



MINUTES

Ordinary Meeting of Council

8 December 2017

SHIRE OF CARNAMAH

ORDINARY MEETING OF COUNCIL – 8 December 2017

MINUTES

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(As circulated)

APPENDIX “B” Minutes of Special Meeting of Council - 22 November 2017
(As circulated)

SHIRE OF CARNAMAH

DISCLAIMER

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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

MINUTES

ORDINARY MEETING OF COUNCIL

Held in the Council Chambers, 33-37 Macpherson Street, Carnamah
On Wednesday 8 December 2017
Commencing at 3.00 pm

1. DECLARATION OF OPENING

2. RECORD OF ATTENDANCE

Present

Cr Merle Isbister	President
Cr Dwayne Wooltorton	Deputy President
Cr Ian Stirling	
Cr Ian Bowman	
Cr Con Kikeros	
Cr Liz Piccles-Popham	
Cr Andrew Bowman-Bright	

Mr Neil Hartley	Chief Executive Officer
Mr Ian Walsh	Deputy Chief Executive Officer
Mr Mal Pumphrey	Manager of Works and Services
Ms Jennie Benson	Executive Support Officer

Apologies

Nil

Leave Of Absence (Previously Approved)

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

There were no members of the public present.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. DISCLOSURE OF INTEREST

Chief Executive Officer – Item 9.3. Mr Hartley is the CEO, the subject of the meeting.

Deputy CEO – Item 10.3.4. Mr Walsh is the subject of the Agenda item.

Deputy CEO – Item 10.3.7. Mr Walsh is the subject of the Agenda item.

Chief Executive Officer – Item 10.3.7. Mr Hartley is the CEO, the subject of the item.

7. PETITIONS, DEPUTATIONS AND PRESENTATIONS

Firearm & Ammunition Dealership (Fraternity Ag Services)

An application for a Home Occupation Permit was presented to Council (October Council Meeting) at which a requirement was outlined for ‘*a reasonable level of local community consultation*’ to be undertaken by the proponent.

Sebastien Fidock and Jessina Atchamah provided a presentation to Council in which they reported on the responses and community feedback in relation to the proposed dealership. Whilst the majority of feedback had been positive, they did receive one objection from a near neighbour after the consultation period had closed.

The President thanked Sebastien and Jess for their presentation and making themselves available to answer any questions from the Councillors, and advised they would be informed of the outcome of the report in today’s agenda.

Sebastien Fidock and Jessina Atchamah left the meeting at 3.14pm.

Salmaan Jahangeer (Sal’s Pharmacy)

Salmaan Jahangeer joined the meeting at 3.12pm.

Salmaan presented at the Council meeting in order to provide further information regarding his intention to purchase Lot 200 Macpherson Street, Carnamah, with a view to establishing a part-time pharmacy in the town. He acknowledged that Council may have some concerns regarding his proposal and that he wished to address them. Salmaan advised that he perceived a need for this service in the town and that initially, he planned to operate the proposed pharmacy for half a day per week.

The President thanked Salmaan for making himself available to attend the meeting and advised that he would be informed of the outcome of the report in today’s agenda.

Salmaan Jahangeer left the meeting at 3.18pm.

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The President wished everyone a Merry Christmas and a Happy New Year.

9. CONFIRMATION OF MINUTES

9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD 15 NOVEMBER 2017

As Circulated

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION 20171201

Item 9.1

Moved: Cr Piccles-Popham

Seconded: Cr Kikeros

That the Minutes of the Ordinary Meeting of Council held on 15 November 2017 be accepted as a true and correct record.

CARRIED 7-0

9.2 MINUTES OF ORDINARY MEETING OF COUNCIL HELD 25 OCTOBER 2017

As Circulated

That Council Resolution 20171101 regarding the Minutes of the Ordinary Meeting of Council held on 25 October 2017 being accepted as a true and correct record, be rescinded and replaced with the following resolution:

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION 20171202

Item 9.2

Moved: Cr Wooltorton

Seconded: Cr Bowman

That the Minutes of the Ordinary Meeting of Council held on 25 October 2017 be accepted as a true and correct record subject to the following typographical correction, namely, by adding the following representatives to Resolution #20171008 at Item 10.2.6 (Appointment of Delegates and Representatives) –

Local Emergency Management Committee (LEMC)	Emergency Management and Ranger Services Officer
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Eneabba Progress Association	Cr Stirling
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Carnamah Historical Society	Cr Bowman-Bright
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WALGA Northern Country Zone	Cr Isbister Cr Wooltorton (Proxy)
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Development Assessment Panel (All current local government Development Assessment Panel members were appointed on 26 July 2017, for the term ending 26 July 2018)	Cr Isbister Cr Stirling Chief Executive Officer
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CARRIED 7-0

9.3 MINUTES OF SPECIAL MEETING OF COUNCIL HELD 22 NOVEMBER 2017

As Circulated

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION 20171203

Item 9.3

Moved: Cr Stirling
Seconded: Cr Piccles-Popham

That the Minutes of the Special Meeting of Council held on 22 November 2017 be accepted as a true and correct record.

CARRIED 7-0

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:	30 November 2017
Author:	Deputy Chief Executive Officer
Attachments:	10.1.1 - Cheque & EFT Listing

SUMMARY

Council to confirm the payment of creditors for the period 8 November 2017 to 29 November 2017, 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 20171204

Item: 10.1.1

Moved: Cr Bowman
Seconded: Cr Wooltorton

That payment listed as attachment 10.1.1. List of Accounts Due and Paid for the period 8 November 2017 to 29 November 2017; 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:	022514
Municipal cheques:	28082 – 28090
Municipal EFT’s:	10700 – 10789
Trust Cheques:	300412 – 300413
Payroll direct debits:	#10 - #11
Municipal Direct Debits	30/11/2017

Totalling \$ 1,440,350.82 be approved and passed for payment.

CARRIED 7-0

10.1.2 FINANCIAL REPORTS TO 30 NOVEMBER 2017

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	4 December 2017
Author:	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 30 November 2017 (marked 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 30 November 2017;
- Summary Rates Trial Balance Report as at 30 November 2017;
- 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 20171205

Item: 10.1.2

Moved: Cr Piccles-Popham
Seconded: Cr Bowman

That Council receive the Statement of Financial Activity for the period 1 July 2017 to 30 November 2017; and other supplementary financial information as presented.

CARRIED 7-0

10.2 ADMINISTRATION REPORTS

10.2.1 AUSTRALIA DAY 'CITIZEN OF THE YEAR' AWARDS, AND APPOINTMENT OF SELECTION PANEL

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0203
Disclosure of Interest:	Nil
Date:	1 December 2017
Author:	Chief Executive Officer
Attachments:	10.2.1 – Council Policy 1.6: 'Australia Day WA – Citizen of the Year' Awards

SUMMARY

The Australia Day Council of WA coordinates the *Australia Day Awards* every year and the Shire plays its role by inviting nominations for them, and selection of the preferred award nominees.

Nominations have been received and this report recommends that Council establish and maintain a selection panel comprising of Councillors to assess and select the recipients of the 2018 'Citizen of the Year' Awards (and future awards).

BACKGROUND

The Australia Day WA Council coordinates the Australia Day Awards every year. The Shire coordinates the local process and invites nominations for the various Australia Day awards. Nominations were advertised locally for the following:

- Citizen of the Year Award;
- Young Citizen of the Year Award – Youth;
- Young Citizen of the Year Award – Senior; and
- Community Group or Event Award.

Nominations closed on 30 November and three nominations were received as follows:

- Citizen of the Year Award (x 2);
- Young Citizen of the Year Award – Youth;
- Young Citizen of the Year Award – Senior; and
- Community Group or Event Award (x 1).

The closing date for the selected nominations to be lodged with the Australia Day Council of WA is 8 December 2017 and presentations are made on 26 January 2018 (Australia Day).

COMMENT

As nominations have been received for the abovementioned Awards, it is recommended that Council continue with the practice adopted last year and appoint a small selection panel to select the preferred award recipients. This will ensure a suitable level of governance is applied to the assessment process.

In order to provide a consistent and timely process for future Australia Day Awards, it is suggested that the Selection Panel remain appointed for the term of current Councillors, and its membership be reviewed by Council at the meeting following the biennial elections where all other Councillor appointments are made.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Section 3.1 (General function) of the Local Government Act states that the general function of a local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS

Council Policy 1.6 (Australia Day WA Citizen of the Year Awards) outlines the process and assessment matrix of these awards. A copy of the Policy is attached.

FINANCIAL IMPLICATIONS

Whilst there will be minor internal operational costs incurred, there are no significant financial implications.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item 10.2.1

That Council –

1. Appoint an *Australia Day Awards Selection Panel* comprising Crs and to consider and select the recipients of the 2018 and the 2019 Australia Day Citizen of the Year Awards; and
2. List this *Australia Day Awards Selection Panel* in the agenda of the Council Meeting following the 2019 biennial elections, for re-appointment of Councillor representatives.

The President called for any ‘declarations or conflicts of interest’ from members with regard to the nominations for the Citizen of the Year awards. None were received, and the recommendation was altered.

COUNCIL RESOLUTION 20171206

Item 10.2.1

Moved: Cr Stirling
Seconded: Cr Woollorton

That Council appoint an *Australia Day Awards Selection Panel* comprising all Councillors present, to consider and select the recipients of the 2018 Citizen of the Year Awards.

CARRIED 7-0

10.2.2 CARNAMAH CARAVAN PARK UPGRADE

Applicant:	N/A
Location / Address:	Carnamah Caravan Park, King Street, CARNAMAH
File Ref:	ADM0123
Disclosure of Interest:	Nil
Date:	14 November 2017
Author:	Chief Executive Officer
Attachments:	10.2.2 – Indicative drainage plan

SUMMARY

The 2017/18 budget includes an allocation of \$80,000 for the refurbishment of the Carnamah Caravan Park.

A study has been undertaken in an effort to prioritise works into legislatively required, risk based, and “nice to have” refurbishment/upgrade segments.

This report provides details of the issues considered and the prioritised works suggested, and recommends a staged approach be taken to ensure the overall project remains within budget limitations.

BACKGROUND

The Carnamah Caravan Park is in need of some refurbishment attention to ensure it continues to present in a suitably positive way to Carnamah’s visitors.

The Caravan Park provides a good standard facility and whilst Carnamah in itself is not a “tourism destination” for most tourists, caravan park numbers are very good in the winter/spring time, during our wildflower season. Attempts are being made to attract more visitors through, for example, summer discounting and investigations are also being progressed to consider gift vouchers for Carnamah and Eneabba caravan park visitors, but the physical appearance and operations of the area are also important and need to be maintained to a good quality so it will maximise the chances of the facility being frequented by more tourists.

Council allocated \$80,000 in the 2017/18 budget to undertake refurbishment works and to establish the most beneficial way to allocate that funding a study was conducted so that a priority listing could be established. The assessment was based largely around the requirements of the Western Australian Caravan Parks and Camping Grounds Regulations 1997 and findings are as outlined below -

General

- A portion of the legislation is not applicable as it pertains only to nature based parks.

Position of caravans, annexes and camps

- The caravan park currently has a ‘cluster’ type layout and additional ‘drive through’ sites for very long vehicles. The cluster sites have one-way roads around each cluster. These sites are not well demarcated and so are difficult for a driver to discern.

Roads and parking

- Upon entering the caravan park it may not be immediately apparent to the driver where to go in terms of parking and reporting to the reception area.
- It is not clear which roads are one-way roads and which are two-way roads.
- Roads are not clearly differentiated from caravan stands.

Recreational Areas

- The park does not have recreational facilities as described in the legislation, however guests generally use the kitchen area as a recreational area and older children often use the neighbouring oval and open space to recreate (there is direct access to the open space and oval from the caravan park). Few guests have visited the caravan park with young children in the past.

Ablution and toilet facilities

- Doors to showers and toilets open inward. The requirement is for doors to open outward or be easily removed in case of an emergency. The doors require maintenance in any event and so this would be a suitable time to make the required adjustments.
- Facilities do not sufficiently cater for guests in wheelchairs. The baby bath, hand basins, power points and napkin disposal units are not within reach of a wheelchair user.
- Sink plugs are not permanently available at basins as they have historically been “tourism trophies” (guests need to therefore request them from the manager).
- Towel rails or hooks, mirrors and shelving are not available at hand basins (or are not accessible to guests in wheelchairs).

Laundry facilities

- Cold water laundry facilities are available. Should guests require hot water they are required to contact the manager who can connect the hot water supply.
- Sink plugs are not permanently available at laundry basins/troughs. Guests need to request them from the manager.
- A slop hopper (often used to pre-wash cloth nappies) is not available although the manager highlights that the typical guest no longer requires such a facility.

Fire fighting

- Fire hose reels currently reach all stands, but there is a question as to whether the water pressure will be adequate for fire fighting purposes.

Electricity

- Long stay sites ideally require a separate meter to record electricity usage.

Telephones

- The requirement is for at least one telephone to be available at all times for the use for guests at the facility. This is currently not in place. Widespread use of mobile phones may be perceived as rendering this requirement redundant, but it is noted that not all mobile phone networks have coverage in Carnamah and that the lack of access to a telephone could have serious results in the case of an emergency.
- Long stay sites are required to have telephone connections available. There is currently only one working connection point.

Solid fuel fires

- The regulations state that solid fuel fires can only be made in areas designated for this purpose. Some guests have enquired about such a facility in the past but it is not a specific requirement that such a facility be provided.

Drainage

- Storm-water enters the site mostly from the east and drains towards the north west of the caravan park.
- The table drains adjacent to the road located on the southern boundary of the caravan park are silted up and this can result in storm-water entering the caravan park at the point of the access road.
- Storm-water flowing on site at the northern end of the caravan park has been eroding existing batters.
- Between the office and the caretaker's property there is a concrete footpath with an opening to let storm-water through. A table drain runs east to west at this location. During a storm event, damming occurs at this point. The table drain ends at the north western corner of the property and needs to be directed off the property.

From the above findings a prioritised listing of suggested actions is proposed (based largely on operational/safety considerations) namely -

Issue	Recommended Action	Priority
Poorly demarcated roads around caravan 'cluster' sites and roads not clearly differentiated from stand sites.	Raise the stand areas and use mountable kerb as edging	Medium
Car park	Signage	Low (but easily addressed)
Recreational facilities (including solid fuel fires)	A designated fire pit for solid fuel fires with appropriate seating nearby could be provided. This would ideally be in close proximity to the camp kitchen and would be functional as recreational space for the current typical guest. It may however not be practical to install a costly playground for young children especially as few guests have visited the caravan park with young children in the past.	Low
Wheelchair friendly facilities	May require more in-depth assessment, but practical adjustments may suffice via the installation of a lowered basin with the required mirror, towels hooks and napkin bin.	Medium
Plugs for basins and hot water for laundry	Signage informing guests that plugs and hot water are available upon request.	Low (but easily addressed)
Slop hopper	Installation if required.	Low
Fire fighting	Water pressure (including consistency) and other fire fighting equipment needs to be checked for compliance by a competent person	High

	in the field. Adjustments/improvements need to then be considered.	
Metered electricity for long stay sites	Separate meters to be installed.	Low
Telephone connection for long stay sites	Existing connections to be repaired.	Low
Telephone – minimum of one required at all times	To be installed (or alternative solution to be considered).	Medium
Drainage (see plan attached)	Installation of a cut off drain to the east and north of the site directing storm-water round the caravan park (Figure 1 – pink lines); Installation of a table drain from the north west corner next to the sports grounds and directing water to the north and away from the caravan park (Figure 1 – pink lines); Shaping the existing table drain on site to tie in with the above (Figure 1 – green line); Construction of a rock pitched spillway to accommodate flow on site over the batter and into the table drain – preventing erosion (Figure 1 – brown square); Kerbing - assisting in directing stormwater (Figure 1 – yellow lines); Enlarge the opening underneath the footpath to the caretaker’s property where it crosses the table drain and causes ponding (Figure 1 – green circle); and Maintenance of the table drain next to the road located to the south of the caravan park (Figure 1 – blue lines).	Medium

COMMENT

The survey was undertaken to ensure that the legislative requirements and other expected standards of operating a caravan park were being met (and in the main they are).

The prioritised listing provides a good guide as to how best to allocate the budgeted funds and it is suggested that the priority hierarchy be followed. The Shire has its own equipment and labour and can undertake the civil works like drainage, however the current works program of the Shire is already committed and so that particular work at the Caravan Park site might need to be delayed until mid 2018 or possibly even later.

CONSULTATION

GHD Pty Ltd (Consultants)

Ian Crawford-Ferguson (Caretaker - Carnamah Caravan Park)

STATUTORY ENVIRONMENT

Western Australian Caravan Parks and Camping Grounds Regulations 1997.

STRATEGIC IMPLICATIONS

The Community Strategic Plan includes a Tourism area “*to promote and develop a sustainable tourism industry in the Shire of Carnamah*”, and the action to “*continue to improve the Carnamah Caravan Park and Eneabba Short Stay Facility to cater for changing demand in the accommodation industry*”. The Corporate Business Plan compliments this with a similar action.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The 2017/18 budget includes an allocation of \$80,000 for the project.

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION 20171207

Item: 10.2.2

Moved: Cr Bowman

Seconded: Cr Kikeros

That Council –

1. Notes the listing of refurbishment items for the Carnamah Caravan Park;
2. Supports in the first instance, the undertaking of the higher priority works (vis. fire fighting; shower and toilet doors; and wheelchair friendly facilities) being progressed during the current financial year and within the current budget allocation; and
3. Supports in the second instance, the undertaking of the other works (vis. roads and drainage, signage, metered electricity and telephone connections, etc) subject to remaining available budget funds and also, civil drainage works being largely undertaken by shire equipment/human resources (even if that results in a delay to those works commencing for several months).

CARRIED 7-0

**10.2.3 ENEABBA LANDFILL SITE – RESPONSE TO PRELIMINARY REPORT
(DEPARTMENT OF ENVIRONMENTAL REGULATION PERMIT
APPLICATION NO 7606/1)**

Applicant:	Shire of Carnamah
Location / Address:	Eneabba Refuse Site
File Ref:	ADM0269
Disclosure of Interest:	Nil
Date:	30 November 2017
Author:	Chief Executive Officer
Attachments:	10.2.3 – Response to Preliminary Report – Department of Environmental Regulation

SUMMARY

The Shire is progressing the expansion of the Eneabba Landfill Site and the current issue requiring attention is the response to the Department of Environmental (DoE) Regulation’s Preliminary Report (Permit Application No. 7606/1).

This report supports the consultant’s proposal, which is that the Shire will be required to provide an offset arrangement to accommodate the Carnaby’s Cockatoo.

BACKGROUND

This is a very longstanding issue with the negotiations for the purchase of this site, by the Shire of Carnamah from Iluka Resources, having commentary from March 2007.

The current issue is the need to lodge a response to the Department of Environmental (DoE) Regulation’s Preliminary Report (Permit Application No. 7606/1).

The Shire’s response to the DoE’s report has been prepared by our consultant, Mr Donald Williams (Williams & Son of Badgingarra) who has been handling the environmental process for the last several years.

Specifically, the Shire is required to respond to the following DoE queries –

1. Native Vegetation should not be cleared if it comprises a high level of biological diversity. Also, native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora; and
2. Native vegetation should not be cleared if it compromises the whole or part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

Mr Williams makes the following suggestions to address the DoE issues –

1. It is noted that the surrounding area has a large number of threatened species. Also, a large number of priority species. These certainly deserve the respect required. When closed, the old adjoining landfill site should be rehabilitated to encourage the survival of the local provenance species; and

2. There is a distinct possibility of establishing some of the local Carnaby's cockatoo (*Calyptorhynchus latirostris*) food source species on non-vegetated areas nearby. All the Hakea species listed as well as the range of Banksias listed could provide a greater food source in time than that on the proposed site. These food species could be propagated in an accredited nursery with seed collected locally to ensure that local provenance species are utilised. This project could use cleared land that is in the control of the Carnamah Shire.

COMMENT

The Eneabba Landfill Site cannot be expanded without meeting all of the required environmental demands of the Department of Environmental Regulation, and the consultant's view is that if the Shire agrees to rehabilitate the old tip and offers a Carnaby's Cockatoo offset, that may be sufficient to secure that approval.

CONSULTATION

Mr Donald Williams (Williams & Son of Badgingarra)

STATUTORY ENVIRONMENT

Environmental Protection Act 1986

STRATEGIC IMPLICATIONS

The Strategic Community Plan 2027 includes at Objective 2, *“To provide sustainable management of resources and the protection and enhancement of biodiversity, land, air and water. And the action “to identify future development and ongoing maintenance requirements at Shire waste disposal sites”.*

Also, the action under the heading of “Remnant Vegetation, Wildlife Habitat Identification & Protection” to:

1. *Effectively manage reserves under Council's controls including road reserves.*
2. *Encourage awareness and appreciation of the district's biodiversity and promote the community's involvement in its conservation.*
3. *Promote natural resources management that improves productivity and safeguards the welfare of future generations.”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There will be costs associated with the establishment of an offset. It is assumed the land can be secured without cost by locating some cleared Shire of Carnamah land; the collecting of local seeds will need to be undertaken by contractors, but possibly with the support of the Eneabba School; contractors will be required to germinate the hakea and banksia plants; Williams & Son will need to remain to continue with its environmental coordination. An allocation of perhaps \$10,000 should be sufficient for this purpose it is hoped.

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION 20171208

Item: 10.2.3

Moved: Cr Piccles-Popham

Seconded: Cr Woollorton

That Council –

1. Note and endorse the attached Response to Preliminary Report (Department of Environmental Regulation Permit Application No. 7606/1), including the response positions of –
 - (a) Rehabilitating the old adjoining landfill site when it is closed; and
 - (b) Establishing some of the local Carnaby's cockatoo food source species on non-vegetated areas nearby, and preferably on cleared land that is in the control of the Carnamah Shire.
2. Authorise the CEO to refer the attached response to the Department of Environmental Regulation.

CARRIED 7-0

10.2.4 BUILDING BETTER REGIONS FUND APPLICATION – HIGH SPEED FIXED WIRELESS SERVICES TO CARNAMAH AND ENEABBA

Applicant:	Shire of Coorow
Location / Address:	N/A
File Ref:	ADM0067
Disclosure of Interest:	Nil
Date:	25 November 2017
Author:	Chief Executive Officer
Attachments:	Nil

SUMMARY

The Shire of Coorow invites the Shire of Carnamah to join with it in an application to the Building Better Regions Funds (BBRF) to establish high speed fixed wireless services to our towns. The service would be superior to other retail options available to local businesses and the community, but requires a cash contribution of \$5,000 per town, if Council wished to participate.

This report concludes that the cost is worth the benefits that will be gained, and recommends that Council join with the Shire of Coorow in this venture.

BACKGROUND

The Shire of Coorow is proposing to apply for BBRF to establish a high speed fixed wireless services delivered to its Coorow community and has invited other local governments to also participate if they wish.

The proposal is to provide up to 100Mbps fixed wireless services via a private carrier, which would be superior to anything else available in our area. Such a facility would have the potential to afford greater capacity to deliver more efficient business, medical, educational, economic and community development programs and services.

If several towns (e.g. Coorow, Carnamah, and Three Springs) were to join together on the project, it will make for a more competitive funding application (through either BBRF or for some future Agricultural based telecoms funding) and a more cost effective build.

As the next round of the BBRF closes on 19 December, the Shire of Coorow would like an indication as soon as practical, as to whether Carnamah has an interest in participation.

COMMENT

Internet speeds are important and always a topic of discussion where digital information transfer forms part of your business or private activities. They can even be the deal breaker of a new business start-up in some locations. Internet speeds are also more likely to be important for the younger generations, who are more inclined to want to use high volume/high speed digital web based applications. In short, kids and businesses need it, but the rest of the community can probably be adequately supplied with either the existing land line system, or by moving to the faster NBN's Sky-muster Satellite service.

The proposal outlined by Coorow will in all likelihood, work very well for our two town-sites, but the question does need to be asked “*Why isn’t NBN’s SkyMuster Satellite System acceptably accommodating that need already*”? The answer in short is that the satellite servicing our area is already operational and cannot once launched, be upgraded. It has a remaining life of approximately 10 years, so improving speeds and capacities are limited to the existing embedded satellite technology.

With an expected 10 years of arguably “sub-optimal” service levels through the *SkyMuster* system, it does enable Council to justify a stand-alone service such as that suggested by the Shire of Coorow, because the community will benefit with higher quality service levels for a life of 10 years, possibly more. Justifying \$10,000 for such an initiative therefore converts to an annualised cost of just over \$1,000pa in total (or \$500 each per annum for Eneabba and Carnamah).

The service operates on “line of sight” so will be available to any property that can see the tower the private carrier service equipment is attached to. It might be possible to locate the service on for example, the existing Carnamah television tower, which is located on a local high point and would therefore enable nearby farming properties to also access the service.

We can alternatively advise the Shire of Coorow that we are satisfied to operate with the existing land line and/or NBN’s SkyMuster Satellite System, and do not wish to be included in the grant application.

CONSULTATION

Shire of Coorow

STATUTORY ENVIRONMENT

Section 3.1 (General function) of the Local Government Act states that the general function of a local government is to provide for the good government of persons in its district.

Section 6.8 (Expenditure from municipal fund not included in annual budget) highlights that a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised for example, in advance and by absolute majority resolution.

STRATEGIC IMPLICATIONS

The Strategic Community Plan 2027 has a Mission Statement “*to maintain and enhance the rural way of life within the Shire of Carnamah*” and a Vision Statement” to “*be a sustainable, progressive, desirable and caring community....*” but there are no specific strategic objectives that relate to wireless/internet/digital activities or initiatives.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An allocation of \$5,000 per town is required and that is not beyond the capacity of the Shire to fund in 2018/19 if it wishes to proceed. For clarity, this would mean \$10,000 for the Shire if it wished to service both town-sites, Carnamah and Eneabba. No funds are likely to

be required until the 2018/19 budget, but the Shire would need to commit to the project funding if the grant was successful.

After capital installation, the cost of the service moves to the retail service provider, who enters into billing arrangements with local customers.

VOTING REQUIREMENT

ABSOLUTE Majority

COUNCIL RESOLUTION 20171209

Item: 10.2.4

Moved: Cr Stirling

Seconded: Cr Kikeros

That Council –

1. Agree that a locally provided high speed wireless service would be beneficial to the Eneabba and Carnamah townsite residents and businesses, and to nearby “line of sight” farming households; and
2. Agree to partner with the Shire of Coorow and offer a capital contribution of \$10,000 towards a locally provided high speed wireless service at both Carnamah and Eneabba, to be funded through the 2018/19 financial year budget.

CARRIED BY ABSOLUTE MAJORITY 4-3

*Crs Piccles-Popham, Bowman-Bright and Isbister
voted against the motion*

10.3 CONFIDENTIAL REPORTS

10.3.1 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:	1 December 2017
Author:	Executive Support Officer
Attachments:	Nil

BACKGROUND

Items 10.3.2, 10.3.3 and 10.3.4 of the Agenda of 8 December 2017, 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

4.21pm

COUNCIL RESOLUTION 20171210

Item 10.3.1

Moved: Cr Piccles-Popham

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 8 December 2017 Agenda, as provided for in Section 5.23(2) (a) (c) and (e) of the Local Government Act 1995.

CARRIED 7-0

10.3.2 TENDER 12-17 HIRE OF PRIME MOVER

Author: Manager of Works and Services
File Ref: Tender 12-17

VOTING REQUIREMENT

Simple Majority

COUNCIL RECOMMENDATION 20171211

Item: 10.3.2

Moved: Cr Kikeros
Seconded: Cr Wooltorton

That Council:

1. Accept the tender submitted by R & P FRENCH for the provision of a “wet hire” prime mover, as specified in Tender 12/17, on an ‘as and when required basis’ over a 12 month period from 1 January 2018, at \$100 per hour (GST excluded) for gravel carting, and \$95.00 per hour (GST excluded) for water carting; and
2. Authorise the Chief Executive Officer to execute and manage the contract, including any variations, providing these variations do not exceed the allocated budget provision, or significantly vary from the overall scope.

CARRIED 7-0

10.3.3 SALE OF LAND – LOT 200 MACPHERSON STREET, CARNAMAH

Author: Chief Executive Officer
File Ref: ADM0222

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION 20171212

Item: 10.3.3

Moved: Cr Stirling
Seconded: Cr Isbister

That Council -

1. Notes the communications received from community members registering their concern about the sale of Lot 200 Macpherson Street; and
2. Agrees that it would not endorse the land sale in light of the concerns expressed in (1) above and therefore in acknowledgment of that, and to save time and funds, agrees to abandon progressing Council resolution #20171113 of 15 November 2017 further.

CARRIED 6-1

4.26pm

Neil Hartley, Ian Walsh, Mal Pumphrey and Jennie Benson left the meeting.

10.3.4 CONTRACT OF EMPLOYMENT – DEPUTY CHIEF EXECUTIVE OFFICER

Author: Chief Executive Officer
File Ref: PER #101

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION 20171213

Item 10.3.4

Moved: Cr Bowman
Seconded: Cr Stirling

That Council endorse the new Contract of Employment with Mr Ian Walsh, the Deputy Chief Executive Officer (as attached) to expire in three years on 18 October 2021.

CARRIED 7-0

4.29pm

Neil Hartley, Ian Walsh, Mal Pumphrey and Jennie Benson returned to the meeting.

10.3.5 PROVISION OF ENVIRONMENTAL HEALTH AND BUILDING SERVICES

Author: Chief Executive Officer
File Ref: ADM0268

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION 20171214

Item: 10.3.5

Moved: Cr Kikeros
Seconded: Cr Wooltorton

That Council –

1. Approves the arrangement with the Shire of Irwin to provide the Shire of Carnamah's Environmental Health Services (proposed to be via Mr Gordon Houston of Dallywater Consulting at least in the first instance);
2. Authorises the CEO to finalise any necessary agreement with the Shire of Irwin (and its consultant, proposed at least in the first instance to be Dallywater Consulting if required) to enable the appointment and ongoing Environmental Health Services to the Shire of Carnamah via the Shire of Irwin;
3. Authorises the CEO to extend the Environmental Health Services agreement post 30 June 2018 if that is beneficial for the Shire of Carnamah; and
4. Approves the Memorandum of Understanding arrangement with the City of Greater Geraldton for it to provide the Shire of Carnamah's ongoing Building Services.

CARRIED 7-0

10.3.6 MOTION TO RE-OPEN THE MEETING

Applicant:	N/A
Location / Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	1 December 2017
Author:	Executive Support Officer
Attachments:	Nil

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION 20171215	Item 10.3.6
Moved: Cr Piccles-Popham Seconded: Cr Wooltorton	
That the meeting be re-opened to the public.	
	CARRIED 7-0

4.33pm

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 8 December 2017 was circulated to Council. Council may resolve that the late business be admitted to the Meeting.

COUNCIL RESOLUTION 20171216	Item: 15.1
Moved: Cr Bowman Seconded: Cr Wooltoron	
That items 10.2.5 and 10.3.7 be admitted to the meeting as late business.	
	CARRIED 7-0

10.2 ADMINISTRATION REPORT

10.2.5 HOME OCCUPATION PERMIT – FIREARMS AND AMMUNITION DEALERSHIP (FRATERNITY AG SERVICES)– 2 ROBERTSON STREET, CARNAMAH)

Applicant:	Fraternity Ag Services (Sebastien Fidock)
Location / Address:	2 Robertson Street, Carnamah
File Ref:	ADM0270
Disclosure of Interest:	Nil
Date:	4 December 2017
Author:	Chief Executive Officer
Attachments:	10.2.5 – Community consultation report and original application documents

SUMMARY

An application was received and presented to the October Council Meeting for a letter of support from Council so that a Carnamah townsite resident might apply for a license from the Western Australia Police to be a firearms dealer.

The community consultation required by Council has been completed and the proponent (Mr Sebastian Fidock) will be presenting a summary of that feedback at the December Council Meeting.

BACKGROUND

An application was received from Fraternity Ag Services (Sebastien Fidock) of 2 Robertson Street, Carnamah, for a license to operate a Home Occupation under the Shire of Carnamah Town Planning Scheme No.2 (see Attachment). The Home Occupation is sought for a firearms and ammunition dealership.

The property is zoned Residential and the Shire of Carnamah’s Town Planning Scheme Zoning Table provides that a “Home Occupation” is a “D” use (vis. the use is not permitted unless the local government has exercised its discretion by granting planning approval). The Shire may therefore permit a Home Occupation (see Statutory Environment section of this report for the definition of a Home Occupation) in a “Residential” zone if it believes that is appropriate to do so.

One of the requirements of a Home Occupation is that it “*will not cause injury to or adversely affect the amenity of the neighbourhood.*”

The October Council Meeting resolved as follows –

1. *Notes the potential competing priorities and aspirations of the Strategic Community Plan and the Corporate Business Plan as they relate to this particular proposal;*
2. *Not make a decision on the question of whether to provide a letter of support for a Home Occupation License to Fraternity Ag Services until it can at least satisfy Council that it has undertaken a reasonable level*

of local community consultation and the result of that community consultation is generally positive to the Home Occupation proposed; and

3. *That Council consider that application after the satisfactory completion by the proponent of (2) above, noting that Council will be giving priority consideration to the views of contiguous and other near neighbours of 2 Robertson Street, Carnamah.*

The community consultation required by Council has been completed and the proponent (Mr Sebastien Fidock) will be presenting that feedback to the December Council Meeting.

COMMENT

Home Occupations come in many forms and on this occasion, the request is for a business to satisfy the firearms and ammunition market in the district/region. Such a business is heavily regulated by the WA Police and one of the first steps an interested body needs to take to secure a police approval is to seek a letter of approval from the relevant local government. Consideration of the matter as a Home Occupation under the Town Planning Scheme provides a good structure to the consideration process as this process provides for the relevant legislation (e.g. Health Act) to be part of the thinking process, as well as the normal Town Planning Scheme regulations.

Mr Fidock has undertaken the community consultation with Carnamah residents as requested by Council at its October Council Meeting. He is also presenting to the December Council Meeting. The results of the survey (see attached) indicate that –

1. 63 of 200 surveys were returned (31%) - which is a very good response rate;
2. No queries or requests for further information were lodged by any Carnamah resident;
3. Near neighbours are in favour of the proposal;
4. 50 of the survey respondents were in favour (25% of the 200 households surveyed);
5. 13 people were against the proposal (6.5% of the 200 households surveyed); and
6. 8 people provided comments (see attached for details).

If Council approves the Home Occupation, it should satisfy WA Police of the Shire's endorsement of the business proposal and its location and will also ensure that there are no retail sales, display or hire of any goods from the premises (as these activities are not permitted under the Home Occupation License parameters, and neither are they being sought by the proponent).

If Council considers that the activity might give rise to complaints from townsite and surrounding landowners (e.g. issues arising from car parking, signage, hours of operation, disturbance, etc) then it could advise the enquirer that the application would not be able to be supported on this basis. Alternatively, if Council considers that there would likely be minimal impact from the proposal, and it is something Council might be supportive of, and even to the extent that it wanted the community to have access to some future retail opportunities, then the proposal could be approved as a "home store" (see Statutory Environment section of this report for the definitions of each).

CONSULTATION

Mr Fidock has undertaken community consultation with Carnamah residents and will report that to the Council meeting himself.

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 Residential and the Shire of Carnamah's Town Planning Scheme Table 10 - Zoning Table provides that a "Home Occupation" is a "D" use (vis. the use is not permitted unless the local government has exercised its discretion by granting planning approval).

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 20m²; and

(d) does not involve the display on the premises of a sign with an area exceeding 0.2m²; 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.

The application could alternatively be treated as an application for a 'Home Store' which does allow some retail. The Regulations defines a *home store* as:

a shop attached to a dwelling that —

(a) has a net lettable area not exceeding 100m²; and

(b) is operated by a person residing in the dwelling;

STRATEGIC IMPLICATIONS

Whilst such a proposal is not specifically referred to, the Strategic Community Plan refers to aspirations like community safety and being a place of economic opportunity. The Corporate Business Plan refers to the need for the Shire's Planning Scheme to be reviewed to ensure

appropriate land use zoning to accommodate future business activity (which has occurred); and to encourage the establishment of new industries to broaden the district's economic base.

There would seem to be the potential for this application to both meet, and be conflicting to, the intentions of the Strategic Community Plan and the Corporate Business Plan, causing somewhat of a conundrum for Council as it progresses its consideration of the proposal.

POLICY IMPLICATIONS

Policy 2.9 (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.

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION 20171217

Item 10.2.5

Moved: Cr Bowman

Seconded: Cr Stirling

That Council –

1. Notes the presentation provided by Mr Fidock at today's Council Meeting in relation to this particular matter;
2. Advises Mr Fidock that Council will provide a letter of support to the WA Police for a Home Occupation Licence to Fraternity Ag, acknowledging that Council is aware that firearms will be kept at that location and approving of the operation of a firearms and ammunitions dealership business at 2 Robertson Street, Carnamah; and
3. Requires, notwithstanding (2) above, Mr Fidock of Fraternity Ag Services, following his receipt of a Police approval, to apply for planning approval for a Home Occupation or Home Store Licence for his proposed business at 2 Robertson Street, Carnamah, for Council assessment.

CARRIED 6-1

Cr Piccles-Popham voted against the motion

COUNCIL RESOLUTION 20171218

Moved: Cr Stirling

Seconded: Cr Bowman

That Council close the meeting to members of the public as provided for in Section 5.23(2)(a) of the Local Government Act 1995, "a matter affecting an employee or employees".

CARRIED 7-0

4.43pm

Ian Walsh, Neil Hartley, Mal Pumphrey and Jennie Benson left the meeting.

10.3 CONFIDENTIAL REPORT

10.3.7 CHIEF EXECUTIVE OFFICER – RELIEF ARRANGEMENTS

Author: Cr Merle Isbister (President)
File Ref: ADM0061

VOTING REQUIREMENT

ABSOLUTE Majority

COUNCIL RESOLUTION 20171218

Item 10.3.7

Moved: Cr Woollorton
Seconded: Cr Piccles-Popham

That Council engage the services of:

- (a) Mr Ian Walsh as Acting Chief Executive Officer for the Shire of Carnamah for the period 23 December 2017 to 1 January 2018 (inclusive) on the same relevant terms and conditions as the existing Chief Executive Officer's contract, including all existing delegation powers; and
- (b) Mr Shaun Fletcher as Acting Chief Executive Officer for the Shire of Carnamah for the period from 2 January 2018 to 4 March 2018 (inclusive) based on a 76 hour fortnight and authorise the Deputy Chief Executive Officer to negotiate the terms and conditions.

CARRIED 7-0

COUNCIL RESOLUTION 20171219

Moved: Cr Bowman
Seconded: Cr Woollorton

That the meeting be re-opened to the public, but that as there are no members of the public present, the motions passed behind closed doors not be read out.

CARRIED 7-0

4.52pm

Ian Walsh, Neil Hartley, Mal Pumphrey and Jennie Benson returned to the meeting.

16. CLOSURE OF MEETING

There being no further business, the meeting was closed at 4.54pm.