

14 May 2021



## NOTICE OF MEETING

Dear Councillor,

The next Ordinary Meeting of Council will be held at 4pm on Wednesday, 19 May 2021.

The attached Agenda is presented for your consideration.

A handwritten signature in black ink, appearing to read 'Vin Fordham Lamont', is written over a faint circular stamp or watermark.

**Vin Fordham Lamont**  
**CHIEF EXECUTIVE OFFICER**

### Please Note

If an Elected Member has a query regarding a report item or requires additional information in relation to a report item, please contact the senior employee (noted in the report) prior to the meeting.



## AGENDA

### ORDINARY COUNCIL MEETING

### 19 MAY 2021

#### ATTENTION/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.

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**ORDINARY COUNCIL MEETING  
19 MAY 2021**

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**1.0 DECLARATION OF OPENING**

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**Acknowledgment of Country**

The Shire of Carnamah would like to acknowledge the traditional custodians of this land, and pay its respect to local Aboriginal Elders, both past and present.

We also reflect on the spirit of the pioneers who settled this country and developed the land, and the service personnel whose sacrifices have enabled us to enjoy the lifestyle we have become accustomed to.

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**2.0 RECORD OF ATTENDANCE**

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**2.1 Present**

**2.2 Apologies**

**2.3 Leave of Absence (Previously Approved)**

- Cr Bowman is on a previously approved Leave of Absence.

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**3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

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Nil

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**4.0 PUBLIC QUESTION TIME**

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Nil

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**5.0 APPLICATION FOR LEAVE OF ABSENCE**

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**6.0 DISCLOSURE OF INTEREST**

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**6.1 Declaration of Financial Interest and Proximity Interests**

**6.2 Declaration of Interest Affecting Impartiality**

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**7.0 PETITIONS AND DEPUTATIONS**

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**7.1 Presentation by Laura Gray – Shire of Carnamah Draft Local Heritage Survey**

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**8.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**


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**9.0 CONFIRMATION OF MINUTES**

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**9.1 RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held on Wednesday 21 April 2021 be accepted as a true and correct record. 

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
## **10.0 MANAGEMENT REPORTS**

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### **10.1 FINANCE REPORTS**

#### **10.1.1 ACCOUNTS FOR PAYMENT**

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<b>File Code</b>	ADM0076
<b>Author</b>	Ian Walsh, Deputy Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. Cheque & EFT Listing 

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#### **SUMMARY**

Council to confirm the payment of creditors for the period 9 April 2021 to 12 May 2021, in accordance with the 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;  
Section 13 Lists of accounts; and  
Section 15 Rounding off figures

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **VOTING REQUIREMENT**

**RECOMMENDATION**


That payment listed as Attachment 10.1.1. List of Accounts Due and Paid for the period 9 April 2021 to 12 May 2021; and paid by the Chief Executive Officer under delegated authority of Council, or by the Deputy Chief Executive Officer (in the Chief Executive Officer's absence) as delegated by the Chief Executive Officer including:

Municipal cheques	28219 – 28224
Manual municipal cheque	22661– 22662
Municipal EFT's:	14368 – 14441
Payroll direct debits:	# 22 – # 23
Municipal direct debits:	30042021

Totalling \$ 754,070.11 be approved and passed for payment.

## 10.1.2 FINANCIAL REPORTS TO 30 APRIL 2021

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<b>File Code</b>	ADM0076
<b>Author</b>	Ian Walsh, Deputy Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. Monthly Statement of Financial Activity April 2021 

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### 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 reports for the period 1 July 2020 to 30 April 2021 (Attachment 10.1.2) have 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 2020 to 30 April 2021;
- Summary Rates Trial Balance Report as at 30 April 2021;
- Cash and Investment Listing;
- Debtors Listing; and
- Other Supplementary Information.

The Australian Accounting Standard Board (AASB) have recently released the following standards:

- a) AASB 16 – Leases
- b) AASB 1058 Income of Not-for-Profit Entities
- c) AASB 15 Revenue from Contractors and Customers

The first two have no real impact on the Shire of Carnamah.

The main objective of AASB 15 is to provide clarity about the nature, amount and timing of contracts and the accounting treatment of funds received.

All funds received prior to the funding obligations being met are to be classified as a Current Liability. Once the obligations associated with the funding is to be recorded as revenue.

### 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

**RECOMMENDATION**

That Council receives the Statement of Financial Activities for the period 1 July 2020 to 30 April 2021 and other supplementary financial information as presented.



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## 10.2 ADMINISTRATION REPORTS

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### 10.2.1 APPLICATION FOR PLANNING APPROVAL – PROPOSED WORKFORCE ACCOMODATION DEVELOPMENT

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<b>File Code</b>	ADM0218
<b>Author</b>	Mr Joe Douglas – Exurban Rural & Regional Planning (Town Planning Consultant)
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. Planning Application Documentation and Plans  2. Submission received during public advertising including the reporting officer's comments in response. 

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#### SUMMARY

This report recommends that a planning application submitted by Cooperative Bulk Handling Limited (Landowner) for a proposed new workforce accommodation development at its existing grain handling and storage facility in the Carnamah townsite be approved subject to conditions.

#### BACKGROUND

Cooperative Bulk Handling Limited (CBH) is seeking Council's planning approval for a proposed new workforce accommodation development at its existing grain handling and storage facility on Lot 252 (No.15) Parker Street, Carnamah to provide accommodation for up to sixteen (16) persons on an intermittent basis throughout the year. The new accommodation facility will replace the existing workforce accommodation on Lot 1 Railway Avenue, Carnamah which forms part of the overall facility, is no longer suitable due to its age and limited capacity, and has been converted for use as a lunch room for staff.

Under the terms of the application received CBH are proposing to undertake the following works centrally on the land approximately 23 metres from its southern boundary to accommodate the proposed workforce accommodation:

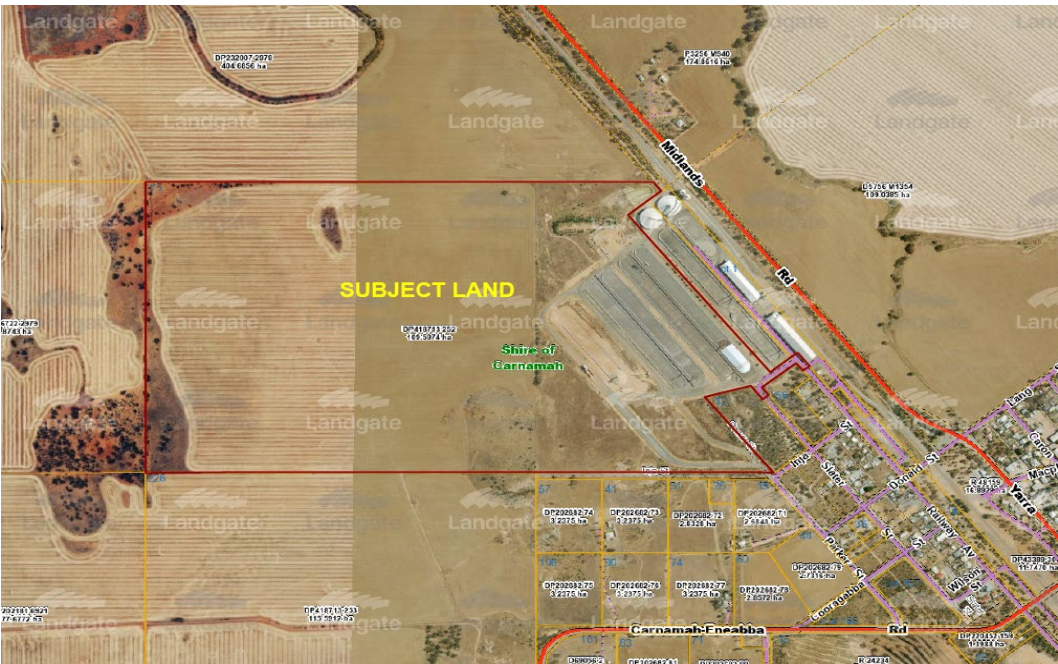
- All earthworks required to accommodate the proposed development including the introduction of suitable grade fill in various locations to account for the land's existing topography which is slightly variable where the development is proposed to be sited;
- The placement of four (4) relocated and refurbished 4 bedroom transportable accommodation buildings, including an ensuite to each bedroom, all interconnected with a new external verandah;
- The placement of one (1) relocated and refurbished transportable building comprising a kitchen, dining room and separate entry laundry (KDLU) with a new external verandah and enclosing roller blinds;
- The placement of a new transportable common room building (i.e. lounge for staff) with a new external verandah;
- Construction of a fenced bin store area on concrete paving at the end of the kitchen, dining and laundry building;
- Construction of a new 5.5 to 6 metre wide bitumen sealed driveway linked to the existing sealed driveway access from Parker Street and an asphalt sealed car parking area immediately adjacent

to the workforce accommodation buildings comprising 16 line marked bays with sufficient space for two (2) more bays in the future if required;

- Construction of a new unsealed (i.e. gravel) turning area for heavy service vehicle access purposes at the end of the new sealed driveway referred to above;
- Construction of a new covered concrete footpath to provide pedestrian access to the workforce accommodation buildings and other associated improvements;
- Construction of a screened clothes drying area at one end of each accommodation building;
- Erection of 1.8 to 2.4 metre high Colorbond fencing and pedestrian access gates around the periphery of the accommodation and amenities buildings to screen all internal areas from public view;
- Installation of new landscaping incorporating existing trees around the periphery of the accommodation and amenities buildings and adjacent to the sealed car parking area referred to previously above;
- Installation of a new on-site effluent disposal system within a fenced compound west of the proposed development comprising 1.2 metre high galvanised stock fencing and access gates and standard septic tanks and leach drains within;
- Installation of a new 70kL potable water tank connected to the Water Corporation's existing reticulated water supply infrastructure servicing the land for domestic consumption and firefighting purposes; and
- Installation of new electricity supply infrastructure to service the proposed development which will be connected to Western Power's existing electricity supply network in the immediate locality.

A full copy of the development application submitted, including supporting documentation and plans, is provided in Attachment 1.

Lot 252 is located in the north-western part of the Carnamah townsite, comprises a total area of approximately 109.6 hectares and has direct frontage and access to Railway Avenue and Parker Street, both of which are sealed and drained local roads under the care, control and management of the Shire of Carnamah.



Location & Lot Configuration Plan (Source: Landgate)

Lot 252 is gently sloping throughout with the natural ground level ranging from 270 to 280 metres AHD. The land has been extensively cleared throughout including that area where the new workforce accommodation development is proposed to be undertaken.

The eastern portion of Lot 252 has been extensively developed for rural industry purposes and contains various improvements associated with CBH's existing grain handling and storage facilities on the land including grain storage infrastructure of varying capacity, sealed and unsealed hardstand areas, sealed vehicle accessways, a grain sampling hut, conveyors, a weighbridge and stormwater drainage infrastructure.

The western portion of the land, which was recently acquired by CBH and amalgamated into the land containing CBH's existing grain handling and storage facilities, is currently vacant and contains no significant improvements aside from cleared open paddocks, boundary fencing, firebreaks and some minor stands of native remnant vegetation.

Immediately adjoining and other nearby land uses include:

- Broadacre agriculture (i.e. cropping and grazing) to the north and west;
- The balance portion of CBH's grain handling and storage facility to the east within an operational railway reserve, Midlands Road and broadacre agriculture (i.e. cropping and grazing) beyond; and
- Vacant undeveloped Crown land including a Main Roads WA depot site, a Crown reserve developed and used for vehicle access and parking purposes, an unconstructed portion of the Inja Street road reserve and a small number of rural living-type lots to the south, two (2) of which have been developed and contain single houses and various associated improvements (i.e. No.41 Inja Street & No.19 Parker Street).

It is significant to note that portion of Lot 252 where the new workforce accommodation development is proposed to be sited has not been designated by the Fire and Emergency Services Commissioner of Western Australia as being bushfire prone, does not contain any natural water bodies or creek lines and is not subject to flooding or inundation during extreme storm events. Furthermore, a recent geotechnical study by a suitably qualified consultant has confirmed the site comprises gravelly soils over shallow rock which are capable of accommodating all proposed built form improvements, stormwater drainage and on-site effluent disposal subject to a number of matters being addressed during the detailed design and construction process.

## **COMMENT**

That portion of Lot 252 where the new workforce accommodation development is proposed to be undertaken is classified 'Rural' zone in the Shire of Carnamah Local Planning Scheme No.2 (LPS2).

Council's stated objectives for the development and use of any land classified 'Rural' zone are as follows:

- a) To ensure the continuation of broad-hectare farming as the principal land use in the District and encouraging where appropriate the retention and expansion of agricultural activities;
- b) To provide for other primary industries where it can be shown to be of benefit to the district;
- c) To consider non-rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources or the environment; and
- d) To allow for facilities for tourists and travellers, and for recreation uses.

Under the terms of LPS2 the development and use of any land classified 'Rural' zone for 'workforce accommodation' purposes is not permitted unless Council has exercised its discretion by granting planning approval following public advertising.

Assessment of the application in the context of the specific standards and requirements of LPS2 and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* as well as the guidance provided by the WAPC's 2018 Position Statement entitled 'Workforce Accommodation' has confirmed it is generally compliant. Notwithstanding this general conclusion, there are five (5) key issues with the proposal that require further consideration prior to Council's final determination of the application, the specific details of which are outlined as follows:

### 1. Buffer Separation Distances between Industrial and Sensitive Land Uses

The Environmental Protection Authority's (EPA's) Guidance Statement No.3 entitled 'Separation Distances between Industrial and Sensitive Land Uses' recommends a minimum buffer separation distance of 500 metres between any form of sensitive land use and grain elevators such as those currently used at CBH's facility in Carnamah.

It is noted a large number of sensitive land uses (i.e. residential, commercial and community type uses) are already located within 500 metres of CBH's facility which has not precluded the issuance of planning approvals by Council for the expansion of CBH's existing facility or the development of any sensitive uses within this buffer area over the past 20 years. Furthermore, the Shire has no record of any complaints from those living or working within 500 metres of CBH's facility. It is therefore considered reasonable to conclude people are generally accepting of such operations in small country towns like Carnamah given their historic development prior to the introduction of contemporary planning controls and the significant economic benefits to their local communities. As such, the proposed development of another sensitive land use within the 500 metre buffer area recommended by the EPA is considered acceptable, particularly given CBH are unlikely to complain about any negative impacts on the workforce accommodation on their own property and the fact suitable conditions have and will continue to be imposed on CBH's operations to help guard against any potential negative impacts on any other nearby sensitive land uses.

### 2. Stormwater Drainage Management

The application submitted provides very little information regarding future stormwater drainage management arrangements associated with the proposed development. This is an important consideration that needs to be addressed to ensure all stormwater from the proposed development is suitably managed and disposed of on-site, particularly in light of the geotechnical characteristics of the area where the development is proposed to be sited which is characterised by numerous rocky outcrops and quartz boulders over sandy clay with low strength rock below at a depth of approximately 0.8 metres.

Council should note that whilst the Shire's Building Surveyor and Environmental Health Officer raised no concerns with the land's geotechnical conditions from a building and on-site effluent disposal perspective given the ability to design and construct the development to address any potential geotechnical constraints, it is recommended Council impose a condition on any development approval that may ultimately be granted requiring the preparation and submission of a suitable stormwater drainage management plan for approval by the Shire's Chief Executive Officer in consultation with the Shire's Manager of Works and Services prior to the commencement of any development on the land for the proposed purpose.

### 3. Landscaping

A basic landscaping plan has been prepared and submitted in support of the application. Whilst that plan looks to be generally acceptable, it does not contain any information regarding the plant species proposed to be used and whether they are suited to the locality, when the landscaping

will be completed, and ongoing maintenance regimes until the landscaping reaches maturity. It is therefore recommended that Council impose a condition on any development approval that may ultimately be issued requiring the preparation and submission of a more suitable landscaping plan for approval by the Shire's Chief Executive Officer in consultation with the Shire's Manager of Works and Services prior to the commencement of any development on the land for the proposed purpose.

#### 4. Objection Received During Public Advertising

The application was advertised for public comment in excess of the minimum required period of fourteen (14) days which included public display of the application at the Shire's administration centre, and on its website, as well as correspondence to all private landowners immediately south and west.

At the conclusion of public advertising one (1) submission had been received by the Shire from Craig and Jessica Parker, the current registered proprietors of the following properties located immediately south of Lot 252 on the opposite side of Inja Street:

- Lot 97 (No.25) Inja Street;
- Lot 72 (No.31) Inja Street;
- Lot 73 (No.41) Inja Street;
- Lot 74 (No.57) Inja Street;
- Lot 75 (No.106) Carnamah-Eneabba Road; and
- Lot 76 (No.90) Carnamah-Eneabba Road.

A full copy of the submission received is provided in Attachment 2 and includes comments and recommendations by the reporting officer in respect of each key point raised for Council's information and consideration.

It is the reporting officer's view that whilst the submission raises a number of good points, it is not sufficient to justify a recommendation for any major amendments to or outright refusal of the development application given:

- a) the proposal's compliance with the relevant town planning requirements;
- b) CBH's obligation to ensure compliance with a range of conditions if a development approval is ultimately granted by Council;
- c) the specific requirements of other relevant legislation and regulations which will help to ensure the development proceeds in a proper and orderly manner with minimal impact on the immediate locality; and
- d) Council's inability to lawfully grant development approval for the development of workers accommodation on any of the alternative site options identified in the submission due to their current zoning classifications in LPS2 and the fact such development is expressly prohibited within these zones (i.e. the use class 'workforce accommodation' is listed in the Zoning Table of LPS2 as being an 'X' that is not permitted by the Scheme and may therefore only be approved by way of a formal amendment to LPS2).

Notwithstanding this conclusion, conditions have been included in the reporting officer's recommendation below to address some of the concerns raised by Craig and Jessica Parker.

#### 5. Future Land Use Permissibility

As mentioned previously above, that portion of Lot 252 where the new workforce accommodation development is proposed to be undertaken is classified 'Rural' zone in LPS2.

It is expected that all land comprising CBH's grain and handling and storage facility will be reclassified from 'Light Industry' and 'Rural' zone to 'General Industry' zone as part of the required

review of LPS2 in the next few years given the objectives applicable to the 'General Industry' zoning classification are far more consistent with the current and future development of the land for primary production purposes.

Should rezoning occur, there will be a need to also consider changing the permissibility of the use class 'workforce accommodation' in LPS2. Whilst this use is currently listed as being discretionary on any land classified 'Rural' zone, it is currently prohibited and cannot therefore be lawfully approved on any land classified 'Light Industry' and 'General Industry' zone.

Should the rezoning of Lot 252 proceed as recommended, any approved 'workforce accommodation' on the land will become a non-conforming use under LPS2 unless it is formally recognised as an 'Additional Use' and will create additional complexity when dealing with any future development proposals of this type (i.e. a development application to further expand any previously approved 'workforce accommodation' development).

Whilst this issue does not preclude Council approving the application the subject of this report, it should be mindful that the future proposed rezoning of the land will need to be considered carefully to ensure any approved 'workforce accommodation' on the land is recognised and afforded some certainty in terms of land use permissibility in LPS2.

## **CONSULTATION**

The application was advertised for public comment in excess of the minimum required period of fourteen (14) days. As mentioned previously above, one (1) submission was received from Craig & Jessica Parker, the current registered proprietors of a number of properties located immediately south of Lot 252 on the opposite side of Inja Street.

The reporting officer also consulted with the Shire's Chief Executive and Deputy Chief Executive Officers, Manager of Works and Services, Building Surveyor and Environmental Health Officer as well as Mr Jason Mascurine of CBH during assessment of the application.

## **STATUTORY ENVIRONMENT**

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

## **POLICY IMPLICATIONS**

- State Planning Policy 2.5 – *Rural Planning*
- State Planning Policy 3 – *Urban Growth and Settlement*
- State Planning Policy 4.1 – *State Industrial Buffer*
- EPA Guidance Statement No.3 – *Separation Distances between Industrial and Sensitive Land Uses*
- WAPC Position Statement: *Workforce Accommodation (2018)*

## **FINANCIAL IMPLICATIONS**

Nil immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are provided for in Council's annual budget and will be offset by the development application fee paid by the applicant. All costs associated with the proposed development will be met by the applicant/landowner.

It is significant to note that should the applicant/landowner be aggrieved by Council's final decision in this matter, they have the right seek a formal review of that decision by the State Administrative Tribunal. Should this occur for whatever reason the Shire would need to respond. The cost to respond to an appeal cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from \$5,000 to \$60,000 excluding GST depending upon how far the matter proceeds through the review process.

## VOTING REQUIREMENT

Simple majority required.

## RECOMMENDATION

That the application for planning approval submitted by Cooperative Bulk Handling Limited (Landowner) for a proposed new workforce accommodation development at its existing grain handling and storage facility on Lot 252 (No.15) Parker Street, Carnamah to provide accommodation for up to sixteen (16) persons on an intermittent basis throughout the year 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. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of Council.
3. A stormwater drainage management plan shall be prepared and submitted to the Shire for approval by the Shire's Chief Executive Officer in consultation with the Shire's Manager of Works and Services prior to the commencement of any development on the land.
4. The proposed development shall be connected to the existing electricity and water supply infrastructure servicing the land prior to its occupation and use.
5. The proposed development shall be provided with an adequate on-site effluent disposal system as determined by the Shire's Environmental Health Officer or Department of Health prior to its occupation and use.
6. The sub-floor area around the periphery of all proposed buildings to be sited on the land shall be backfilled to the lower edges of their base or enclosed with brick, stone, vermin proof battens or other means acceptable to the Shire's Chief Executive Officer within six (6) months of the date of this approval unless otherwise approved by the local government.
7. Any external defects on the proposed buildings to be sited on the land shall be rectified within three (3) months of the buildings being positioned on the land including any external painting that may be required.
8. The proposed smoking and car parking areas along the southern side of the development shall be screened from all properties located immediately south on the opposite side of Inja Street through the erection of 1.8 metre Colorbond fencing of suitable length to avoid the potential for overlooking by staff who use smoking area and headlight glare from vehicles attending the facility during night-time hours. The fencing required by this condition shall match the fencing already proposed and be installed to the satisfaction of the Shire's Chief Executive Officer prior to occupation and use of the proposed development.
9. A five (5) metre landscaping strip shall be provided along the southern boundary of the subject land to also help screen the proposed development from public view and mitigate any potential



10. noise impacts. The landscaping required by this condition shall be installed by no later than the end of Winter 2022 unless otherwise approved by Council.
11. A detailed landscaping plan shall be prepared and submitted to the Shire for approval by the Shire's Chief Executive Officer in consultation with the Shire's Manager of Works and Services prior to the commencement of any development on the land. The landscaping plan required by this condition shall provide details of all plant species to be used within the development as well as the landscaping strip required by Condition 9 of this approval, the density of all plantings and ongoing maintenance regimes until the landscaping is mature.
12. All solid wastes generated by the proposed development and use of the land shall be managed to the specifications and satisfaction of the Shire's Chief Executive Officer in consultation with the Shire's Environmental Health Officer and disposed of on a weekly basis at an appropriate, suitably approved landfill site.
13. Suitable directional signage shall be installed in suitable locations on the land prior to occupation and use of the buildings by workers to direct all vehicle traffic to and from the proposed development in a safe and convenient manner.
14. All external lighting for the proposed development shall be designed, installed and operated to comply with the requirements of Australian Standard AS/NZS 4282:2019 entitled 'Control of the obtrusive effects of outdoor lighting'. In particular, no external lighting is permitted to be directed to any properties located immediately south on the opposite side of Inja Street.
15. The applicant shall implement a complaints management system that, as a minimum, records the number and details of any complaints received concerning the impact of the proposed development and any action taken in response to the complaints. Details of any complaints received shall be provided to the Shire's Chief Executive Officer within seven (7) days of receipt, including any action taken or to be taken by the applicant to address the concerns raised.

#### 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 planning 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. An 'Application to Construct or Install an Apparatus for the Treatment of Sewage' prepared pursuant to the specific requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 must be prepared and submitted to the Shire of Carnamah or the Executive Director of Public Health for consideration and determination prior to preparation and lodgement of a building permit application. For advice and guidance regarding information and process requirements please contact the Shire's Environmental Health Officer Mr Gordon Houston on 0427 137 503 or email [gordiebh@gmail.com](mailto:gordiebh@gmail.com).
5. In accordance with the Building Act 2011 and Building Regulations 2012, a certified building permit application must be submitted to and approved by the Shire's Building Surveyor prior to

the commencement of any building construction or earthworks on the land. For guidance regarding information and process requirements please contact the Shire's Building Surveyor Mr David Gibson on 9956 6691 or email [daveg@cgg.wa.gov.au](mailto:daveg@cgg.wa.gov.au).

6. The proposed development is required to comply in all respects with the National Construction Code of Australia (series 2019). Plans and specifications which reflect these requirements must be submitted to the Shire with the certified building permit application.
7. No construction works shall commence on the land prior to 7am without the Shire's written approval. No construction works are permitted on Sundays or Public Holidays.
8. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
9. The applicant/landowner is reminded of their obligation to ensure compliance with the requirements of the Shire's Annual Firebreak Order issued pursuant to the Bush Fires Act 1954 and Health Local Law 2013 as applicable.
9. Failure to comply with any of the conditions of this planning 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.
10. 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.

## 10.2.2 PROPOSED BUSH FIRE BRIGADES LOCAL LAW

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<b>File Code</b>	ADM0543
<b>Author</b>	Vin Fordham Lamont - Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. Draft <i>Shire of Carnamah Bush Fire Brigades Local Law 2021</i> 

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### SUMMARY

The purpose of this report is to recommend adoption of a draft *Shire of Carnamah Bush Fire Brigades Local Law*. The *Bush Fires Act 1954* requires local governments who have bush fire brigades to adopt a local law dealing with certain matters listed in the Act. A draft local law was adopted by council at its meeting held on 16 December 2020, advertised for public comment and sent to relevant Ministers.

Subject to a minor amendment the local law can now be made and will come into effect 14 days after publication in the Government Gazette.

### BACKGROUND

A draft *Shire of Carnamah Bush Fire Brigades Local Law* was adopted by Council at its meeting held on 16 December 2020.

As noted in the report to Council, the draft local law deals only with those matters that must be done via a local law under s43 of the Bush Fires Act, namely:

*... provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.*

All critical matters can be dealt with directly under the Act itself.

The draft Bush Fire Brigades local law was duly advertised. No comments were received from the public. The WA Department of Local Government, Sport and Cultural Industries suggested an amendment to the local law, which is summarised below.

### COMMENT

The local law should now be made.

### CONSULTATION

A copy of the draft local law was sent to the Ministers for Emergency Services and Local Government and local public notice duly given. Submissions closed on 3 March 2021.

No comments were received from the public. The Minister for Emergency Services advised that neither he nor the Department of Fire and Emergency Services had any comments either. The Department of Local Government, Sport and Cultural Industries suggested:

*The Shire's local law does not mention how bush fire brigades members are appointed in situations where a vacancy arises.*

*Clause 6(1)(i) provides for the Captain making "suitable arrangements" until an appointment is made. However, the local law doesn't explain whether this appointment will be made by the Captain or by the Shire.*

*The Bush Fires Act requires local laws to address this matter. It is suggested that an appropriate provision be inserted to provide clarity and ensure consistency with the Act.*

Clause 6(1)(i) actually provides that:

- (i) *Where a vacancy occurs in a position appointed under clause 5(1)(c), to –*
  - (i) *Advise the CEO of the vacancy as soon as practicable; and*
  - (ii) *Make alternate suitable arrangements for that position until an appointment is made.*

The intent is to allow the Captain to appoint someone as an interim measure, which may be necessary in an emergency situation or simply to ensure a Captain is in place in case of an emergency arising. In the meantime brigade members would then elect a Captain under clause 5(5):

- (5) *If a position referred to in subclause (1)(c) becomes vacant prior to the completion of the first annual general meeting or at any time, then the Brigade members are to vote for a replacement member to fill the position.*

The draft local law does not need amending as a result of this suggestion but there is an incorrect reference in another area. In clause 4(3), subclause (3) should refer to clause 5(4) not 6(4).

This is shown 'marked' on the attached updated version of the local law, is considered minor and the draft local law should be amended accordingly.

## **STATUTORY ENVIRONMENT**

Section 62 of the *Bush Fires Act 1954* provides that a local government may make local laws using the process set out in section 3.12 of the *Local Government Act 1995*.

## **STRATEGIC IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law. These have been included in the Shire of Carnamah 2020/2021 Annual Budget.

## **VOTING REQUIREMENT**

Absolute majority


## RECOMMENDATION

That Council

1. Adopts the *Shire of Carnarmah Bush Fire Brigades Local Law 2021* in accordance with section 3.12(4) of the *Local Government Act 1995*, subject to :
  - a. Minor amendments as 'marked up' on the attachment to the report to Council; and
  - b. Deletion of text boxes, page numbers and notes in the version to be officially Gazetted.
2. Directs the CEO to:
  - a. Publish the local Law in the *Government Gazette*;
  - b. After Gazettal, provide a copy of the local law to the Ministers for Emergency Services and Local Government in accordance with s3.12(5) of Act; and
  - c. Give local public notice in accordance with s3.16:
    - i. Stating the title of the local law;
    - ii. Summarising the purpose and effect of the local law and specifying the day on which it comes into operation; and
    - iii. Advising that copies of the local law may be inspected or obtained from the Shire offices.
3. In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, directs the CEO to send a copy of the local law and a duly completed explanatory memorandum, signed by the Shire President and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation..

## 10.2.3 PROPOSED WINCHESTER PUBLIC CEMETERY AMENDMENT LOCAL LAW

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<b>File Code</b>	ADM0540
<b>Author</b>	Vin Fordham Lamont - Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. Proposed Winchester Public Cemetery Amendment Local Law 

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### SUMMARY

A review of the Shire's local laws was recently undertaken. There is a minor change needed to the Cemeteries Local Law to ensure it does not conflict with Commonwealth legislation. Some of the amendments may not be necessary, but others are. The Amendment local law can now be adopted and the principal local law amended.

### BACKGROUND

The *Winchester Public Cemetery Local Law 2013* was published in the Government Gazette on 6 May 2013.

At its meeting held on 17 February 2021 council adopted a Shire of Carnamah Cemeteries Amendment Local Law that amended clause 8.1 to allow 'assistance animals' into the cemetery grounds as provided for in Commonwealth legislation. Clause 8.1 of the current local law allowed guide dogs only into the cemetery grounds.

Section 9(2) of the *Disability Discrimination Act 1992 (Cth)* provides that persons with a disability may be accompanied by an assistance animal when going about their day to day business. This would include visits to the cemetery. In the event of any inconsistency, Commonwealth and State legislation overrides local laws anyway but amending this clause removes the possibility of confusion.

### COMMENT

A proposed Winchester Public Cemetery Amendment local law is attached which is self explanatory.

### CONSULTATION

Section 54 of the *Cemeteries Act 1986* provides that a local government may make or amend local laws about cemeteries, using the process set out in section 3.12(3) of the *Local Government Act 1995*.

Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The Amendment local law was duly advertised for the required period. Submissions closed on 23 April 2021 and a copy sent to the Minister for Local Government.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law. No comments were received from the public.

The WA Department of Local Government, Sport and Cultural Industries suggested that part of the amendment may not be necessary as in January 2016 the State Governor made a global amendment local law. This local law amended a range of cemetery legislation to include:

*"This local law is subject to any written law and any law of the Commonwealth about assistance animals as defined in the Disability Discrimination Act 1992 (Commonwealth) section 9(2)."*

Carnamah's Cemetery local law was included in this amendment and therefore while the proposed change to Clause 8.1 may not be completely necessary, clause 8.2 should still be deleted as originally intended; the change can be processed at the same time and will completely clarify the matter.

## STATUTORY ENVIRONMENT

As noted above, section 54 of the *Cemeteries Act 1986* provides that a local government may make or amend local laws about cemeteries, using the process set out in section 3.12(3) of the *Local Government Act 1995*.

## STRATEGIC IMPLICATIONS

Nil

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

There are costs associated with the drafting, advertisement, consideration of feedback and Gazettal of the proposed Amendment Local Law. These have been included in the Shire of Carnamah 2020/2021 Annual Budget.

## VOTING REQUIREMENT

Absolute majority.


### RECOMMENDATION

That Council:

1. Adopts the *Shire of Carnamah Cemeteries Amendment Local Law 2021* in accordance with section 3.12(4) of the *Local Government Act 1995*;
2. Directs the CEO to:
  - a. Publish the Amendment Local Law in the *Government Gazette*;
  - b. After Gazettal, provide a copy of the Amendment local law to the Minister in accordance with s3.12(5) of Act; and
  - c. Give local public notice in accordance with s3.16:
    - i. Stating the title of the Amendment local law;
    - ii. Summarising the purpose and effect of the local law and specifying the day on which it comes into operation; and
    - iii. Advising that copies of the local law may be inspected or obtained from the Shire offices.
3. In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, directs the CEO to send a copy of the Amendment local law and a duly completed explanatory memorandum, signed by the Shire President and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation

## 10.2.4 PROPOSED FENCING AMENDMENT LOCAL LAW

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<b>File Code</b>	ADM0545
<b>Author</b>	Vin Fordham Lamont - Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. Proposed Fencing Amendment Local Law 

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### SUMMARY

Conway Highbury Pty Ltd was contracted to review and update the Shire's local laws. There is a minor change needed to the Fencing Local Law to correct a mistake from the original Gazettal which was advertised for public comment recently. The local law can now be adopted with the relevant amendment.

### BACKGROUND

The *Shire of Carnamah Fencing Local Law 2013* was published in the Government gazette on 6 May 2013. It was made by reference (i.e. adopting another local government's local law, with changes to suit the Shire) to the Shire of East Pilbara Fencing Local Law 2011.

There was a mistake in the original gazettal of the Shire of East Pilbara's Fencing Local Law which has only recently come to light and which was not corrected when the Shire of Carnamah adopted East Pilbara's by reference.

The Schedules to the local law set out the requirements for a fence to be a 'sufficient fence' depending on land use. In particular, Schedule 2 sets out the requirements for fencing on a residential lot, and in three places refers to a 'clause 7' which does not exist. It should be 'clause 2.1(7)' which provides for the Shire to exercise discretion if considering giving approval for a minimum height for a fence.

At its meeting held on 17 February 2021, Council adopted a Shire of Carnamah Fencing Amendment Local Law to correct the reference.

The Amendment local law was duly advertised. No comments were received from the public. The WA Department of Local Government, Sport and Cultural Industries suggested a minor amendment to the local law, which is shown 'marked' on the duly updated version of the Amendment local law attached to this report.

### COMMENT

While this provision has been in place for some years without any issues being apparent, the reference to the incorrect subclause should be corrected.

### CONSULTATION

A local government may make or amend local laws using the process set out in section 3.12 of the *Local Government Act 1995*.

Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The Amendment local law was duly advertised for the required period. Submissions closed on 23 April 2021. A copy of the proposed Amendment Local Law was also to be sent to the Minister for Local Government.



No comments were received from the public but the Department of Local Government, Sport and Cultural Industries made a minor suggestion about the wording of the Amendment Local law, which is shown 'marked' on the attached copy, considered a minor amendment and should be agreed to.

### **STATUTORY ENVIRONMENT**

A local government may make or amend local laws about fencing using the process set out in section 3.12(3) of the *Local Government Act 1995*.

### **STRATEGIC IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

There are costs associated with the drafting, advertisement, consideration of feedback and Gazettal of the proposed Amendment Local Law. These have been included in the Shire of Carnamah 2020/2021 Annual Budget.

### **VOTING REQUIREMENT**

Absolute majority


### **RECOMMENDATION**

That Council

1. Adopts the Shire of Carnamah Fencing Amendment Local Law 2021 in accordance with section 3.12(4) of the Local Government Act 1995, subject to minor amendments as 'marked up' on the attachment to the report to Council;
2. Directs the CEO to:
  - a. Publish the Amendment Local Law in the Government Gazette;
  - b. After Gazettal, provide a copy of the Amendment local law to the Minister in accordance with s3.12(5) of Act; and
  - c. Give local public notice in accordance with s3.16:
    - i. Stating the title of the Amendment local law;
    - ii. Summarising the purpose and effect of the local law and specifying the day on which it comes into operation; and
    - iii. Advising that copies of the local law may be inspected or obtained from the Shire offices.
3. In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, directs the CEO to send a copy of the Amendment local law and a duly completed explanatory memorandum, signed by the Shire President and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

## 10.2.5 PROPOSED MEETING PROCEDURES AMENDMENT LOCAL LAW

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<b>File Code</b>	ADM0543
<b>Author</b>	Vin Fordham Lamont - Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. Proposed Meeting Procedures Amendment Local Law 

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### SUMMARY

Conway Highbury Pty Ltd was contracted to review and update the Shire's local laws. A minor change to the Standing Orders Local Law that was advertised for public comment recently can now be adopted and the local law amended.

### BACKGROUND

The *Shire of Carnamah Standing Orders Local Law 2013* was published in the Government Gazette on 6 May 2013. At its meeting held on 17 February 2021 council adopted a Shire of Carnamah Meeting Procedures Amendment Local Law that makes minor changes to the Standing Orders Local Law.

The Amendment local law was duly advertised. No comments were received from the public. The WA Department of Local Government, Sport and Cultural Industries suggested a minor amendment to the local law, which is summarised below.

### COMMENT

The amendment local law:

- Retitles the local law as 'meeting procedures'; and
- Sets out an Order of Business that reflects generic matters in employee titles – it presently reads:

#### 10. Management Reports

- 10.1 Manager Regulatory Services
- 10.2 Works Administration Report
- 10.3 Finance Reports
- 10.4 Administration Reports
- 10.5 Confidential Reports

The Amendment local law changes this to 'reports of the CEO' to reflect that while employee titles may change, the CEO is responsible for management supervision of all Shire employees and their activity and reporting this to Council.

### CONSULTATION

A local government may make or amend local laws using the process set out in section 3.12 of the Local Government Act 1995.

Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The Amendment local law was duly advertised for the required period. Submissions closed on 23 April 2021. A copy of the proposed Amendment Local Law was also to be sent to the Minister for Local Government.

No comments were received from the public but the Department of Local Government, Sport and Cultural Industries made a minor suggestion that the numbering of subclauses in paragraph 4 of the Amendment local law be changed from (1), (2) and (3) to (a), (b) and (c) respectively. This is a minor amendment and should be agreed to.

## STATUTORY ENVIRONMENT

A local government may make or amend local laws using the process set out in section 3.12 of the Local Government Act 1995.

## STRATEGIC IMPLICATIONS

Nil

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

There are costs associated with the drafting, advertisement, consideration of feedback and Gazettal of the proposed Amendment Local Law. These have been included in the Shire of Carnamah 2020/2021 Annual Budget.

## VOTING REQUIREMENT

Absolute majority


### RECOMMENDATION

That Council:

1. Adopts the *Shire of Carnamah Meeting Procedures Amendment Local Law 2021* in accordance with section 3.12(4) of the *Local Government Act 1995*, subject to minor amendments as 'marked up' on the attachment to the report to Council;
2. Directs the CEO to:
  - a. Publish the Amendment Local Law in the *Government Gazette*;
  - b. After Gazettal, provide a copy of the Amendment local law to the Minister in accordance with s3.12(5) of Act; and
  - c. Give local public notice in accordance with s3.16:
    - i. Stating the title of the Amendment local law;
    - ii. Summarising the purpose and effect of the local law and specifying the day on which it comes into operation; and
    - iii. Advising that copies of the local law may be inspected or obtained from the Shire offices.
3. In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, directs the CEO to send a copy of the Amendment local law and a duly completed explanatory memorandum, signed by the Shire President and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

## 10.2.6 PROPOSED PARKING LOCAL LAW

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<b>File Code</b>	ADM0543
<b>Author</b>	Vin Fordham Lamont - Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. Draft <i>Shire of Carnamah Parking Local Law 2021</i> 

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### SUMMARY

Conway Highbury Pty Ltd was contracted to review and update the Shire's local laws. While a parking local law is hardly likely to be used (and if so, infrequently) there have been recent issues where it may have been of use. A draft Parking Law adopted by Council in December 2020 has been subject to required public consultation and subject to some minor changes, and can now be made.

The local law will come into effect 14 days after publication in the Government Gazette.

### BACKGROUND

A draft *Shire of Carnamah Parking Local Law 2021* was adopted by Council at its meeting held on 16 December 2020. Note that while it contained provisions that are unlikely to be used in the Shire relating to fee parking and the like, given that it is based on a model local law, it is simpler and cheaper to leave them 'as is' rather than undertake extensive customisation to suit.

The Parking local law was duly advertised. No comments were received from the public. The WA Department of Local Government, Sport and Cultural Industries suggested a minor amendment to the local law, which is summarised below.

### COMMENT

A *Shire of Carnamah Parking Local Law* is attached. It is based on one made by the Shire of Coolgardie in 2020 which in turn comes from a model developed by the WA Local Government Association.

The local law draws heavily on the provisions of the Road Traffic Code, particular with respect to how certain matters are defined and applied in thoroughfares (roads).

It has more than enough scope to deal with any parking issues that may arise in the Shire.

### CONSULTATION

A local government may make or amend local laws using the process set out in section 3.12 of the *Local Government Act 1995*.

Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The draft Parking local law was duly advertised for the required period. Submissions closed on 3 March 2021 and a copy sent to the Minister for Local Government.

No comments were received from the public but the Department of Local Government, Sport and Cultural Industries made a number of minor suggestions, which are shown 'marked' on the attached copy of the proposed local law and which should be agreed to.

## **STATUTORY ENVIRONMENT**

Local laws are made using the process set out in section 3.12 of the *Local Government Act 1995*.

## **STRATEGIC IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law. These have been included in the Shire of Carnamah 2020/2021 Annual Budget.

## **VOTING REQUIREMENT**

Absolute majority



## **RECOMMENDATION**

That Council :

1. Adopts the *Shire of Carnamah Parking Local Law 2021* in accordance with section 3.12(4) of the *Local Government Act 1995*, subject to :
  - a. Minor amendments as 'marked up' on the attachment to the report to Council; and
  - b. Deletion of text boxes, page numbers in the index and notes in the version to be officially Gazetted.
2. Directs the CEO to:
  - a. Publish the local Law in the *Government Gazette*;
  - b. After Gazettal, provide a copy of the local law to the Minister in accordance with s3.12(5) of Act; and
  - c. Give local public notice in accordance with s3.16:
    - i. Stating the title of the local law;
    - ii. Summarising the purpose and effect of the local law and specifying the day on which it comes into operation; and
    - iii. Advising that copies of the local law may be inspected or obtained from the Shire offices.
3. In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, directs the CEO to send a copy of the local law and a duly completed explanatory memorandum, signed by the Shire President and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

## 10.2.7 ENEABBA ECONOMIC REVIVAL STRATEGY

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<b>File Code</b>	ADM0050
<b>Author</b>	Vin Fordham Lamont – Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. Eneabba Economic Revival Strategy  2. Flowchart 

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### SUMMARY

Council is requested to endorse the attached *Eneabba Economic Revival Strategy*.

### BACKGROUND

The Eneabba ERS is the continuation of the Shire's 2018 Economic Development Blueprint and corresponding Action Plan (the Plan) endorsed with all its Enabling Recommendations at the 20th February 2019 Ordinary Meeting of Council. The 14 April 2021 ERS draft report was released by the Shire for comments on the 21 April 2021.

The ERS high level draft report focused on the opportunity to reverse population decline at Eneabba, make better use of land assets within and in the immediate proximity to the township. It also capitalises on established infrastructure such as the Brand Hwy, the railway to Geraldton, the Dampier to Bunbury gas pipeline, the airstrip and the 330kV SWIS transmission line.

The ERS identifies the Yamatji Reserve on the ridge east of Eneabba as suitable for extensive wind farming and the Iluka freehold land within the Iluka mining lease as suitable for large scale solar arrays integrated within a network of environment & drainage corridors.

The potential of these two land assets to generate carbon-free electricity is considered adequate by the ERS to entertain a substantial production of Green Hydrogen (GH2) and ultimately attract around the Eneabba GH2 hub a range of new low emission industries to service the Grain Belt farmers and the Mining Sector alike.

### COMMENT

The 21 days public consultation process seeking feedback from stakeholders or the community on the 14 April 2021 ERS draft report has not generated any submission or adverse comments. On that basis the Shire can only assume there is implicit community support for the the ERS and its associated Eneabba GH2 hub concept.

Should Council endorse the *Eneabba Economic Revival Strategy*, the attached flowchart proposes the following process:

- a) The Shire to seek formal support for the ERS from Iluka Resources and Yamatji Southern Regional Corporation
- b) The Shire to seek, where possible, formal comments/position on the ERS from CBH, Macquarie/Viridis, the Eneabba Progress Association and the Shires of Coorow, Irwin and Three Springs; and
- c) The Shire to make a submission to the WA Minister for Regional Development; Agriculture and Food; Hydrogen Industry; the Hon Alannah MacTiernan MLC. to seek Cabinet support to elevate the Eneabba GH2 hub as a *State Significant Project*, for the coordination of the Eneabba GH2 hub approvals and agree to offer a single government point of contact to facilitate the repopulation of Eneabba.

The ERS and associated Eneabba GH2 hub offers an opportunity to significantly increase the wealth and population of the Shire of Carnamah at little cost to the Shire.

On that basis the CEO recommends that Council endorses the *14 May 2021 Eneabba Economic Revival Strategy* and authorises the prosecution of points a) and b) above.

## CONSULTATION

The Shire approved the release of the 14 April 2021 Draft ERS through public notice, for comments and submissions at its 21 April 2021 ordinary meeting of Council. No submission were received by the 12 May 2021 due date.

## STATUTORY ENVIRONMENT

Nil

## STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Economic

Objective: To retain existing industries and encourage the establishment of new industries to broaden the district's economic base and develop and maintain an efficient road transport system.

Rationale: To add to the economic and social viability of the Shire.

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Council has already budgeted for the consultant's fees in the 2020/2021 budget.

## VOTING REQUIREMENT

Simple Majority


### RECOMMENDATION

That Council:

- Endorses the attached *14 May 2021 Eneabba Economic Revival Strategy* and attached flowchart;
- Approves formally approaching Iluka Resources and the Yamatji Southern Regional Corporation to obtain support for the *14 May 2021 Eneabba Economic Revival Strategy*;
- Approves formally approaching CBH, Macquarie/Viridis, the Eneabba Progress Association and the Shires of Coorow, Irwin and Three Springs to obtain comments/positions on the *14 May 2021 Eneabba Economic Revival Strategy*; and
- Authorises the Shire to make a submission to the WA Minister for Regional Development; Agriculture and Food; Hydrogen Industry; the Hon Alannah MacTiernan MLC. to seek Cabinet support to elevate the Eneabba GH2 hub as a *State Significant Project*, for the coordination of the Eneabba GH2 hub approvals and agree to offer a single government point of contact to facilitate the repopulation of Eneabba.

## 10.2.8 DRAFT 2021-2031 SHIRE OF CARNAMAH STRATEGIC COMMUNITY PLAN / CORPORATE BUSINESS PLAN – “CREATING OUR FUTURE”

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<b>File Code</b>	ADM202
<b>Author</b>	Vin Fordham Lamont – Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. Draft 2021-2031 Shire of Carnamah Strategic Community Plan / Corporate Business Plan 

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### SUMMARY

The purpose of this report is to seek Council endorsement of the Draft 2021-2031 Shire of Carnamah Strategic Community Plan / Corporate Business Plan – “Creating our Future” (SCP/CBP), for public comment.

### BACKGROUND

The SCP/CBP represents the highest level of strategic planning undertaken by local governments. It is a legislative requirement as part of the Integrated Planning and Reporting Framework under the Local Government Act 1995.

Its purpose is:

- Ensuring the community is involved in the setting of a long term vision;
- Providing Council with a clear understanding of the community’s wellbeing, priorities, aspirations, needs and wants; and
- Setting out Council’s priorities in relation to implementing its strategies.

### COMMENT

The SCP/CBP is a shared vision that draws on the wisdom of our community. It outlines our community’s vision and aspirations for the next 10 years. It is the result of several community engagement initiatives. If endorsed by Council, a public comment period will run from 20 May 2021 – 8 June 2021. Once feedback is incorporated, the SCP/CBP will go to Council for adoption at the 16 June 2021 Ordinary Meeting of Council.

### CONSULTATION

The community engagement process consisted of two in-person community workshops and a survey. The two workshops were held in Carnamah (10 March 2021) and Eneabba (11 March 2021). The survey was open from 12 – 28 March 2021.

There were 46 participants in the workshop and 57 participants in the survey .

The engagement was designed to elicit the community’s vision and priorities.

### STATUTORY ENVIRONMENT

The SCP/CBP is a legislative requirement as part of the Integrated Planning and Reporting Framework under the Local Government Act 1995. The SCP/CBP is prepared in accordance with Regulations 19C and 19DA of the Local Government (Administration) Regulations 1996.

### STRATEGIC IMPLICATIONS

The SCP/CBP will:



- guide Council's detailed plans and annual budgets
- provide the basis for working with our community and partners to achieve the vision
- enable us to pursue funding by showing how projects align with our community and the Plan
- provide a framework for monitoring progress.

## **POLICY IMPLICATIONS**

Policy 2.7 – Community Engagement

## **FINANCIAL IMPLICATIONS**

The Long-Term Financial Plan informs the SCP/CBP in the activation of Council priorities. The Long-Term Financial Plan includes forecasts for the years accompanying the SCP/CBP. From these planning processes, annual budgets are aligned and strategic objectives will be developed.

## **VOTING REQUIREMENT**

Simple Majority

### **RECOMMENDATION**

That Council, pursuant to Section 5.56(1) of the Local Government Act 1995 resolves to endorse the the Draft 2021-2031 Shire of Carnamah Strategic Community Plan / Corporate Business Plan for the purpose of public advertising.

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**10.3 CONFIDENTIAL REPORTS**

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- Nil

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**11.0 ORDERING OF THE COMMON SEAL**

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- Nil

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**12.0 RECOMMENDATIONS FROM COMMITTEES**

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- Nil

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**13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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- Nil

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**14.0 NOTICE OF MOTIONS (FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING)**

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- Nil

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**15.0 NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL**

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- Nil

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**16.0 CLOSURE OF MEETING**

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