



## **CONFIRMED MINUTES**

## **SPECIAL COUNCIL MEETING**

**24 FEBRUARY 2021**

Shire of Carnamah

Council Chambers  
33-37 Macpherson Street  
CARNAMAH

**UNCONFIRMED MINUTES  
SPECIAL COUNCIL MEETING  
24 FEBRUARY 2021**

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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.

**SHIRE OF CARNAMAH**

These Minutes were confirmed at a meeting on 17 March 2021

*Maile Webster*  
.....  
Presiding Person at the Meeting  
at which the Minutes were Confirmed

*17 03 2021*  
.....  
Date

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**SPECIAL COUNCIL MEETING  
COUNCIL CHAMBERS – 5:00PM**

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**1.0 DECLARATION OF OPENING**

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*The Presiding Member declared the meeting open at 5:00pm and welcomed Elected Members and Staff.*

**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**

Cr Merle Isbister	President (Presiding Person)
Cr Dwayne Wooltorton	Deputy President
Cr Ian Bowman	
Cr Con Kikeros	
Cr Luke Risinger	
Cr Bruce Chisholm	
Cr Wayne Counsel	

Vin Fordham Lamont	Chief Executive Officer
Ian Walsh	Deputy Chief Executive Officer (Minute Taker)
John Skinner	Manager Works and Services
Adam Fawkes	Community Development Officer

Kylie Tremlett  
Brendon Haeusler  
Lydia Haeusler  
Sandie Wallace  
Colleen Bennier  
Andrew Bowman Bright  
Veronica Davies  
Scott Walton

**2.2 Apologies**

Nil

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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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*15 minutes (with a possible extension of two extra 15 minute periods) are set aside at the beginning of each Council meeting to allow members of the public to ask questions of Council.*

Nil

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#### **5.0 DISCLOSURE OF INTEREST**

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##### **5.1 Declaration of Financial Interest and Proximity Interests**

Nil

##### **5.2 Declaration of Interest Affecting Impartiality**

Nil

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#### **6.0 PETITIONS AND DEPUTATIONS**

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Brendon Haeusler gave a brief report on the “Big Tractor” project, and its potential economic and social benefits to the local community.

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## 7.0 MANAGEMENT REPORT

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### 7.1 Council Endorsement of Big Tractor Project

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<b>File Code</b>	ADM
<b>Author</b>	V Fordham Lamont – Chief Executive Officer
<b>Disclosure of Interest</b>	The author has contributed a sum of his own money towards the administrative costs of this project.
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. <u>Letter from Proponent</u></li><li>2. <u>Minutes from Proponent’s Committee Meeting</u></li><li>3. <u>Letter of Support from Carnamah Historical Society Inc.</u></li><li>4. <u>Letter of Support from Tracmach</u></li></ol>

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#### SUMMARY

Council is requested to consider approving the Shire of Carnamah’s participation in the Big Tractor Project as detailed in this agenda item.

#### BACKGROUND

The Vintage Tractor & Machinery Association of WA (Tracmach) is a group of enthusiasts with a love of old tractors and machinery. The members also have a very good understanding of the historical and cultural importance of their interest to the State.

In 2018, Tracmach came up with an idea to both recognise the historical importance of Chamberlain tractors to the WA agricultural industry, and create a major tourist attraction for rural WA. A giant-sized replica tractor, in a similar vein to WA’s giant ram, Queensland’s giant pineapple, and countless “giant structures” around the globe, would be designed. Plans were drawn up professionally at Tracmach’s expense, with the goal of constructing a structure that will be 11 metres high, 8 metres wide and 16.5 metres long. This is approximately 5 times the size of the real thing.

The subject of the plans is the Chamberlain 40KA tractor, which was Chamberlain’s first model (produced in 1949). The choice of a Chamberlain tractor is important because it was manufactured in Western Australia until the brand was subsequently bought out by John Deere.

Tracmach advertised for expressions of interest and there was significant response from towns across WA. In 2019, Gnowangerup was chosen as the site for the tractor.

On page 14 of the Farm Weekly newspaper of Thursday, October 15 2021, there was an article about the Big Tractor project. In summary, it was reported that Gnowangerup was not proceeding with the project. This news sparked the interest of some locals in Carnamah, who then approached Mr Hal Walton and the author. It was agreed that the project would have worthwhile benefits to the community and that Mr Walton and Mr Brendon Haeusler would form a committee to co-ordinate the project.

Tracmach has confirmed that it will not seek further expressions of interest at this stage. Instead, it will work with Carnamah to bring its dream to fruition.

This project is not listed in the Shire’s current Corporate Business Plan.

## **COMMENT**

Carnamah is the perfect location for the Big Tractor as it is already home to Walton's Tractor Museum, one of the finest collections of tractors and agricultural machinery in the world. All exhibits are under cover, and all are in perfect working order.

The committee believes that this project would result in a fantastic new tourism attraction for rural WA and, in particular, become the gateway to the north. It would also salute those West Australians who put their sweat and tears into developing the agricultural industry in WA.

The author has provided some basic administrative assistance to the project but, essentially, the Shire's main involvement is to auspice a Federal government Building Better Regions Fund grant on behalf of the project. The Shire is the only stakeholder eligible to apply for this grant, which can cover up to 75% of the project cost, and for which applications close on 5 March 2021. To ensure this eligibility, it will be necessary for the Shire to arrange to lease a portion of land from Mr Walton to the west of the tractor museum and facing the Midlands Road.

Council is also requested to consider covering the following costs associated with the project:

- \$602 - initial LGIS cost of adding the tractor to the Shire's asset register
- \$1,680 – annual ongoing insurance premium
- \$91 – ongoing collection of rubbish bin
- \$6,000 – estimated annual parks and garden maintenance

Letters of support have already been received from:

- Melissa Price, Federal Member for Durack
- Vintage Tractor & Machinery Association of WA (Tracmach)
- Regional Development Australia, Midwest & Gascoyne
- Tourism Geraldton Midwest
- Australia's Coral Coast

The Carnamah Historical Society Inc. has agreed to accept donations to the project as it has tax deductibility status which will be of benefit to donors. The Shire will then invoice The Carnamah Historical Society Inc. for the sum of the donations.

The grant funding conditions are such that the project must be completed by December 2023. The manufacture of the tractor is a 12 month build so, although there is plenty of time for this to be achieved, it is hoped that grant applications will be approved in a timely manner.

## **CONSULTATION**

Carnamah Big Tractor Committee

CEO, Shire of Boyup Brook

LGIS

Vintage Tractor & Machinery Association of WA (Tracmach)

GHD Woodhead Landscape Architects

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

s6.8 Expenditure from municipal fund not included in annual budget

## **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.

Strategy: To promote and develop a sustainable tourism industry in the Shire of Carnamah.

## **POLICY IMPLICATIONS**

Policy 2.13 Proposals Requiring Shire Funding and/or In-Kind Support

## **FINANCIAL IMPLICATIONS**

The only shire costs to be expended this financial year will be:

- Planning application costs of \$1,000
- Building applications costs of \$5,500

The Shire has budgeted \$17,000 (Account # 2120212) for revaluation road infrastructure assets which, due to changes in the accounting standards is no longer required this financial year

It is proposed to reduce budget expenditure for Account # 2120212 (Road Maintenance - Sealed Outside Built Up Area) by \$6,500 and increase expenditure for Job # W0093 (Area Promotion).

The Deputy CEO has estimated the annual cost of maintaining the area to be around \$6,000, which could easily be covered under the current budget for Carnamah Town Street Gardens (Job # W0048).

The cost to Council for Veolia providing a 240lt bin pickup is \$90.95 per year.

It is proposed that the ongoing costs be included in subsequent annual budgets.

Tender documents for the manufacture, transport and erection of the big tractor structure have been developed. Clause 1.12, in part, says that "Acceptance of any Tender will be subject to availability of funding through an appropriate grant funding program, and the Shire reserves the right not to accept any Tender." This will protect the Shire from financial risk if the grant application is unsuccessful.

In addition, the grant application can only be submitted if contributions of \$300,000 have been pledged. Work on the project will only commence once the \$300,000 has been physically received by the Shire.

## **VOTING REQUIREMENT**

Absolute Majority



## RECOMMENDATION

That Council, by absolute majority, resolves to approve the Shire of Carnamah's involvement with the Big Tractor project by:

- Endorsing the calling of the tender to manufacture, transport and erect the big tractor structure.
- Applying for grant funding through the Federal Government's Building Better Regions Fund, subject to the receipt of pledges to the value of 25% of the project cost.
- Executing a peppercorn lease from Hal Walton Nominees Pty Ltd over a portion of 5 Forrester Ave, Carnamah for the purposes of this project.
- Accepting donations for the project from Carnamah Historical Society Inc. (which will act as the official receiver of donations due to its tax deductibility status).
- Funding the planning and building application costs totalling \$6,500 by moving funds from Account # 2120212 (Road Maintenance - Sealed Outside Built Up Area) to Job # W0093 (Area Promotion).
- Funding the insurance for the structure, and maintenance of the site on an ongoing basis.

**Moved:**            **Cr Chisholm**

**Seconded:**      **Cr Kikeros**

**MOTION LOST 0/7**

***Council did not support the Officer's recommendation as it felt that due process had not been followed in terms of Policy 2.13 Proposals Requiring Shire Funding and/or In-Kind Support.***

## 7.2 Ordering of the Common Seal – Lease Between Hal Walton Nominees Pty Ltd and Shire of Carnamah

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<b>File Code</b>	ADM5074
<b>Author</b>	Chloe Burman, Executive Coordinator
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. <u>Lease from Hal Walton Nominees Pty Ltd to Shire of Carnamah</u>

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### SUMMARY

Council is requested to grant approval to apply the Common Seal on the Lease to Shire of Carnamah from Hal Walton Nominees Pty Ltd, as detailed in the resolution for Item 7.1 of this agenda.

### BACKGROUND

Nil

### OFFICER COMMENT

Nil

### STATUTORY ENVIRONMENT

Nil

### FINANCIAL IMPLICATIONS

Nil

### POLICY IMPLICATIONS

Policy 2.6 Shire of Carnamah Common Seal

### VOTING REQUIREMENT

Simple Majority

### RECOMMENDATION

That Council endorses the use of the Common Seal on the Lease between Shire of Carnamah, and Hal Walton Nominees Pty Ltd.

**Moved:** Cr Chisholm

**Seconded:** Cr Kikeros

**MOTION LOST 0/7**

***Council did not support the Officer's recommendation as it felt that due process had not been followed in terms of Policy 2.13 Proposals Requiring Shire Funding and/or In-Kind Support.***

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## 8.0 CONFIDENTIAL REPORTS

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### PROCEDURAL MOTION TO CLOSE THE MEETING TO THE PUBLIC

#### RECOMMENDATION

That the meeting be closed to the public to consider Confidential Item 7.1 of the Agenda as the item is considered confidential pursuant to s 5.23 (2)(c) of the Local Government Act 1995 due to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

**Moved:**            *Cr Bowman*

**Seconded:**      *Cr Risinger*

**CARRIED 7/0**

## 8.1 Big Tractor Tourist Attraction Project – Awarding of Tender - Confidential

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<b>File Code</b>	ADM5074
<b>Author</b>	Chief Executive Officer – Vin Fordham Lamont
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. <u>Request for Tender Document</u></li><li>2. <u>Tender Submission</u></li><li>3. <u>Evaluation Report</u></li></ol>

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### SUMMARY

Council is requested to consider awarding the tender for the manufacture, transport and erection of the Big Tractor tourism structure to Fremantle Steel Fabrication Co. (WA) Pty Ltd.

### BACKGROUND

The Vintage Tractor & Machinery Association of WA (Tracmach) is a group of enthusiasts with a love of old tractors and machinery. The members also have a very good understanding of the historical and cultural importance of their interest to the State.

In 2018, Tracmach came up with an idea to both recognise the historical importance of Chamberlain tractors to the WA agricultural industry, and create a major tourist attraction for rural WA. A giant-sized replica tractor, in a similar vein to Wagin's Giant Ram, Queensland's giant pineapple, and countless "giant structures" around the globe, would be designed. Plans were drawn up professionally at Tracmach's expense, with the goal of constructing a structure that will be 11 metres high, 8 metres wide and 16.5 metres long. This is approximately 5 times the size of the real thing.

The subject of the plans is the Chamberlain 40KA tractor, which was Chamberlain's first model (produced in 1949). The choice of a Chamberlain tractor is important because it was manufactured in Western Australia until the brand was subsequently bought out by John Deere.

Tracmach advertised for expressions of interest and there was significant response from towns across WA. In 2019, Gnowangerup was chosen as the site for the tractor.

On page 14 of the Farm Weekly newspaper of Thursday, October 15 2021, there was an article about the Big Tractor project. In summary, it was reported that Gnowangerup was not proceeding with the project. This news sparked the interest of some locals in Carnamah, who then approached Mr Hal Walton and the author. It was agreed that the project would have worthwhile benefits to the community and that Mr Walton and Mr Brendon Haeusler would co-ordinate the project.

### COMMENT

The plans for the replica tractor are extremely detailed and formed the primary component of the scope for this tender. The tender (see attachment 1) was issued on 23 January 2021 and closed on 9 February 2021. It was advertised in "The West Australian" newspaper of 23 January and was also posted on the Shire website.

Only one tender was received (see attachment 2) and this was evaluated by the selection panel chaired by the author (see attachment 3).

Whilst the submitted tender was quite brief, the panel felt that, due to the time constraints surrounding the corresponding grant application deadline, the tenderer had demonstrated its capacity to carry out the project. This belief was strengthened by subsequent conversations with senior members of the tenderer organisation.

## **CONSULTATION**

WALGA

The Vintage Tractor & Machinery Association of WA (Tracmach)

Carnamah Historical Society Inc.

Mr Hal Walton

Mr Brendon Haeusler

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

s. 5.42 (1)

s 3.57

Local Government (Functions and General Regulations) 1996

Regulations 20 and 21A

## **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.

Strategy: To promote and develop a sustainable tourism industry in the Shire of Carnamah.

## **POLICY IMPLICATIONS**

Policy 2.12 Process for Dealing With Tenders

Policy 2.8 Purchasing

## **FINANCIAL IMPLICATIONS**

Nil

## **VOTING REQUIREMENT**

Absolute Majority

## RECOMMENDATION

That Council:

1. Accepts the tender submission for T01-21 The Big Tractor Project, received from Fremantle Steel Fabrication Co. (WA) Pty Ltd, as the most advantageous, for a lump sum value of \$1,130,435 plus GST;
2. Delegates the CEO in accordance with s. 5.42(1) of the *Local Government Act 1995*, by absolute majority, authority to negotiate minor variations to the contract for T01-21 The Big Tractor Project before and / or after its execution in accordance with Regulations 20 and 21A of the *Local Government (Functions and General) Regulations 1996*.

**Moved:**            **Cr Risinger**

**Seconded:**      **Cr Counsel**

**LOST 0/7**

***Council did not support the Officer's recommendation as it felt that due process had not been followed in terms of Policy 2.13 Proposals Requiring Shire Funding and/or In-Kind Support.***

## PROCEDURAL MOTION TO RE-OPEN THE MEETING

### RECOMMENDATION

That the meeting be re-opened to the public.

**Moved:**            *Cr Kikeros*

**Seconded:**      *Cr Wooltorton*

**CARRIED 7/0**

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## 8.0 NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

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Nil

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## 9.0 CLOSURE OF MEETING

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There being no further business, the meeting was declared closed at 5:27pm.