



Unconfirmed Minutes for the 671st Ordinary Council Meeting

16 March 2021

COUNCIL CALENDAR

| Date | Time | Meeting |
|---------------|--------|--------------------------|
| 16 March 2021 | 4.00pm | Ordinary Council Meeting |
| 20 April 2021 | 4.00pm | Ordinary Council Meeting |
| 18 May 2021 | 4.00pm | Ordinary Council Meeting |
| 15 June 2021 | 4.00pm | Ordinary Council Meeting |

MARCH 2021 MEETING PROGRAM

| | |
|--------|-----------------------------|
| 2.30pm | Councillor Discussion Forum |
| 3.30pm | Audit Committee Meeting |
| 4.00pm | Ordinary Council Meeting |

MEETING GUESTS

Nil

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MINUTES

Shire of Narembeen Ordinary Council Meeting Tuesday 16 March 2021, commencing at 4.00pm

1.0 Opening & Welcome

Presiding Person, Cr Rhonda Cole welcomed everyone to the meeting and declared the meeting open at 4.00pm.

2.0 Attendance & Apologies

Attendance

Councillors

| | |
|---------------------|-----------------------------------|
| Cr Rhonda Cole | Shire President, Presiding Person |
| Cr Kellie Mortimore | Deputy Shire President |
| Cr Peter Lines | Member |
| Cr Regina DeLuis | Member |
| Cr Amy Hardham | Member |
| Cr Scott Stirrat | Member |
| Cr Alan Wright | Member |
| Cr Warren Milner | Member |

Staff

| | |
|-----------------|---|
| David Blurton | Acting Chief Executive Officer |
| Tamara Clarkson | Executive Manager Corporate Services |
| Sheree Thomas | Community & Economic Development Officer (minute taker) |

Apologies

Nil

Approved leave of absence

Nil

3.0 Declarations of Interest

Mr D Blurton declared an impartiality interest in Confidential Agenda Item 8.3.1 – Request for Long Term Tenancy Arrangement at the Narembeen Caravan Park.

4.0 Announcements

4.1 Application for leave of absence

Nil

5.0 Public Question Time & Deputations (15 min)

Nil

6.0 Minutes of Previous Meetings

6.1 Confirmation of Minutes of Ordinary Meeting of Council

6.1.1 Confirmation of Minutes

Confirmation of Minutes from the Shire of Narembeen Ordinary Meeting held on Wednesday 17 February 2021.

RECOMMENDATION

That the Minutes of the Meeting of the Shire of Narembeen Ordinary Meeting held on Wednesday 17 February 2021 be confirmed as a true and accurate record of the proceedings.

COUNCIL RESOLUTION

MIN 7185/21 **MOTION** - Moved Cr. P Lines Seconded Cr. R DeLuis

That the Minutes of the Meeting of the Shire of Narembeen Ordinary Meeting held on Wednesday 17 February 2021 be confirmed as a true and accurate record of the proceedings.

CARRIED 8/0

6.1.2 Business Arising

Business Arising from the Minutes of the Shire of Narembeen Ordinary Meeting held Wednesday 17 February 2021.

Nil

6.2 Audit Committee

6.2.1 Receive Minutes

Receive minutes of the Shire of Narembeen Audit Committee Meeting held on Tuesday 16 March 2021.

RECOMMENDATION

That the minutes of the Shire of Narembeen Audit Committee Meeting held on Tuesday 16 March 2021 be received and the following actions endorsed:-

1. Approve the 2020 Compliance Audit Return for signing by the Shire President and Acting Chief Executive Officer.
2. Endorse the Compliance Audit Return for submission to the Department of Local Government, Sport and Cultural Industries

COUNCIL RESOLUTION

MIN 7186/21

MOTION - Moved Cr. P Lines

Seconded Cr. R DeLuis

That the minutes of the Shire of Narembeen Audit Committee Meeting held on Tuesday 16 March 2021 be received and the following actions endorsed:-

- 1. Approve the 2020 Compliance Audit Return for signing by the Shire President and Acting Chief Executive Officer.*
- 2. Endorse the Compliance Audit Return for submission to the Department of Local Government, Sport and Cultural Industries*

CARRIED 8/0

| | |
|------------|----------------------|
| 7.0 | Status Report |
|------------|----------------------|

RECOMMENDATION

That the Status Report for March 2021 be received.

COUNCIL RESOLUTION

MIN 7187/21

MOTION - Moved Cr. P Lines

Seconded Cr. W Milner

That the Status Report for March 2021 be received.

CARRIED 8/0

4.09pm – T Clarkson exited the meeting.

4.10pm – T Clarkson returned to the meeting.

8.0 Reports

8.1 Acting Chief Executive Officer

AGENDA ITEM: 8.1.1 – Proposed Outbuildings – Lot 14 (No 36) and Lot 15 (No 38) Thomas Street, Narembeen

| | |
|---|---|
| Subject: | Proposed Outbuildings – Lot 14 (No 36) & Lot 15 (No 38) Thomas Street, Narembeen |
| Applicant: | Austin Pascoe |
| File Ref: | P1091/P1019 |
| Disclosure of Interest (Staff): | Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of <i>Local Government Act 1995</i> |
| Disclosure of Interest (Member): | Nil |
| Author: | Liz Bushby, Town Planning Innovations |
| Date: | 5 March 2021 |
| Attachments: | Nil |

SUMMARY

Council is to consider a new application for two Outbuildings on Lot 14 (No 36) and Lot 15 (38) Thomas Street, Narembeen (that entails variations to the Residential Design Codes).

The application has been advertised with letters sent to nearby affected landowners.

BACKGROUND

Lot 14 and 15 each have an area of approximately 816m². There is an existing house that traverses two lot boundaries. An existing outbuilding on the lot is proposed to be demolished.



Both lots are zoned 'Residential' under the Shire of Narembeen Town Planning Scheme No 2 ('the Scheme') and have a density code of R12.5. The R12.5 code dictates the site requirements that apply to residential development on the lot under the Residential Design Codes.

Council considered an application for an outbuilding on these lots at the Ordinary Meeting held on the 18 November 2020.

The owner previously proposed an outbuilding in the rear north east corner of the lot. The outbuilding was proposed to have a floor area of 240m², a wall height of 3.6 metres and a roof peak height of 4.7 metres.

The application was refused at the November Council meeting for the following reasons:

- (i) The outbuilding does not meet the alternative Design Principle 5.4.3 P3 of the Residential Design Codes as it will detract from the streetscape and the visual amenity of residents of neighbouring properties.
- (ii) The proposed outbuilding is a significant departure from the low scale character of this section of Thomas Street and will have a detrimental impact on streetscape.

COMMENT

Description of proposed development

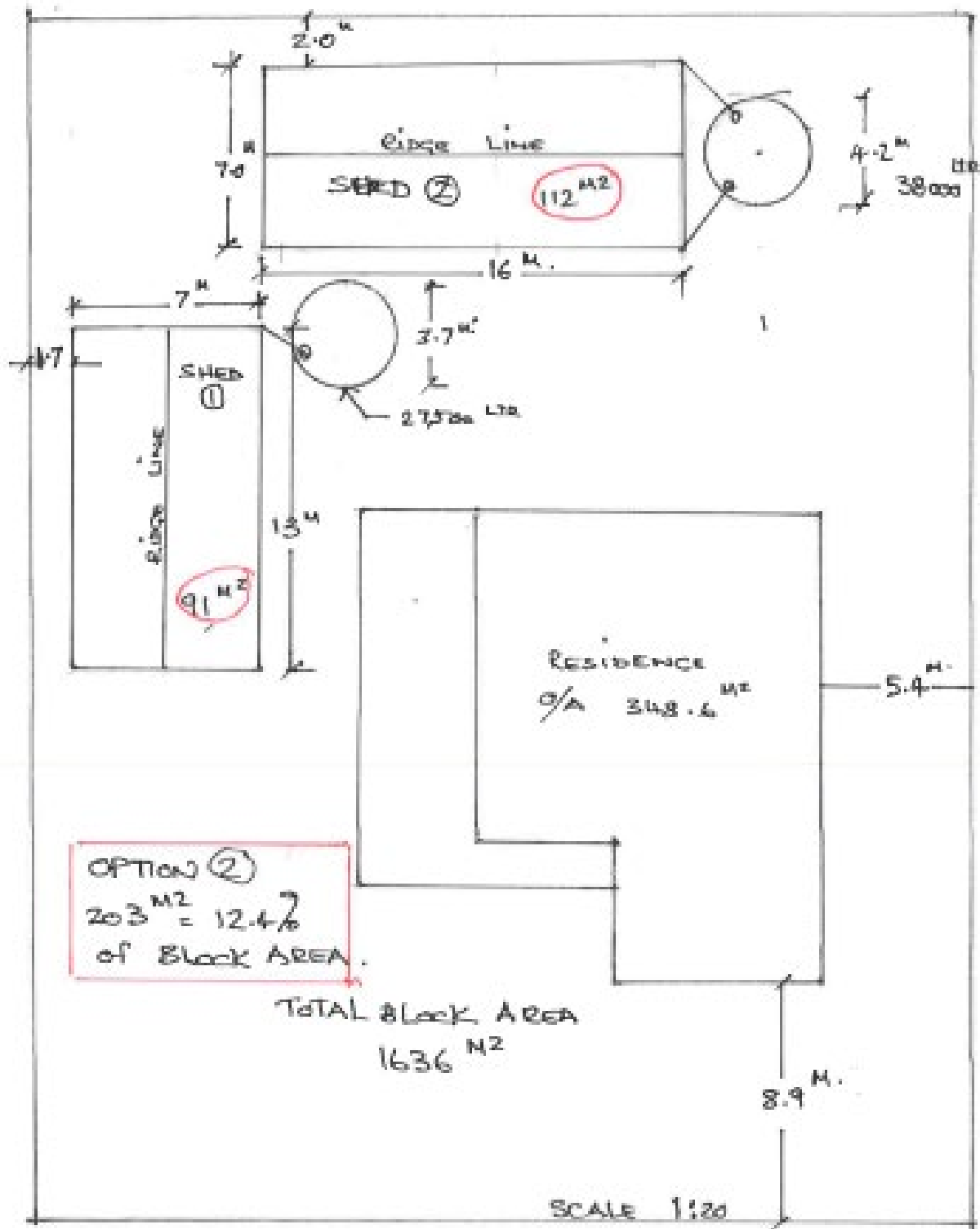
The owner has lodged a new planning application for two outbuildings on the lot, labelling them Shed 1 and Shed 2 on the site submitted.

Both Shed 1 and Shed 2 are proposed to have a wall height of 3 metres and roof ridge height of 4.2 metres. Shed 1 is proposed to have a total floor area of 91m² and Shed 2 is proposed to have a total floor area of 112m². An aggregate floor area of 203m² is proposed.

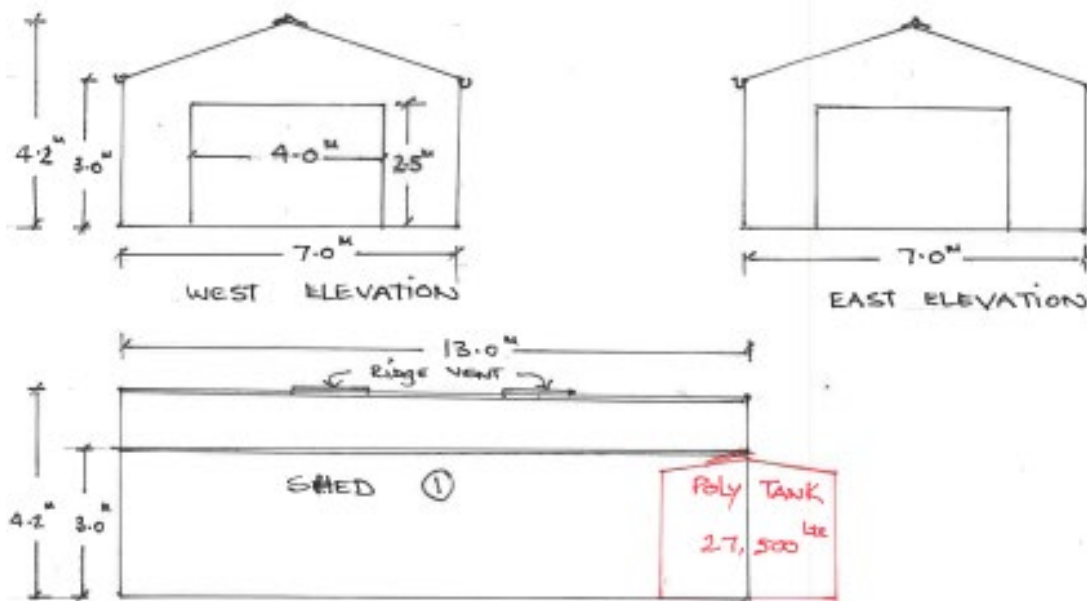
Shed 1 is proposed on Lot 15 to the north side of the existing house and Shed 2 is proposed in a location that would traverse Lot 14 and 15 to the east (rear) of the existing house.

Two rainwater tanks are also proposed with a capacity of 27,500 litres and 38,000 litres.

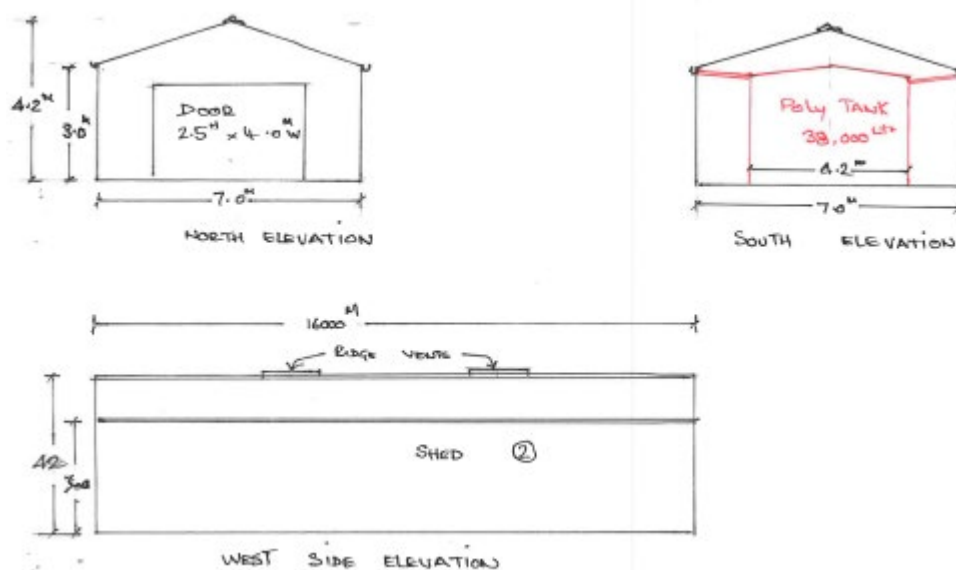
A site plan and elevations are included over page.



Although the site plan cites each shed as Option 1 and Option 2, the Shire has advised that both sheds are proposed.



Above: Shed 1 elevation with water tank



Above: Shed 2 elevation with water tank

The owner has advised that the outbuildings will be constructed at the same finished floor level of the existing shed on the lot. The Acting Chief Executive Officer has inspected the property.

Residential Design Codes ('the Codes') – Outbuilding Assessment

The Residential Design Codes operate as State Planning Policy 3.1 and apply to residential development state-wide.

The Residential Design Codes have two separate options for the assessment of development including 'Deemed to Comply' criteria and 'Design Principles'.

Where an application proposes a variation to the 'Deemed to Comply' criteria of the Codes, then planning approval is required for the development, and a more detailed subjective assessment has to be made based on 'Design Principles' in the Codes.

Under the Codes there are specific 'deemed to comply' requirements for outbuildings as summarised in the table below.

| Clause 5.4.3 C3 'deemed to comply' criteria / Outbuildings that: | Officer Comment (TPI) |
|--|---|
| (i) are not attached to the building | Complies. |
| (ii) are non-habitable | Complies. |
| (iii) collectively do not exceed 60sqm in area or 10 percent in aggregate of the site area, whichever is the lesser | Variation. The floor area of proposed 'shed1' is 91m ² . The floor area of proposed 'shed2' is 112m ² . The combined floor area of shed 1 and 2 is 203m ² . |
| (iv) do not exceed a wall height of 2.4 metres | Variation. A wall height of 3 metres is proposed for both 'shed 1' and 'shed 2'. |
| (v) do not exceed a ridge height of 4.2 metres | Complies. A ridge height of 4.2 metres is proposed. |
| (vi) are not within the primary street setback area; | Complies. |
| vi) do not reduce the open space required in table 1; and | Complies. Table 1 of the Codes requires 55% of the lot to be retained as site open space. |
| vii) comply with the siting and design requirements for the dwelling, but do not need to meet the rear setbacks requirements of table 1. | Complies. |

The application proposes variations to the 'Deemed to Comply' requirements of the Codes therefore irrespective of any neighbours comments the Council has to determine if the outbuilding complies with the alternative Design Principle which is:

"Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties".

A standard dividing fence height is 1.8 metres, therefore portions of the higher outbuilding wall height would be visible to neighbours. Proposed Shed 1 and Shed 2, by virtue of their siting, will be highly visible from Thomas Street.

The combined aggregate floor area and size of the proposed outbuildings will introduce a building bulk to the existing streetscape that does not currently exist.

Options Available to Council

Option 1 – Refuse both Outbuildings proposed on Lot 14 (No 36) and Lot 15 (38) Thomas Street, Naremben.

TPI recommends Option 1 as the outbuildings do not meet the alternative Design Principle 5.4.3 P3 of the Residential Design Codes as it will detract from the streetscape and the visual amenity of residents of neighbouring properties.

Due the combined height, bulk and floor areas the outbuildings will be visually prominent from neighbours properties, and have a negative impact on the Thomas Street streetscape.

Option 2 - Determine that the outbuildings meet the alternative Design Principle 5.4.3 P3 of the Residential Design Codes as 'it *does not detract from the streetscape or the visual amenity of residents of neighbouring properties*' and approve the Outbuilding subject to conditions.

Option 2 is not recommended due to the visual impact and excessive size of the proposed outbuildings which is out of scale with existing development in the area.

Option 3 - Refuse the outbuilding (labelled as Shed 1) proposed on Lot 15 and approve the outbuilding (labelled as Shed 2) proposed on Lots 14 and 15.

Council may be of the view that the visual impact of proposed Shed 2 is less detrimental to the existing streetscape as it is partially screened by the existing house.

Council may consider imposing a condition that Shed 2 be screened further from Thomas Street using fencing and / or landscaping.

TPI does not recommend Option 3 as the size, bulk and scale of 'Shed 2' will still have a detrimental impact on neighbours and does not satisfy the alternative Design Principle 5.4.3 P3 of the Residential Design Codes.

Option 4 - Defer determination of the outbuildings proposed on Lots 14 and 15 and advise the applicant that:

- (i) The revised outbuilding plans are not supported by Council as submitted.
- (ii) The Shire would be prepared to consider revised plans for one outbuilding with a reduced floor area that is sited wholly behind the building envelope of the existing dwelling, and includes screening in the form of fencing and / or landscaping to reduce visual impact on neighbours.
- (iii) The Shire would also be prepared to consider revised plans that include an open sided roofed patio connecting a rear outbuilding to the existing dwelling.

CONSULTATION

The Shire has referred the application to surrounding and nearby landowners. Advertising closes on the 7 March 2021. One submission was received from the owners of 37 Thomas Street advising that they have no objections to the proposal. They expressed a view that it would not impact on their property.

STATUTORY IMPLICATIONS

Shire of Narembeen Town Planning Scheme No 2

Clause 4.1 refers to the 'RESIDENTIAL DEVELOPMENT: RESIDENTIAL DESIGN CODES' and includes the following subclauses:

- 4.1.1 For the purpose of the Scheme "Residential Design Codes" means the Residential Design Codes set out in State Planning Policy 3.1, together with any amendments thereto (hereinafter called the "R-Codes").
- 4.1.2 A copy of the R-Codes shall be kept and made available for public inspection at the offices of the local government.
- 4.1.3 Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the R-Codes shall conform to the provisions of those Codes.

4.1.4 The Residential Design Code density applicable to land within the Scheme area shall be determined by reference to the Residential Design Codes density number superimposed on the particular area shown on the Scheme maps as being contained within the solid black line borders or where such an area abuts another area having a Residential Design Code density, as being contained within the centre-line of those borders.

Clause 4.4.1 states that sub-clause 4.4.2 shall not apply to: 'a) *development in respect of which the Residential Design Codes apply under the Scheme*' which means that Council does not have discretion to approve a variation to the Codes (in this case the Design Principle).

Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Narembeen Town Planning Scheme No 2.

Clause 61(d) only exempts outbuildings from planning approval where they comply with the 'Deemed to Comply' requirements of the Residential Design Codes.

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

Planning and Development Act 2005

If an applicant is aggrieved by this determination there is a right of review under Part 14 of the Planning and Development Act 2005. An application for review must be lodged within 28 days of the determination.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations (TPI) for planning advice.

POLICY IMPLICATIONS

Nil

STRATEGIC PLAN REFERENCE

Nil

RELATED PARTY TRANSACTIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:-

1. Note that the application for outbuildings on Lots 14 and 15 Thomas Street, Narembeen has been advertised for public comment as they entail variations to the 'Deemed to Comply' requirements of State Planning Policy 3.1 - Residential Design Codes. Advertising closed on the 7 March 2021 and one supportive submission has been received.
2. Refuse the application for outbuildings proposed on Lot 14 (No 36) and Lot 15 (38) Thomas Street, Narembeen for the following reasons:
 - (i) The outbuildings do not meet the alternative Design Principle 5.4.3 P3 of the Residential Design Codes as their size, bulk and heights detract from the streetscape and the visual amenity of residents of neighbouring properties.
 - (ii) The proposed outbuildings are a significant departure from the low scale character of this section of Thomas Street and will have a detrimental impact on streetscape.

COUNCIL RESOLUTION

MIN 7188/21

MOTION - Moved Cr. A Wright

Seconded Cr. P Lines

That Council:-

1. *Note that the application for outbuildings on Lots 14 and 15 Thomas Street, Narembeen has been advertised for public comment as they entail variations to the 'Deemed to Comply' requirements of State Planning Policy 3.1 - Residential Design Codes. Advertising closed on the 7 March 2021 and one supportive submission has been received.*
2. *Note that the outbuildings meet the alternative Design Principle 5.4.3 P3 of the Residential Design Codes as 'it does not detract from the streetscape or the visual amenity of residents of neighbouring properties' and approve the Outbuilding subject to conditions.*
3. *Instruct staff to investigate the development of a Local Planning Policy to guide future development of outbuildings.*

CARRIED 8/0

REASON FOR CHANGE: Council considered that the development was suitable in light of other outbuildings of a similar size which already exist in the residential zone.

AGENDA ITEM: 8.1.2 – Proposed Telecommunications Infrastructure – Lot 16246 (no 622) Erdman Road, South Kumminin

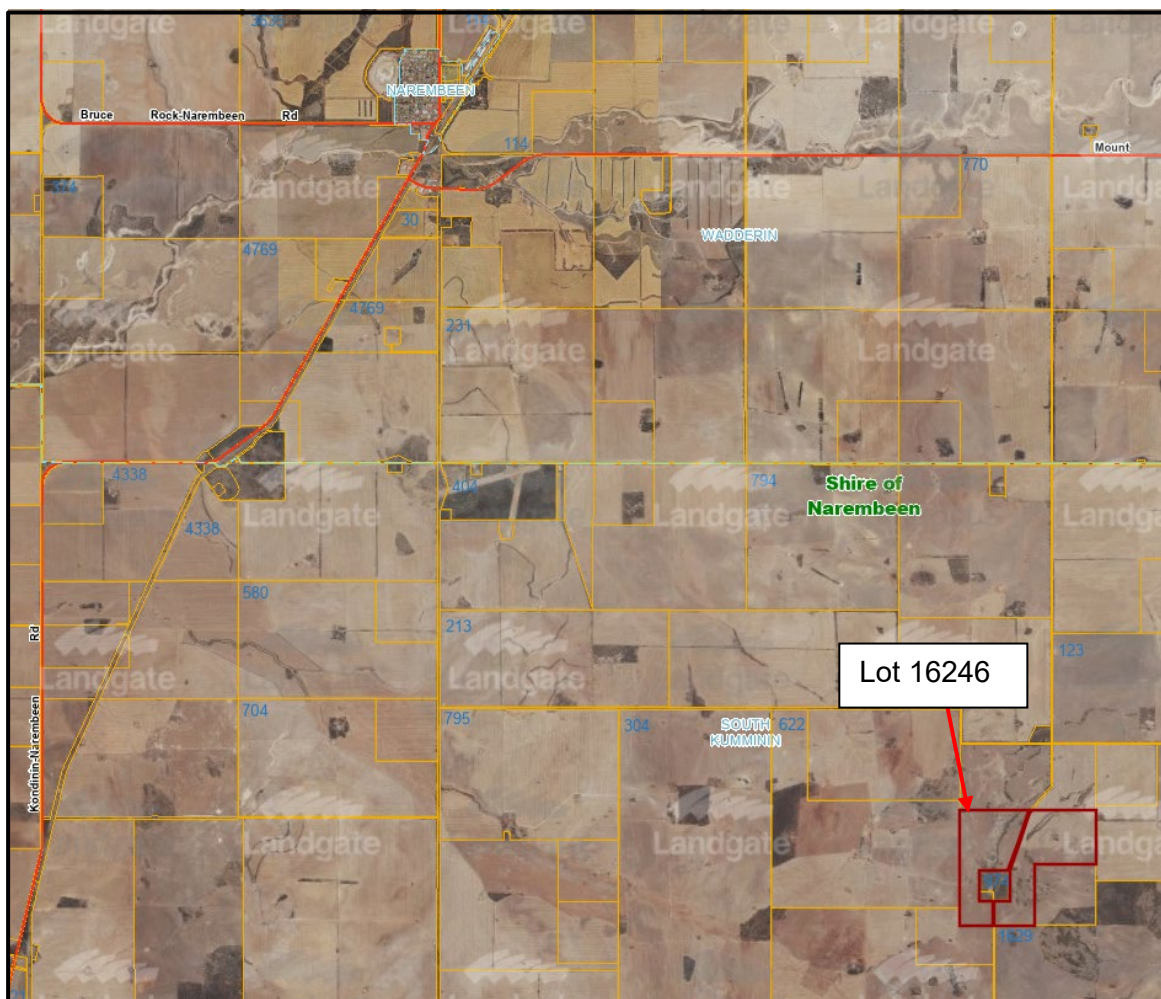
| | |
|---|---|
| Subject: | Proposed Telecommunications Infrastructure – Lot 16246 (No 622) Erdman Road, South Kumminin |
| Applicant: | CRISP Wireless Pty Ltd |
| File Ref: | ADM655 |
| Disclosure of Interest (Staff): | Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of <i>Local Government Act 1995</i> |
| Disclosure of Interest (Member): | Nil |
| Author: | Liz Bushby, Town Planning Innovations |
| Date: | 2 March 2021 |
| Attachments: | Applicant's Report (see attachment binder) |

SUMMARY

Council is to consider an application for telecommunications infrastructure on Lot 16246 (No 622) Erdman Road, South Kumminin.

BACKGROUND

Lot 16246 is located to the south east of Narembeen townsite – refer location plan below.



Location Plan

COMMENT

Description of proposed development

CRISP Wireless is a Network owner/operator licensee for Wireless Broadband services in Western Australia. CRISP provide a telecommunications service that utilises point to point secured wireless connectivity between sites as well as community wireless services and subscriber broadband.

The applicant advises that the CRISP network is proposed to be extended across the wheatbelt. An 18 metre high telecommunications tower is proposed on Lot 16246. The tower is proposed to be setback 210 metres from the north lot boundary and 120 metres from the east lot boundary – refer site plan below.



The applicant has advised that the tower will look similar to the photograph below and will not interfere with continued use of the land for broad agricultural purposes.



An elevation of the proposed tower is included in the applicant's report – refer to attachment.

Zoning and Land Use permissibility

The lot is zoned 'Farming' under the Shire of Narembreen Town Planning Scheme No 2 ('the Scheme').

Under Clause 4.17.1 of the Scheme the objectives of the Farming zone are:

- a) to ensure the continuation of broad-hectare farming as the principal land use in the District and encourage where appropriate the retention and expansion of agricultural activities;
- b) 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;
- c) to allow facilities for tourists and travellers, and for recreational uses.

Under the Scheme, Table 1 lists land uses in a table format with different symbols listed under different zones.

Each symbol has a different meaning and determines whether Council has discretion to consider a land use in the corresponding zone (ie if the land use is permitted, not permitted, discretionary or requires advertising).

The proposed land use is construed as 'telecommunications infrastructure' which is defined in the Scheme as '*means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.*'

Telecommunications Infrastructure is defined in the Shires Scheme, however it is not listed in Table 1 of the Scheme. This is referred to as a 'Use Not Listed'.

Council has two options in dealing with a 'Use Not Listed' under Clause 3.2.5 of the Scheme:

Option 1 Determine that the telecommunications infrastructure use is not consistent with the objectives and purposes of the particular (Farming) zone and is therefore not permitted.

Comment: The proposal will still allow continued agricultural use of the land. TPI does not recommend Option 1.

Option 2 Determine by absolute majority that the proposed telecommunications infrastructure use may be consistent with the objectives and purpose of the (Farming) zone and thereafter follow the "SA" advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval.

Comment: There are clear benefits to the District through any improved telecommunication service in the area. TPI recommends Council pursue Option 2.

If Council supports Option 2 then the application will need to be advertised for public comment, and a second report referred to a future Council meeting to;

- (i) consider any submissions lodged during advertising; and
- (ii) to make a final decision and determine the application.

CONSULTATION

It is compulsory to advertise the application for 21 days if Council pursues Option 2 as outlined in this report.

STATUTORY IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Narembeen Town Planning Scheme No 2.

The Regulations have been amended and the revised Regulations became operative on the 15 February 2021.

- *Advertising*

As the application is being processed as a 'Use Not Listed', it is classified as a 'complex application' under the revised Regulations.

The compulsory advertising requirements for a 'complex application' are more onerous under the current Regulations and include:

- (a) Publication of a Notice with copies of the proposed plans on the Shire website; and
- (b) Make a copy of the plans available to the public for viewing at the Shire office; and
- (c) Writing to the owners and occupiers of lots within 200 metres of the proposed development; and
- (d) Erecting a sign in a conspicuous place on Lot 16246 to advertise the proposal.

Advertising must be for a minimum of 21 days.

If the Shire does not have the resources or capacity to meet the advertising requirements, it can write to the Western Australian Planning Commission. The Commission can exempt the Shire from having to meet some or all of the advertising requirements if it is not practical for the local government to comply with any of the publication requirements.

- *Matters to be considered by Council*

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

- *Delegated Authority*

Clause 82(1) and 82(2) provides Council with the ability to grant delegated authority to the Chief Executive Officer to determine the application. This will expedite determination of the application (after advertising). Any delegation must be made by an Absolute Majority of Council.

Shire of Narembeen Town Planning Scheme No 2
Explained in the body of this report

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations (TPI) for planning advice. TPI is of the understanding that the Shire is contributing towards the cost of the proposed telecommunications tower.

POLICY IMPLICATIONS

There is no local planning policy applicable to the development. There is a Western Australian Planning Commission State Planning Policy 5.2 on Telecommunications Infrastructure.

Adequate and reliable telecommunications are essential for all aspects of contemporary community life, from supporting the State's economy to creating and maintaining connected and cohesive social networks.

The State planning policy aims to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in protecting the visual character of local areas.

The objectives of this policy are to:

- facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs
- manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure

- ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons
- promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.

This policy applies throughout Western Australia in respect to above and below ground telecommunications infrastructure other than those facilities exempted under the Commonwealth *Telecommunications Act 1997* (Telecommunications Act).

STRATEGIC PLAN REFERENCE

Nil

RELATED PARTY TRANSACTIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That Council:

1. Pursue Option 2 and determine by Absolute Majority that the proposed telecommunications infrastructure use may be consistent with the objectives and purpose of the (Farming) zone and thereafter follow the “SA” advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval.
2. Authorise the Chief Executive Officer to advertise the application as required in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* including:
 - (a) Publication of a Notice with copies of the proposed plans on the Shire website; and
 - (b) Make a copy of the plans available to the public for viewing at the Shire office; and
 - (c) Writing to the owners and occupiers of lots within 200 metres of the proposed development; and
 - (d) Erecting a sign in a conspicuous place on Lot 16246 to advertise the proposal.
3. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the development application for a telecommunications tower Lot 16246 (No 622) Erdman Road, South Kumminin.

COUNCIL RESOLUTION

MIN 7189/21

MOTION - Moved Cr. P Lines

Seconded Cr. A Wright

That Council:-

1. *Pursue Option 2 and determine by Absolute Majority that the proposed telecommunications infrastructure use may be consistent with the objectives and purpose of the (Farming) zone and thereafter follow the "SA" advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval.*
2. *Authorise the Chief Executive Officer to advertise the application as required in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 including:*
 - (a) Publication of a Notice with copies of the proposed plans on the Shire website; and*
 - (b) Make a copy of the plans available to the public for viewing at the Shire office; and*
 - (c) Writing to the owners and occupiers of lots within 200 metres of the proposed development; and*
 - (d) Erecting a sign in a conspicuous place on Lot 16246 to advertise the proposal.*
3. *Pursuant to Clause 82(1) and 82(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the development application for a telecommunications tower Lot 16246 (No 622) Erdman Road, South Kumminin.*

**CARRIED 8/0
ABSOLUTE MAJORITY**

4.22pm – Cr A Hardham exited the meeting.

4.22pm – T Clarkson exited the meeting.

4.24pm – Cr A Hardham returned to the meeting.

4.24pm – T Clarkson returned to the meeting.

8.2 Executive Manager Corporate Services

AGENDA ITEM: 8.2.1 - Schedule of Accounts for February 2021 and Credit Card Payments for December 2020 and January 2021

| | |
|--------------------------------|---|
| Subject: | Schedule of Accounts |
| Applicant: | Not Applicable |
| File Ref: | Not Applicable |
| Disclosure of Interest: | Nil |
| Author: | Sharon Baldwin, Administration Officer |
| Authorising Officer: | Tamara Clarkson, Executive Manager Corporate Services |
| Date: | 5 March 2021 |
| Attachments: | February 2021 Creditors Payment List and December 2020 to January 2021 Credit Card Payment List (see attachment binder) |

SUMMARY

For Council to review the payments made by the Shire of Narembeen in January and February 2021.

BACKGROUND

The Shire's schedule of accounts is to be provided to council each month pursuant to the Local Government (Financial Management) Regulation 1996.

COMMENT

A schedule of accounts paid during the month of February 2021 is attached to this report and the total amounts paid from the municipal and trust accounts are as follows:

| | |
|--------------------|--------------|
| Municipal Account: | \$361,202.83 |
| Trust Account | \$0 |
| | _____ |
| Total | \$361,202.83 |
| | _____ |

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

Reg. 13 List of Accounts

1. If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared;
 - a. The payee's name;
 - b. The amount of the payment;
 - c. The date of the payments; and
 - d. Sufficient information to identify the transaction.

3. A list prepared under sub regulation (1) or (2) is to be –
 - a. Presented to the council at the next ordinary meeting of council after the list is prepared; and
 - b. Recorded in the minutes of that meeting.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC PLAN REFERENCE

Goal 2: Internal and external relationships actively grow our Shire population and positive financial position.

2.1 Our organisation model is responsive to economic conditions, the delivery of core services and infrastructure so too the successful pursuit of economic opportunities that benefit our community.

RELATED PARTY TRANSACTIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION

That Council:-

1. Receive the Creditors Payment List for February 2021.
2. Receive the Credit Card Payment List for December 2020 and January 2021.

COUNCIL RESOLUTION

MIN 7190/20

MOTION - Moved Cr. P Lines

Seconded Cr. W Milner

That Council:-

1. *Receive the Creditors Payment List for February 2021.*
2. *Receive the Credit Card Payment List for December 2020 and January 2021.*

CARRIED 8/0

AGENDA ITEM: 8.2.2 - Financial Report - February 2021

| | |
|--------------------------------|--|
| Subject: | Financial Report – February 2021 |
| Applicant: | Shire of Narembeen |
| File Ref: | Not Applicable |
| Disclosure of Interest: | Nil |
| Author: | Rachael Moore, Finance Officer |
| Authorising Officer: | Tamara Clarkson, Executive Manager Corporate Services |
| Date: | 8 March 2021 |
| Attachments: | Financial Report – February 2021 (see attachment binder) |

SUMMARY

The monthly Statement of Financial Activity discloses the Shire’s financial activities for the period ending 28 February 2021.

BACKGROUND

The monthly financial report is presented in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*. A statement of financial activity and any accompanying documents are to be presented to the Council at an ordinary meeting of the Council within two months after the end of the month to which the statement relates. The Statement of Financial Activity Report summarises the Shire’s financial activities.

COMMENT

Council’s closing position at 28 February 2021 amounts to \$857,039 with current assets of \$5,844,505 and \$2,809,629 in reserve funds.

The 2020/21 budget allowed for \$10,000 to fully repaint 26 Thomas Street, Narembeen as a capital job, it is recommended that the capital budget be transferred to operating as the painting would have been included in the initial recognition of the asset and maintenance should be recognised accordingly.

The reports that accompany this item are as follows:

- A graphical representation of the year to date comparison to budget for operating revenue, operating expenses and capital expenses;
- Statement of Financial Activity (based on the Rate Setting Statement adopted in the annual budget) for the period ending 28 February 2021;
- An explanation of the material variances in the Statement of Financial Activity;
- The closing budget position for the period ending 28 February 2021;
- An explanation of the key terms and definitions used in the Statement of Financial Activity;
- A statement of year to date operating expenses by each area of budget responsibility and a graphical comparison of year to date operating expense to the year to date budget; and
- Summary of Cash Investments with financial institutions as at 28 February 2021. In relation to the material variances, “timing” differences are due to the monthly spread of the budget not matching the actual spread of revenue or expenditure. Timing differences will not result in a forecast adjustment. Where the material variance is flagged as “permanent” this indicates that a forecast adjustment to the annual budget is required or has been made.

CONSULTATION

Acting Chief Executive Officer
Executive Manager Corporate Services
Works Manager

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 6.4

Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires a local government to prepare each month a statement of financial activity.

Regulation 34(2) requires the statement of financial activity to report on the sources and applications of funds, as set out in the annual budget.

AASB 138 (Intangible Assets)

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC PLAN REFERENCE

Focus upon our local economic drivers to retain and grow existing businesses, employment and to attract new industry.

RELATED PARTY TRANSACTIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That Council:-

1. Receive the Shire of Narembeen's Financial Report for the month of February 2021.
2. Approve an amendment to the 2020/2021 Annual Budget to include additional operating expenditure of \$10,000 and reduce the capital expenditure.

COUNCIL RESOLUTION

MIN 7191/21

MOTION - Moved Cr. K Mortimore

Seconded Cr. A Hardham

That Council:-

1. *Receive the Shire of Narembeen's Financial Report for the month of February 2021.*
2. *Approve an amendment to the 2020/2021 Annual Budget to include additional operating expenditure of \$10,000 and reduce the capital expenditure.*

**CARRIED 8/0
ABSOLUTE MAJORITY**

RECOMMENDATION

That Council close the meeting to the public under section 5.23 (2) (b) of the Local Government Act 1995 so that it can discuss the following reports which are items relating to contractual matters.

1. Agenda Item 8.3.1 – Request for Long Term Tenancy Arrangement at the Narembeen Caravan Park.
2. Agenda Item 8.3.2 – Disposal of Shire Owned Land – Lot 69 and Lot 70 Cheetham Way, Narembeen.

COUNCIL RESOLUTION

MIN 7192/21

MOTION - Moved Cr. S Stirrat

Seconded Cr. R DeLuis

That Council close the meeting to the public under section 5.23 (2) (b) of the Local Government Act 1995 so that it can discuss the following reports which are items relating to contractual matters.

1. *Agenda Item 8.3.1 – Request for Long Term Tenancy Arrangement at the Narembeen Caravan Park.*
2. *Agenda Item 8.3.2 – Disposal of Shire Owned Land – Lot 69 and Lot 70 Cheetham Way, Narembeen.*

CARRIED 8/0

4.35pm – the meeting was closed to the public.

8.3 Confidential Reports

CONFIDENTIAL AGENDA ITEM: 8.3.1 – Request for Long Term Tenancy Arrangement at the Narembeen Caravan Park

| | |
|--|---|
| Subject: | Request for Long Term Tenancy Arrangement at the Narembeen Caravan Park |
| Applicant: | Mr Brad Butler |
| File Ref: | ADM471 |
| Disclosure of Interest (Staff): | David Blurton, Acting Chief Executive Officer |
| Author: | David Blurton, Acting Chief Executive Officer |
| Date: | 4 March 2021 |
| Attachments: | Confidential Letter from applicant (see attachment binder) |

COUNCIL RESOLUTION

MIN 7193/21 **MOTION** - Moved Cr. A Hardham Seconded Cr. A Wright

That Council direct the CEO to write a formal notice to Mr Brad Butler informing him that Council does not support renewing the tenancy agreement to accommodate the bus at the Narembeen Caravan Park and request the removal of the bus within 28 days of receiving the written notice.

CARRIED 8/0

**CONFIDENTIAL AGENDA ITEM: 8.3.2 - Disposal of Shire Owned Land – Lot 69 and Lot 70
Cheetham Way, Narembeen**

| | |
|--------------------------------|---|
| Subject: | Disposal of Shire Owned Land – Lot 69 and Lot 70 Cheetham Way, Narembeen |
| Applicant: | Wayne Hooper and Holly Burns |
| File Ref: | ADM143 |
| Disclosure of Interest: | Nil |
| Author: | David Blurton, Acting Chief Executive Officer |
| Authorising Officer: | David Blurton, Acting Chief Executive Officer |
| Date: | 2 March 2021 |
| Attachments: | Nil |

COUNCIL RESOLUTION

MIN 7194/21 **MOTION** - Moved Cr. P Lines Seconded Cr. S Stirrat

That Council:-

1. *Note that no submissions were received from the public during the 14-day notice period advising of Council's intent to dispose of Lots 69 and 70 Cheetham Way, Narembeen.*
2. *Dispose of Lots 69 and 70 Cheetham Way, Narembeen for \$50,000 to Wayne Hooper and Holly Burns.*
3. *Transfer proceeds from the sale of Lots 69 and 70 Cheetham Way, Narembeen to the Council's Housing Reserve.*

CARRIED 8/0

RECOMMENDATION

That Council re-open the meeting to public.

COUNCIL RESOLUTION

MIN 7195/21 **MOTION** - Moved Cr. A Wright Seconded Cr. K Mortimore

That Council re-open the meeting to public.

CARRIED 8/0

4.43pm – the meeting was re-opened to the public.

9.0 Urgent business as permitted by Council

Nil

10.0 Councillor's Reports

Cr K Mortimore

Attended

- Sports Strategy meetings with individual sporting clubs
- Meeting with Ramelius, Cr R Cole and executive Shire staff – to establish/discuss a Community Chest Fund
- Historical Society meeting
- Museum Workshop – Merredin
- RoeROC Meeting
- Zone Meeting

Cr P Lines

Attended

- Wadderin Wildlife Sanctuary AGM
- Water Corporation meeting - Wadderin

Cr R DeLuis

General Business

- Cr R DeLuis reminded Cr P Lines to raise outstanding water related items when attending the next Rural Water Meeting

Cr A Hardham

Attended

- P & C Meeting
- Netball Club Meeting
- Faction Swimming Carnival
- Narembeen Open Swim Meet

Cr S Stirrat

Attended

- Sports Strategy meetings with individual sporting clubs
- Water Corporation meeting - Wadderin

Cr A Wright

Attended

- Anzac Day Meeting with CRC

Cr W Milner

Attended

- Water Corporation Meeting – Wadderin

Cr R Cole

Attended

- Meeting with Ramelius, Cr R Cole and executive Shire staff – to establish/discuss a Community Chest Fund
- Sub Regional Road Meeting via Zoom
- Regional Road Group Meeting - Wickepin
- Water Corporation Meeting – Wadderin

Cr R Cole advised Council on the following events/dates:-

- Rose Bowl – Friday 16 April 2021
- Webinar – Grow Housing – 30 March 2021
- Council Meeting - Friday 19 March 2021, 3.30pm with CEO Recruitment Consultant
- Central Ag Care Meeting – 19 April 2021

5.07pm – Cr K Mortimore exited the meeting.

5.09 pm – Cr K Mortimore returned to the meeting.

11.0 Date, time & place of next meeting

Tuesday 20 April 2021, 4.00pm at the Narembeen Shire Council Chambers, 1 Longhurst Street, Narembeen.

12.0 Closure

There being no further business the Chair declared the meeting closed at 5.10pm.

13.0 Certification of Meeting Minutes

I, Cr Rhonda Cole, Shire President certify that the Minutes of the Ordinary Meeting of Council held on 16 March 2021, as show on pages 1 to 33 are confirmed as a true and correct record of the meeting.

Cr Rhonda Cole
PRESIDING PERSON

Date