



<b>COUNCIL CALENDAR</b>		
<b>Date</b>	<b>Time</b>	<b>Meeting</b>
24 October 2023	4.00pm	Swearing In Ceremony
24 October 2023	5.00pm	Ordinary Council Meeting
21 November 2023	5.00pm	Ordinary Council Meeting

<b>SEPTEMBER MEETING PROGRAM</b>	
2.30pm	Council Forum
5.00pm	Ordinary Council Meeting

**MEETING GUESTS**  
[Click here to enter text.](#)

## Contents

1.0	OPENING & WELCOME .....	5
2.0	ATTENDANCE & APOLOGIES .....	5
3.0	DECLARATIONS OF INTEREST .....	5
4.0	ANNOUNCEMENTS.....	5
4.1	APPLICATION FOR LEAVE OF ABSENCE .....	5
5.0	PUBLIC QUESTION TIME & DEPUTATIONS (15 MIN) .....	5
6.0	MINUTES OF PREVIOUS MEETINGS .....	5
6.1	CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL .....	5
6.1.1	CONFIRMATION OF MINUTES .....	5
6.1.2	BUSINESS ARISING.....	6
7.0	STATUS REPORT.....	6
8.0	REPORTS.....	7
8.1	CHIEF EXECUTIVE OFFICER .....	7
	AGENDA ITEM: 8.1.1 - Chief Executive Officer – Australia’s Golden Outback Board Member Appointment.....	7
	AGENDA ITEM: 8.1.2 - Chief Executive Officer – Directions Board of Management Appointment.....	10
	AGENDA ITEM: 8.1.3 - Application seeking retrospective planning approval for a proposed Outbuilding – Lot 1 (No 45) Currall Street, Narembeen.....	12
	AGENDA ITEM: 8.1.4 - Proposed Outbuilding – Lot 67 (No 33) Cheetham Way, Narembeen.....	19
	AGENDA ITEM:8.1.5 - Proposed Subdivision / Boundary Realignment between Lots 2364 & 2365 Wogarl East Road, West Holleton .....	25
8.2	EXECUTIVE MANAGER CORPORATE SERVICES .....	29
	AGENDA ITEM: 8.2.1 - Monthly financial statements for the month ended 31 August 2023 .....	29
	AGENDA ITEM: 8.2.2 - Schedule of accounts for the month ended 31 August 2023 .....	31
8.3	CONFIDENTIAL REPORTS .....	33
	CONFIDENTIAL AGENDA ITEM: 8.3.1 - RFQ 04/2023 Main Street Development .....	33
9.0	URGENT BUSINESS AS PERMITTED BY COUNCIL.....	34
10.0	COUNCILLOR’S REPORTS .....	35
11.0	DATE, TIME & PLACE OF NEXT MEETING.....	35
12.0	CLOSURE .....	35

# DECLARATION OF INTEREST FORM

**TO: CHIEF EXECUTIVE OFFICER**

As required by Section 5.65 of the Local Government Act 1995, I \_\_\_\_\_  
 hereby disclose my interest in the following matters of the agenda papers for the Council meeting  
 dated \_\_\_\_\_.

**FINANCIAL INTEREST**

AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.

**CLOSELY ASSOCIATED PERSON AND IMPARTIALITY INTEREST**

AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.

**PROXIMITY INTEREST**

AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**NOTES:**

1. For the purposes of the financial interest provisions you will be treated as having a financial interest in a matter if either you, or a person with whom you are closely associated, have a direct or indirect financial interest or a proximity interest in the matter.  
**NB: It is important to note that under the Act you are deemed to have a financial interest in a matter if a person with whom you are closely associated has a financial interest or a proximity interest. It is not necessary that there be a financial effect on you.**
2. This notice must be given to the Chief Executive Officer prior to the meeting.
3. It is the responsibility of the individual Councillor or Committee Member to disclose a financial interest. If in doubt, seek appropriate advice.
4. A person who has disclosed an interest must not preside at the part of the meeting relating to the matter, or participate in, be present during any discussion or decision-making procedure relating to the matter unless allowed to do so under Section 5.68 or 5.69 of the Local Government Act 1995.

**OFFICE USE ONLY:**

1. PARTICULARS OF DECLARATION GIVEN TO MEETING
2. PARTICULARS RECORDED IN MINUTES
3. PARTICULARS RECORDED IN REGISTER

**CHIEF EXECUTIVE OFFICER:** \_\_\_\_\_ **DATED:** \_\_\_\_\_

# NOTICE OF MEETING

To the President & Councillors,

In accordance with the provisions of Section 5.5 of the Local Government Act, you are hereby notified that the 699<sup>th</sup> Ordinary Meeting of Council has been convened for:

**Date:** Tuesday 26 September 2023  
**At:** Shire of Narembeen Council Chambers  
1 Longhurst Street, Narembeen  
**Commencing:** 5.00pm



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**Rebecca McCall**  
**Chief Executive Officer**  
Date: **20 September 2023**

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## DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Narembeen for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Narembeen disclaims any liability for any loss whatsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's and or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member or officer of the Shire of Narembeen during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Narembeen. The Shire of Narembeen warns that anyone who has an application lodged with the Shire of Narembeen must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Narembeen in respect of the application.

# AGENDA

Shire of Narembeen Ordinary Council Meeting  
Tuesday 26 September 2023, commencing at 5.00pm

## 1.0 Opening & Welcome

## 2.0 Attendance & Apologies

### Attendance

Councillors

Officers

### Apologies

### Approved leave of absence

## 3.0 Declarations of Interest

## 4.0 Announcements

4.1 Application for leave of absence

## 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 Tuesday 15 August 2023

### RECOMMENDATION:

That the minutes of the meeting of the Shire of Narembeen Ordinary Meeting held on Tuesday 15 August 2023 be confirmed as a true and accurate record of the proceedings.

### COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

Seconded Cr.

**CARRIED /**

6.1.2 Business Arising

Business Arising from the Minutes of the Shire of Narembeen Ordinary Meeting held Tuesday 15 August 2023

<b>7.0 Status Report</b>
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**RECOMMENDATION:**

That the Status Report for September be received.

**COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

Seconded Cr.

**CARRIED /**

## 8.0 Reports

### 8.1 Chief Executive Officer

#### AGENDA ITEM: 8.1.1 - Chief Executive Officer – Australia’s Golden Outback Board Member Appointment

<b>Subject:</b>	CEO Appointment on the Australia’s Golden Outback Board
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	EMP 249
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Author:</b>	Rebecca McCall, Chief Executive Officer
<b>Date:</b>	15 September 2023
<b>Attachments:</b>	Nil

#### PURPOSE

This Item presents to Council the existing appointment of the Chief Executive Officer (CEO) to the Australian Golden Outback Board for consideration and, if satisfactory, endorsement.

#### BACKGROUND

The Gold Region Tourism Organisation Inc (GRTO) trading as Australia’s Golden Outback was established in early 2004 following the development of the “New Concept for State Tourism” by the Western Australian Tourism Commission.

The Region comprises of four tourism precincts – Goldfields, Gascoyne/Murchison, Wheatbelt and Coastal sub-regions.

It is the recognised marketing organisation under the umbrella of Tourism Western Australia (TWA) formerly the Western Australia Tourism Commission and has the specific task of marketing and undertaking promotional activities that will establish the region as a highly desirable tourism destination for intrastate, interstate and international visitors.

The objectives of the organisation are as follows:

- To establish Australia's Golden Outback region as a recognised and highly desirable visitor destination.
- To increase visitor numbers, length of stay and visitor spending in the region.
- To manage stakeholder contributions to achieve the maximum and most efficient marketing outcomes for Australia's Golden Outback region.
- To work with all industry partners and stakeholders to ensure that all issues of infrastructure and development, tourism-related communication and business opportunities of the region are best achieved.

The CEO was elected for a two-year appointment as the Wheatbelt Representative in November 2021 and elected as Deputy Chair in November 2022.

#### CONSULTATION

Nil.

## **STATUTORY IMPLICATIONS**

Section 5.84 *Local Government Act 1995* applies - the Chief Executive Officer is to disclose interest in a primary return and annual return.

Australian Accounting Standard AASB 124 Related Parties applies - the Chief Executive Officer is to disclose interest if applicable.

## **FINANCIAL IMPLICATIONS**

There is no financial impact to the Shire of Narembeen.

## **POLICY IMPLICATIONS**

The Shire of Narembeen Code of Conduct.

## **RISK MANAGEMENT IMPLICATIONS**

There are no known risk management implications associated with this report.

## **STRATEGIC PLAN REFERENCE**

### Strategic Community Plan – 2022 – 2032

Strategic Priority 2.3: Coordinated planning and promotion of the visitor and tourist experience to increase its local economic contribution.

### Corporate Business Plan 2022 – 2024

Goal 2.3.a: Promote and develop tourism opportunities in partnership with Roe Tourism and Go Narembeen

## **VOTING REQUIREMENTS**

Simple Majority

## **COMMENT**

Reasons for the CEO electing to become a board member is to ensure that the Wheatbelt has representation and a voice advocating for our region. The CEO endeavours to foster relations between Tourism WA, AGO and the regions, specifically the Wheatbelt. Strengthen the collaboration between AGO, NewTravel and Roe Tourism for the betterment of our region is undertaken. The intention is to strategically position the Wheatbelt as a destination, utilising AGO and Tourism WA, and to build stronger partnerships between stakeholders.

The Board of AGO meet in on a quarterly basis. The commitment requires the attendance of meetings plus travel which is estimated to be 64 hours per annum. The Chief Executive Officer proposes that this time is taken in lieu to ensure that the business of AGO will not impact on the administration of the Shire of Narembeen.

The Chief Executive Officers seeks Council's endorsement to continue the current voluntary two-year appointment, ending in November 2023 and nomination for a further two-year appointment (November 2023 to 2025).



**OFFICER RECOMMENDATION**

That Council resolves to approve the Chief Executive Officers appointment to the Board of Australia's Golden Outback.

**COUNCIL RESOLUTION**

**MIN**

**MOTION - Moved Cr.**

Seconded Cr.

**CARRIED /**

## AGENDA ITEM: 8.1.2 - Chief Executive Officer – Directions Board of Management Appointment

<b>Subject:</b>	<b>Chief Executive Officer – Directions Board of Management Appointment</b>
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	EMP 249
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Rebecca McCall, Chief Executive Officer
<b>Date:</b>	15 September 2023
<b>Attachments:</b>	Nil

### PURPOSE

To endorse the Chief Executive Officers current appointment to the Board of Management of Directions Workforce Solutions Incorporated.

### BACKGROUND

Directions is a community based registered charity organisation with over 30 years' experience providing workforce development solutions to business through apprenticeships and traineeships, alongside career development and advice to assist jobseekers to make the best choices. Directions assist businesses build a skilled, safe, successful workforce and aims to ensure there are plenty of skilled workers in the future.

A Board of Management governs the associated body and it has authority to control and manage the affairs of the Association subject to the Rules of the Association.

The Chief Executive Officer was nominated and duly appointed onto the Board of Management at the Annual General Meeting of Directions November 2018 for a two-year appointment. A second two-year appointment commenced in December 2021 and the Chief Executive Officer currently holds the position of Secretary.

### CONSULTATION

Nil

### STATUTORY IMPLICATIONS

Section 5.84 *Local Government Act 1995* applies - the Chief Executive Officer is to disclose interest in a primary return and annual return.

Australian Accounting Standard AASB 124 Related Parties applies - the Chief Executive Officer is to disclose interest if applicable.

### FINANCIAL IMPLICATIONS

Nil

### POLICY IMPLICATIONS

The Shire of Narembreen Code of Conduct.

### RISK MANAGEMENT IMPLICATIONS

Nil

## **STRATEGIC PLAN REFERENCE**

### Strategic Community Plan – 2022 – 2032

Strategic Priority 1.1: Together with key stakeholders identify and deliver opportunities for young people across the Shire.

Strategic Priority 2.4: Retain and grow our local skills base.

### Corporate Business Plan 2022 – 2024

Goal 2.4.b: Offer apprenticeships and traineeships in our workforce

## **VOTING REQUIREMENTS**

Simple Majority

## **COMMENT**

The Board of Directions meet in Northam on a quarterly basis. The commitment requires the attendance of meetings plus travel which is estimated to be 16 hours per annum. The Chief Executive Officer proposes that this time is taken in lieu to ensure that the business of Directions will not impact on the administration of the Shire of Narembeen.

The Directions Workforce Solutions Incorporated Rules of Association outlines in Clause 15 remuneration of board members. The prescribed sitting fees for board members in 2022 are \$400 per meeting.

The Chief Executive Officer has declined the Board of Management Sitting Fees of \$400 per meeting and has advised the Chair of the Board of Management that membership is voluntary.

It is hoped that the Chief Executive Officer's voluntary involvement will benefit the region through linking relevant networks across the Wheatbelt with Directions in the aim to build a sustainable skilled workforce benefiting industry sectors within the outlining region.

Chief Executive Officers seeks Council's endorsement to continue the current two-year appointment and nomination for a further two-year appointment (December 2023 to 2025).

## **OFFICER RECOMMENDATION**

That Council resolves to approve the Chief Executive Officers appointment to the Board of Directions Workforce Solutions Incorporated.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

Seconded Cr.

**CARRIED /**

**AGENDA ITEM: 8.1.3 - Application seeking retrospective planning approval for a proposed Outbuilding – Lot 1 (No 45) Currall Street, Narembeen.**

<b>Subject:</b>	<b>Application seeking retrospective planning approval for a proposed Outbuilding – Lot 1 (No 45) Currall Street, Narembeen</b>
<b>Applicant:</b>	Kathleen Hindmarsh
<b>File Ref:</b>	P1065
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Liz Bushby, Town Planning Innovations
<b>Date:</b>	14 September 2023
<b>Attachments:</b>	Nil

**PURPOSE**

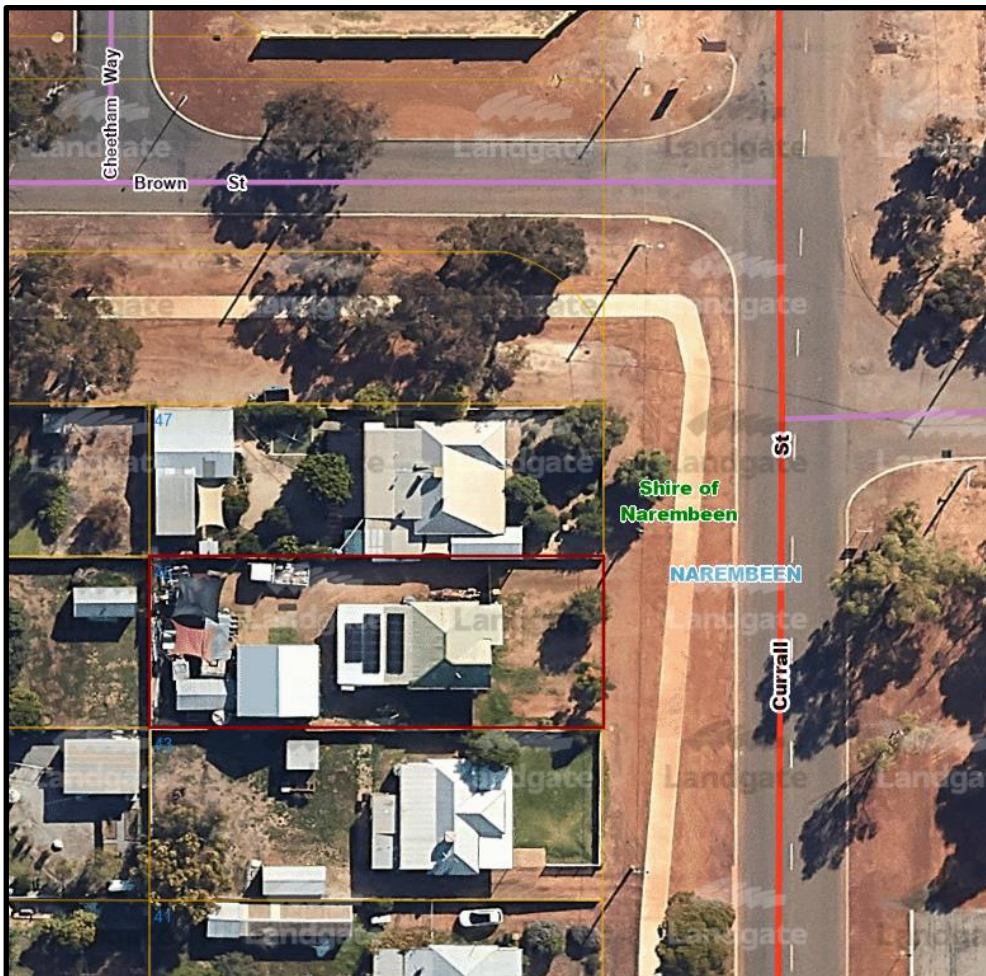
Council is to consider an application seeking retrospective planning approval for an outbuilding on Lot 1 (No 45) Currall Street, Narembeen (that entails variations to the Residential Design Codes).

Town Planning Innovations (TPI) is of the understanding that the building was erected without any approval, and the Shire has been encouraging the owner to apply to rectify the existing situation.

**BACKGROUND**

Lot 67 has been developed with a single house and has an approximate area of 911m<sup>2</sup>.

A location plan is included over page for ease of convenience.



*Above: Location Plan*

## CONSULTATION

The application has been advertised for public comment. Advertising closed on 14 September 2023, and no submissions were received.

## STATUTORY IMPLICATIONS

### Planning and Development Act 2005

Clause 164(1) outlines that “a responsible authority may grant its approval under a planning scheme or interim development order for development already commenced or carried out.”

### 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 65 outlines that the normal planning process applies where development approval is sought for development that has already commenced or been carried out.

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.

### Shire of Narembeen Town Planning Scheme No 2

The property is zoned ‘Residential’ under the Shire of Narembeen Town Planning Scheme No 2 (‘the Scheme’) and has 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.

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.

## FINANCIAL IMPLICATIONS

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

## POLICY IMPLICATIONS

The Shire of Narembeen Local Planning Policy No 1 on outbuildings provides guidance for acceptable sizes of outbuildings on residential zoned land as follows:

	Residential <1000m2	Residential >1000m2	Proposed
Max Aggregate Floor Area	100m2 or 12% of site whichever is less	150m2 or 12% of site areas whichever is less	57.6m <sup>2</sup>
Max Wall Height	3.5m	3.5m	3.2m
Max Ridge Height	4.5m	5m	4.4m
Setbacks	As per scheme and R-codes		
Zincalume	No	No	No

The proposed outbuilding complies with the Shire's Local Planning Policy requirements applicable to a 911m<sup>2</sup> lot. It also complies with the setbacks required under the Residential Design Codes (being 1 metre to the side and rear lot boundary).

## RISK MANAGEMENT IMPLICATIONS

There are no known risk management implications associated with this report.

## STRATEGIC PLAN REFERENCE

Not Applicable.

## VOTING REQUIREMENTS

Simple Majority

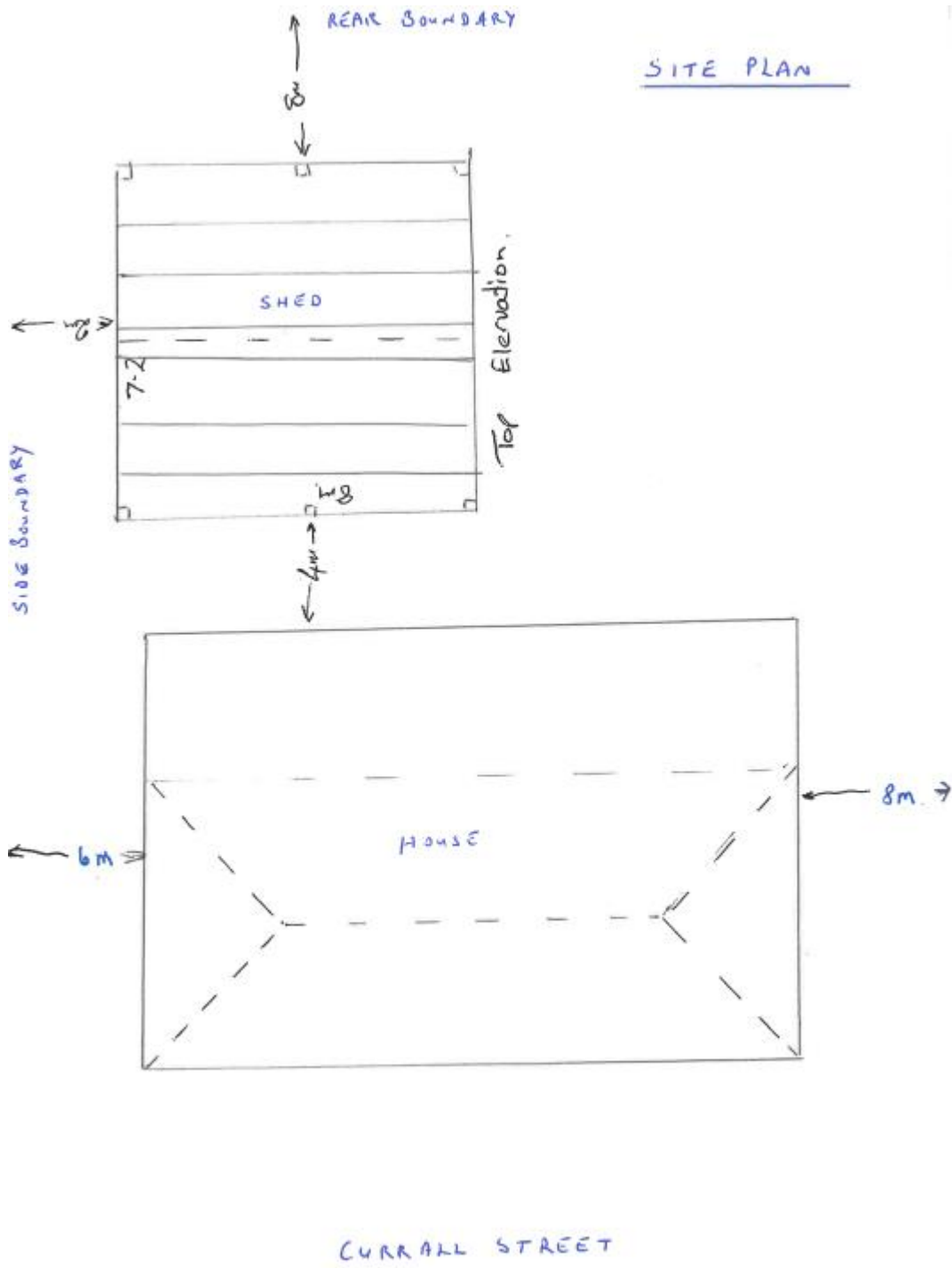
## COMMENT

### Description of proposed development

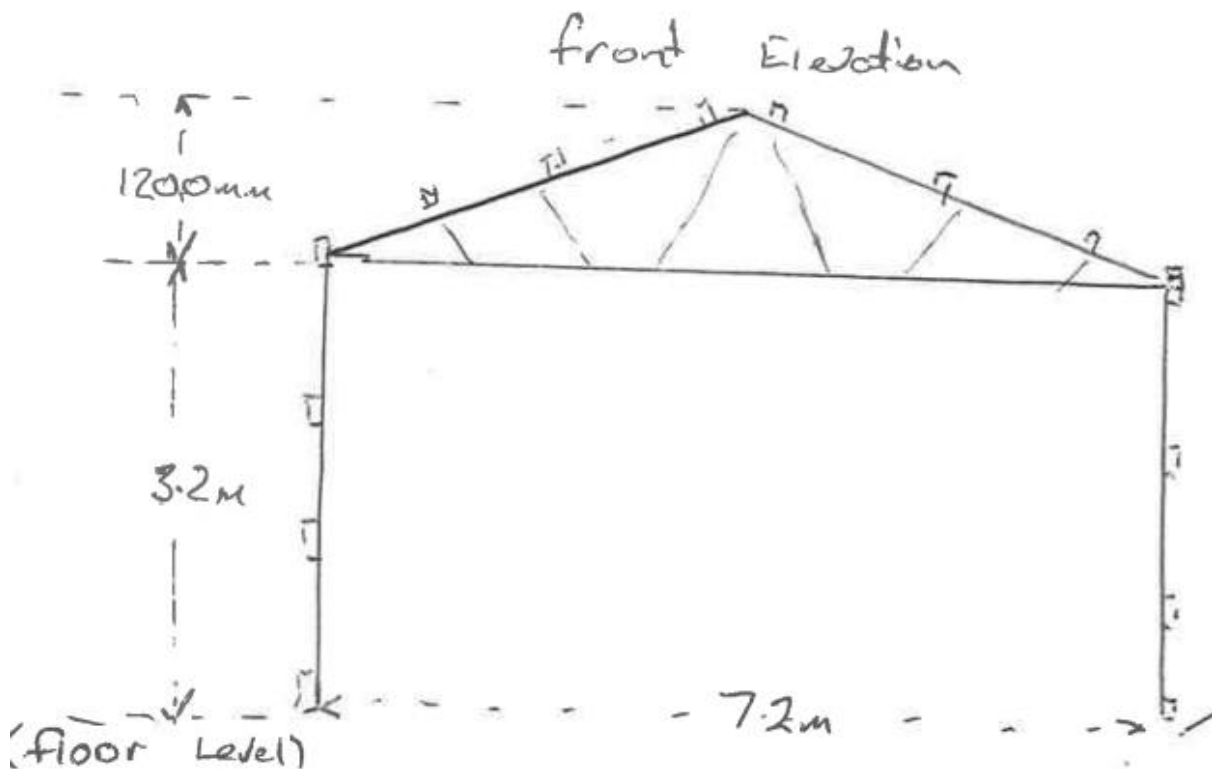
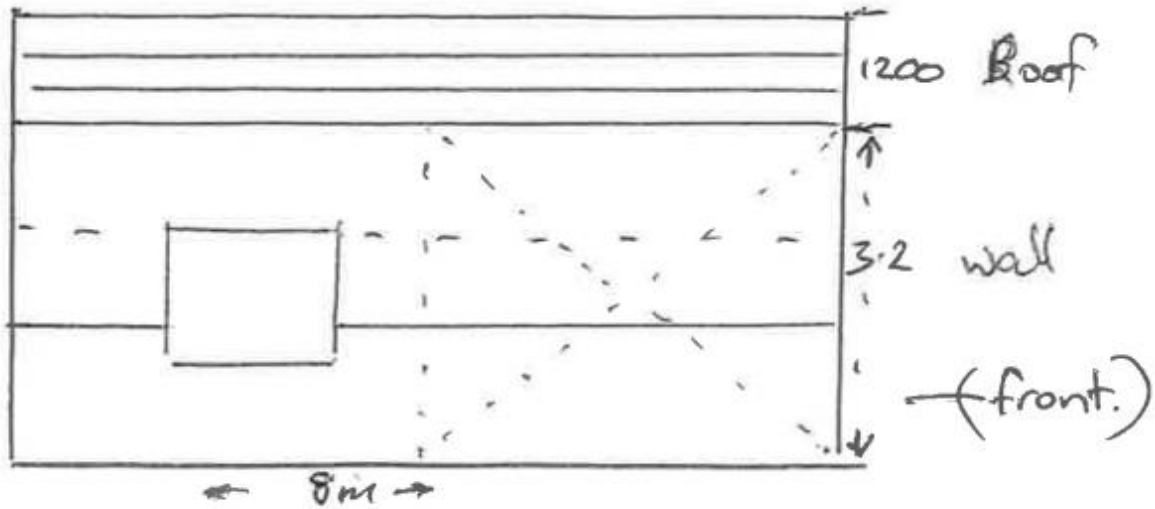
An outbuilding has been constructed to the rear of the existing house on Lot 1. The owners hand drawn site plan shows it is 4 metres to the west of the dwelling, and 8 metres from the rear lot boundary.

A site plan and elevations are included over page.

SITE PLAN



## Sidewall Exterior Elevation



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

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

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 Residential Design Codes, then planning approval is required for the development, and a more detailed subjective assessment must be made based on ‘Design Principles’ in the Codes.

Under the Residential Design Codes there are specific ‘deemed to comply’ requirements for outbuildings as summarised in the table below.

Clause 5.4.3 C3 B ‘deemed to comply’ criteria / Outbuildings that:	Officer Comment (TPI)
(i) individually or collectively does not exceed 60sqm in area or 10 percent in aggregate of the site area, whichever is the lesser	Complies. The proposed floor area is 57.6m <sup>2</sup> .
(ii) setback in accordance with Table 2a.	Complies.
(iii) does not exceed a wall height of 2.4 metres	Variation. The wall height is 3.2 metres, however that complies with the Shires Local Planning Policy.
(iv) does not exceed a ridge height of 4.2 metres	Minor Variation. The wall height is 4.4 metres, however that complies with the Shires Local Planning Policy.
(vi) not located within the primary or secondary street setback area; and	Complies.
(vi) does not reduce the open space and outdoor living area requirements in Table 1.	Complies.

The application proposes variations to the ‘Deemed to Comply’ requirements of the Residential Design Codes therefore irrespective of any neighbours comments the Council must 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”.*

TPI generally supports the application seeking retrospective approval of the existing outbuilding, and notes that:

1. The variations to the Residential Design Codes are not significant; and
2. The outbuilding complies with the Shires Local Planning Policy No 1.

## **OFFICER RECOMMENDATION**

That Council:

1. Note that the application for an outbuilding at Lot 1 (No 45) Currall Street, Naremben has been advertised for public comment, and no submissions were received.
2. Determine that the outbuilding meets 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 note that it complies with the Shire of Naremben Local Planning Policy No 1.
3. Approve the application seeking retrospective development approval for an outbuilding on Lot 1 (No 45) Currall Street, Naremben subject to the following conditions and footnote:

- (i) The plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive Officer.
- (ii) All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage is to be fully contained within the property boundaries with no water discharge into adjacent land or road reserve unless otherwise approved in writing by the Chief Executive Officer.
- (iii) The building is only approved for non-habitable purposes.
- (iv) If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnote:

- (a) Please be advised that this is a planning consent only. A separate application for a Building Approval Certificate needs to be lodged to the Shire.

**COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

Seconded Cr.

**CARRIED /**

## AGENDA ITEM: 8.1.4 - Proposed Outbuilding – Lot 67 (No 33) Cheetham Way, Narembeen

<b>Subject:</b>	Proposed Outbuilding – Lot 67 (No 33) Cheetham Way, Narembeen
<b>Applicant:</b>	Option Engineering
<b>File Ref:</b>	P5327
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Liz Bushby, Town Planning Innovations
<b>Date:</b>	14 September 2023
<b>Attachments:</b>	Nil

### PURPOSE

Council is to consider a new application for an outbuilding on Lot 67 (No 33) Cheetham Way, Narembeen (that entails variations to the Residential Design Codes).

### BACKGROUND

Lot 67 has been developed with a single house and has an approximate area of 2104m<sup>2</sup>.



### CONSULTATION

The application has been advertised for public comment. Advertising closed on 14 September 2023, and no submissions were received.

## STATUTORY IMPLICATIONS

### Shire of Narembeen Town Planning Scheme No 2

The property is zoned 'Residential' under the Shire of Narembeen Town Planning Scheme No 2 ('the Scheme') and has a density code of R5. The R5 code dictates the site requirements that apply to residential development on the lot under the Residential Design Codes.

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.

### 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.

## FINANCIAL IMPLICATIONS

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

## POLICY IMPLICATIONS

The Shire of Narembeen Local Planning Policy No 1 on outbuildings provides guidance for acceptable sizes of outbuildings on residential zoned land as follows:

	Residential <1000m2	Residential >1000m2	Proposed
Max Aggregate Floor Area	100m2 or 12% of site whichever is less	150m2 or 12% of site areas whichever is less	63m <sup>2</sup>
Max Wall Height	3.5m	3.5m	3m
Max Ridge Height	4.5m	5m	3.75m
Setbacks	As per scheme and R-codes		

Zincalume	No	No	No
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The proposed outbuilding complies with the Shires Local Planning Policy requirements applicable to a 2104m<sup>2</sup> lot. It also complies with the setbacks required under the Residential Design Codes (being 1 metre to the side and rear lot boundary).

### **RISK MANAGEMENT IMPLICATIONS**

There are no known risk management implications associated with this report.

### **STRATEGIC PLAN REFERENCE**

Not Applicable.

### **VOTING REQUIREMENTS**

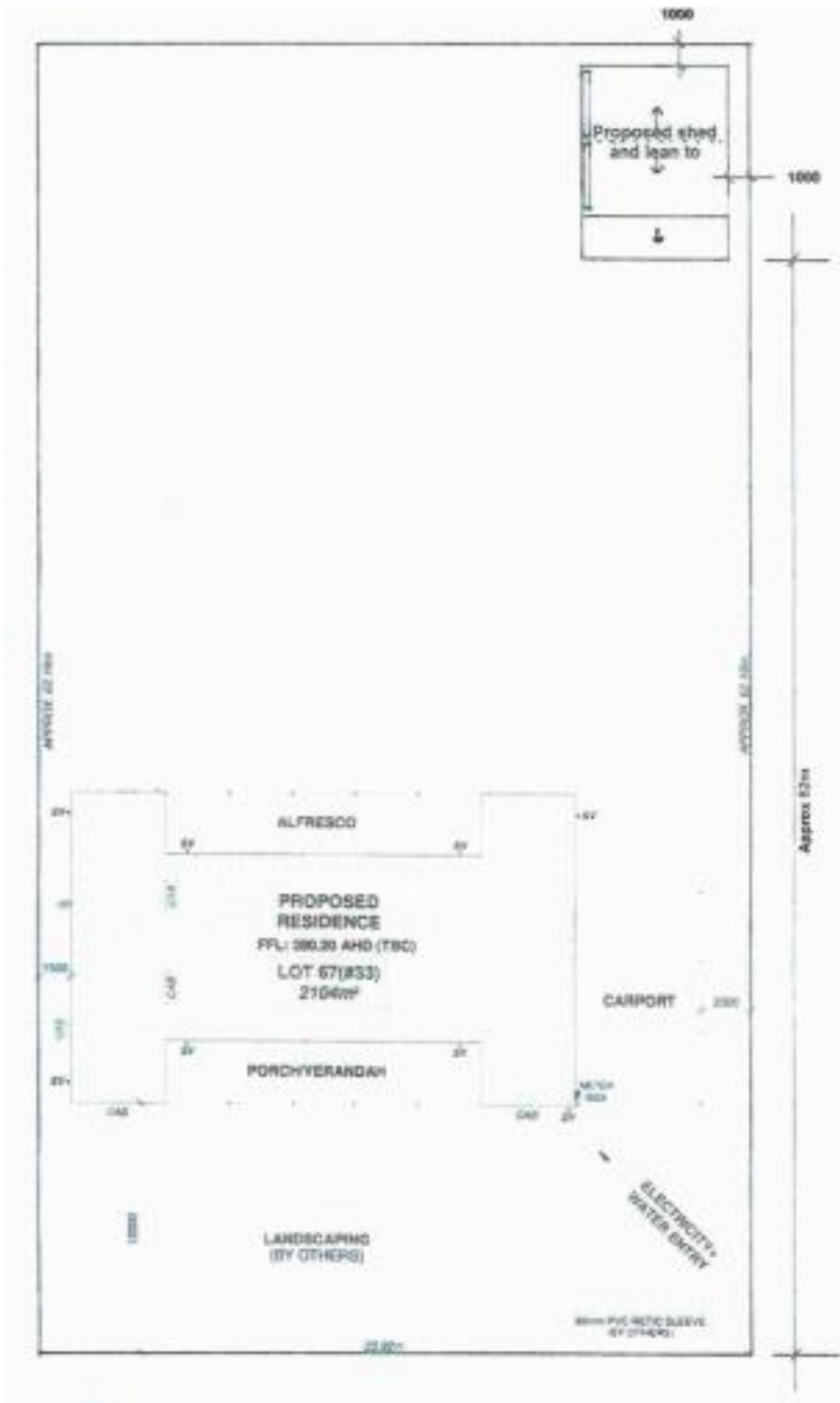
Simple Majority

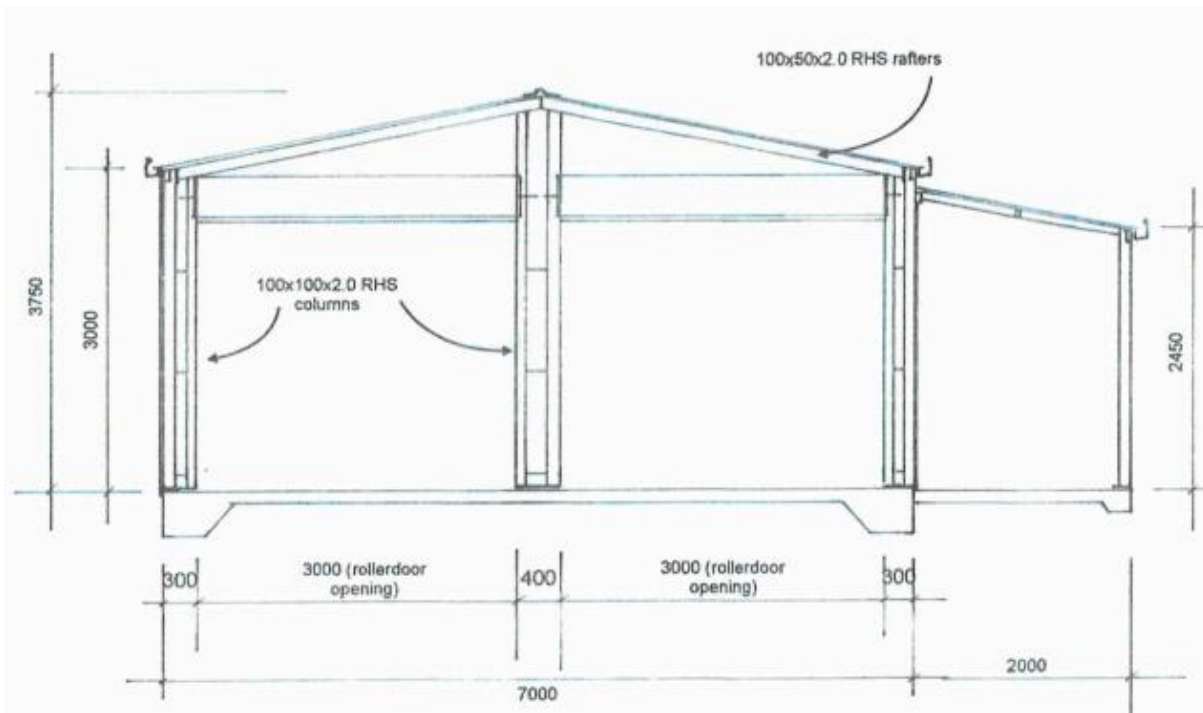
### **COMMENT**

- ***Description of proposed development***

The application proposes a 63m<sup>2</sup> outbuilding to the north of the existing house.

A site plan and elevations are included over page.





- Residential Design Codes (“the Codes”) – Outbuilding Assessment**

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

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 Residential Design Codes, then planning approval is required for the development, and a more detailed subjective assessment must be made based on ‘Design Principles’ in the Codes.

Under the Residential Design Codes there are specific ‘deemed to comply’ requirements for outbuildings as summarised in the table below.

Clause 5.4.3 C3 B ‘deemed to comply’ criteria / Outbuildings that:	Officer Comment (TPI)
(i) individually or collectively does not exceed 60sqm in area or 10 percent in aggregate of the site area, whichever is the lesser	Minor Variation. The proposed floor area is 63m <sup>2</sup> , however that complies with the Shires Local Planning Policy.
(ii) setback in accordance with Table 2a.	Complies.
(iii) does not exceed a wall height of 2.4 metres	Variation. The maximum wall height is 3 metres, however that complies with the Shires Local Planning Policy.
(iv) does not exceed a ridge height of 4.2 metres	Complies.
(vi) not located within the primary or secondary street setback area; and	Complies.
vi) do not reduce the open space and outdoor living area requirements in table 1.	Complies.

The application proposes variations to the 'Deemed to Comply' requirements of the Codes therefore irrespective of any neighbours comments the Council must 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"*.

TPI generally supports the proposed outbuilding, and notes that:

1. The variations to the Residential Design Codes are not significant; and
2. The outbuilding complies with the Shires Local Planning Policy No 1.

## **OFFICER RECOMMENDATION**

That Council:

1. Note that the application for an outbuilding at Lot 67 (No 33) Cheetham Way, Narembeen has been advertised for public comment, and no submissions were received.
2. Determine that the outbuilding meets 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 note that it complies with the Shire of Narembeen Local Planning Policy No 1.
3. Approve the application for an outbuilding on Lot 67 (No 33) Cheetham Way, Narembeen subject to the following conditions and footnote:
  - (i) The plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive Officer.
  - (ii) All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage is to be fully contained within the property boundaries with no water discharge into adjacent land or road reserve unless otherwise approved in writing by the Chief Executive Officer.
  - (iii) The building is only approved for non-habitable purposes.
  - (iv) If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnote:

- (a) Please be advised that this is a planning consent only. A separate application for a Building Permit needs to be lodged to the Shire.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

Seconded Cr.

**CARRIED /**



**AGENDA ITEM:8.1.5 - Proposed Subdivision / Boundary Realignment between Lots 2364 & 2365 Wogarl East Road, West Holleton**

<b>Subject:</b>	Proposed Subdivision – Lots 2364 & 2365 Wogarl East Road, West Holleton
<b>Applicant:</b>	Complex Land Solutions
<b>File Ref:</b>	P3022 and P2082
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Liz Bushby, Town Planning Innovations (TPI)
<b>Date:</b>	14 September 2023
<b>Attachments:</b>	1. Subdivision Plan

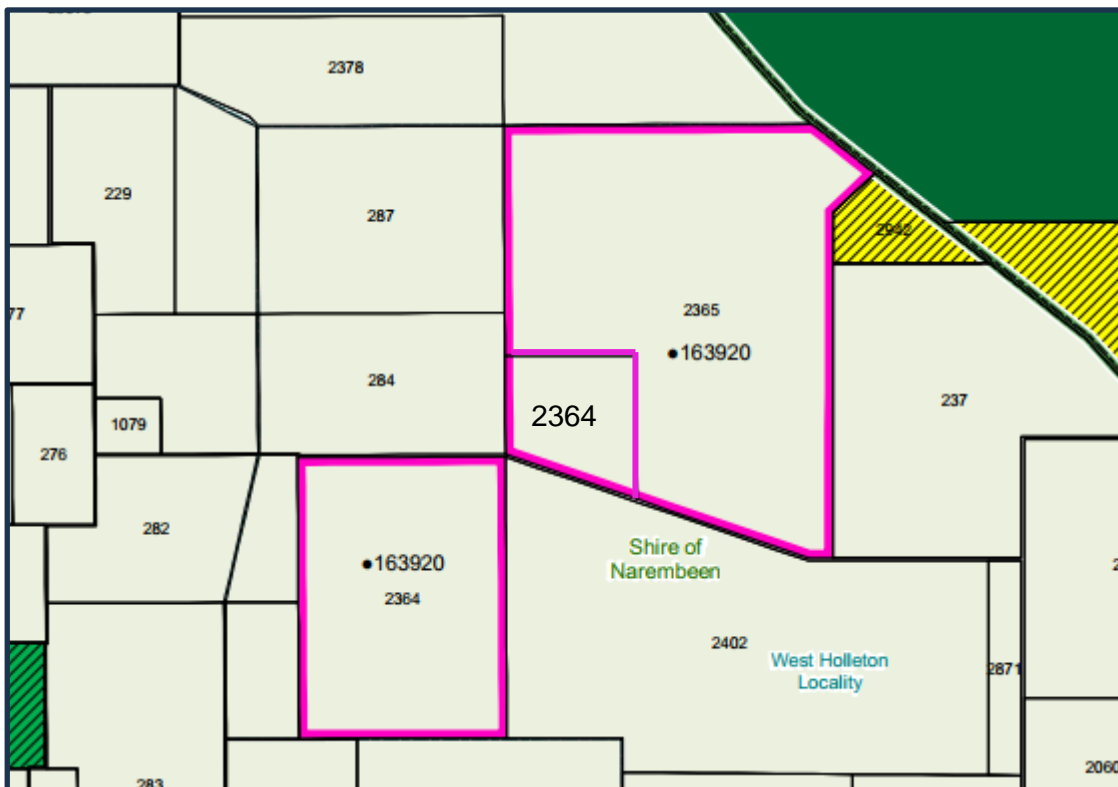
**PURPOSE**

Council is to consider an application proposing a boundary realignment between two existing lots.

The application has been lodged with the Western Australian Planning Commission (WAPC) who is the determining authority. The WAPC has requested the Shire’s recommendation and comments.

**BACKGROUND**

Lot 2364 and Lot 2365 have existing areas of 1310 and 1972.38 hectares respectively.



Above: Location Plan

Both lots are zoned ‘Farming’ under the Shire of Narembreen Town Planning Scheme No 2 (‘the Scheme’).

**CONSULTATION**

The Western Australian Planning Commission (WAPC) has referred the application to the Department of Biodiversity, Conservation and Attractions, Department of Water and Environment Regulation, the Water Corporation, Western Power and the Shire.

Responses have been requested by 20 September 2023. Town Planning Innovations (TPI) has advised WAPC that the Shire's response will be late due to the timing of the September Council meeting.

## **STATUTORY IMPLICATIONS**

### *Shire of Narembeen Town Planning Scheme No 2*

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 for facilities for tourists and travellers, and for recreation uses.

Clause 4.17.4 of the Scheme outlines circumstances where Council will consider subdivision in the Farming zone, including for farm adjustment where dwellings are restricted.

The subdivision is only a boundary realignment, will not result in any increased dwelling entitlements or any increase in lot yield.

### *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.

Regulation 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.

## **FINANCIAL IMPLICATIONS**

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

## **POLICY IMPLICATIONS**

There are no local planning policy implications associated with this report.

## **RISK MANAGEMENT IMPLICATIONS**

There are no known risk management implications associated with this report.

## **STRATEGIC PLAN REFERENCE**

Not Applicable.

## **VOTING REQUIREMENTS**

Simple Majority

## COMMENT

### Description of proposed subdivision

The application proposes to re-align the boundaries between the existing 2 lots. A 279.046 hectare portion of Lot 2364 will be amalgamated into adjacent Lot 2365.

The subdivision plan is included as Attachment 1.

### WAPC Development Control Policy 3.4

The Western Australian Planning Commission 'Development Control Policy 3.4: Subdivision of Rural Land' sets out the principles which will be used by the WAPC in determining this application.

The Policy outlines limited and specific circumstances where the subdivision of rural land may be considered including:

- a. where there is a significant physical division (such as a major highway);
- b. property rationalisation where there is no increase in lot yield;
- c. homestead lots;
- d. for conservation of heritage buildings or places; or
- e. to separate specific land uses onto their own title (such as an abattoir).

The application complies with Clause 6.3 of the WAPC Policy as summarised below:

<b>WAPC DC3.4 Policy Requirement</b>	
Many rural properties comprise multiple titles and landowners may wish to subdivide to achieve better land management. Subdivision may also present opportunities to create access to landlocked lots. Multiple lots in one ownership may be rationalised provided that:	
(a) there is no increase in the number of lots;	Officer Comment: Complies. No increase in the number of lots is proposed.
(b) the new boundaries achieve improved environmental and land management practices and minimise adverse impacts on rural land use	Officer Comment: Complies. The proposed lot boundary realignment is logical.
(c) no new roads are created, unless supported by the local government;	Officer Comment: Complies. No new roads are proposed.
(d) new vehicle access points on State roads are minimised; and	Officer Comment: Complies. No new road access to any state road is proposed.
(e) rural living sized lots (1-40 hectares), created as a result of the rationalisation, have appropriate buffer from adjoining farming uses and water resources, and may have notifications placed on title advising that the lot is in a rural area and may be impacted by primary production.	Officer Comment: Not Applicable. The proposed lots are more than 40 hectares.

The Policy also states that:

*“in instances where a subdivision only proposes to realign existing lot boundaries, where no change to the land use and/or landform is proposed, and no additional development is proposed, applications for property rationalisation may be unconditionally approved.”*

This is the case for this application therefore unconditional support for the application is recommended.

## **OFFICER RECOMMENDATION**

That Council recommends that the Western Australian Planning Commission approve the application (No 163920) unconditionally to re-align the boundaries between Lots 2364 & 2365 Wogarl East Road, West Holleton.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

Seconded Cr.

**CARRIED /**

## 8.2 Executive Manager Corporate Services

### AGENDA ITEM: 8.2.1 - Monthly financial statements for the month ended 31 August 2023

<b>Subject:</b>	<b>Monthly financial statements for month ended 31 August 2023</b>
<b>Applicant:</b>	Shire of Narembeen
<b>File Ref:</b>	Not Applicable
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Date:</b>	18 September 2023
<b>Attachments:</b>	Monthly financial statements – 31 August 2023

#### PURPOSE

For Council to accept the financial statements for the month ended 31 August 2023.

#### BACKGROUND

The monthly financial reports are 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.

#### CONSULTATION

Chief Executive Officer

#### 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.

#### FINANCIAL IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

Nil

#### RISK MANAGEMENT IMPLICATIONS

- Compliance risk - low.  
Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring
- Financial Impact risk - moderate.  
Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring.

## **STRATEGIC PLAN REFERENCE**

Strategic Community Plan 2022 - 2032

Strategic priority 4.2: “We have sound financial and asset management policies and practices in place”

## **VOTING REQUIREMENTS**

Simple Majority

## **COMMENT**

Council’s closing funding surplus as at 31 August 2023 is \$6,597,085, with cash on hand of \$10,530,209 including \$4,734,815 of restricted reserves.

## **OFFICER RECOMMENDATION**

That Council receive the monthly financial statements for the month ended 31 August 2023.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

Seconded Cr.

**CARRIED /**

## AGENDA ITEM: 8.2.2 - Schedule of accounts for the month ended 31 August 2023

<b>Subject:</b>	<b>Schedule of accounts for the month ended 31 August 2023</b>
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	ADM018
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Date:</b>	6 July 2023
<b>Attachments:</b>	Creditor payments for the month ended 31 August 2023, Credit Card Payments List 15 June to 13 July 2023

### PURPOSE

For Council to review and endorse the payments made by the Shire of Narembeen in August 2023.

### BACKGROUND

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

### CONSULTATION

Nil

### STATUTORY IMPLICATIONS

*Local Government (Financial Management) Regulations 1996*

#### 13. Payments from municipal fund or trust fund by CEO

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.

#### 13A. Payments by employees via purchasing cards

1. If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared:
  - a) The payee's name;
  - b) The amount of the payment;
  - c) The date of the payment;
  - d) Sufficient information to identify the payment.
  
2. A list prepared under subregulation (1) must 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

## **RISK MANAGEMENT IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

Strategic Community Plan 2022-2032

CIVIC LEADERSHIP: Well governed and efficiently managed Local Government.

4.2 Compliant and resourced Local Government

We have sound financial and asset management policies and practices in place.

## **VOTING REQUIREMENTS**

Simple majority

## **COMMENT**

A schedule of accounts paid during the month of August 2023 is attached to this report and the total amount paid from the municipal and trust fund is as follows:

Municipal Account: \$1,130,711.49

Trust Account: \$0.00

## **OFFICER RECOMMENDATION**

That Council:

1. Receive the Creditors Payment List for the month ended 31 August 2023
2. Receive the Credit Card Payments List for 15 June 2023 to 13 July 2023.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

Seconded Cr.

**CARRIED /**



## 8.3 Confidential Reports

### OFFICER RECOMMENDATION

That Council close the meeting to public, under Section 5.23 (2) (c) of the Local Government Act 1995, so that it can discuss contractual matters.

### COUNCIL RESOLUTION

MIN

MOTION – Moved Cr.

Seconded Cr.

**CARRIED /**

### **CONFIDENTIAL** AGENDA ITEM: 8.3.1 - RFQ 04/2023 Main Street Development

<b>Subject:</b>	<b>RFQ 04/2023 Main Street Development</b>
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	ADM 053
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Diana Blacklock – Economic Development Officer
<b>Date:</b>	19 September 2023
<b>Attachments:</b>	RFQ 04/2023 Assessment

### PURPOSE

This item presents Request for Quote (RFQ) – 04/2023 Redevelopment of Main Street in Narembeen for consideration and if satisfactory endorsement.

### OFFICER RECOMMENDATION

That Council accept Prism Contracting and Consulting as the successful supplier for RFQ 04/2023 – Redevelopment of Main Street in Narembeen.

### COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

Seconded Cr.

**CARRIED /**

### OFFICER RECOMMENDATION

That Council reopen the meeting to the public

### COUNCIL RESOLUTION

MIN

MOTION – Moved Cr.

Seconded Cr.

**CARRIED /**

**9.0 Urgent business as permitted by Council**

## 10.0 Councillor's Reports

### Cr K Mortimore

Attended

- 

### Cr S Stirrat

Attended

- 

### Cr H Cusack

Attended

- 

### Cr T Cole

Attended

- 

### Cr C Bray

Attended

- 

### Cr A Hardham

Attended

- 

### Cr M Currie

Attended

- 

### Cr W Milner

Attended

- 

## 11.0 Date, time & place of next meeting

Tuesday 24 October, 5.00pm at the Shire of Narembeen Council Chambers.

## 12.0 Closure

There being no further business the Chair declared the meeting closed at \_\_\_\_\_.