – Chief Executive Officer
Attachments:	Nil

### SUMMARY

This report recommends that the scheduled times for Council Meetings be changed as requested by Councillors. OMC meetings at Carnamah will commence at 4pm, after a briefing session at 3pm. OMC meetings at Eneabba will commence at 3pm, after a briefing session at 2pm (unless otherwise advertised).

### BACKGROUND

Councillors requested that with the introduction of a pre-meeting briefing session that OMC's in Carnamah commence at a later time.

### COMMENT

#### **2018 COUNCIL MEETING DATES**

**21 February - Carnamah Council Chambers**  
**21 March - Eneabba Sportsman's Club**  
**18 April - Carnamah Council Chambers**  
**16 May - Carnamah Council Chambers**  
**20 June - Carnamah Council Chambers**  
**18 July - Carnamah Council Chambers**  
**15 August - Carnamah Council Chambers**  
**19 September - Eneabba Sportsman's Club**  
**17 October - Carnamah Council Chambers**  
**21 November - Carnamah Council Chambers**  
**19 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.**  
**Members of the public are welcome to attend.**

### 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

## Corporate Business Plan

### 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,*
- *is a strong advocate for the community.*

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

Nil

#### VOTING REQUIREMENT

Simple majority

**Council Resolution 20180408**

**Item: 10.2.5**

**Moved: Cr Bowman-Bright**

**Seconded: Cr Wooltorton**

***That Council approve –***

1. ***The Ordinary Meetings of Council held at Carnamah commence at 4pm, after a briefing session at 3pm, unless otherwise advertised; and***
2. ***The Ordinary Meetings of Council held at Eneabba will commence at 3pm, after a briefing session at 2pm, unless otherwise advertised.***

**CARRIED 5-0**

## 10.2.6 Inquiry into the indicators of, and impact of, regional inequality in Australia

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0180
Disclosure of Interest:	Nil
Date:	9 April 2018
Author:	Karen Oborn – Chief Executive Officer
Attachments:	10.2.6 – Response – Inquiry into regional inequality

### SUMMARY

This report recommends that Council endorse the statements addressing the Terms of Reference, as attached, which is presented for endorsement and/or amendment.

### BACKGROUND

The Senate Economics Reference Committee is calling for submissions to this inquiry. The Committee is seeking written submissions from interested individuals and organisations in an electronic form submitted online. Submissions should address the inquiry's Terms of Reference.

In particular, the Committee would like to hear about:

- experiences of individuals and localities of unequal access to opportunities and unequal outcomes in non-metropolitan areas
- views on the causes of inequality between regions, especially between capital cities and other areas
- analysis of the economics of regional inequality, including wider impacts
- examples of solutions: what has caused some regions or towns to prosper?
- policy settings which could help address inequality between regions.

The closing date for submissions is 30 April 2018.

### COMMENT

The inquiry is a good opportunity for regional communities to have their issues and concerns heard. As a result a statement addressing the Terms of Reference has been prepared.

### CONSULTATION

CEO  
DCEO

### STATUTORY ENVIRONMENT

Nil

### STRATEGIC IMPLICATIONS

**Corporate Business Plan**



## 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,*
- *is a strong advocate for the community.*

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Nil

## VOTING REQUIREMENT

Simple Majority

## Council Resolution 20180409

Item: 10.2.6

Moved: Cr Kikeros  
Seconded: Cr Woollorton

*That Council endorses the statements to be submitted, addressing the Terms of Reference for the Inquiry into the indicators of, and impact of, regional inequality in Australia as attached.*

**CARRIED 5-0**

## 10.2.7 Request for Letter of Support – Regional Internet Project (North Midlands)

Applicant:	Shire of Coorow / Node1 (LogicIT)
Location / Address:	N/A
File Ref:	ADM0067
Disclosure of Interest:	Nil
Date:	12 April 2018
Author:	Karen Oborn – Chief Executive Officer
Attachments:	10.2.7 – Regional Internet Project – Letter of Support

### SUMMARY

This report recommends Council endorse a letter of support for the Digital Farm Project regarding the Digital Farms application being prepared by Node1 (LogicIT).

### BACKGROUND

Node1 (LogicIT) is applying for the Digital Farms funding. In their proposal the network will cover the entire Mid West region and is fully supported by the Mid West Development Commission (Robert Smallwood has been involved in the initial expression of interest and the selection of Node 1 to partner with. Node 1 have been operating successfully for 10 years. There have been concerns raised following the failure of the NEWROC network (with the telecommunications provider going bankrupt) that the Shires could be exposed if investing in a scheme that may not even reach the build stage.

This proposal is for the grant to cover the infrastructure where there is none (e.g. a tower on private property in the Shire of Mingenew) and then using the existing towers scattered across the other Shires (e.g. two in Coorow, one in Carnamah, one in Eneabba - subject to confirming ownership of mast, and one in Three Springs). These existing towers can be considered as in-kind contributions from the Mid West Shires and shows a true partnership.

### COMMENT

The project would make a significant contribution to the community. The advantages are:

1. The Shire has no monetary input;
2. We get free internet access while the service is being provided;
3. There are many options for future expansion;
4. There is no risk to the Shires.

Worst case scenario, we are no better off (but there has been no cost). Best case scenario, we have a world class fixed wireless internet access at significantly better speed, vastly improved download and upload speeds, that is connected to the fibre backhaul.

Letters of support as requested will allow the application to be lodged with support from all the Shires in the Mid West. The development of a network to this standard would not only be advantageous to the Shires, but especially to the rural users with most towers having a reach of 40kms (and many overlaps).

Currently the national telecommunication service provider Telstra has indicated it will not, nor plans to provide, appropriate broadband service to the North Midlands through the NBN rollout. This lack of service is the catalyst for the need to develop a local telecommunications network infrastructure to service the region at an appropriate level.

## CONSULTATION

DCEO  
Shire of Coorow

## STATUTORY ENVIRONMENT

Nil

## POLICY IMPLICATIONS

Council Policy 2.12 "Proposals Requiring Shire Funding and/or In-Kind Support".

## FINANCIAL IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS

Community Strategic Plan 2012-2022 updated June 2013;

- ***Establish and maintain cost effective, efficient and sustainable community infrastructure and services.*** We will upgrade and efficiently maintain the Shires extensive capital infrastructure and provide a high level of service to the community on a sustainable basis.

## VOTING REQUIREMENT

Simple Majority

**Council Resolution 20180410**

**Item: 10.2.7**

**Moved: Cr Kikeros**  
**Seconded: Cr Wooltorton**

***That Council provide a letter of support for the Digital Farm Project regarding the Digital Farms application being prepared by Node1 (LogicIT), as attached.***

**CARRIED 5-0**

## 10.3 CONFIDENTIAL REPORTS

### 10.3.1 Motion to close meeting to the public (consideration of Confidential Reports)

Applicant:	N/A
Location / Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	12 April 2018
Author:	Executive Support Officer
Attachments:	Nil

#### BACKGROUND

Items 10.3.2, 10.3.3 and 10.3.4 of the Agenda of 18 April 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

#### Council Resolution 20180411

Item 10.3.1

Moved: Cr Bowman

Seconded: Cr Kikeros

*That the meeting be closed to the public to consider Confidential Items 10.3.2, 10.3.3 and 10.3.4, of the 18 April 2018 Agenda.*

**CARRIED 5-0**

#### 4.25pm

Karen Chappel and Stewart Wallace left the meeting.

### 10.3.2 Request to Write-Off Debtors

Author: Deputy Chief Executive Officer  
File: ADM0041

Date: 11 April 2018

**VOTING REQUIREMENT**  
ABSOLUTE Majority

<b>Council Resolution 20180412</b>			<b>Item: 10.3.2</b>
<b>Moved:</b>	Cr Kikeros		
<b>Seconded:</b>	Cr Bowman		
<b><i>That Council:</i></b>			
<b><i>Write off the following debts:</i></b>			
<b><i>Debtor #</i></b>	<b><i>Invoice #'s</i></b>	<b><i>Description of Debt</i></b>	<b><i>Amount</i></b>
1089	10180, 10249, 10316, 10342, 10455, 10465, 10552, 10568, 10606 & 10656	Advertising in the 'Carnamah Mat & Eneabba News' for the period 2/4/16 to 21/12/16	\$494.40
1129	10736	Illegal camping infringement	\$100.00
<b>CARRIED BY ABSOLUTE MAJORITY 5-0</b>			

### 10.3.3 Request for Rent Reduction

Author: Deputy Chief Executive Officer  
File: ADM0200

Date: 11 April 2018

**VOTING REQUIREMENT**  
ABSOLUTE Majority

<b>Council Resolution 20180413</b>		<b>Item: 10.3.3</b>
<b>Moved:</b>	Cr Isbister	
<b>Seconded:</b>	Cr Bowman	
<b><i>That Council decline the request to reduce the rent on the factory unit located at 75B Forrester Avenue, Carnamah.</i></b>		
<b>CARRIED BY ABSOLUTE MAJORITY 5-0</b>		

### 10.3.4 CEO Performance Appraisal (Quotations)

Author: Chief Executive Officer  
File: ADM0305

Date: 29 March 2018

#### VOTING REQUIREMENT

Simple Majority

**Council Resolution 20180414**

**Item: 10.3.4**

**Moved: Cr Wooltorton**  
**Seconded: Cr Bowman-Bright**

***That Council:***

1. ***Engages FitzGerald Strategies to conduct the CEO's six month probationary performance review;***  
***And***
2. ***If that review and its conduct are satisfactory, negotiate with them for the provision of an annual review for the next three years to align with the CEO's current employment contract;***  
***And***
3. ***Endorses the process proposed in this report and the CEO Performance Criteria Assessment Template, for use in the undertaking CEO performance appraisals.***

**CARRIED 5-0**

### 10.3.5 Motion to re-open the meeting

Applicant:	N/A
Location / Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	12 April 2018
Author:	Executive Support Officer
Attachments:	Nil

#### VOTING REQUIREMENT

Simple Majority

<b>Council Resolution 20180415</b>	<b>Item 10.3.5</b>
<b>Moved: Cr Bowman-Bright</b>	
<b>Seconded: Cr Kikeros</b>	
<b><i>That the meeting be re-opened to the public.</i></b>	
	<b>CARRIED 5-0</b>

#### 4.34pm

Karen Chappel and Stewart Wallace returned to the meeting.

#### 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

### 15.1 Motion to admit late business

An Addendum to the Agenda for the Ordinary Meeting of Council (18 April 2018) was circulated to Council. Council may resolve that the late business be admitted to the Meeting.

**Council Resolution 20180416**

**Item: 15.1**

**Moved: Cr Kikeros**  
**Seconded: Cr Wooltorton**

***That items 10.1.3, 10.2.8 and 10.2.9 be admitted to the meeting as late business.***

**CARRIED 5-0**



## 10.1 FINANCE REPORT

### 10.1.3 2017/2018 Budget Amendment

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0167
Disclosure of Interest:	Nil
Date:	16 April 2018
Author:	Ian Walsh – Deputy Chief Executive Officer
Attachments:	Nil

#### SUMMARY

This report recommends the transfer of an additional \$33,320 from the Carnamah Pool Reserve to accommodate major upgrades to the recirculation pump, filtration system and chlorine dosage unit in the plant room at the Carnamah Pool.

#### COMMENT

The Department of Sport and Recreation Community Pool Revitalisation Program commenced in 2015/16 which provided funding for the upgrade or running costs of each pool to the local government.

During 2016/17 Council received grant funding of \$32,000 through this fund to repaint the Carnamah pool bowl. This project was deferred to the 2017/18 budget, with the grant funds being placed into the appropriate reserve fund.

As part of its budget repair measures the WA State Government decided not to continue the program after June 2017, however those local governments that had deferred their 2016/17 grant funds were eligible to claim another \$32,000 in 2017/18.

Quotes have been received to upgrade both the pump, filtration and chlorine dosage system from Aquatics Services WA and Sigma Chemicals.

It is recommended that the following amendments be made to the 2017/18 budget:

- a) transfer the amount of \$33,320 from the Carnamah Pool Reserve
- b) Increase capital expenditure on the Carnamah Pool by \$33,320

#### STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.8

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

Nil

## VOTING REQUIREMENT

ABSOLUTE majority

**Council Resolution 20180417**

**Item: 10.1.3**

**Moved: Cr Bowman**  
**Seconded: Cr Woollorton**

***That Council amends the 2017/2018 budget as follows:***

- (a) Transferring \$33,320 from the Carnamah Pool Reserve (Account #33TF)***
- (b) Increasing capital expenditure on the Carnamah Pool plant room (Account #33BU)***

***and***

***Accept the quotation from Aquatic Services WA for the supply and installation of new recirculation pump, chemical controller and sand filters at the Carnamah Swimming Pool at a cost of \$65,720 excluding GST.***

**CARRIED BY ABSOLUTE MAJORITY 5-0**

**4.37pm**

Cr Bowman- Bright left the meeting.

## 10.2 ADMINISTRATION REPORT

### 10.2.8 Donation Request from North Midlands Project

Applicant:	David Bowman-Bright – North Midlands Project
Location / Address:	N/A
File Ref:	ADM0316
Disclosure of Interest:	Cr Bowman-Bright declared an interest in this item
Date:	16 April 2018
Author:	Karen Oborn – Chief Executive Officer
Attachments:	Nil

### SUMMARY

This report recommends that Council donate \$350 to the North Midlands Project as a 50% contribution toward compacting of the laneway (O'Grady Lane - in between The Bank and The Exchange on Macpherson Street) for wage cost only of \$700.

### BACKGROUND

The company that is currently in Carnamah the compacting of the paths in town has offered to compact the laneway (O'Grady Lane - in between The Bank & The Exchange on Macpherson St) for wage cost only of \$700. The North Midlands Project would like this to be done to facilitate the holding of events such as long table dinners and alike for Harvest Festival etc.

### COMMENT

The North Midlands Project has asked if Council could donate \$350 as a 50% contribution towards compacting of the laneway.

### STATUTORY ENVIRONMENT

Nil

### STRATEGIC IMPLICATIONS

#### Corporate Business Plan

#### Social

#### Objective 1:

*Continuity and improvement of existing services and facilities in the Shire.*

### POLICY IMPLICATIONS

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

## **FINANCIAL IMPLICATIONS**

Donation by Council of \$350 from General Revenue.

## **VOTING REQUIREMENT**

Simple Majority

**Council Resolution 20180418**

**Item: 10.2.8**

**Moved: Cr Kikeros**  
**Seconded: Cr Wooltorton**

***That Council donate \$350 to the North Midlands Project as a 50% contribution toward compacting of the laneway (O'Grady Lane – between The Bank and The Exchange on Macpherson Street) for wage cost only of \$700***

**CARRIED 4-0**

**4.40pm**

Cr Bowman-Bright returned to the meeting.

## 10.2.9 Northern Country Zone – Agenda Recommendations

Applicant:	Northern Country Zone
Location / Address:	N/A
File Ref:	ADM0059
Disclosure of Interest:	Nil
Date:	18 April 2018
Author:	Karen Oborn – Chief Executive Officer
Attachments:	10.2.9 – Northern Country Zone Agenda

### SUMMARY

This report lists the recommendations from the Northern Country Zone Agenda April 2018 Flying Minute Meeting.

### BACKGROUND

On Monday 16 April 2018 an email was received by the Northern Country Zone requesting Council responses to the listed recommendations.

### COMMENT

Responses are required by 23 April 2018.

### STATUTORY ENVIRONMENT

Nil

### STRATEGIC IMPLICATIONS

#### Corporate Business Plan

#### 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,*
- is a strong advocate for the community.*

### POLICY IMPLICATIONS

Nil

### FINANCIAL IMPLICATIONS

Nil

## VOTING REQUIREMENT

Simple majority

### COUNCIL RESOLUTION 20180419

Item 10.2.9

Moved: Cr Isbister

Seconded: Cr Kikeros

*That Council endorse the recommendations in the Northern Country Zone Agenda, April 2018 as presented.*

CARRIED 5-0

### 4.1 Submission to ERA – Inquiry into Business Licensing (05-100-04-0001 DM)

Recommendation:

That WALGA's submission to the Economic Regulation Authority Inquiry into Business Licensing be endorsed.

### 4.2 Interim Submission – Development Control Policies 1.1, 1.2, 1.7, 2.5, and 5.1 (05-073-02-0001 CH)

Recommendation:

That the interim submission to the WA Planning Commission on Development Control Policies 1.1, 1.2, 1.7, 2.5, and 5.1 be endorsed.

### 4.3 Interim Submission – State Planning Policy 4.1 Industrial Interface (05-047-03-0008 CH)

Recommendation:

That the interim submission to the WA Planning Commission on State Planning Policy 4.1 Industrial Interface be endorsed.

### 4.4 Third Party Appeal Rights – Consultation with members (05-073-01-0002 VJ)

Recommendation

That WALGA:

1. Note the results of the additional consultation with members on the possible introduction of Third Party Appeal Rights into the Planning System;
2. Based on the feedback received, amend its current policy position to support the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels;
3. Provide the State Government with the outcomes of this consultation and advocate for the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels as part of the upcoming Independent Planning Reform process; and
4. Further consult with members to provide more clarity on the exact details of the criteria that would need to be established, before any system of Third Party Appeals for decisions made by Development Assessment Panels is implemented by the State Government.

**4.5 Community Resource Centre Funding Cuts (05-018-03-0004 KD)**

**Recommendation:**

**That:**

- 1. WALGA:**
  - a. Acknowledges the difficulties being faced by proposed funding cuts to Community Resource Centres and the flow on effects this may have to Local Governments; and**
  - b. Considers previous reviews into the location and functionality of Community Resources Centres.**
- 2. WALGA coordinate a representative paper with affected Local Governments to highlight the long term implications for the Local Government Sector; and**
- 3. WALGA write to the relevant Ministers and Agencies to highlight the concerns of affected Local Governments and the need for appropriate resources and long term planning support to assist rural, regional and remote communities.**

**4.6 Interim Submission on Infrastructure WA (05-001-03-0018 MM)**

**Recommendation:**

**That the interim submission to the Department of Premier and Cabinet on the proposal for establishing Infrastructure WA as a statutory body under legislation be endorsed.**

**4.7 Interim Submission on 'Australia's Strategy for Nature 2018 – 2030: Australia's Biodiversity Conservation Strategy and Action Inventory (05-014-03-001MD)**

**Recommendation:**

**That WALGA's interim submission to the Department of the Environment and Energy on 'Australia's Strategy for Nature 2018 – 2030: Australia's Biodiversity Conservation Strategy and Action Inventory' be endorsed.**

**4.8 Submission on the Emissions Reduction Fund Safeguard Mechanism (05-028-03-0016 LS)**

**Recommendation:**

**That the submission to the Department of the Environment and Energy (Cwth) relating to proposed changes to the Emissions Reduction Fund Safeguard Mechanism be endorsed.**

**4.9 Surveillance Devices Act 1998 (WA) – Body Worn Camera use in Local Government Law Enforcement (05-067-09-0001 - LF)**

**Recommendation:**

**That WALGA advocate for amendment of Regulation 4 of the Surveillance Devices Regulations 1999 (WA) so that it includes Local Government 'Authorised Persons' as a class of Law Enforcement Officers for the purposes of the *Surveillance Devices Act 1988 (WA)*.**

**4.10 Vexatious or Malicious Freedom of Information Applications (05-103-01-0001 - LF)**

**Recommendation:**

That WALGA advocates for amendment of the *Freedom of Information Act 1992 (WA)* to:

1. Enable the Information Commissioner to declare vexatious applicants similar to the provisions of section 114 of the Right to Information Act 2009 (QLD); and
2. Enable an agency to recover reasonable costs incurred through the processing of a Freedom of Information access application where the application is subsequently withdrawn.

**4.11 Social Media – Cyber Bullying (07-003-003-0004 - LF)**

**Recommendation:**

That WALGA endorse a request to ALGA for its advocacy for changes to Commonwealth legislation to provide for implementing:

1. Cyber-bullying protections for all Australians, similar to those provided to Australian children under the *Enhancing Online Safety Act 2015 (Cth)*;
2. Identification validation checks before a new social media account can be established, including a timeframe by which social media providers must ensure that all existing active accounts retrospectively comply;
3. A social media / communications control order, similar to a violence restraining order, which prevents a person from contacting any other person through social media.

**4.12 Proposed Amendments to the WALGA Constitution (01-001-01-0001)**

**Recommendation:**

1. That Clause 18 and Clause 19 of the Association Constitution be amended as follows:
  - I. Clause 18, sub-clause (1) be amended with the addition of the underlined words, as follows:
    - (1) Following determination of the election of the President pursuant to clause 17 of this Constitution, the State Council shall elect a Deputy President from amongst its metropolitan and country representatives, provided the Deputy President represents the alternate constituency to the President elected pursuant to clause 17.
  - II. Clause 19 be amended with the addition of the underlined words and the deletion of the strikethrough words, as follows:
    - (1) If the office of the President becomes vacant or if for any other reason the President is unable to take or hold office at a period which exceeds six months from the date of the next scheduled election for that office, then the State Council shall meet to elect from among their number a President who, subject to this Constitution shall hold the office of President for the balance of the term of the President replaced.



- (2) Where a vacancy occurs in the office of President at a period which is six months or less from the date of the next scheduled election for that office, the State Council may convene a meeting to elect from among their number a President who, subject to this Constitution, shall hold the office of President for the balance of the term of the President replaced, or the State Council may in its discretion, determine that the vacancy be filled by the Deputy President until the date of the next scheduled election.
- ~~(3)~~ An election pursuant to sub-clause 19(1) or sub-clause 19(2) shall cause the office of Deputy President to be declared vacant immediately prior to the conduct of the election.
- ~~(4)~~ Following an election pursuant to sub-clause 19(1) or sub-clause 19(2) an election pursuant to Clause 19(5) will be conducted for the office of Deputy President from amongst representatives of the alternate constituency to that of the President just elected.
- ~~(3)~~(5) If the office of Deputy President becomes vacant or if for any other reason the Deputy President is unable to take or hold office, then the State Council shall meet to elect from among their number a Deputy President who shall hold the office for the balance of the term of the Deputy President replaced, provided the Deputy President represents the alternate constituency to that of the President.
- ~~(4)~~(6) A State Council representative elected to fill a vacancy of President or Deputy President pursuant to clause 48 19 shall still be eligible for election to a subsequent two (2) full consecutive terms.

2. That Clause 17A – Rotation of Presidency be added to the Association Constitution, as follows:

17A – Rotation of Presidency

1. At an election for the position of President conducted under sub-clause 17(2), only the incumbent President, subject to complying with sub-clause 17(5), or State Councillors from the alternate constituency to the incumbent President will be eligible to be elected.
2. At an election for the position of President conducted under Clause 19, only State Councillors from the alternate constituency to the incumbent President will be eligible to be elected.

3. That Clause 20 of the Association Constitution be amended with the addition of the underlined words as follows:

A person shall cease or be disqualified from being a representative or deputy representative on the State Council, or from being President or Deputy President of the Association, or from attending State Council in an ex-officio capacity, if that person:

4. That sub-clause 20(j) of the Association Constitution be amended with the addition of the underlined words and the deletion of the strikethrough words as follows:

(j) Is a Councillor that has been suspended by the Minister for Local Government under Part 8 of an Ordinary Member that has been peremptorily suspended under Section 8.15C(2)(e) of the Local Government Act 1995.

5. That sub-clause 10(2) of the Association Constitution be amended with the addition of the underlined words as follows:

(2) Each representative on the State Council shall be entitled to exercise one (1) deliberative vote on any matter considered by the State Council provided that this clause shall not apply to any ex-officio members of the State Council. The President shall exercise a casting vote only, in the event of there being an equality of votes in respect of a matter considered by the State Council but excluding an election held in accordance with Clause 16 in which the President is entitled to a deliberative vote only.

6. That sub-clauses 2(1), 5(7)(a), 9(1)(d), and 31(4)(b) be amended as follows:

I. That the following strikethrough words be replaced with the following underlined words in sub-clause 2(1):

~~“Local Government Managers Australia” means the Western Australian Division of the Local Government Managers Australia (LGMA), which body is incorporated under the Victorian Companies Act 1961.~~

“Local Government Professionals Australia WA” means the Western Australian Division of Local Government Professionals Australia.

II. That sub-clause 5(7)(a) of the Association Constitution relating to Associate Members of WALGA be amended with the words “Local Government Managers Australia (LGMA)” to be replaced with the words “Local Government Professionals Australia WA”.

III. That sub-clause 9(1)(a) of the Association Constitution relating to ex-officio members of State Council be amended to replace the words “Local Government Managers Australia (LGMA)” with the words “Local Government Professionals Australia WA”.

IV That sub-clause 31(4)(b) of the Association Constitution relating to a dispute resolution panel be amended by replacing the word “LGMA” with the words “Local Government Professionals Australia WA”.

Special Majority Decision Required.

And the

<b>DATE, TIME AND PLACE OF NEXT MEETING</b>
---

**RECOMMENDATION**

**That the next ordinary meeting of the Northern Country Zone will be on the 25 June 2018 at 10am at the Mingenew Sports Pavilion.**

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**Council also noted the following items;**

**5.2 Local Government Performance Monitoring Project (05-036-04-0004 VJ)**

**Recommendation:**

**That the results of the Local Government Performance Monitoring Project be noted.**

ITEM FOR NOTING

**5.3 Update on the Building Commission's State Wide Cladding Audit (05-015-02-0010 VJ)**

**Recommendation:**

**That State Council note the progress of the Building Commission's State Wide Cladding Audit and possible implications on the Local Government sector.**

ITEM FOR NOTING

**5.4 Public Libraries Strategy Consultation Forum (05-057-02-0051 EDR)**

**Recommendation:**

**That the Association's contribution to the consultation process for the *Draft WA Public Libraries Strategy* be noted.**

ITEM FOR NOTING

**5.5 Aboriginal Heritage Act 1972 Review 05-032-01-0001 (KD)**

**Recommendation:**

**That State Council note the Association is currently engaging with Members in order to develop a submission to State Government for the review of the *Aboriginal Heritage Act 1972*.**

ITEM FOR NOTING

**5.7 Waste Levy Policy Review (05-037-04-0001RNB)**

**Recommendation:**

**That State Council note the Discussion Paper on the Review of the Waste Levy Policy Statement.**

ITEM FOR NOTING

**5.8 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)**

**Recommendation:**

**That State Council note the resolutions of the Municipal Waste Advisory Council at its 28 February meeting.**

ITEM FOR NOTING

**16. CLOSURE OF MEETING**

There being no further business, the meeting was closed at 4.40pm. The President extended an invitation to Karen Chappel and Stewart Wallace to remain for afternoon tea.