



Ordinary Council Meeting

Minutes

21 June 2018

Ordinary Council Meeting of the Victoria Plains Shire Council held –

on Thursday, 21 June 2018

in Council Chambers, Cavell Street Calingiri

commencing 2.08 pm.

DISCLAIMER:

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

Please note that meetings are recorded for minute taking purposes.

CONTENTS

1.	DECLARATION OF OPENING	4
1.1	Opening	4
1.2	Announcements by presiding member	4
1.3	Announcement of visitors and presentations	4
2.	RECORD OF ATTENDANCE	4
3.	DISCLOSURES OF INTEREST	5
4.	PUBLIC QUESTION TIME	5
4.1	Response to previous public questions taken on notice	5
4.2	Public questions without notice	5
5.	PRESENTATIONS AND DEPUTATIONS	7
5.1	Presentations	7
5.2	Deputations	9
6.	APPLICATIONS FOR LEAVE OF ABSENCE	9
7.	CONFIRMATION OF MINUTES	9
	Business arising from Minutes	10
8.	MEMBERS QUESTIONS WITHOUT NOTICE	10
9.	PRESIDENT AND COUNCILLORS REPORTS	10
10.	REPORTS REQUIRING DECISION	11
10.4	Retrospective Application for Development Approval – Storage of Four (4) Moveable Buildings (Dongas) – Lots 22, 24, 25 & 27 Butler Street, Mogumber	11
10.1	Monthly Financial Statements	21
10.2	Accounts for endorsement	23
10.3	Schedule of Fees and Charges	25
10.4	Retrospective Application for Development Approval – Storage of Four (4) Moveable Buildings (Dongas) – Lots 22, 24, 25 & 27 Butler Street, Mogumber	27
10.5	Policy Manual 2018	28
10.6	Local Law Final Adoption – Extractive Industries 2018	32
10.7	Application to keep geese	35
11.	MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	38
12.	NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION	38
13.	MEETING CLOSED TO PUBLIC	38
13.1	CONFIDENTIAL – Acting CEO	39
14.	CLOSURE OF MEETING	40



Ordinary Meeting of the Victoria Plains Shire Council

Held in the Council Chambers, Cavell Street, Calingiri
on Thursday, 21 June 2018 commencing at 2.08 pm.

1. DECLARATION OF OPENING

1.1 Opening

The President declared the meeting open at 2.08 pm.

1.2 Announcements by presiding member

The President advised that former Councillor Don Cocking passed away recently, and a minute's silence was observed in respect of his contribution to the community.

The President advised that the meeting is recorded for accuracy of the minutes.

1.3 Announcement of visitors and presentations

Deputations will be received from –

- Botvarkel Pty Ltd for Item 10.4
- Mr Jake Whistler for Item 10.4

2. RECORD OF ATTENDANCE

Members present

Cr D Lovelock, President
Cr P Bantock, Deputy President
Cr J Corless-Crowther
Cr A Broadhurst
Cr J King
Cr N Clarke

Staff attending

Ms G Teede, Chief Executive Office
Ms I Edwardson, Relieving Finance Manager
Mr R Edwards, Manager Works & Services
Mr N Mitchell, Governance
Mr J Whistler, Shire Planner

Apologies	Cr S Penn
Approved leave of absence	Nil
Visitors	Nil
Members of the public	Mr Gary O'Brien Ms Sarah Mason Mr Marty Driessen Ms Janine Varley Mr Jim Kelly Ms Rebecca Kelly Ms Nathalee Petersen Shire of Chittering Planner

3. DISCLOSURES OF INTEREST

Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.

Type	Item	Person / Details
3.1	Financial	10.3 Cr Corless-Crowther Policy Manual item 3.2 Regional Price Preference
3.2	Proximity	None
3.3	Impartiality	None

4. PUBLIC QUESTION TIME

Refer – Local Government Act, Regulations, Local Law and Submission Form & Guidelines circulated.

Public Question Time opened at 2.13 pm.

4.1 Response to previous public questions taken on notice

None

4.2 Public questions without notice

Where written questions are not submitted, a summary of the questions and responses are given, as per the Local Government (Administration) Regulations 1996 r.11(e).

Ms Sarah Mason

Question Why is there a \$250 withdrawal limit at the Bendigo agency?

Response The Shire is provided with a certain amount of funding and additional deliveries would be costed to the Shire. Special arrangements have been made for local businesses through Bendigo Bank.

We have received no complaints.

Question It seems as though there is a move towards casual staffing within the Shire.
What are the reasons behind this?

Response –

This is an operational matter and will not be discussed in detail. Casual staff are engaged to fill in gaps between termination and engagement of a permanent employee.

Mr Monty Driesen

Question Cocking Road has been neglected for many years, and other than the occasional brush with a grader to clear loose material, has received little attention. There are now 5 bad wash outs and needs attention. Are councillors and the MWS aware of this, and when will there be some maintenance?

Response Thank you for bringing this to our attention, and certainly aware of the problem now, and will be investigating it further for inclusion in the appropriate works program.

Ms Rebecca Kelly

Question Are Councillors aware of the statements in the Strategic Community Plan relating to plan for and facilitate sustainable growth and development in the Shire

Response Councillors are aware of the statements in the Strategic Community Plan.

Ms Sarah Mason

Question Why was the maintenance staff member, made redundant?

Response –

This is a matter dealing with an employee, and the details are not for public information. Employee details are held in strict confidence in accordance with privacy legislation and the Local Government Act.

Question- The two office staff who left recently, have they been replaced?

Response –

Once again, this is an operational matter, however, it is intended to recruit permanent replacements.

Public question time closed at 2.21 pm.

5. PRESENTATIONS AND DEPUTATIONS

5.1 Presentations

Ms Rebecca Kelly

Ms Kelly raised the following points –

- The application is for storage only.
- They have no other land for the storage of the buildings, and have nowhere else to go
- They have engaged the assistance of professional planners
- Not allowing for visual screening, would like at least 12 months
- Wish to emphasise nearly 70% community support for them to store the dongas there
- Furthermore, the buildings are not stored on specific blocks, but on one single title (a multi-title)
- It is a retrospective application, since the buildings were bought at auction, and they had limited time to remove them from the location to this property, the only land they own
- They are asking Council to –
 - o Support them in storing the buildings on the paddock with a visually pleasing landscaped screen
 - o To allow them to use their property to store their property on the only land they own, for this purpose
- They have been in a difficult position in relation to visual amenity, as any building works require Council approval, but recognise that this is possible at the moment, since the application is for storage
- They believe there are positives –
 - o The opportunity to increase rates revenue
 - o To showcase what can be done there
- They are interested in landscaping and making any alterations in the future
- To revisit the Strategic Community Plan that by 2023 the relevant aspirations of the Shire of Victoria Plains
 - o to be a growing Shire, continuing to attract more people, in this diverse and unique region
 - o attractive country living within reach of the city
 - o a Shire working and growing in cooperation
 - o a Shire that supports and encourages innovation, adoption of new economic and environmental positive practices, and the rights of the individual
- challenges raised in the Plan include –
 - o a shortage of housing availability to attract people
 - o the blockages of releases of land suitable to development
 - o changes impacting by way of diminishing population
 - o ability to attract and retain good staff and services

Cr Corless-Crowther What is the long term intention? What would you like to do?

Ms Kelly We have not had a lot of opportunity to deal with that. We would like to showcase one, and that was always the intention. We ended up with 4 by complete accident. We won't sell houses, or blocks in Mogumber, unless it is an appealing showcase.

Cr Corless-Crowther They are unserviced blocks, have you costed out how much to put services on? Or to put 2 dongas together?

Ms Kelly They have had some thoughts about that, but want to look at it further, and have made allowance for that to occur. They have had them inspected, and with a few changes, can be certified as single dwellings.

Cr Corless-Crowther Is road access to the main road?

Ms Kelly Will not get access onto Bindoon-Moorra Road due to the availability of Lot 100, which is not a Gazetted road, but which Council has had some deliberations about.

President Advised that application has been made for Lot 100 to become a Gazetted road reserve, which will give Council control of it.

Ms Kelly If we were to go through the process with a residential building, the Shire would be supportive in saying that Lot 100 would be the access?

President I would imagine so. But the Shire is not necessarily required to actually form a road. It is a developer's responsibility to provide the road. The Shire may or may not provide assistance.

Ms Kelly concluded her presentation at 2.39 pm.

Mr Jake Whistler – re Agenda Item 10.4

Shire of Chittering Senior Planner, engaged by the Shire of Victoria Plains

Mr Whistler advised, in summary –

- confirmed that retrospective applications can be dealt with under the legislation
- the lots are zoned "Townsite" with a residential code of R10
- the proposed use of the site is for storage, not for residential use, so the R-Codes do not apply
- Council has a policy on moveable buildings, which makes provisions for the standards of those buildings
- The other legislative provisions which apply touch on amenity, the impact of development within a locality, and the character of that locality
- The recommendation is based on –
 - o The visual aesthetics
 - o The development not being compatible with the character of the locality
 - o In accordance with the Planning Regulations and Council's Policy
- Confirmed his consultation with the applicant's consultants, that they were in touch with them, and tried to ascertain a timeframe for which the dongas would be stored on site, but they were unable to provide an answer
- Accordingly, the application had to be assessed as if the dongas were to be stored on site permanently. It is understood that this may not be the case, but the application has to be assessed on the information presented

President In reference to Mogumber not being a townsite, does this affect the recommendation?

Mr Whistler Mogumber is not a townsite under the Land Administration Act, despite the zoning being "Townsite". Council's Policy refers to townsites, and while some provisions of the Policy may not apply, there are still matters under the Policy that apply outside of townsites. The issue is addressed in the report. There is still justification for the recommendation that the proposed development does not comply with Council's Policy.

President Council could determine that storage of the dongas is permissible?

Mr Whistler Under the Planning Scheme, the application is for a use that cannot be permitted unless Council grants its discretion after a period of public advertising, which has now occurred.

Mr Whistler concluded his presentation at 2.44 pm

5.2 Deputations

None

6. APPLICATIONS FOR LEAVE OF ABSENCE

None

7. CONFIRMATION OF MINUTES

VOTING REQUIREMENTS

Absolute majority required: No

OFFICER RECOMMENDATION

Moved Cr _____

Seconded Cr _____

That the Minutes of the Ordinary Council Meeting held 16 May 2018 as circulated, be confirmed as a true and correct record.

01. COUNCIL RESOLUTION

Moved Cr Clarke

Seconded Cr Bantock

That the Minutes of the Ordinary Council Meeting held 16 May 2018 as circulated, be confirmed as a true and correct record, with the following correction –

- Item 13.1 Voting result to be recorded as CARRIED 7 / 0

CARRIED For 6 / Against 0

Business arising from Minutes

None

8. MEMBERS QUESTIONS WITHOUT NOTICE
--

None

9. PRESIDENT AND COUNCILLORS REPORTS

Cr Lovelock

With Cr Bantock –

1. Australian Local Government Association Conference in Canberra
 - Met with Federal Assistant Minister of Environment – Melissa Price
 - o Issue with delays in realignment Muchea to Chittering Roadhouse
 - Advisor for Minister for Communications
 - o Calingiri – wants even reasonable access for mobile
 - o Meeting with Telstra senior officers today
 - Deputy Prime Minister's office
 - o Lime sands route and importance to region
 - o Need significant support for road
 - o Secondary route in early stages of consideration

2. AROC Meeting

Cr Clarke –

1. Meeting with CBH re Calingiri bin road realignment

10. REPORTS REQUIRING DECISION

VOTING REQUIREMENTS

Absolute majority required: No

02. COUNCIL RESOLUTION

Moved Cr Clarke

Seconded Cr Broadhurst

That the following matter be brought forward –

- Item 10.4 Retrospective Application for Development Approval – Storage of Four (4) Moveable Buildings (Dongas) – Lots 22, 24, 25 & 27 Butler Street, Mogumber,

CARRIED For 6 / Against 0

10.4 Retrospective Application for Development Approval – Storage of Four (4) Moveable Buildings (Dongas) – Lots 22, 24, 25 & 27 Butler Street, Mogumber

File reference				
Report date				1 June 2018
Applicant/proponent				Rebecca Kelly (Botvarkel Pty Ltd)
Officer disclosure of interest				None
Previous meeting references				
Prepared by				Mr. Jake Whistler, Senior Planning Officer
Authorised by				Glenda Teede, CEO
Attachments				
Attachment 1	Page	49	Development Plans	
Attachment 2	Page	51	Schedule of Submissions	

PURPOSE

Council's determination is requested for a retrospective Application for Development Approval for the storage of four (4) moveable buildings (dongas) on Lots 22, 24, 25 and 27 Butler Street, Mogumber.

BACKGROUND

An Application for Development Approval dated 10 March 2017 was received by Council for the development of 28 residential dwellings (transportable buildings) on Lots 7 to 34 Butler Street, Mogumber. This application was advertised for public comment however, records indicate that it did not proceed beyond advertising.

A retrospective Application for Development Approval has now been received for the 'storage' of four (4) dongas on Lots 22, 24, 25 and 27 Butler Street, Mogumber. The details of the application are contained within Attachment 1.

Lots 22, 24, 25 and 27 are zoned 'Townsite' with a Residential Coding (R-Code) of R10 under the Shire of Victoria Plains Local Planning Scheme No. 5 (LPS5) and front Butler Street, which is currently unconstructed. The management status of Butler Street is unclear with correspondence between Shire officers, Landgate and Main Road WA (MRWA) suggesting it is undedicated road reserve (unallocated Crown land). The status of Butler Street is not considered critical to the application at hand, as the proposed land use is 'storage'.

Each lot is approximately 1214m² in area with the existing four dongas positioned relatively centrally within each of the four lots.

COMMENT

Assessment of the application has been conducted with the following considered relevant legislation in determining the application –

- *Planning and Development (Local Planning Schemes) Regulations 2015* - Sch. 2, Pt. 9, Cl. 67 - Matters to be considered;
- LPS5 - Cl. 3.2 'Objectives of Zones' and Cl. 3.4 'Interpretation of the zoning table'.
- Local Planning Policy No. 1 – 'Moveable Buildings'.

It is noted that State Planning Policy 3.1 – 'Residential Design Codes of Western Australia' (R-Codes) is not listed as relevant legislation despite the land having an R-Code of R10. The R-Codes only apply to 'residential development' and the subject application is for the 'storage' of residential units, not their use. As such they are not regarded as 'residential development'.

In addition to the above, the following matters were raised as part of the advertising process –

- Visual impacts; and
- Appropriateness of development in the location.

All of the above matters will be addressed below.

Planning and Development (Local Planning Schemes) Regulations 2015

Sch. 2, Pt. 9, Cl. 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) lists matters that are to be given due regard by the local government when determining an application for Development Approval. It is considered that the following listed matters are pertinent to the application and shall be given due regard. Officer's comment follows each consideration matter.

'(g) any local planning policy for the Scheme area;

The Shire of Victoria Plains Local Planning Policy No. 1 – 'Moveable Buildings' is relevant to this application, however is addressed in detail later in this report.

(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

Lots 22, 24, 25 and 27 Butler Street are encompassed within the Mogumber settlement which consists of permanent residential buildings and the Mogumber Tavern. The proposal for the

storage of dongas is not considered compatible with the existing development as dongas are inherently temporary in nature, and are typically not presented in a manner that is commensurate with permanent residential or commercial buildings.

The below photos have been taken from the site and illustrate the external appearance of the proposed dongas.



Although dongas are noted as being 'temporary' in nature, this proposal cannot be considered a temporary development as a timeframe for their removal and use elsewhere could not be provided by the applicant when requested. As such, the application is to be determined based on the permanent placement of the structures on site and consideration to their compatibility with their setting needs to be determined accordingly.

- (n) *the amenity of the locality including the following –*
 - (i) *environmental impacts of the development;*
 - (ii) *the character of the locality;*
 - (iii) *social impacts of the development;*

Understanding that the dongas are only being stored on-site and not used for residential purposes, it is considered that the development has negligible impacts on the environment.

The proposed development is however, highly visible from Bindoon-Moora Road being the main transport route into and out of Mogumber. This accentuates the importance for any development on the subject lots to be consistent with the existing character of the locality. The character of the locality is contended to be a small, rural-style settlement within a broader rural environment. The style and nature of the development is considered to be inconsistent with the character of the locality and has adverse effects on the visual amenity.

It is not believed the proposed development would have considerable social impacts other than the visual aspect of the development affecting the community's sense of place for the Mogumber settlement.

(y) *any submissions received on the application*

The submissions received have been provided in a schedule of submissions attached to this report. It is noted from the submissions received that there is an apparent level of support for the application as it is seen to encourage development within the settlement. At the same time, concerns were raised regarding the appropriateness of these structures being stored within a settlement area, particularly given the visual impacts they may have on the surrounds.

The submissions received will need to be given due regard by Council when making a determination. The schedule of submissions is contained within attachment 2 of this report.

Local Planning Scheme No. 5 – Clause 3.4.2 'Interpretation of the Zoning Table'

Table 1 – 'Zoning Table' of LPS5, provides a list of use classes and the relevant permissibilities of those use classes within each of the zones of LPS5. As the proposal is for the storage of dongas on residential lots, the primary use of the land is considered to be 'storage'. Table 1 provides a land use of 'Warehouse/Storage' which, in the absence of a definition in LPS5, is defined in the Regulations as –

*'means premises including indoor or outdoor facilities used for –
(a) the storage of goods, equipment, plant or materials; or
(b) the display or sale by wholesale of goods.'*

Further to the above, Clause 3.4.2 of LPS5 states –

'If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other uses category, the local government may -'

It may be considered that the proposed activity of storing dongas on lots does not completely fall within, and therefore comply, with the full definition of 'Warehouse/Storage'. However, pursuant to Clause 3.4.2 of LPS5, the activity is considered to fall within the type, class or genus of the use category 'Warehouse/Storage' (being the land use category of 'best-fit' for the activity), and therefore can be considered as such.

Table 1 of LPS5 lists the use class 'Warehouse/Storage' as an 'A' within the Townsite zone.

Pursuant to Clause 3.3.2 of LPS5, an 'A' means –

'the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with Clause 64 of the deemed provisions'.

Advertising has been conducted in accordance with Clause 64 of the deemed provisions of the Regulations. Council therefore has the discretion to approve or refuse the subject application.

Local Planning Scheme No. 5 – Clause 3.2 – Objectives of the Zones (Townsite)

Clause 3.2 of LPS5 provides the following objectives for the Townsite zone –

- *To maintain a small town atmosphere.*
- *To allow a variety of uses necessary to service the normal functions of a small townsite.*
- *To provide for residential development and a range of commercial, industrial and other uses considered appropriate in small towns.*

With regard to the first dot point above, the storage of dongas is not considered to assist the maintenance of a small town atmosphere due to the adverse visual impacts the development is considered to present on the locality. The dongas are considered to be commensurate with a residential development associated with an industrial or mining activity and not that of a typical and traditional Western Australian 'small town'.

With regard to the second dot point, it may be argued that providing accommodation for workers employed in the locality serves a function of the small townsite. It is reiterated however, that the application is for the storage of the dongas, and not their use for residential purposes. It is considered that the proposed development is not necessary for the normal function of the Mogumber settlement.

The third dot point indicates that commercial and industrial type uses can be deemed appropriate in small towns. The storage of dongas on the subject lots can be argued to be of an industrial/commercial nature. It can therefore be contended that the proposed development meets this objective of the Townsite zone.

Local Planning Policy No. 1 – Moveable Buildings

Local Planning Policy No. 1 – Moveable Buildings (LPP1) provides guidance on the appropriate use of moveable buildings within the Shire. LPP1 regards 'Donga Type' structures as a form of moveable building and as such, the following provisions of LPP1 are considered relevant to the application. Officer's comment follows each relevant provision.

3.1 Council Policy on Moveable Buildings

- a) *All applications for moveable buildings, as defined above, shall require the Council's Planning Consent prior to the issue of a Building Licence. Generally the Council is not in favour of the use of moveable buildings, especially in the townsite areas, however the Council will consider each application on its merits.*

Lots 22, 24, 25 and 27 Butler Street, Mogumber are within the Townsite zone as defined by LPS5 however, are not within a designated 'Townsite' as defined by the Scheme map and the

Land Administration Act 1997. Furthermore, the provision notes that Council is generally not in favour of the 'use' of moveable buildings, but it is noted that the subject application is not for the 'use' of the dongas but the 'storage'.

Notwithstanding the above, it is noted that Council's general position is not supportive of moveable buildings however, will assess each application on its merits.

3.1 Council Policy on Moveable Buildings

- b) The Council shall not permit the establishment, occupation or erection of donga type structures for residential purposes within a Townsite Boundary in a Scheme Zoned Area.*

Similarly with provision a) above, the application does not propose to use the dongas for 'residential purposes' and again, the subject lots are not technically within a 'Townsite Boundary'.

It is considered however, that there is intent within this provision for Council to deter the establishment of dongas within their townsites, which may extend to their smaller settlements such as Mogumber.

3.1 Council Policy on Moveable Buildings

- c) The Council will only permit donga type structures for uses other than residential use where it considers the use or establishment of the structure will not be in conflict with the objectives of this policy.*

In conjunction with the above, the objectives of LPP1 are provided below –

4. Objectives of Policy

- a) To maintain high amenity standards of buildings, especially within the residential areas in the Townsites of the Shire.*
- b) To ensure that the visual aesthetics of residential areas are not compromised by the introduction of relocated or moveable buildings that are generally out of character with the predominant housing style in the locality.*
- c) To ensure that the relocated or moveable buildings, established within the Shire, do not use materials considered by the Council to be unacceptable (e.g. asbestos).*
- d) To prevent the introduction of housing, or other use structures, that are designed to be used on a temporary or short stay basis and that may detract from the standards already established in the residential areas of the Townsites.*
- e) To protect the visual amenity of the urban environment by not permitting the establishment, storage or use of 'containers' within the non-industrial areas of the townsite.*

Objective a) above refers to high amenity standards of buildings especially in residential areas in the Townsites. Although this objective places an emphasis on amenity within a Townsite, it still applies to amenity of other areas, including the Mogumber settlement. As noted previously in this report, the style and nature of the buildings proposed is considered to detract from the visual amenity of the Mogumber settlement, and therefore is not consistent with this objective.

Objective b) is considered relevant to the application with it deterring against moveable buildings compromising the visual aesthetics of residential areas due to the buildings being out of character with the predominant housing style in the locality. Butler Street is zoned appropriately for residential development and as is therefore considered a residential area. Although not heavily developed, the existing housing stock of the Mogumber settlement is that of permanent, traditional, rural style housing. The proposed donga style buildings are not considered consistent with the character of the existing housing stock and it is therefore contended that the subject application is in conflict with objective b).

Objective c) is not considered relevant as the buildings are not constructed of materials to be considered unacceptable.

Objective d) refers to the residential areas of Townsites and as explained previously in this report, the Mogumber settlement is not regarded as a Townsite. This objective is therefore not considered relevant to the application.

Objective e) refers to the use of 'containers' and therefore is not relevant to the application.

Summary

It is contended that the matters for consideration within the Regulations highlight the need for any development to have regard to visual amenity and compatibility with the existing development and character of the locality. Officers do not consider that the proposed dongas align with these identified criteria.

Furthermore, LPP1 provides guidance against the use of these buildings within the residential areas of the Shire, particularly if the visual aesthetics of the development are likely to compromise the amenity of the locality.

Conversely, 65.7% of the submissions received indicated that there was a level of support for the dongas to remain and that the visual aspects of the application were secondary to the proposal providing some activity/development within the settlement.

Officers consider that the 'temporary' storage of the dongas may be acceptable given that the entire southern portion of Butler Street is currently undeveloped and they would not present any perceivable impacts on any immediate neighbours. The application however (and further consultation with the applicant's consultant), did not provide an end timeframe for the storage of the dongas. The assessment and determination of the application has to be based on the permanent storage of the dongas on site and as such, it is recommended the application be refused.

It is further recommended that Council provide a directive to the landowner to have the four dongas removed from the subject lots within 3 months of Council's resolution.

In the instance that Council was to resolve to approve the application, it is recommended that the following conditions and advice notes apply –

- 1. All development shall be in accordance with the approved plans.*

2. *The approved residential units shall not be used for habitation, industrial and/or commercial purposes at any time without the prior consent of the Shire.*
3. *This approval is for the storage of one residential unit on each of Lot 22, 24, 25 and 27 Butler Street, Mogumber, only.*

Advice Notes:

- a) *Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.*
- b) *If an applicant or owner 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 made within 28 days of the determination.*
- c) *This approval does not constitute a building permit. Part 2, Division 1, Section 9 of the Building Act 2011 states "A person must not do building work unless a building permit is in effect for the building work". Although the structures are not being used for residential purposes, a building permit is still required for the safe storage on the properties.*

CONSULTATION

Pursuant to the requirements of the LPS5 and the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), the application was advertised to landowners within the district that were determined to be affected by the proposal. As a result of the advertising, 35 submissions were received, 11 objecting to the proposal and 23 supporting the proposal and one (1) providing only comment.

A schedule of submissions has been provided in attachment two of this report and includes officer comment to the submissions received.

STATUTORY CONTEXT

Planning and Development (Local Planning Schemes) Regulations 2015 –

- Schedule 2, Part 9, Clause 67. – 'Matters to be considered by local government'

Shire of Victoria Plains Local Planning Scheme No. 5 –

- Clause 3.2 – 'Objectives of the zones'
- Clause 3.4 – 'Interpretation of the zoning table'

CORPORATE CONTEXT

Shire of Victoria Plains Local Planning Policy –

- No. 1 – 'Moveable Buildings'

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An Application for Development Approval fee of \$441 has been paid by the applicant to the Shire of Victoria Plains. The fee paid was a retrospective (penalty) fee as the development had commenced prior to obtaining approval.

VOTING REQUIREMENTS

Absolute majority required: No

OFFICER RECOMMENDATION

Moved Cr _____

Seconded Cr _____

That Council –

1. Refuse the retrospective application for Development Approval for the storage of four (4) donga units on Lots 22, 24, 25 and 27 Butler Street, Mogumber for the following reasons –
 - a) Pursuant to Schedule. 2, Part 9, Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the visual aesthetics of the development will compromise the amenity of the locality and is not compatible with the existing development and character of the Mogumber settlement.
 - b) Pursuant to Clause 3.1(c) and Clause 4(b) of the Shire of Victoria Plains Local Planning Policy No. 1 – ‘Moveable Buildings’, the development is out of character with the predominant housing style in the locality and will compromise the visual aesthetics of the residential area.
2. Advise the landowner(s) of Lots 22, 24, 25 and 27 Butler Street, Mogumber that the four (4) existing donga units on the aforementioned lots shall be removed within three (3) months of this determination.

03. COUNCIL RESOLUTION

Moved Cr Clarke

Seconded Cr Corless-Crowther

That the meeting adjourn, the time being 2.42 pm.

LOST on casting vote of presiding person For 3 / Against 3

04. COUNCIL RESOLUTION

Moved Cr Clarke

Seconded Cr Corless-Crowther

That the meeting adjourn, the time being 2.47 pm.

CARRIED on casting vote of presiding person For 3 / Against 3

Resumption

The meeting resumed at 3.10 pm with all members and staff present at the adjournment in attendance.

Cr King left the meeting 3.10 pm and did not return.

05. COUNCIL RESOLUTION

Moved Cr Bantock

Seconded Cr Corless-Crowther

That Council –

1. Approve the retrospective application for Development Approval for the storage of four (4) donga units on Lots 22, 24, 25 and 27 Butler Street, Mogumber, subject to the following conditions –
 - a) A development application for all four (4) of the existing donga units on the subject lots to be converted for a residential purpose is lodged within three (3) months of Council's determination.

Advice Note:

- a) On lodgement of the development application consideration will be given to each of the four (4) dongas at that time.
 - b) With regards to Condition a) the applicant is advised that failure to comply with conditions 1 will render the Development Approval invalid and the existing donga units will be considered unapproved development.
2. Instructs the Chief Executive Officer to refer any Development Application lodged under Resolution 1, Condition a) above to Council for determination.

CARRIED For 5 / Against 0

Reason for variation – to allow the proponents a period to submit a development application for the long term plans for the dongas.

Commonly-used abbreviations	
CEO	Chief Executive Officer
MRWA	Main Roads WA

All visitors left the meeting at 4.11 pm.

The CEO left the meeting at 4.11 pm and returned at 4.12 pm

10.1 Monthly Financial Statements

File reference	
Report date	13 June 2018
Applicant/proponent	Shire of Victoria Plains
Officer disclosure of interest	Nil
Previous meeting references	Nil
Prepared by	Bob Waddell – Consultant Ina Edwardson – Acting Finance Manager
Authorised by	Glenda Teede, CEO
Attachments	
Attachment 1	Page 3 Monthly Financial Statements – 31 May 2018

PURPOSE

To receive the monthly financial statements for the period ending 31 May 2018.

BACKGROUND

Section 6.4 of the Local Government Act 1995 requires a Local Government to prepare financial reports.

The Local Government (Financial Management) Regulations 34 & 35 set out the form and content of the financial reports which have been prepared for the periods as above and are presented to Council for approval.

COMMENT

The 30 April 2018 Monthly Financial Statements are presented for review.

It should be noted that the amendments to the budget adopted at the April Ordinary Council Meeting have been uploaded into the Shire's accounting software, SynergySoft. This has resulted in a reduction in significant variances requiring reporting on.

CONSULTATION

Mr Bob Waddell, Bob Waddell and Associates Pty Ltd

STATUTORY CONTEXT

Local Government (Financial Management) Regulations 1996 –

- r.34 – financial activity statement required each months and details of what is to be included

CORPORATE CONTEXT

None

STRATEGIC IMPLICATIONS

Strategic Community Plan adopted 28 March 2018 –

5.	Civic leadership – to better allocate scarce resources and effectively interact with the community
-----------	---

	No specific implication
--	-------------------------

FINANCIAL IMPLICATIONS

None

VOTING REQUIREMENTS

Absolute Majority Required: No

06. OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Moved Cr Bantock

Seconded Cr Clarke

That Council receive the 31 May 2018 Monthly Financial Statements as presented:

CARRIED For 5 / Against 0

Commonly-used abbreviations	
CEO	Chief Executive Officer

10.2 Accounts for endorsement

File reference			F1.8.4
Report date			12 June 2018
Applicant/proponent			Nil
Officer disclosure of interest			Nil
Previous meeting references			Nil
Prepared by			Ina Edwardson – Finance
Authorised by			Glenda Teede, CEO
Attachments			
Attachment 1	Page	28	The payment schedule has been provided to Elected Members under separate cover.

PURPOSE

To present the list of payments made for the month of May 2018.

BACKGROUND

As per Local Government Act and Financial Management Regulations.

COMMENT

Each month Council is to be advised of payments made during the preceding month; the amount, payee, date and reason for payment.

CONSULTATION

None

STATUTORY CONTEXT

Local Government Act 1995 –

- s.6.8(2)(b) – expenditure is to be reported to the next ordinary meeting of Council

Local Government (Finance) Regulations 1996 –

- r.13 Payments for municipal fund or trust fund
 - (1) the Chief Executive Officer is to provide a list of accounts paid from the Municipal fund or Trust fund, a list of all accounts paid each month showing for each account paid –
 - a) The payee's name
 - b) The amount of the payment
 - c) The date of the payment
 - d) Sufficient information to identify the transaction
 - (3) the listing to be presented to the Council at the next ordinary meeting of Council after preparation.

CORPORATE CONTEXT

Policy 6.5.1 –

(b) The Chief Executive Officer and in their absence the Corporate Services Manager are authorised to allow all creditors to be paid according to their trading terms and for payments to be endorsed by Council after payment rather than approved by Council prior to payment.

(c) All payments made prior to the meeting shall be presented to Council for endorsement or approval of payment.

STRATEGIC IMPLICATIONS

Strategic Community Plan adopted 28 March 2018 –

5.	Civic leadership – to better allocate scarce resources and effectively interact with the community
	No specific implications

FINANCIAL IMPLICATIONS

All payments are in accordance Council's adopted budget.

VOTING REQUIREMENTS

Absolute Majority Required: No

07. OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Moved Cr Corless-Crowther

Seconded Cr Broadhurst

That the payments made for May 2018 from the Municipal Bank Account as per the attached listing and summarised below, be endorsed:

Payment type	References from – to	\$ Amount
Creditor EFT Payments **	EFT6366 to EFT6500	258,277.20
Creditor Cheque Payments	12178 to 12181	1,709.75
Direct Debit Payments **	DD10371.1 to DD10438.1	36,803.32
Net Fortnightly Salaries & Wages EFT	Wending 03/5/18, 17/05/18 & 31/05/18	112,916.47
Trust Payments	None	Nil
	TOTAL	409,706.74

** includes salary & wages deductions, and SGC

CARRIED For 5 / Against 0

Commonly-used abbreviations	
CEO	Chief Executive Officer
SGC	Superannuation Guarantee Contribution

10.3 Schedule of Fees and Charges

File reference				
Report date				13 June 2018
Applicant/proponent				Shire of Victoria Plains
Officer disclosure of interest				Nil
Previous meeting references				Nil
Prepared by				Bob Waddell – Consultant Bev Webb – A/Manager Finance & Administration
Authorised by				Glenda Teede, CEO
Attachments				
Attachment 1	Page	38	Schedule of Fees and Charges – Draft Budget 2018-19	

PURPOSE

As part of the 2018/2019 Budget preparation process, Council is requested to adopt its Schedule of Fees and Charges for 2018/2019.

BACKGROUND

Each year, Council is required to adopt its Schedule of Fees and Charges. Council is only able to charge those items that appear in the Schedule. It is, therefore, crucial that increases to discretionary items determined by Council are considered as part of the Budget process. Likewise, items that are charged by Council under other relevant legislation need to be checked to ensure that the legislated figures have not changed.

COMMENT

Councillors are requested to adopt the proposed Fees and Charges for 2018/2019. A Summary of the changes proposed is provided below:

- Fees and Charges that are at Council discretion have been increased by 4%
- Fees and Charges that are governed by legislation have been updated for the 2018/2019 Financial Year
- Removal of concession for pensioners to microchip dogs and cats
- Removal of penalties as per Cat Act 2011 and supporting Regulations
- Removal of Cat Trap hire
- Removal of Public Buildings Inspection Fee

The minor increases proposed are based on an increase of 4.0% (rounded). This rate is suggested due to the lack of increases being imposed in prior years.

CONSULTATION

Mr Bob Waddell, Bob Waddell and Associates Pty Ltd

STATUTORY CONTEXT

Local Government Act 1995

- 6.2 Local government to prepare annual budget
- 6.16 Local government may impose and recover a fee or charge

CORPORATE CONTEXT

None

STRATEGIC IMPLICATIONS

None

FINANCIAL IMPLICATIONS

Increased discretionary revenue.

VOTING REQUIREMENTS

Absolute Majority Required: Yes

OFFICER RECOMMENDATION

Moved Cr _____

Seconded Cr _____

The fees and charges as set out in the attached Schedule of Fees and Charges for 2018-19 be adopted.:

08. OFFICER RECOMMENDATION

Moved Cr Bantock

Seconded Cr Corless-Crowther

That this matter be deferred for further revision and re-presented.

CARRIED For 5 / Against 0

Commonly-used abbreviations	
CEO	Chief Executive Officer

10.4 Retrospective Application for Development Approval – Storage of Four (4) Moveable Buildings (Dongas) – Lots 22, 24, 25 & 27 Butler Street, Mogumber

Dealt with earlier in the meeting

Cr Corless-Crowther declared an interest in the following item, proposed Policy 3.2 and left the meeting at 4.13.

10.5 Policy Manual 2018

File reference			A1.1.7
Report date			9 June 2018
Applicant/proponent			Shire of Victoria Plains
Officer disclosure of interest			Nil
Previous meeting references			16 May 2018, Item 10.10
Prepared by			Governance
Authorised by			Glenda Teede, CEO
Attachments			
Attachment 1	Page	63 65 72 80 83	Draft Policies for adoption – - 1.3 – Elected members – Records capture and management - 1.7 – Related Party Disclosures - 3.1 – Purchasing framework - 3.2 – Regional Price Preference - 3.3 – Credit cards
Attachment 2	Page	89	Schedule of Policies to be deleted

PURPOSE

To continue review of the existing Policy Manual compiled as at December 2017, and adopt new or revised policies.

BACKGROUND

The current Policy Manual is a mix of delegations, policy, administrative matters that needs thorough review and integration across the framework of legislation, authority and instructions applying and given by Council.

A detailed review is one of the matters identified by the Audit Committee on 21 March 2018, and subsequently directed by Council on 28 March 2018.

COMMENT

The old Policy Manual 2017 is undergoing detailed, progressive review, and those that Council resolves should continue or to create will be transferred to the Policy Manual 2018 initiated on 16 May 2018. The two documents will need to be referred to while the review is in progress.

Specific policies presented for Council adoption are as follows –

- 1.3 – Elected members – Records capture and management (re-presented)

It is a requirement of the State Records Act that where a record is made that assists or contributes to a decision or the role of elected member, the record must be retained is subject to the Freedom of Information Act. The requirements is imposed on the elected member to retain the record, while the administration's obligation is to have a procedure in

place for the collection of the records and to make them available as required. A record is not limited to a written note, but could be a photo, video, audio recording etc.

- 1.7 – Related Party Disclosures

Related Party Disclosures are entirely separate from financial interests disclosures, but similar in many ways. It is a requirement of the Australian Accounting Board that related parties of key management personnel be declared, and transactions of the Shire with disclosed key management personnel, closely related persons and entities including clubs etc be made. It is also a requirement that there be an annual resolution of Council in relation to related party matters, and that they be noted in the Annual Report.

A number of point are highlight for Council's consideration

- 3.1 – Purchasing framework

A purchasing policy is a requirement, and the current policy is impractical and out of date.

A number of point are highlight for Council's consideration

- 3.2 Regional Price Preference

If preference is to be given to a supplier on the basis of location, the Regulations require that a complaint policy be adopted. It is required that it be advertised before it becomes effective. A purchase does not have to be made from the lowest cost supplier, however, it is required that relevant value for money reason be given, e.g. warranty, emergency response, readiness of availability, transport/delivery cost etc. It is inadequate to state "value for money" – the specific reason why it is needs to be stated.

A number of point are highlight for Council's consideration

- 3.3 Credit cards

The Office of Auditor General recently undertook a review of a number of the credit card policies and procedures from a number of local governments, from large metropolitan to small regional organisations. Carnarvon was the only local government to be acceptable in all of the areas the OAG looked at, and the draft policy is heavily influenced by theirs. The proposed policy extends Carnarvon's application to apply to store, debit and fuel cards as well as credit cards. At this time the Shire has no store or debit cards.

Please note that in relation to the Regional Price Preference –

- Statewide public notice of the proposed policy is required
- Council to consider any submissions received
- Public submission period is 4 weeks from time of publication
- Statewide public notice of adoption of the policy is to be given

The draft Policies have sections highlighted for which Council direction is sought, such as the price preference region and the % applying to the various areas in the Regional Price Preference policy.

CONSULTATION

Ms Glenda Teede, CEO
Shire of Carnarvon
Shire of Narrogin

STATUTORY CONTEXT

Function and General Regulations 1996

- r.11A – Requirement to prepare a purchasing policy for goods or services less than \$150,000 and the required elements of the policy

- r.24AC – requirements for a policy to be adopted prior to establishment of a pre-qualified supplier panel
- r.24E to 24G – regional price preference policy requirements

CORPORATE CONTEXT

None

STRATEGIC IMPLICATIONS

Strategic Community Plan adopted 28 March 2018 –

5.	Civic leadership – to better allocate scarce resources and effectively interact with the community
5.1	Measures to improve relationship and communication between Council and community
5.2	Improve elected member performance
5.4	Measures to improve organisational efficiency

FINANCIAL IMPLICATIONS

None

VOTING REQUIREMENTS

Absolute Majority Required: No

09. OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Moved Cr Broadhurst

Seconded Cr Clarke

That –

- the following policies in the Policy Manual 2017 be deleted –
 - o 6.5.5 – Purchase of Property, Plant and Equipment
 - o 6.5.6 – Purchasing and Tendering Policy
 - o 6.5.7 – Legal Representation Costs Indemnification
 - o 9.3.8 – Local Government elected members recordkeeping policy
- the following policies be adopted –
 - o 1.3 – Elected members – Records capture and management
 - o 1.7 – Related party disclosures
 - o 3.1 – Purchasing framework
 - o 3.3 – Credit cards – including store, fuel and debit cards
- Statewide public notice be given for proposed Policy 3.2 Regional Price Preference, and
- the proposed Regional Price Preference policy and any submissions be referred to the earliest Council meeting following closure of the public comment period.

CARRIED For 4 / Against 0

Cr Corless-Crowther returned to the meeting at 4.24 pm.

Commonly-used abbreviations	
CEO	Chief Executive Officer
OAG	Office of Auditor General
Policy Manual 2017	Shire of Victoria Plains Policy Manual as amended to December 2017
Policy Manual 2018	Shire of Victoria Plains Policy Manual as adopted on 16 May 2018

10.6 Local Law Final Adoption – Extractive Industries 2018

File reference		A2.22.3
Report date		11 June 2018
Applicant/proponent		Shire of Victoria Plains
Officer disclosure of interest		None
Previous meeting references		A03/2018 of 28 March 2018
Prepared by		Niel Mitchell, Governance
Authorised by		Glenda Teede, CEO
Attachments		
Attachment 1	Page	97
Attachment 2	Page	100
		Summary of submissions
		Draft extractive Industries Local Law 2018

PURPOSE

To finalise the adoption of the Extractive Industries Local Law 2018.

BACKGROUND

The purpose of this report is –

- 1) make the local law, incorporating all amendments as approved by Council;
- 2) authorise the affixing of the Common Seal to the local law;
- 3) authorise publication of the local law in the *Government Gazette*; and
- 4) give local public notice, (after Gazettal), of the date the local law will come into effect.

COMMENT

At the ordinary meeting held on the 28 March 2018, Council resolved to commence the process to make the Local Laws.

The procedure for making local laws requires Council to advertise state-wide, advising of its intention to make a local law, and invite submissions to be made on any proposed local law for a six-week period. At the closure of the submission period, Council is to consider all submissions before making a local law.

The draft local law was advertised, both locally and state-wide, for public comment on the proposed Local Law

An advertisement was placed in the West Australian on 7 April 2018 and the Victoria Plains Newsletter for April 2018, with the submission period for public comment closing on 25 May 2018.

At the close of the submission period, no public submissions had been received, and comment from DLG was received as per Attachment 1.

The DLG's comments covered multiple areas. Other than matters relating to waste, no substantive matters were raised, with the comments being of –

- deletion of several clauses considered duplication,
- minor editorial nature, and
- being of a contextual or technical nature, punctuation and grammar.

None of the suggested changes altered the intent of the provision amended nor placed additional obligations on the community. Accordingly, it is considered that the amendments agreed are not of a nature that requires re-advertising.

The attached draft has been amended from the proposed amendment local law advertised for public submissions, in accordance with the DLGC comments as noted and agreed.

Summary

Once formally adopted by Council, the local law –

- is to be published in the Government Gazette
- local public notice given of adoption (separate to previous advertising of proposals),
- signed copies are to be sent to relevant Ministers or their delegate, and
- copies sent to the Parliamentary Joint Standing Committee on Delegated Legislation together with other required documentation, within 10 days of publication in the Government Gazette.

Please note –

- disallowance of a local law may be made by Parliament, and could take some time depending on sitting days,
- takes effect on the day stipulated in the local law, generally 14 days after publication in the Government Gazette.

CONSULTATION

Ms Glenda Teede, CEO

Dept of Local Government, Sporting and Cultural Industries

STATUTORY CONTEXT

Local Government Act 1995 –

- s.3.12 – Procedure for making local laws
incl. subclause (4) – requirement for absolute majority

Municipality of the Shire of Victoria Plains Road By-laws Relating to Extractive Industries 1998

CORPORATE CONTEXT

None

STRATEGIC IMPLICATIONS

Strategic Community Plan adopted 28 March 2018 –

5.	Civic leadership – to better allocate scarce resources and effectively interact with the community
5.4	Measures to improve organisational efficiency

FINANCIAL IMPLICATIONS

Cost of publication in Government Gazette and giving local public notice.

VOTING REQUIREMENTS

Absolute Majority Required: Yes

10. OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Moved Cr Corless-Crowther

Seconded Cr Broadhurst

That Council –

1. resolves to make the following local law as per the attached drafts, incorporating amendments outlined by the Department of Local Government and Communities –
 - Extractive Industries Local Law 2018,
2. authorise the President and CEO to sign and affix the Common Seal to the Local Law;
3. authorise the CEO to –
 - publish the local law in the Government Gazette and provide copies of the local law to the Minister for Local Government; and
 - forward a copy of the Gazetted local law, explanatory memoranda and associated documentation to the Parliamentary Joint Standing Committee on Delegated Legislation for review.

CARRIED by Absolute Majority For 5 / Against 0

Commonly-used abbreviations	
CEO	Chief Executive Officer
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation

10.7 Application to keep geese

File reference	
Report date	14 June 2018
Applicant/proponent	Mrs Pamela Evans
Officer disclosure of interest	None
Previous meeting references	None
Prepared by	Niel Mitchell, Governance
Authorised by	
Attachments	
Attachment 1	Page
	None

PURPOSE

To consider an application to keep geese.

BACKGROUND

Mrs Evans is making an application to keep geese on her property at 19 Mofflin Street, Calingiri.

The geese are to replace 2 geese previously owned by Mrs Evans. In her application to the CEO she states that –

Verbal permission was previously given before your time at the Council.

I would like three geese, 2 female and 1 male, so that I could make a little money to supplement my pension.

COMMENT

Mrs Evans has apparently kept geese for some time on the property, and as a result of recent event, was also advised that keeping or geese requires the approval of Council.

The Shire Health Local Law states –

Roosters, Geese, Turkeys, Peafowl's and Gamebirds

5.4.4 (1) An occupier of premises within a townsite, shall not without the written approval of the Local Government, keep or permit to be kept on those premises, any one or more of the following fowl –

- (a) a rooster;
- (b) a goose or gander;
- (c) a turkey;
- (d) a peacock or peahen;
- (e) a gamebird (includes emus and ostriches).

(2) The Local Government may upon written application, grant approval with or without conditions to the owner or occupier of premises to keep any one or more birds as specified in subsection (1).

(3) A person who has been granted approval under this Section to keep a bird may keep the bird on the premises only while he is the occupier thereof.

(4) The Local Government may revoke an approval granted under this Section if it is of the opinion that the keeping of the birds specified in the approval is causing a nuisance or is injurious, offensive or dangerous to health.

The local law does not state a maximum number of birds.

No written complaint has been received. However, geese can be quite noisy birds creating a disturbance and a nuisance for neighbours. Mrs Evans has neighbours on both side of her block as well as to the rear. As the birds will almost certainly have the roam of the backyard, neighbours to the rear of her property may also be unduly affected.

As the neighbours also have a right to what the law calls “quiet enjoyment” of their property (i.e. without undue disturbance from neighbours, it is suggested that approval should not be automatic.

Consistent with usual practice for keeping of more than the standard number of dogs or cats, it is suggested that the views of adjoining residents be obtained, prior to any approval being given.

CONSULTATION

Ms Glenda Teede, CEO

Mr Shayne Willcocks, Ranger

STATUTORY CONTEXT

Shire of Victoria Plains Health Local Laws 2004

CORPORATE CONTEXT

None

STRATEGIC IMPLICATIONS

Strategic Community Plan adopted 28 March 2018 –

1.	Community – to enhance and improve a sense of community in the Shire
1.3	Promote community health and wellbeing

FINANCIAL IMPLICATIONS

None

VOTING REQUIREMENTS

Absolute Majority Required: No

OFFICER RECOMMENDATION

Moved Cr _____

Seconded Cr _____

That –

- a) the views of all adjoining neighbours be sought,
- b) if there is no adverse opinion, the CEO be authorised to approve the application, subject to Mrs Evans being advised that should the birds create a nuisance through dust or noise or health risk, they will be required to be removed without delay,
- c) if adverse opinion is received, the matter is to be brought to Council for decision.

Withdrawn at the request of the proponent.

Commonly-used abbreviations	
CEO	Chief Executive Officer

11. MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None

12. NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION
--

Admitted by resolution of Council

11. OFFICER RECOMMENDATION / COUNCIL RESOLUTION
--

Moved Cr Corless-Crowther

Seconded Cr Bantock

That Late Item 13.1 Acting CEO be admitted for discussion.

CARRIED For 5 / Against 0

13. MEETING CLOSED TO PUBLIC

<i>Item</i>	<i>Title</i>
-------------	--------------

13.1	CONFIDENTIAL – Acting CEO
------	---------------------------

VOTING REQUIREMENTS

Absolute majority required: No

Matters for which the meeting may be closed in accordance with the Local Government Act 1995 s.5.23(2) –

(2) *If a meeting is being held by a council or a committee, the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:*

(b) the personal affairs of any person; and

(c) 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

(e) a matter that if disclosed, would reveal —

(iii) information about the business, professional, commercial or financial affairs of a person,

Cr Bantock left the meeting at 4.31

VOTING REQUIREMENTS

Absolute majority required: No

12. OFFICER RECOMMENDATION / COUNCIL RESOLUTION
--

Moved Cr Clarke

Seconded Cr Corless-Crowther

That the meeting be closed to the public at this time, 4.32 pm.

CARRIED For 4 / Against 0

Remaining in the meeting were – all elected members (4), CEO and Governance Officer

Leaving the meeting were – Ms Edwardson, Mr Edwards

Cr Bantock returned to the meeting at 4.36 pm.

13.1 CONFIDENTIAL – Acting CEO

File reference	
Report date	18 June 2018
Applicant/proponent	CEO
Officer disclosure of interest	Nil
Previous meeting references	Nil
Prepared by	Niel Mitchell, Governance Officer
Authorised by	Glenda Teede, CEO
Attachments	
Attachment 1	CONFIDENTIAL

VOTING REQUIREMENTS

Absolute Majority Required: Yes

13. COUNCIL RESOLUTION – Procedural motion

Moved Cr Lovelock

Seconded Cr Corless-Crowther

That this matter be deferred to July Council meeting.

CARRIED For 5 / Against 0

VOTING REQUIREMENTS

Absolute majority required: No

14. COUNCIL RESOLUTION

Moved Cr Bantock

Seconded Cr Broadhurst

That the meeting be reopened to the public at this time, 4.43 pm.

CARRIED For 5 / Against 0

Returning to the meeting were – None


There being no members of the public present, the resolution was taken as read.

14. CLOSURE OF MEETING

There being no further business, the presiding member declared the meeting closed at 4.44 pm.

CERTIFICATION

These minutes were confirmed at the Ordinary Council Meeting held on 18 July 2018

Signed  Date 18-7-18
(Presiding member at the meeting which confirmed the minutes)

Council Minutes are unconfirmed until they have been adopted at the following meeting of Council.