



## Agenda for the 647<sup>th</sup> Ordinary Council Meeting

19<sup>th</sup> December 2018

COUNCIL CALENDAR		
Date	Time	Meeting
19 <sup>th</sup> December 2018	2.30pm	Ordinary Meeting of Council
20 <sup>th</sup> February 2019	2.30pm	Ordinary Meeting of Council
20 <sup>th</sup> March 2019	2.30pm	Ordinary Meeting of Council

DECEMBER MEETING PROGRAMME	
2.00pm	Afternoon Tea
2.30pm	Ordinary Meeting of Council
6.30pm	Councillors Christmas Function

## MEETING GUESTS

Nil



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# 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:

- 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.**
- This notice must be given to the Chief Executive Officer prior to the meeting.
- It is the responsibility of the individual Councillor or Committee Member to disclose a financial interest. If in doubt, seek appropriate advice.
- 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:

- PARTICULARS OF DECLARATION GIVEN TO MEETING
- PARTICULARS RECORDED IN MINUTES
- 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 647<sup>th</sup> Ordinary Meeting of Council has been convened for:

**Date:** Wednesday 19<sup>th</sup> December 2018

**At:** Shire of Narembeen Council Chambers  
1 Longhurst Street, Narembeen

**Commencing:** 2.30pm



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**Chris Jackson**  
**Chief Executive Officer**  
Date: 12<sup>th</sup> December 2018

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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 Wednesday 19<sup>th</sup> December 2018, commencing at 2.30pm

### 1.0 Opening & Welcome

### 2.0 Attendance & Apologies

#### Attendance

Councillors

Staff

#### 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 Wednesday 21<sup>st</sup> November 2018.

#### RECOMMENDATION:

That the Minutes of the Meeting of the Shire of Narembeen held Wednesday 21<sup>st</sup> November 2018 be confirmed as a true and accurate record of the proceedings.

#### COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

2nd Cr.

*That the minutes of the meeting of the Shire of Narembeen held Wednesday 21<sup>st</sup> November 2018 be confirmed as a true and accurate record of the proceedings.*

**CARRIED /**

### 6.1.2 Business Arising

Business Arising from the Minutes of the Shire of Narembreen Ordinary Meeting held Wednesday 21<sup>st</sup> November 2018..

## 6.2 Annual Elector's Meeting

**See Attachment – Agenda Item 6.2**

### 6.2.1 Receive Minutes

Receive minutes of the Annual Elector's Meeting held on Tuesday 11<sup>th</sup> December 2018.

#### RECOMMENDATION

That the minutes of the Annual Elector's Meeting held on Tuesday 11<sup>th</sup> December 2018 be received.

#### COUNCIL RESOLUTION

**MIN**                      **MOTION** - Moved Cr.    2nd Cr.

*That the minutes of the Annual Elector's Meeting held on Tuesday 11<sup>th</sup> December 2018 be received.*

**CARRIED /**

<b>7.0      Status Report</b>
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**See Attachment – Agenda Item 7.0**

#### RECOMMENDATION:

That the Status Report for December 2018 be received.

#### COUNCIL RESOLUTION

**MIN**                      **MOTION** - Moved Cr.    2nd Cr.

*That the Status Report for December 2018 be received.*

**CARRIED /**

## 8.0 REPORTS

### 8.1 Works Manager's Report

#### AGENDA ITEM: 8.1.1 - Work's Manager's Report December 2018

<b>Subject:</b>	Works Manager's Report
<b>Applicant:</b>	Arthur Cousins
<b>File Ref:</b>	NA
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Arthur Cousins
<b>Date:</b>	12 December 2018
<b>Attachments:</b>	Nil

#### SUMMARY

Council is to consider this report from the Works Manager for December 2018.

#### BACKGROUND

Each month the Works Manager will present to Council the activities and issues at hand and provide progress on matters undertaken for Council's information.

#### COMMENT

The following is an overview of the Works Manager's activities for the past month:-

##### **Cramphorne Rd**

Commence survey and marking out on selected section. Remove old bitumen and compact and waterbind. Gravel carting to commence 13<sup>th</sup> December 2018.

##### **CRC/Medical Centre Extension**

Weekly clean of rubbish and building rubble from work site.

##### **Gravel Carting**

Bagshaw Rd 40m<sup>3</sup>

Williamson Rd 20m<sup>3</sup>

##### **Summer Grading**

2 graders are busy removing loose material from roads.

##### **Miscellaneous**

- Town streets swept
- Repair culvert and end wall Cusack Rd
- 12m grader delivered and John Deere removed
- Three staff attended Safety meeting in Kellerberrin

##### **Private works**

Private works were undertaken to the value of \$745.

#### CONSULTATION

Nil

## **STATUTORY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

As per budget requirements or as reported above.

## **POLICY IMPLICATIONS**

Work policies to be reviewed in line with current work practices as and when required.

## **STRATEGIC PLAN REFERENCE**

Goal 1: Focus upon our local economic drivers to retain and grow existing businesses, employment and to attract new industry.

1.1 Performance and structure of roads are included in our annual road management plan, communicated to Council and the community.

1.2 We have a long term local gravel sourcing strategy.

1.3 We investigate group purchasing power on our plant equipment and road materials to benefit from financial discounts.

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

2.1 Our organisational 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

## **OFFICER RECOMMENDATION**

That the Works Manager's Report for December 2018 be received and all actions endorsed.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**



## 8.2 Building Supervisor

### AGENDA ITEM: 8.2.1 - Building Supervisor's Report – December2018

<b>Subject:</b>	Building Supervisor's Report – December2018
<b>Applicant:</b>	N/A
<b>File Ref:</b>	N/A
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Council):</b>	Nil
<b>Author:</b>	Klint Stone, Building Supervisor
<b>Date:</b>	12 <sup>th</sup> December 2018
<b>Attachments:</b>	Nil

#### SUMMARY

Council is to consider this report from the Building Supervisor for December 2018.

#### BACKGROUND

Each month the Building Supervisor will present to Council the activities and issues at hand and provide progress on matters undertaken for Council's information.

#### COMMENT

The following is an overview of the Building Supervisor's activities for the past month:-

##### **Narembreen Community Precinct Project**

The cabinetry is now installed along with all the ceilings. The painters are back on site to continue with the painting programme, the tiling second fix is now complete. We have been working towards a final plan for the carpark, following this we will obtain a quote to ensure it does not delay the finish of the build. We have also been working with Leanne Sands and Kellie Mortimore in obtaining Quotes for the internal fit out. For the library we have decided to utilise the current shelving to save money on the library fit out. We are still working towards a late February completion.

##### **Dental Surgery**

I have been putting together some prices for the surgery including new flooring, cabinetry and a new compressor for Council's review.

##### **Roads Board Building**

We have received one quote for the Roads Board Building refurbishment and we are waiting on additional quotes.

##### **Recreation Centre**

I have been working on the doors at the rec to get them all operating correctly.

#### CONSULTATION

Executive Manager Corporate Services  
Community & Economic Development Officer

#### STATUTORY IMPLICATIONS

Compliance with the Residential Tenancies Act and Commercial Tenancies Act.

## **FINANCIAL IMPLICATIONS**

As per the 18/19 Budget.

## **POLICY IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

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

2.1 Our organisational 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

## **OFFICER RECOMMENDATION**

That the Building Supervisor's Report for December 2018 be received and all actions endorsed.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**

### 8.3 Chief Executive Officer

#### AGENDA ITEM: 8.3.1 – Chief Executive Officer's Report

<b>Subject:</b>	Chief Executive Officer's Report
<b>Applicant:</b>	N/A
<b>File Ref:</b>	N/A
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Chris Jackson
<b>Date:</b>	12 December 2018
<b>Attachments:</b>	Nil

#### SUMMARY

To provide Council with updates on various projects and other matters.

#### BACKGROUND

Monthly reports by the CEO are presented in the agenda template format to allow a clear set of information to be presented to Council and to assist in the decision making process.

#### COMMENT

##### **Narembeen Airstrip - Regional Airport Development Scheme (RADS) 2019-21 Application**

Applications for the 2019-21 Regional Airports Development Scheme second funding round closed on Monday 19 November 2018 and an application has been submitted for the Narembeen Airstrip.

The application has a focus on significantly improving RFDS transfer facilities which include the existing old shed building and to undertake reseal works to aircraft turn around areas, taxiways and the RFDS aircraft parking area.

The existing RFDS transfer shed does not meet basic standards for transfer and the upgrade will provide an automated door for the ambulance to enter the building, awning over the front of the building to improve all weather coverage and works to upgrade the amenity of the facility to benefit both volunteers and professionals who must use this building.

Secondly as part of improving access, safety and to prolong the life of the airstrip reseals works are proposed for the two aircraft turn around areas, taxiways and the main apron for which the RFDS aircraft parks when doing transfers. This will also enhance the airstrip for other users.

The project has an estimated cost of \$116,860 with the application to RADS for \$55,240 which will require the shire fund the balance of \$61,620. (some of this is in kind)

##### **Community Sporting and Recreation Facilities Fund (CSRFF)**

##### **Outcome of Application for Funding – Mt Walker Sports Club**

The Shire of Narembeen recently received notification that the CSRFF grant application which was submitted on behalf of the Mt Walker Sports Club for the resurfacing of 4 synthetic tennis courts at Mt Walker was unfortunately unsuccessful.

It should be noted that for the 2018-19 CSRFF July Small Grants Round that the Department of Local Government, Sport and Cultural Industries received funding requests that exceeded the amount available for the allocation this round.

We have received feedback from Jen Collins, Wheatbelt Regional Manager who advised that the application in its entirety was sound and that resurfacing projects are currently a low priority.

The Shire of Narembeen will continue to work with the Mt Walker Sports Club on alternative funding options.

### **Relocation of Narembeen Public Library**

Following request for approval to relocate the Narembeen Public Library to the Narembeen Community Resource Centre in 2019, the following correspondence was received from the State Library of Western Australia

19<sup>th</sup> November 2018

*Mr Jackson,*

*Relocation – Narembeen Public Library*

*Thank you for submitting plans for approval to the Library Board of Western Australia (the board) for the relocation of the Narembeen Public Library from the Narembeen Shire offices to the refurbished Narembeen Community Resource Centre and Medical Centre.*

*The Board was pleased to learn of the collocation of the Library with the Community Resource Centre and Medical Centre and believes that this relocation will increase library patronage due to the proximity of the main street of Narembeen.*

*I am pleased to inform you that the Board has approved the plans for the relocation of the Narembeen Public Library on the proviso that, as the Participating Body under the Library Board of Western Australia Act 1951, the Shire of Narembeen retains responsibility for the public library services at the Narembeen Public Library.*

*I wish you well with your library service and look forward to working with you in the provision of even better library services to your community in the future.*

*Yours sincerely*

*Margaret Allen  
CEO & State Librarian*

### **Narembeen Bowling Club Roller**

The Narembeen Bowling Club after much discussion and research including discussion with shire staff made the decision to lightly roll the synthetic surface of the bowling greens which were installed in 2016. The speed of the greens was the concern and the rolling has proved to be successful as it has on other similar surfaces in WA. No warranty issues exist with the surface of the greens.

The club has now agreed to purchase a purpose built roller at a cost of \$7800 + GST. Council in the past has purchased equipment on behalf of other Clubs and the Narembeen Bowling Club now seek Councils support to purchase the roller. The club will fund the cost of the roller and the Shire would own the unit.

## OFFICER RECOMMENDATION

That Council approve support for the Narembeen Bowling Club for the Shire to purchase of a purpose built roller for the synthetic bowling greens at the Narembeen Recreation Centre at a cost of \$7,800 ex GST with the Narembeen Bowling club to be invoiced for the full cost of the machine. The 2018/2019 budget to be amended to include this purchase.

## COUNCIL RESOLUTION

MIN / MOTION – Moved Cr. 2<sup>nd</sup> Cr.

**CARRIED /  
Absolute Majority Vote Required**

### **Local Government Act Review - Extension of Submission Deadline to Friday, 22 February 2019**

WALGA has received a number of calls and emails from the sector requesting the submission date be extended to late February 2019, as many Local Governments won't have the ability to consider submissions at their December meetings and many do not have a meeting in January.

The deadline for a response to the Department of Local Government is Sunday, 31 March 2019. It is proposed to extend the submission deadline to WALGA to Friday, 22 February 2019, which will allow Local Governments to consider their submission at their February Council meeting. Further, this will allow State Council to consider all Local Government input before resolving its final position.

This has a flow-on effect which will require changes to the Zone and State Council meeting dates. Zone meetings in late February would change to mid-March and the State Council meeting would move to late March.

The following is the new schedule:

- Friday, 22 February 2019 – Local Government Act submissions to WALGA close
- Friday, 15 March to Friday, 22 March 2019 – Zone Meetings
- Tuesday, 26 March 2019 at 4:00pm – WALGA State Council meeting

WALGA, LG Professionals WA and the Department of Local Government, Sport & Cultural Industries are holding a state-wide forum on Wednesday, 30 January 2019 and the deadline extension means this forum will become even more important as a focal point for input from members to the Local Government Act Review process.

### **Apex Park Public Toilet**

Council in September 2018 resolved as follows.

*That Council:-*

1. *Approve for staff to undertake an investigation into the possible future redevelopment of the Apex Park public toilets with options to be considered to include a fully costed upgrade and or replacement of the existing building.*
2. *Requires that the Apex Park Public Toilets Redevelopment report be presented to Council no later than 19 December 2018.*
3. *Will give consideration to making an allocation to this project as part of the February 2019 budget review.*

Work on investigating options that include a refurbishment of the existing public toilets, demolition of the existing toilet block and replacement with a purpose built facility or a transportable or kit form option and other improvements to this area are still being developed. Unfortunately given the time of year, staff movements and other projects the December 2018 deadline cannot be met. Further detail should be available for the February budget review but a full report will be provided to council early in the New Year.

### **Executive Manager Corporate Services Position**

LO-GO Appointments have been engaged to:-

- Provide assistance with writing a suitable advertisement
- Provide assistance in setting the Key Selection Criteria
- Review the Position Description and Remuneration Package
- Review and prepare the Application Package
- Co-ordinate a Nationwide Advertising and Marketing campaign
- Advertising on LO-GO website, LO-GO social media pages, Seek website, LGNet website, LG Professionals WA website and across our national database of clients and candidates
- Shortlist and screen Applicants and the provision of a comprehensive application assessment report for the CEO
- Co-ordinate interviews and provide assistance with setting Strategic Interview Questions
- Attendance interviews as part of the Interview Panel
- Undertake comprehensive Reference and Background Checks, Verification of Qualifications
- Provide assistance with Contract Negotiations and the provision of a suitable Employment Contract
- Co-ordinate Pre-employment Medical and Police Clearance

The position was advertised in the Weekend West 17 November 2018, social media as listed above, the Shire webpage and the Fencepost. Nine applications have been received and are currently being reviewed. As this stage it is planned to interview four applicants with interviews on Monday 17 November 2018. The interview panel will be made up of the Shire President, CEO and Melissa Hanson from LO-GO. Pending the outcome from the interviews a late item may be presented to Council as the EMCS position is a designated Senior employee in accordance with the Local Government Act.

#### **5.37. Senior employees**

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.

### **Narembeen Dental Surgery**

Following an approach from our Dentist, John Cobley regarding the condition of the suction unit located at the surgery owned by the Shire an urgent decision has been made to replace the unit.

The current unit was initially purchased in about 2003 and has worked hard. It is now showing significant signs of wear, fatigue and may fail at any time. Often it needs encouragement to get started which can delay a start to the day and delays patient treatment and appointment times. These delays have an enormous impact on the surgery, business and any patients that are requiring treatment and have time constraints of their own. This unit is used for almost every treatment undertaken at the surgery, including scale and clean, fillings, root canals and extractions.

If this were to breakdown mid treatment it would be quite traumatic for the patient who may already be agitated and anxious. It could also require having the patient travel to Corrigin to complete their treatment which is not a good situation.

Work is underway to replace the unit with new Durr VS suction for a single chair with rear mounted cabinet suction at cost of \$5,500 which includes the unit and local installation.

This has been authorised by the Shire President as expenditure of an urgent nature under the Local Government Act. The expenditure will be referred to the February 2019 Budget review.

#### **CEO/Council Key Meeting/Appointment Dates**

<b>Date</b>	<b>Meeting/Appointment</b>
19 <sup>th</sup> December 2018	Councillors Christmas Party
21 <sup>st</sup> December 2018	Staff Christmas Party
21 <sup>st</sup> December 2018	Office Closes for Christmas/New Year Break
2 <sup>nd</sup> January 2019	Office Opens for 2019

#### **CONSULTATION**

N/A

#### **STATUTORY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

As per budget requirements or as reported above.

#### **POLICY IMPLICATIONS**

N/A

#### **STRATEGIC PLAN REFERENCE**

Narembreen Strategic Community Plan 2017 – 2027

*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

## **OFFICER RECOMMENDATION**

That the Chief Executive Officer's December 2018 report be received and actions endorsed.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**



## AGENDA ITEM: 8.3.2 - Tampia Hill Mine – Accommodation Village – Lease

<b>Subject:</b>	Tampia Hill Mine - Accommodation Village - Lease
<b>Applicant:</b>	Chris Jackson
<b>File Ref:</b>	ADM644
<b>Disclosure of Interest (Staff):</b>	Sheree Thomas
<b>Disclosure of Interest (Member):</b>	Cr Hardham, Cr Thomas, Cr Cowan, Cr Lines
<b>Author:</b>	Chris Jackson
<b>Date:</b>	10 December 2018
<b>Attachments:</b>	Draft Lease and Property Valuation to be sent prior to the Council meeting

### SUMMARY

Council to approve a draft Lease as the base document for negotiations/discussion with Explaurum Operations Pty Ltd for the establishment of an accommodation village on Shire owned land (Avoca Farm).

### BACKGROUND

At Councils meeting held 5 November 2018 it was resolved as follows.

- That Council approve of entering into discussions with Explaurum Operations Pty Ltd for possible future use of a portion of Shire of Narembreen owned land being Lot 16224 on deposited Plan 25562 (C/T 2046/541) for a 200 person accommodation village subject to:*
  - Compliance with Section 3.58 (3) & (4) of the Local Government Act 1995 Disposing of property;*
  - Formal planning application being submitted and approved;*
  - Entering into a lease agreement to the satisfaction of both parties;***
  - Conditions being applied as part of both the planning and lease agreement process that deal with important issues but not limited to design and visual amenity, landscaping, road access and carpark treatments together with other camp requirements, pedestrian and bike access from the village to Narembreen, agreed road access paths to and from the village and the mine site and matters relating to winding up of the facility following closure of the mine;*
  - Explaurum and the Shire of Narembreen entering into discussions with Go Narembreen about the loss of viable community cropping land and agreeing upon how the community can be compensated for this loss;*
- That the Chief Executive Officer be authorised to sign the Application for Planning Approval.*

At Council's ordinary meeting held 21st November 2018 planning approval was granted subject to a number of conditions. Refer Min 6743/18.

### COMMENT

Civic Legal has prepared the first draft of the document which provides the base for a commercial lease with Explaurum. The document is being updated to reflect a number of amendments requested by the executive and is due to be ready for distribution on Friday 14 December and will be sent out to Councillors under separate cover to be treated as commercial in confidence.

Property valuers LMW have been engaged to provide a property valuation to establish current market value to assist in negotiating a suitable lease for the development and to comply with the Local Government Act 1995. Tony Gorman Director LMW visited the site on Monday 10 December 2018 and a report is being prepared and will be available shortly.

## CONSULTATION

Civic Legal  
Explaurum  
LMW

## STATUTORY IMPLICATIONS

Local Government Act 1995

### 3.58. Disposing of property

Council members are reminded to be familiar with Division 6 Disclosure of Financial Interests of the Local Government Act 1995 starting at section 5.59 [https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc\\_37178.pdf/\\$FILE/Local%20Government%20Act%201995%20-%20%5B07-k0-00%5D.pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_37178.pdf/$FILE/Local%20Government%20Act%201995%20-%20%5B07-k0-00%5D.pdf?OpenElement)

A letter of approval has been received from the Minister for Local Government under section 5.69 Minister for Local Government for Cr Thomas, Cr Cowan and Cr Lines to fully participate in discussion and decision making dated 5 November 2018.

Section 5.23 - Meetings generally open to public

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), 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 —

- 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; and
- (e) a matter that if disclosed, would reveal —
  - (i) a trade secret; or
  - (ii) information that has a commercial value to a person; or
  - (iii) information about the business, professional, commercial or financial affairs of a person,

**It is recommended that that the doors be closed to the public as the matter relates to a contract/lease agreement and the need to consider rent payable on the property.**

## FINANCIAL IMPLICATIONS

The draft lease requires Explaurum to pay the lease legal costs.

The valuation cost joint with the solar farm development is \$6,600 Inc GST and has been costed to Consultants 4111101.

## POLICY IMPLICATIONS

Nil

## STRATEGIC PLAN REFERENCE

Shire of Narembeen Strategic Community Plan 2017 - 2027

Council Priorities:

1. Growing our community and visitor population
2. Creating and capturing positive economic opportunities

3. Our partnerships and networks return us tangible financial, economic, social and environmental benefits

## **RELATED PARTY TRANSACTIONS**

No known parties at this time

## **OFFICER RECOMMENDATION**

That Council:-

1. Endorse the draft lease document for presentation to Explaurum Operations Pty Ltd to commence the process of disposal of a portion of Shire of Narembeen owned land being Lot 16224 on deposited Plan 25562 (C/T 2046/541) for a 200 person accommodation village
2. Authorise that the Shire President, Deputy Shire President and Chief Executive Officer negotiate with Explaurum the final terms of the agreement.
3. Pending the property valuation report being prepared by LMW and in accordance with Section 3.58 (4) (b) of the Local Government Act approve the consideration (rent) to be received by the Shire for disposal of this property and that it now be advertised in accordance with the Act.
4. Be presented with the final agreed lease agreement between both parties and the outcome from the public notice process under Section 3.58 of the Local Government Act for approval at the February ordinary meeting of Council or a special meeting if required.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**

### AGENDA ITEM: 8.3.3 – Proposed Solar Farm – Portion of Lot 16224 (No 3635) Bruce Rock Narembeen Road, Wadderin (Avoca Farm)

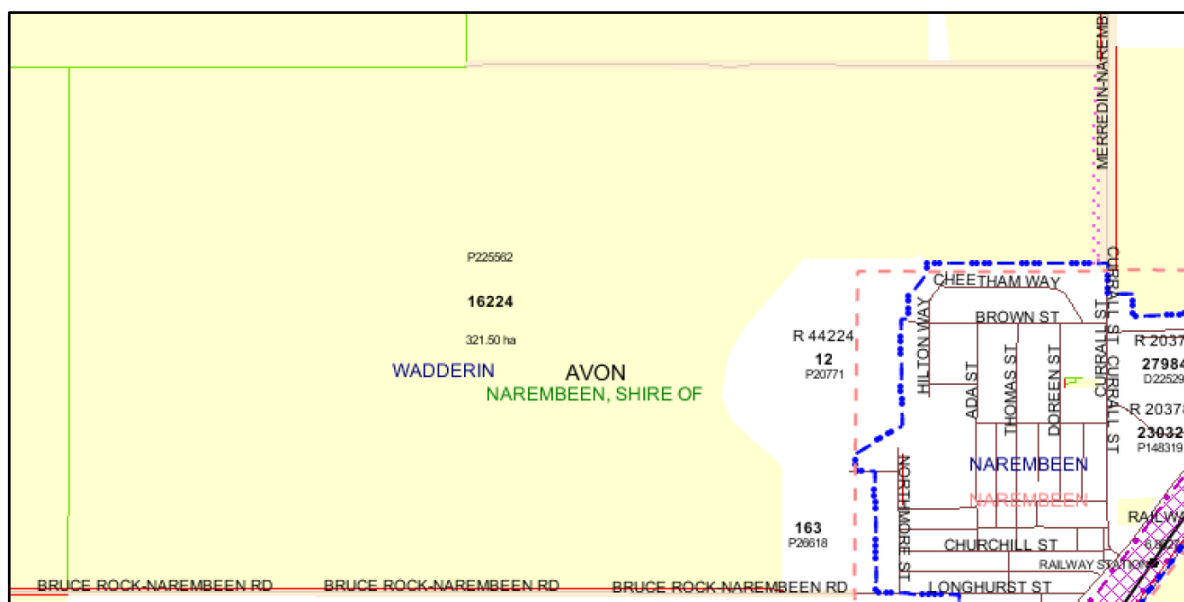
<b>Subject:</b>	Proposed Solar Farm on portion of Avoca Farm
<b>Applicant:</b>	Director of Hawks Renewable Energy Town Pty Ltd
<b>File Ref:</b>	P3101
<b>Disclosure of Interest:</b>	Liz Bushby (TPI) declares a Financial Interest as receive fees for advice to the Shire – Section 5.60A of <i>Local Government Act 1995</i>
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Liz Bushby, Town Planning Innovations
<b>Date:</b>	11 December 2018
<b>Attachments:</b>	Nil

## SUMMARY

Council is to consider a development application lodged by Hawks Renewable Energy Town Pty Ltd for use of a portion of Lot 16224 for the purpose of establishing a solar farm.

## BACKGROUND

Lot 16224 is owned by the Shire of Narembeen and is known as 'Avoca Farm'. The lot has an approximate area of 321.50 hectares – refer location plan below.



The executive has been in discussions with representatives from Hawks Renewable Energy Corporation Pty Ltd for some time regarding the possibility of establishing a solar farm located within the Shire of Narembeen. Avoca Farm was put up as an option together with other farming properties located in the Shire. The concept of the solar farm has also been raised with representatives from Explaurum who are also looking to develop a portion of Avoca Farm for a proposed 200 person mine camp and the synergies that may come from both projects.

A report on the matter was referred to Council on the 21 November 2018, and it was resolved as follows:

*'That Council approve of entering into discussions with Hawks Renewable Energy Corporation Ltd for possible future use of a portion of Shire of Narembeen owned land being Lot 16224 on Deposited Plan 225562 (C/T 2046/541) for a proposed solar farm subject to:*

1. Compliance with Section 3.58 (3) & (4) of the Local Government Act 1995 Disposing of property.
2. Formal planning application being submitted and approved.
3. Entering into a lease agreement to the satisfaction of both parties.
4. Conditions being applied as part of both the planning and lease agreement process that deal with issues such as design and visual amenity, landscaping, loss of viable community cropping land and road access.

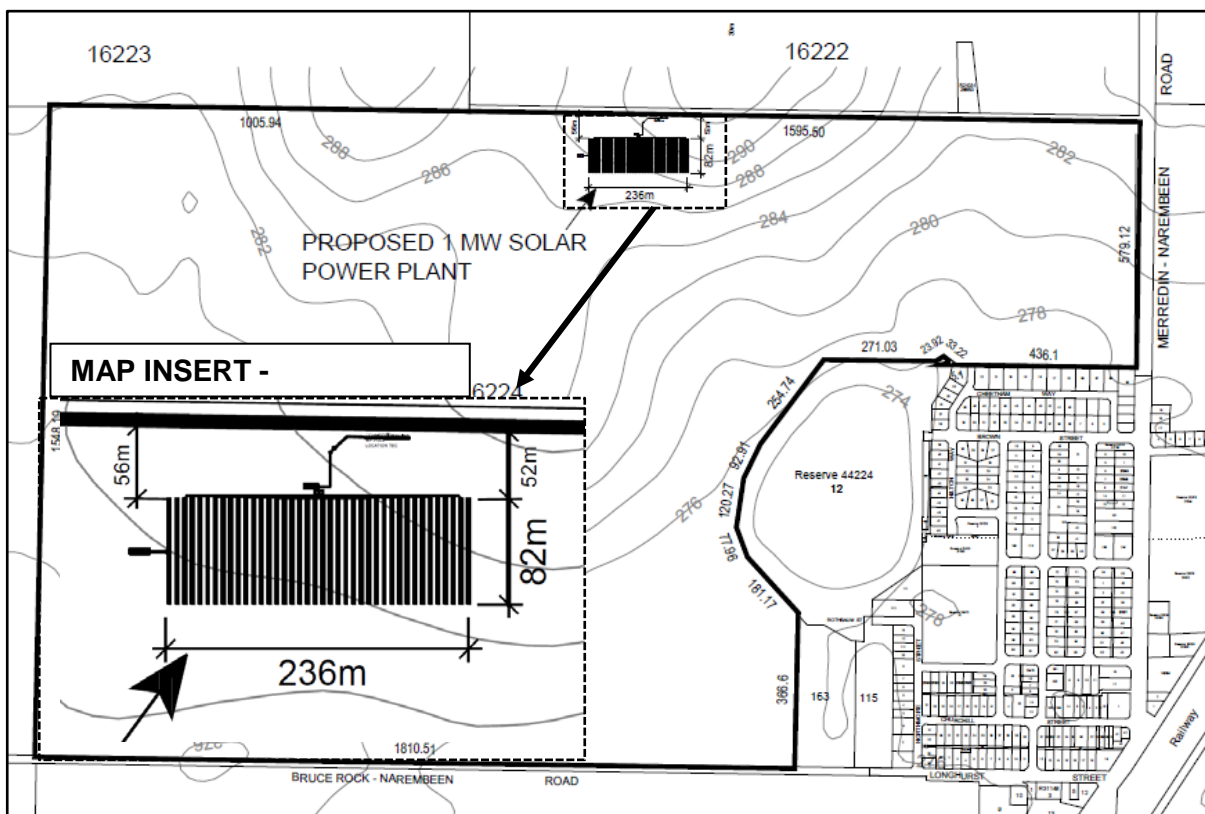
*That the Chief Executive Officer be authorised to sign the Application for Planning Approval on behalf of the Shire of Narembreen as the owner of Lot 16224 on Deposited Plan 225562 (C/T 2046/541).'*

The applicant has advised that they have formed a second new company to own and operate the solar power station known as 'Hawks Renewable Energy (Town) Pty Ltd'.

## COMMENT

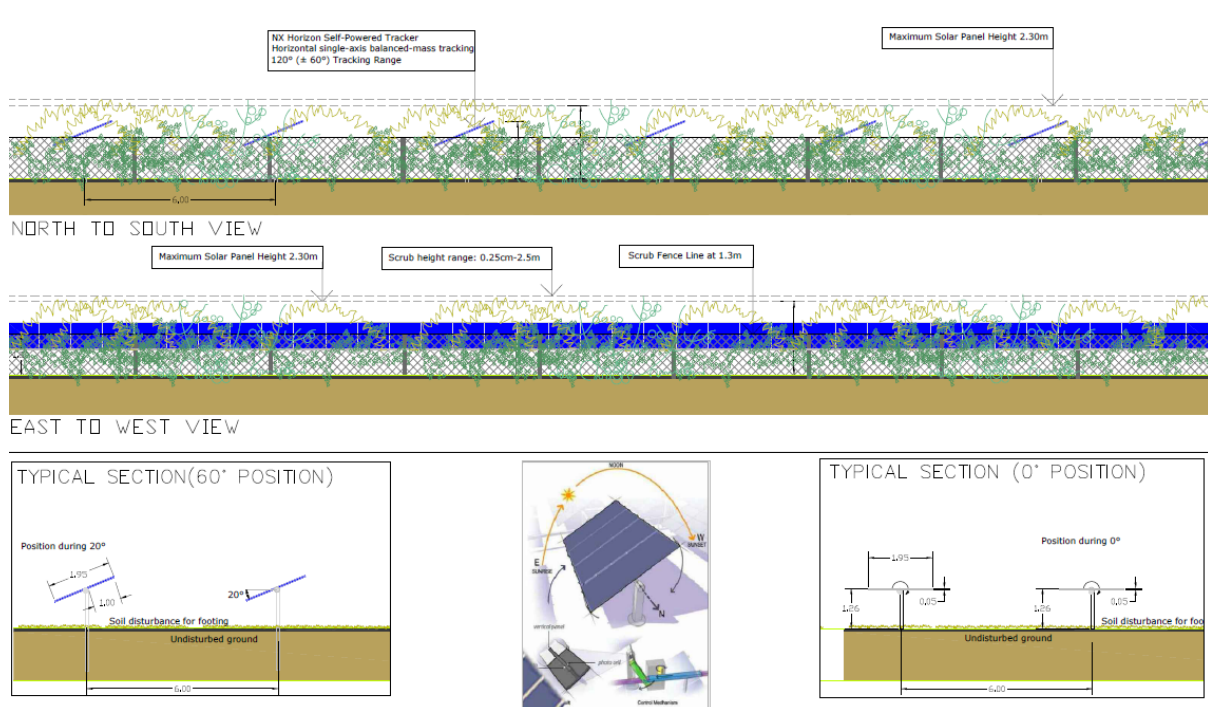
- *Description of application*

The applicant has advised that the solar power station covers approximately 4.85 acres and consists of 40 rows of panels running in a north-south direction. It will be setback between 52 to 56 metres from the north boundary and have a footprint measuring 236 metres by 82 metres (19,352m<sup>2</sup>) – refer site plan below.



The applicant has advised that the panel mounting structure (tracker) tracks the sun's passage throughout each day to maximise energy yields, making this the most efficient design on a land usage basis. An inverter is mounted at the end of every fourth row to convert DC power to usable AC power which is then marshalled to a 33kV transformer and substation, housed in a 20 foot sea container profile. The system design allows easy addition of utility scale batteries should this become viable in the future.

The maximum solar panel height is proposed to be 2.3 metres – refer elevations below.



The design life of the solar power station is intended to be 25 years and it will require regular cleaning and maintenance during this time.

The applicant also advises that the construction period will be between two and four months and will require services from Narembeen or nearby communities including trenching, supply of sand, accommodation, surveying, supply and service of temporary site facilities as well as local labour to assist with construction.

- *Staging*

The applicant has advised that they have designed the electrical infrastructure to be able to expand in lots of 990KVA (1.28MWDC) thereby allowing for the possibility of later expansion phases (2/3) in the phase 1 infrastructure design.

The applicant has not tested economic viability or applied for network access for phase 2/3. They do not plan to submit applications for phase 2/3 till phase 1 enters commercial operations (at the earliest), however there is potential for expansion in the future which would be subject to separate planning applications.

- *Zoning and proposed land use*

The western portion of Lot 16224 subject of this application is zoned 'Rural Enterprise' under the Shire of Narembeen Local Planning Scheme No 2 ('the Scheme').

A solar farm is not defined in the Scheme or listed in the Zoning Table of the Scheme.



The proposal is compatible with the objective of the Rural Enterprise zone, which under Clause 4.16.1 of the Scheme is *'To provide for the establishment of land uses which are complementary to the economic, social and environmental characteristics of the town of Narembreen and the region, which promote and facilitate investment opportunities, and encourage research into matters such as agronomy, salinisation of soil and water, noxious weeds and animal breeding.'*

The development has potential to facilitate investment opportunities and to allow for other economic opportunities in the future.

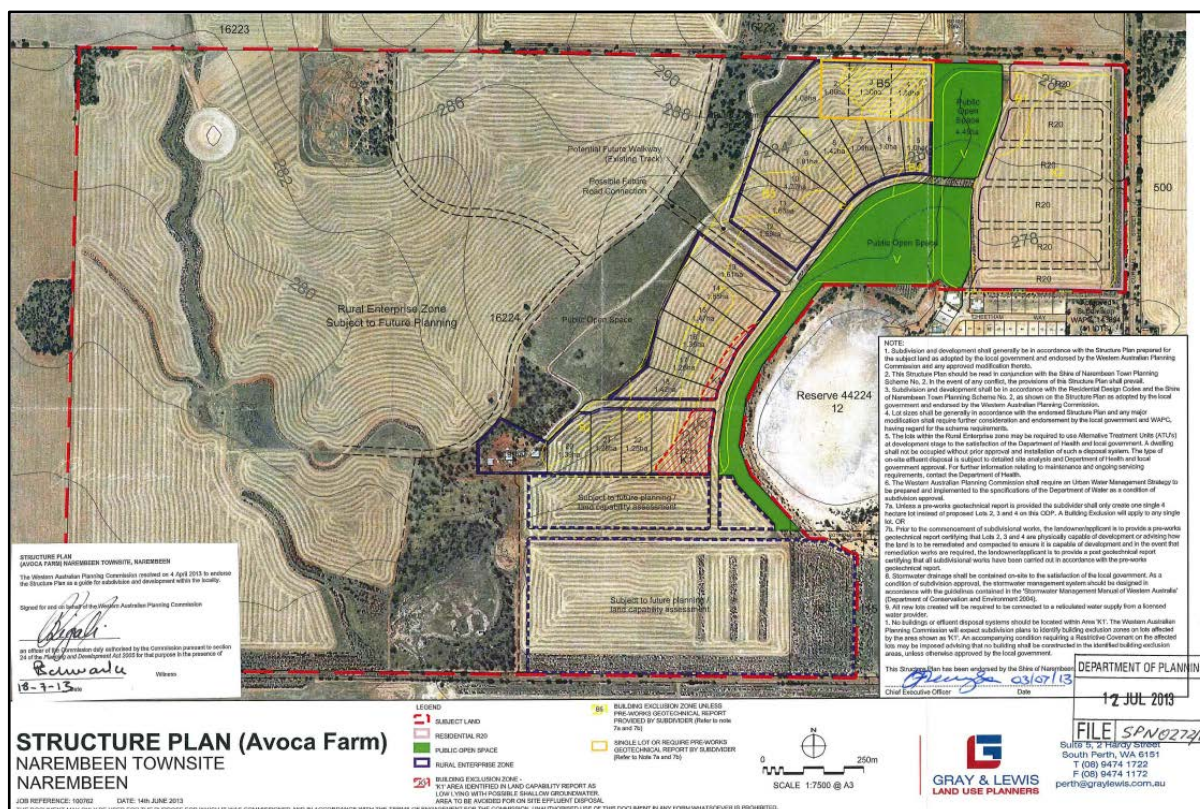
Council has broad discretion to consider a wide range of land uses in the Rural Enterprise zone as Clause 4.16.2 of the Scheme states that *'Notwithstanding anything contained in the Scheme, the local government will support land uses which are appropriate for the Rural Enterprise Zone and which are considered to be of economic benefit to the district as well as having a component of environmental benefit.'*

The proposed solar farm will have economic benefits to the district in terms of a lease income to the Shire and local employment opportunities. The solar farm also has environmental benefits as it will provide renewable energy.

TPI is of the view that the proposed solar farm will not have any detrimental visual impact on local roads, is compatible with adjacent land uses, and meets the general Scheme requirements.

- **Outline Development Plan**

There is an Outline Development Plan (ODP) for Avoca Farm which was supported by the Shire and endorsed by the Western Australian Planning Commission – refer below.



There are no specific provisions in the Scheme that requires development in the Rural Enterprise zone to comply with an ODP. In any event, the solar farm is proposed in an area nominated as 'subject to future planning' on the Avoca Farm Outline Development Plan.

TPI is of the view that the proposed solar farm will not prejudice the Outline Development Plan or future strategic planning.

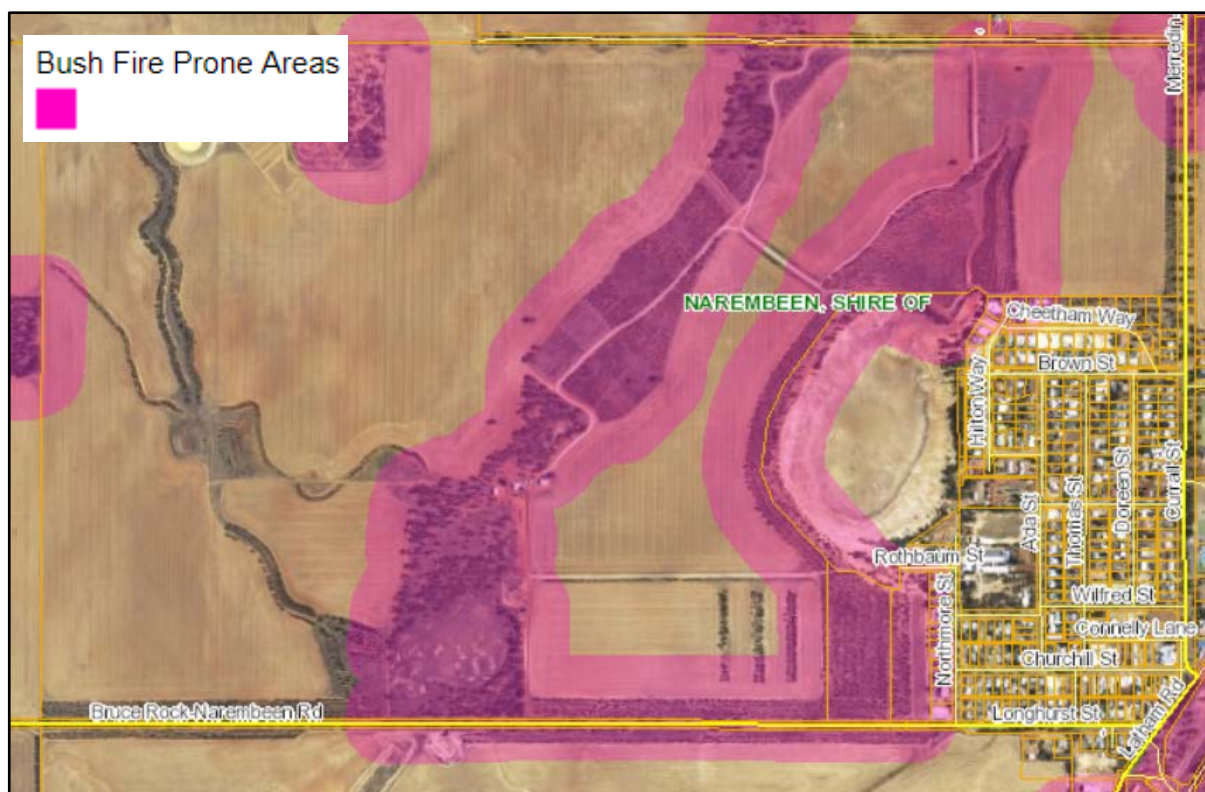
- *State Planning Policy 3.7 : Planning in Bushfire Prone Areas*

Under the 'deemed provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have 'due regard' to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of 'State Planning Policy 3.7: Planning in Bushfire Prone Areas' (SPP 3.7).

The Shire has a mandatory obligation to consider SPP3.7 when making a decision on any application where the lot is within a designated bushfire prone area.

The Western Australian Planning Commission released SPP3.7 and associated Guidelines for Planning in Bushfire Prone Areas ('the Guidelines') in December 2015. These documents apply to all land identified as Bushfire Prone.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. Portions of Lot 16224 is within the declared bushfire prone area (pink area).



Source: [www.dfes.wa.gov.au](http://www.dfes.wa.gov.au)

Based on aerial photography, it appears that a small eastern portion of the solar array is proposed partially within the bushfire prone area – refer extract of site plan **overpage**.





Extract from site plan with aerial

Under Clause 5.4 of the Guidelines all planning applications in Bushfire Prone Areas are to be accompanied by a BAL (Bushfire Attack Level) assessment.

Despite the above, the WAPC released a new Planning Bulletin 111/2016 in October 2016 that clarifies some of the requirements under the Deemed Provisions of the Planning and Development (Local Planning Scheme) Regulations 2015 and SPP3.7.

The Bulletin states that '*exemptions from the requirements should be applied pragmatically by the decision maker*'. It discusses that exemptions may be applied for infrastructure such as roads, telecommunications and rural activities that do not involve the occupation of employees on site for any considerable amount of time.

TPI recommends that the application be determined without a BAL for the following reasons:

- Whilst SPP3.7 requires lodgement of a BAL assessment for the proposed development, a BAL is not required as part of the separate Building Permit process.
- Planning Bulletin No 111/2016 clarifies Council has discretion over this matter and states that '*Exemptions from the requirements of SPP 3.7 and the deemed provisions should be applied pragmatically by the decision maker.*'
- The proposed land use is a form of infrastructure and does not involve the occupation of employees on site for any considerable amount of time.

## CONSULTATION

No public consultation has been undertaken in regards to the development application. The Shire has discretion to advertise the proposal for public comment if desired, however it is noted that any proposed lease will be subject to public advertising.

## STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 3.58 outlines the process for leasing any local government property which is a separate matter to this development application.

## 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 Local 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.

Regulation 27 (1) requires the local government to have 'due regard' to any structure plan, but clearly states the local government is not bound by any structure plan. The term 'Outline Development Plan' has been replaced with the term 'Structure Plan'.

Shire of Narembeen Local Planning Scheme No 2 – explained in the body of this report.

## **FINANCIAL IMPLICATIONS**

The Shire pays consultancy fees to Town Planning Innovations. There may be economic benefits associated with the development including the separate matter of a negotiated lease payment. There are possible long term future savings in energy costs for the Shire and broader community.

## **POLICY IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

Shire of Narembeen Strategic Community Plan 2017 - 2027

Council Priorities:

1. Growing our community and visitor population
2. Creating and capturing positive economic opportunities
3. Our partnerships and networks return us tangible financial, economic, social and environmental benefits

GOAL 3: We contribute to a healthy community

3.5 We investigate sub regional waste strategies that reduce costs on our community and environment

Shire energy cost reduces annually (solar panels etc)

## **RELATED PARTY TRANSACTIONS**

Nil

## OFFICER RECOMMENDATION

That Council:

1. Note that the Chief Executive Officer has signed the development application for a solar farm on behalf of the Shire of Narembeen as the owner of Lot 16224 and as authorised by Council on the 21 November 2018.
2. Approve the application for a solar farm on a portion of Lot 16224 (No 3635) Bruce Rock Narembeen Road, Wadderin subject to the following conditions:
  - (i) The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.
  - (ii) The applicant is to lodge a final site plan to the Shire for separate written approval of the Chief Executive Officer prior to the issue of a Building Permit that includes internal accessways and on site car parking for maintenance contractors/ works.
  - (iii) Any car parking area and/ or internal accessways approved by the Chief Executive Officer are to be provided in accordance with the site plan approved under Conditions (ii) and maintained to a trafficable standard on site to the satisfaction of the Shire's Chief Executive Officer.
  - (iii) All stormwater from the solar panels and / or hardstand 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 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.
  - (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.

## COUNCIL RESOLUTION

**MIN**                      **MOTION** - Moved Cr.                                      2nd Cr.

**CARRIED /**

## AGENDA ITEM: 8.3.4 - Solar Farm on Portion of Avoca Farm - Lease

<b>Subject:</b>	Solar Farm on portion of Avoca Farm-Lease
<b>Applicant:</b>	Hawks Renewable Energy (Town) Pty Ltd
<b>File Ref:</b>	P3101
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Chris Jackson
<b>Date:</b>	11 December 2018
<b>Attachments:</b>	Draft Lease and Property Valuation to be sent prior to the Council meeting

### SUMMARY

Council to approve a draft Lease as the base document for negotiations/discussion with Hawks Renewable Energy Town Pty Ltd for use of a portion of Lot 16224 for the purpose of establishment of a solar farm.

### BACKGROUND

*Council at it's Ordinary Meeting of Council held on 21<sup>st</sup> November 2018 resolved as follows:-*

*That Council approve of entering into discussions with Hawks Renewable Energy Corporation Ltd for possible future use of a portion of Shire of Narembeen owned land being Lot 16224 on Deposited Plan 225562 (C/T 2046/541) for a proposed solar farm subject to:*

- 1. Compliance with Section 3.58 (3) & (4) of the Local Government Act 1995 Disposing of property.*
- 2. Formal planning application being submitted and approved.*
- 3. Entering into a lease agreement to the satisfaction of both parties.*
- 4. Conditions being applied as part of both the planning and lease agreement process that deal with issues such as design and visual amenity, landscaping, loss of viable community cropping land and road access.*

*That the Chief Executive Officer be authorised to sign the Application for Planning Approval on behalf of the Shire of Narembeen as the owner of Lot 16224 on Deposited Plan 225562 (C/T 2046/541).*

### COMMENT

A development item will also be discussed at today's meeting requesting planning approval as per the November 2018 resolution as above.

Note, the applicant has advised that they have formed a second new company to own and operate the solar power station known as 'Hawks Renewable Energy (Town) Pty Ltd'.

Civic Legal is currently preparing the first draft of the document which provides for the base for a commercial lease with Hawks Renewable Energy Town Pty Ltd. Pending the outcome of this planning approval item Council is now also to consider the draft lease agreement. Given the time lapse between the December 2018 and February 2019 meetings it was felt prudent to have Council endorse a draft now so that discussions could continue over January/February with a view to approving the lease in February 2019.

The document is due to be ready for distribution on Friday 14 December and will be sent out to Councillors under separate cover to be treated as commercial in confidence.

Property valuers LMW have been engaged to provide a property valuation to establish Current Market Value prepared to assist in negotiating a suitable lease for the development and to comply with the Local Government Act 1995. Tony Gorman Director LMW visited the site Monday 10 December 2018 and a report will be prepared and be available shortly.

## **CONSULTATION**

Hawks Renewable Energy (Town) Pty Ltd  
Civic Legal

## **STATUTORY IMPLICATIONS**

Local Government Act 1995

Section 3.58 Disposing of property which outlines the process for leasing any local government property.

Section 5.23 - Meetings generally open to public

- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), 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
- 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; and
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret; or
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person,

**It is recommended that that the doors be closed to the public as the matter relates to a contract/lease agreement and the need to consider rent payable on the property.**

## **FINANCIAL IMPLICATIONS**

The draft lease requires Hawks Renewable Energy to pay the lease legal costs.

The valuation cost joint with the solar farm development is \$6,600 Inc GST and has been costed to Consultants 4111101.

## **POLICY IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

Shire of Narembreen Strategic Community Plan 2017 - 2027

Council Priorities:

1. Growing our community and visitor population
2. Creating and capturing positive economic opportunities
3. Our partnerships and networks return us tangible financial, economic, social and environmental benefits

GOAL 3: We contribute to a healthy community

3.5 We investigate sub regional waste strategies that reduce costs on our community and environment

Shire energy cost reduces annually (solar panels etc)

## **RELATED PARTY TRANSACTIONS**

Nil

## **OFFICER RECOMMENDATION**

That Council:-

1. Endorse the draft lease document for presentation to Hawks Renewable Energy (Town) Pty Ltd to commence the process of disposal of a portion of Shire of Narembeen owned land being Lot 16224 on deposited Plan 25562 (C/T 2046/541) for a Solar Farm.
2. Authorise that the Shire President, Deputy Shire President and Chief Executive Officer negotiate with Hawks Energy the final terms of the agreement.
3. Pending the property valuation report being prepared by LMW and in accordance with Section 3.58 (4) (b) of the Local Government Act approve the consideration (rent) to be received by the Shire for disposal of this property and that it now be advertised in accordance with the Act.
4. Be presented with the final agreed lease agreement between both parties and the outcome from the public notice process under Section 3.58 of the Local Government Act for approval at the February ordinary meeting of Council or a special meeting if required.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**

## AGENDA ITEM: 8.3.5 – Proposed Solar Farm – Portion of Lot 18365 (No 1368) Mount Walker Road, Wadderin

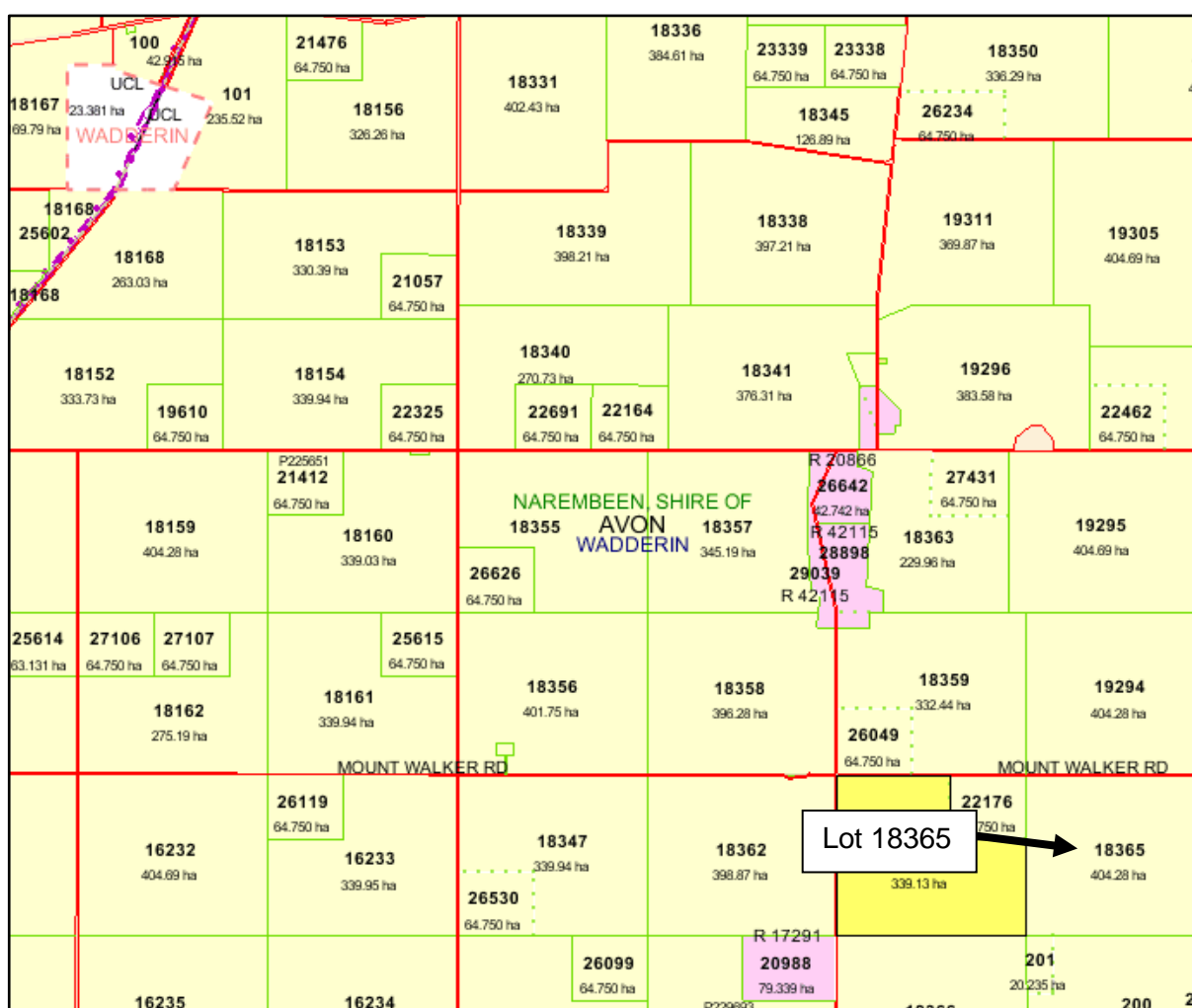
<b>Subject:</b>	Proposed Solar Farm on Lot 18365 Mount Walker Road, Wadderin
<b>Applicant:</b>	Director of Hawks Renewable Energy Corporation Pty Ltd
<b>File Ref:</b>	ADM185
<b>Disclosure of Interest:</b>	Liz Bushby (TPI) declares a Financial Interest as receive fees for advice to the Shire – Section 5.60A of <i>Local Government Act 1995</i>
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Liz Bushby, Town Planning Innovations
<b>Date:</b>	12 December 2018
<b>Attachments:</b>	Nil

### SUMMARY

Council is to consider a development application lodged by Hawks Renewable Energy Corporation Pty Ltd for use of a portion of Lot 18365 for the purpose of establishing a solar farm.

### BACKGROUND

Lot 18365 is owned by Brian Cusack and is currently utilised for farming purposes. The lot has an approximate area of 404.28 hectares – refer location plan below.

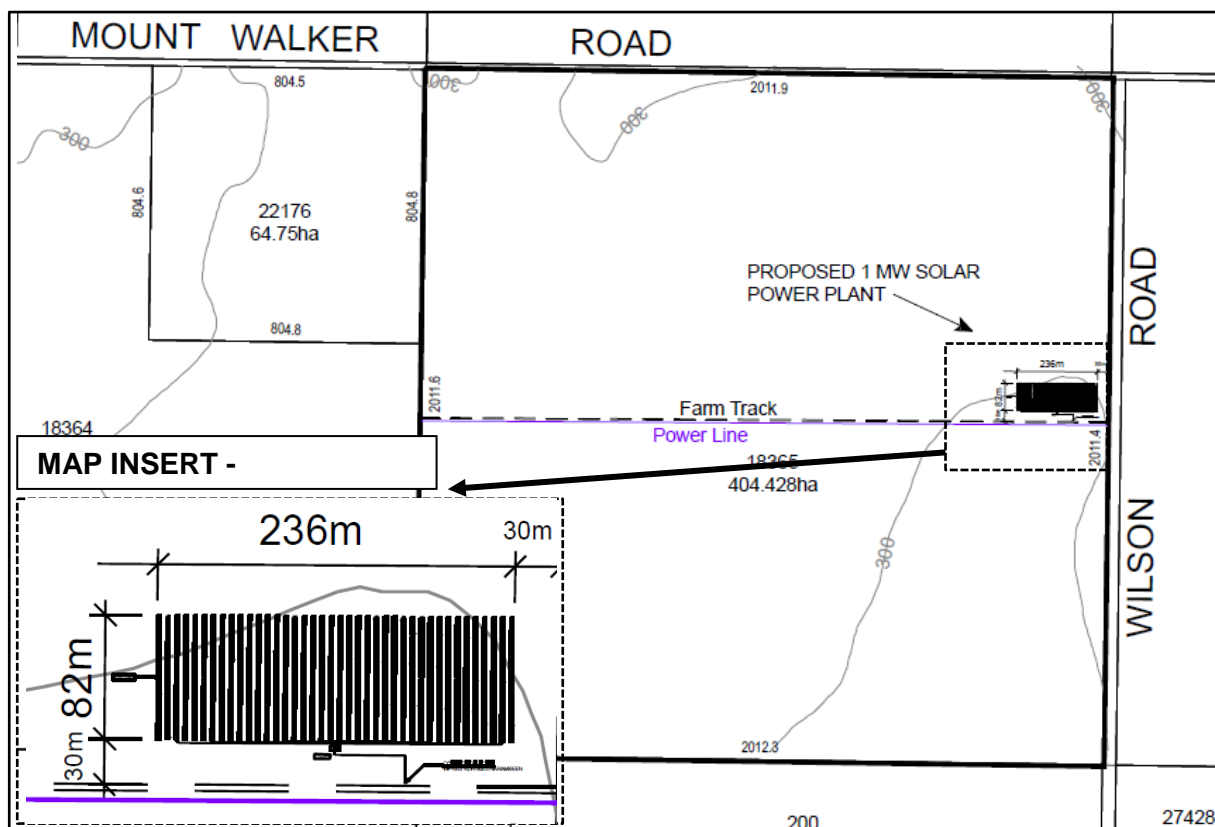




## COMMENT

- Description of application*

The applicant has advised that the solar power station covers approximately 4.95 acres and consists of 40 rows of panels running in a north-south direction. It will be setback over 850 metres from the Mount Walker Road frontage and 30 metres from the eastern lot boundary. It will have a footprint measuring 236 metres by 82 metres (19,352m<sup>2</sup>) – refer site plan below.

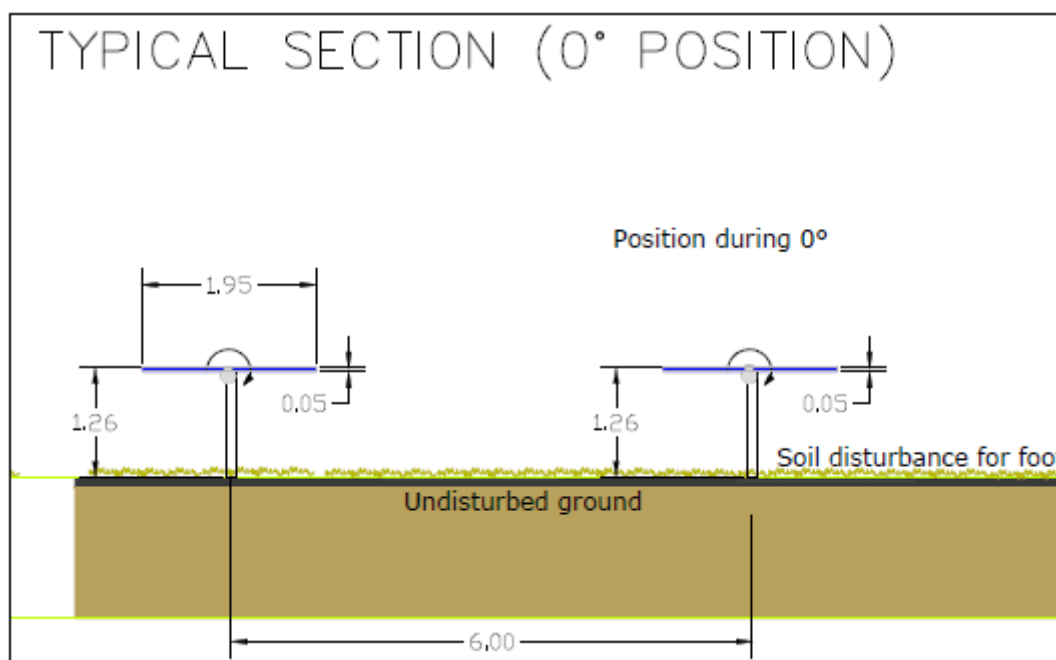
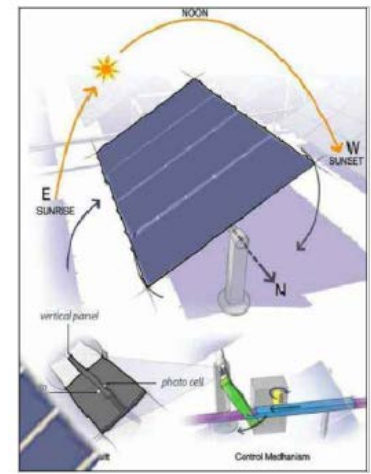
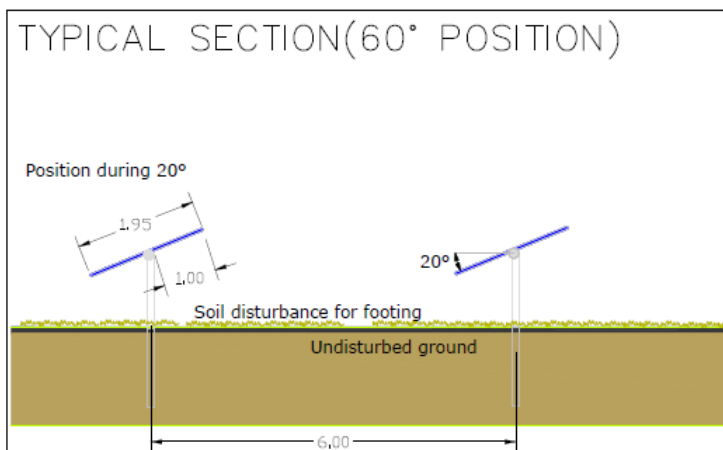


The applicant has advised that the panel mounting structure (tracker) tracks the sun's passage throughout each day to maximise energy yields, making this the most efficient design on a land usage basis.

An inverter is mounted at the end of every fourth row to convert DC power to usable AC power which is then marshalled to a 33kV transformer and substation, housed in a 20 foot sea container profile. The system design allows easy addition of utility scale batteries should this become viable in the future.

The maximum solar panel height is proposed to be 2.3 metres – refer elevations **overpage**.





The design life of the solar power station is intended to be 25 years and it will require regular cleaning and maintenance during this time.

The applicant also advises that the construction period will be between two and four months and may require services from Narembeen or nearby communities including trenching, supply of sand, accommodation, surveying, supply and service of temporary site facilities as well as local labour to assist with construction.

- *Zoning and proposed land use*

Lot 18365 is zoned 'Farming' under the Shire of Narembeen Local Planning Scheme No 2 ('the Scheme').

A solar farm is not defined in the Scheme or listed in the Zoning Table of the Scheme. It is therefore necessary to process the solar farm as a 'Use Not Listed' in accordance with Clause 3.2.5 of the Scheme.

Clause 3.2.5 of the Scheme states that:

*“If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the local government may:*

- a) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted; or*
- b) determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the “SA” advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval.”*

It is recommended that Council pursue option b) as:

- The proposed solar array will not prevent the remainder of the land being continued to be used for rural activities.
- The proposal is compatible with the objectives of the Farming zone which include:
  - ‘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; and*
  - 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.’*

The solar farm will have environmental benefits as it will provide renewable energy.

TPI is of the view that the proposed solar farm will not have any detrimental visual impact on local roads, is compatible with adjacent land uses, and meets the general objectives of the Farming zone.

The application is required to be advertised under the Scheme, however it is recommended that Council consider granting delegated authority to the Chief Executive Officer to determine the application following advertising, in order to expedite processing of the proposal.

- *State Planning Policy 3.7 : Planning in Bushfire Prone Areas*

Under the ‘deemed provisions’ of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have ‘due regard’ to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of ‘State Planning Policy 3.7: Planning in Bushfire Prone Areas’ (SPP 3.7).

The Shire has a mandatory obligation to consider SPP3.7 when making a decision on any application where the lot is within a designated bushfire prone area.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website.

The eastern portion of the development is proposed within the declared bushfire prone area (pink area) – refer map overpage.



Under Clause 5.4 of the Guidelines all planning applications in Bushfire Prone Areas are to be accompanied by a BAL (Bushfire Attack Level) assessment.

Despite the above, the WAPC released a new Planning Bulletin 111/2016 in October 2016 that clarifies some of the requirements under the Deemed Provisions of the Planning and Development (Local Planning Scheme) Regulations 2015 and SPP3.7.

The Bulletin states that *'exemptions from the requirements should be applied pragmatically by the decision maker'*. It discusses that exemptions may be applied for infrastructure such as roads, telecommunications and rural activities that do not involve the occupation of employees on site for any considerable amount of time.

TPI recommends that the application be determined without a BAL for the following reasons:

- Whilst SPP3.7 requires lodgement of a BAL assessment for the proposed development, a BAL is not required as part of the separate Building Permit process.
- Planning Bulletin No 111/2016 clarifies Council has discretion over this matter and states that *'Exemptions from the requirements of SPP 3.7 and the deemed provisions should be applied pragmatically by the decision maker.'*

- The proposed land use is a form of infrastructure and does not involve the occupation of employees on site for any considerable amount of time.

## **CONSULTATION**

The Shire is required to advertise the proposal for public comment in accordance with the Scheme. The Shire administration has commenced organisation of all advertising in the form of letters to nearby landowners.

## **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 Local 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.

Shire of Narembeen Local Planning Scheme No 2 – explained in the body of this report.

## **FINANCIAL IMPLICATIONS**

The Shire pays consultancy fees to Town Planning Innovations. There may be economic benefits associated with the development. There are possible long term future savings in energy costs for the Shire and broader community.

## **POLICY IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

Shire of Narembeen Strategic Community Plan 2017 - 2027

Council Priorities:

1. Growing our community and visitor population
2. Creating and capturing positive economic opportunities
3. Our partnerships and networks return us tangible financial, economic, social and environmental benefits

GOAL 3: We contribute to a healthy community

3.5 We investigate sub regional waste strategies that reduce costs on our community and environment

Shire energy cost reduces annually (solar panels etc)

## RELATED PARTY TRANSACTIONS

Nil

## OFFICER RECOMMENDATION

That Council:-

1. Determine (by Absolute Majority) that the proposed solar farm land use (on Lot 18365) may be consistent with the objectives of the Farming zone and note that the application has to be advertised in accordance with Clause 64 of the Scheme.
2. 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 application for a solar farm on Lot 18365 (No 1368) Mount Walker Road, Wadderin following completion of advertising.

## COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

2nd Cr.

**CARRIED /  
Absolute Majority Vote Required**

## AGENDA ITEM: 8.3.6 - Supply of Asphalt 2019

<b>Subject:</b>	Supply of Asphalt 2019
<b>Applicant:</b>	Chris Jackson
<b>File Ref:</b>	ADM053
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Chris Jackson
<b>Date:</b>	12 December 2018
<b>Attachments:</b>	Nil

### SUMMARY

Council approval required for the extra supply of asphalt for the Narembeen Town Site Project as the expenditure exceeds \$150,000.

### BACKGROUND

Council in October 2018 approved eQuotes for the supply of bitumen, asphalt & aggregate for roadworks budgeted for in the 2018/2019 financial year. At the time the final overlay of asphalt for Fricker Road was over looked.

### COMMENT

WALGA eQuotes have been requested for the supply and lay of 800metres x 8 metres of 30mm asphalt to Fricker Road Narembeen. Work required January 2019.

Quotes will close on Friday 14 December 2018 and details will be provided to Council prior to the meeting.

### CONSULTATION

Works Manager

### STATUTORY IMPLICATIONS

Local Government Act 1995

3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

Local Government (Function & General) Regulations 1996

11. When tenders have to be publicly invited

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.
- (2) **Tenders do not have to be publicly invited according to the requirements of this Division if —**
  - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1) (c) of the Act; or
  - (b) **the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program**

## FINANCIAL IMPLICATIONS

Funds are included in the budget "Townsite Project – State Initiative 1523" \$1.7M

## POLICY IMPLICATIONS

Policy Section: Finance

Policy Number: 3.1.14

Policy Title: Purchasing Policy

Purchase Orders - Officer Thresholds (included in Delegated Authority Register)

Purchase order expenditure limits apply to the following staff:

Chief Executive Officer	Limit \$150,000
Executive Manager Corporate Services	Limit \$100,000
Works Manager	Limit \$100,000
Buildings Supervisor	Limit \$10,000
Community and Economic Development Officer	Limit \$10,000
Community Resource Centre Manager	Limit \$10,000
Shire Mechanic	Limit \$5,000
Administration Officer (Receptionist)	Limit \$500

## STRATEGIC PLAN REFERENCE

GOAL 1: Focus upon our local economic drivers to retain and grow existing businesses, employment and to attract new industry.

Performance and structure of roads are included in our annual road management plan, communicated to Council and the community.

10 Year Outcome-Current road infrastructure is maintained and continually improved upon to meet community and business needs.

## RELATED PARTY TRANSACTIONS

Nil

## OFFICER RECOMMENDATION

That Council accept the eQuote received from \_\_\_\_\_ for the Supply of Asphalt 2019.

## COUNCIL RESOLUTION

**MIN**                      **MOTION** - Moved Cr.                                      2nd Cr.

**CARRIED /**

## **AGENDA ITEM: 8.3.7 – Narembeen Volunteer Emergency Services - Signage**

<b>Subject:</b>	Narembeen Volunteer Emergency Services - Signage
<b>Applicant:</b>	Sheree Thomas
<b>File Ref:</b>	ADM620
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Sheree Thomas
<b>Date:</b>	12 <sup>th</sup> November 2018
<b>Attachments:</b>	Nil

### **SUMMARY**

Council are requested to determine a preferred signage option out of the three new designs presented for the Narembeen Volunteer Emergency Services Facility.

### **BACKGROUND**

The Narembeen Volunteer Emergency Services facility provided for the collocation of the Narembeen Volunteer Bush Fire Brigade and the Narembeen St John Sub-Centre.

The new building centralises emergency services, provides private office space for debriefs and counselling, provides a wash place for volunteers after emergency situations, provides a training area to upskill volunteers and a shared communications room to better manage emergency situations.

The Narembeen Volunteer Emergency Services facility was completed and officially opened in September 2018.

Council were presented three signage options at the November 2018 Ordinary Meeting of Council, it was decided that further research was to be undertaken and additional options needed to be provided.

Spencer Signs were approached to provide further design options.

### **COMMENT**

Council are presented with three additional options as designed by Spencer Signs on the following pages.



## **OPTION 1**

### **Sign 1 – Main Sign – Narembeen VES**

1 x 2000mm x 625mm brushed ACM (aluminium composite material) with clear digital print  
2 x 1800mm pine posts with brackets

### **Sign 2 & 3 – DFES & St John**

2 x 600mm x 520mm brushed ACM with clear digital print  
4 x 1800mm pine posts with brackets

**TOTAL: \$1,689.00 (ex gst)**



## **OPTION 2**

### **Sign 1 – Main Sign – Narembeen VES**

1 x 1700mm x 1220mm brushed ACM (aluminium composite material) with clear digital print  
1 x 50mm x 50mm matt black frames to fit sign face

### **Sign 2 & 3 – DFES & St John**

2 x 600mm x 520mm brushed ACM with clear digital print  
2 x 50mm x 50mm matt black frame to fit sign face

**TOTAL: \$1,998 (ex gst)**



### **OPTION 3**

#### **Sign 1 – Main Sign – Narembeen VES**

1 x 2400mm x 700mm brushed ACM (aluminium composite material) with clear digital print  
1 x 50mm x 50mm matt black frame to fit sign face

#### **Sign 2 & 3 – DFES & St John**

2 x 600mm x 520mm brushed ACM with clear digital print  
2 x 50mm x 50mm matt black frame to fit sign face

**TOTAL: \$2,395 (ex gst)**

**All prices exclude freight**



It should be noted that the location of the sign drawn on each of the options is only indicative and it is planned to have the sign located in the centre of the path area where the power is located for lighting. There is also no intention at this stage for planting of any plants at the base of sign as shown on the concept options. The small signs could also be pushed back or located slightly differently within the garden beds.

Based on the need to make sure the main sign can be seen from the road, Option 3 the larger of the signs at 2400mm x 700mm, the 50mm x 50mm matt black frame to fit sign face at a cost of \$2,395 is recommended. The area has been measured and this sign will fit well in the centre of the paving with plenty of clearance each side. The larger sign in option 3 could also be lowered, ie: shorter posts.

Council staff are happy for Councillors to meet on site during the day of the meeting to clearly identify the location of the sign.

### **CONSULTATION**

Chris Jackson, Chief Executive Officer  
Klint Stone, Building Supervisor  
Spencer Signs Bunbury

## **STATUTORY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

The total cost of the project to date is \$771,389.90.  
As per quotes attached.

## **POLICY IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

*Goal 3: We contribute to a healthy community*

3.4 We enable and support medical and emergency services to serve in our community.

## **RELATED PARTY TRANSACTIONS**

Nil

## **OFFICER RECOMMENDATION**

That Council approve Option 3 with one 2400mm x 700mm sign, 50mm x 50mm matt black frame to fit sign face, 2 x 600mm x 520mm brushed ACM with clear digital print signs and 2 x 50mm x 50mm matt black frame to fit sign face at a cost of \$2,395 and that the main sign be centrally located on the paving with the posts being lowered to a shorter height.

## **COUNCIL RESOLUTION**

<b>MIN</b>	<b>MOTION</b> - Moved Cr.	2nd Cr.
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**CARRIED /**

## AGENDA ITEM: 8.3.8– Emu Hill Public Cemetery, Narembeen

<b>Subject:</b>	Emu Hill Public Cemetery, Narembeen
<b>Applicant:</b>	Cemetery Working Committee
<b>File Ref:</b>	ADM645
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Sheree Thomas & Chris Jackson
<b>Date:</b>	12 <sup>th</sup> December 2018
<b>Attachments:</b>	Request for Tender 05/2018 <a href="#">See Attachment Document</a>

### SUMMARY

Council approval is requested for proceeding to tender for the design and construction of the redevelopment of the Emu Hill Public Cemetery, Loc 29608 Emu Hill East Road, Narembeen.

### BACKGROUND

The proposed redevelopment of the Emu Hill Public aims to address issues identified from a Scoping Study which was undertaken in February 2018, this included improvements to the following areas of the cemetery:-

- Niche wall
- Entry statement
- Public access areas, including roadways
- Landscaping
- Signage – within cemetery as well as the public gazebo
- Gazebo

Planning for the redevelopment of the Emu Hill Public Cemetery has been ongoing for some time. Council's Cemetery Working Committee (Mr Chris Jackson [CEO], Cr K Mortimore, Mr Stephen Padfield, Mrs Christine Padfield and Mrs Nola Parsons have approved a draft Development Concept Plan for the redevelopment.

Council at its Ordinary Meeting of Council on 16 May 2018 resolved as follows:-

*That Council endorse the draft Concept Development Plan for the Emu Hill Cemetery, 29608 Emu Hill East Road for the purpose of community consultation, seeking public comment for a period of 28 days.*

### COMMENT

A Request for Tender has been prepared that includes tender details, specifications, design documentation, Plus Architecture Concept Plan and other required details for this project.

In presenting the Request for Tender it is intended that the Shire of Narembeen work in partnership with a suitable contractor to take a design concept as prepared by Plus Architecture to full design and construction of various components of the Cemetery upgrade that include the niche wall, landscaping, entry statements, upgrade of existing gazebo, improved signage, driveways and parking areas.

This partnership would see the Shire work alongside the selected contractor on works such as the driveways, pathways, upgrade of the gazebo, entry statements, fencing, landscaping and site works.

### CONSULTATION



Mr Chris Jackson – Chief Executive Officer  
Miss Bonnie Cole – Executive Manager Corporate Services  
Cemetery Working Committee – Cr Kellie Mortimore, Mr Stephen Padfield, Mrs Christine Padfield  
& Mrs Nola Parsons  
Patric Przeradzki & Anne-Marie Randall - Plus Architecture

## **STATUTORY IMPLICATIONS**

Local Government Act 1995

3.57 Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150,000 unless sub-regulation (2) states otherwise.

Section 24 of the Cemeteries Act:-

24 Management of Cemeteries

- (1) A Board shall —
  - (a) set aside areas of a cemetery for burials; and
  - (b) preserve and maintain a cemetery in a safe, clean and orderly condition.
- (2) A Board may —
  - (a) set aside areas of a cemetery for and provide crematoria, chapels, parks, gardens, landscaping, buildings and other works for the effective operation of a cemetery; and
  - (b) provide office accommodation for administration of the cemetery and other buildings and areas for the use and convenience of employees of the Board or persons visiting the cemetery; and
  - (c) acquire and dispose of plant, machinery, vehicles, equipment, fittings and other things which are necessary or convenient for the efficient operation of the cemetery.

## **FINANCIAL IMPLICATIONS**

Council have made an allocated in the 2018/19 budget for this project.

## **POLICY IMPLICATIONS**

3.1.14 Purchasing Policy

## STRATEGIC PLAN REFERENCE

Goal 1: Focus upon our local economic drivers to retain and grow existing businesses, employment and to attract new industry.

1.7 Shire assets are prepared for commercial and population increases.

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

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

## RELATED PARTY TRANSACTIONS

Nil

## OFFICER RECOMMENDATION

That Council:-

1. Proceed to tender for the Redevelopment of the Emu Hill Public Cemetery (Tender RFT 05/2018) for design and construction based on the concept drawings provided by Plus Architecture 27/9/2018 with tenders closing on the 8 February 2019.
2. That Council approve the Request for Tender as presented that includes the design brief and selection criteria for the Redevelopment of the Emu Hill Public Cemetery Tender RFT 05/2018.
3. Request that following the close of tenders that they be first presented to the Cemetery Working Committee prior to a recommendation being prepared and presented to Councils ordinary meeting to be held in February 2019.

## COUNCIL RESOLUTION

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**

## 8.4 Executive Manager Corporate Services

### AGENDA ITEM: 8.4.1 - Executive Manager Corporate Services Report

<b>Subject:</b>	Executive Manager Corporate Services Report
<b>Applicant:</b>	N/A
<b>File Ref:</b>	N/A
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Bonnie Cole
<b>Date:</b>	11 December 2018
<b>Attachments:</b>	Nil

#### SUMMARY

Council are to consider the report from the Executive Manager Corporate Services and endorse any actions as appropriate.

#### BACKGROUND

Provide monthly reports in a format that provides information with a view to assist in the decision making process.

#### COMMENT

##### Solar Panel Power Usage

Council may remember solar panels were installed to the Admin office, the pool and the Recreation Centre in June/July 2017. Nearly 18 months after installation, a review of the savings was conducted.

	Swimming Pool		Administration Office		Recreation Centre	
2015/2016	\$ 33,573.33		\$ 8,443.59			
2016/2017	\$ 33,329.66		\$ 8,724.18		\$ 27,128.40	est 12 months
2017/2018	\$ 22,079.96		\$ 8,606.95	adjusted*	\$ 21,189.63	
2018/2019	\$ 12,530.36	to date	\$ 8,906.45	est 12 months	\$ 20,608.89	est 12 months

I have adjusted the 17/18 administration total as this had 7 payments for the year, rather than 6 payments at once every 2 months.

The table indicates that there has been significant savings in electricity at both the Swimming Pool and the Recreation Centre since the installation of the solar panels.

The Administration Office does not appear to have had similar savings. Discussions between Chris and I have attributed most of this increase of personnel in the office doing long hours and a lot of weekend work, such as Kim.

##### Narembreen Town Hall

2019 marks the 80th anniversary of the opening of the Town Hall. Council may want to consider an event to highlight the milestone. Brief discussions with the CEO made mention of a cabaret type event to mark the occasion. This may be an opportunity for a community group or groups to get involved as well.



## **Departure**

Council meeting day will be my third last day at the Shire of Narembeen after over four years. I have enjoyed my time back in my home town, doing what I love. I would like to think I have made a positive contribution to both the Council and the community of Narembeen.

Thank you to Council for giving me the opportunity to step up into the role of EMCS in January 2017. I've mostly loved the challenges I've been given in this role and I hope that I can leave it in such a way that I'm not cursed for months to come by my replacement.

Thank you to Chris for the support you have given me over the last four years and having the faith in me. And thank you to all staff for being a great bunch of people who are all working towards the same goal of improving Narembeen to be the best it can be.

## **CONSULTATION**

Chris Jackson

## **STATUTORY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

As per budget requirements or as reported above.

## **POLICY IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

Narembeen Strategic Community Plan 2017 – 2027

*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

## **OFFICER RECOMMENDATION**

That Council received the Executive Manager Corporate Services Report for December 2018 and endorse the associated actions.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**

## AGENDA ITEM: 8.4.2 - Lease of Crown Land – Avon Location 21952, Reserve 18080

<b>Subject:</b>	Lease of Crown Land – Avon Location 21952, Reserve 18080 Narembreen Airfield
<b>Applicant:</b>	Dennis Repacholi – DNA Aviation
<b>File Ref:</b>	ADM467
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Bonnie Cole
<b>Date:</b>	6 December 2018
<b>Attachments:</b>	Narembreen Airport Feature Survey ( <a href="#">See Attachments</a> )

### SUMMARY

For Council to approve the creation of a new lease for a portion of the Airfield to Dennis Repacholi of DNA Aviation.

### BACKGROUND

At its July 2017 Ordinary Meeting, Council resolved:

**MIN 6459/17 MOTION** – Moved: Cr. Cowan                      2<sup>nd</sup>: Cr. Parsons

*That Council instruct the CEO to investigate a new lease that deals with issues such as rent, area of space used and utility charges, as well as other matters that may arise.*

**CARRIED 7/0**

The above related to the lease agreement with Gerald Repacholi of Repacholi Aviation. Since that time Gerald has passed away and his son Dennis has taken over ownership of the lease as DNA Aviation.

Given this, a new lease needs to be authorised and advertised before the lease can be executed.

### COMMENT

Council's Lawyers, Civic Legal have developed a revised lease based on the previous lease with Repacholi Aviation. During discussions with Mr Repacholi, he indicated that he would like to include hangars as part of the lease agreement.

Since Dennis has taken over the lease, he has spent significant time cleaning up the lease area as well as making repairs to both his shed and Council's hangars when it was required.

Staff have engaged a property valuer to value the land as per requirements of the Act. At the time of writing this report, a valuation of the land had not yet been received.

### CONSULTATION

Chris Jackson  
Civic Legal

### STATUTORY IMPLICATIONS

Local Government Act 1995

3.58. Disposing of property

(1) In this section —dispose includes selling, leasing, or otherwise disposing of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) This section does not apply to —

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

## **FINANCIAL IMPLICATIONS**

Costs associated with the execution of a new lease will be funded from GL: 4212300 Legal Fees. An Annual Lease payment is included in the lease agreement as well as portions of both Electricity and Water charges.

## **POLICY IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

### **Shire of Narembreen Strategic Community Plan 2017 – 2027**

*Goal 1: Focus upon our local economic drivers to retain and grow existing businesses, employment and to attract new industry.*

- 1.1 Performance and structure of roads are included in our annual road management plan, communicated to Council and the community.
- 1.2 We will work with our local businesses to plan significant central business district improvements including beautification, access and activation activities.

## **RELATED PARTY TRANSACTIONS**

Nil

## **OFFICER RECOMMENDATION**

That Council:-

1. Advertise its intention to lease a portion of Avon Location 2192, Reserve 18080 to DNA Aviation for a period of five (5) years with an option to extend to DNA Aviation, subject to approved valuation of property as per Section 3.58 of the Local Government Act 1995;
2. Subject to the feedback from the public notice period, instruct the CEO and Shire President to execute the lease;
3. Instruct the CEO to write to the Department of Planning, Lands and Heritage to seek permission for the lease of Crown Land.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**

## AGENDA ITEM: 8.4.3 - Corporate Business Plan Adoption

<b>Subject:</b>	Corporate Business Plan Adoption
<b>Applicant:</b>	Bonnie Cole
<b>File Ref:</b>	ADM172
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Bonnie Cole, Executive Manager Corporate Services
<b>Date:</b>	7 December 2018
<b>Attachments:</b>	Draft Corporate Business Plan ( <a href="#">See Attachments</a> )

### SUMMARY

This report seeks Council's approval for the adoption of the Shire of Narembeen's Corporate Business Plan.

### BACKGROUND

All Western Australian Local Governments are required to prepare a "Plan for the Future" for their district under Section 5.56 (1) of the Local Government Act 1995. The "Plan for the Future" comprises the following two key strategic documents which a Local Government is required to have regard for when forming its annual budget.

Strategic Community Plan - Council's principal 10 year strategy and planning tool. It is the principal guiding document for the remainder of the Shire's strategic planning as community engagement is central to this plan.

Development of the Strategic Community Plan and Corporate Business Plan is undertaken in accordance with the Integrated Planning and Reporting Framework and Guidelines. An essential element of the Integrated Planning and Reporting process is to enable community members and stakeholders to participate in shaping the future of the community and in identifying issues and solutions. It is designed to articulate the community's vision, aspirations, outcomes and priorities for the future of the district.

Council's Strategic Community Plan was adopted by Council in October 2017.

Council engaged Moore Stephens to develop a Strategic Resource Plan which will replace Council's outdated Long Term Financial Plan and Asset Management Plans. Council adopted the Strategic Resource Plan in June 2018.

### COMMENT

Staff engaged Caroline Robinson to update Council's Corporate Business Plan. There has been extensive discussion between Caroline and Senior Management regarding the best way to present this plan, to ensure it is a useful document.

The attached Draft Corporate Business Plan outlines the goals of Council for the next four years, whilst detailing actions for the current financial year. This document will be revised annually in conjunction with the annual financial budget. Prior to adopted the budget, Council will ensure all budget items can be referenced to the Strategic Business Plan via the Corporate Business Plan.

### CONSULTATION

Chris Jackson, Chief Executive Officer  
Caroline Robinson Solum Wheatbelt Solutions

## **STATUTORY IMPLICATIONS**

Local Government Act 1995, Section 5.56.

Section 5.56(1) and (2) of the Local Government Act requires that each local government is to “plan for the future of the district”, by developing plans in accordance with the Regulations. The Local Government Administration Regulations 1996 were amended to require each local government to adopt a Strategic Community Plan and a Corporate Business Plan.

Local Government (Administration) Regulations sections:-

19C – Strategic community plans, requirements for (Act s.5.56)

19D – Adoption of plan, public notice of to be given.

## **FINANCIAL IMPLICATIONS**

Future expenditure to meet the Strategic Community Plan objectives

## **POLICY IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

Nil

## **RELATED PARTY TRANSACTIONS**

Nil

## **OFFICER RECOMMENDATION**

That Council adopt the Corporate Business Plan.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**

## AGENDA ITEM: 8.4.4 - Narembreen Community Resource Centre Report – December 2018

<b>Subject:</b>	Narembreen Community Resource Centre Report
<b>Applicant:</b>	N/A
<b>File Ref:</b>	N/A
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Leanne Brooke-Mee
<b>Date:</b>	12 December 2018
<b>Attachments:</b>	Nil

### SUMMARY

Council is to consider the Community Resource Centre report for December 2018.

### BACKGROUND

The Narembreen Community Resource Centre (CRC) provides a report to Council each month highlighting events, projects and activities undertaken by them during the preceding month and any upcoming events, projects and activities.

### COMMENT

The report has been prepared for Council with a view to reporting on the Outcome Areas associated with the Department of Regional Development's funding for the CRC's Business and Action Plans.

The Outcome Areas are specified in the CRC's Activity Plan and identify a range of funded activities.

The report is set out below for Council's consideration.

#### Community Training

We are in the process of seeking expressions of interest from the community of workshops geared towards parents, so far there is a high interest and we will be looking at running these in the New Year.

#### Business Training

The CRC continues to provide training opportunities for the business community.

#### Upcoming Events

Christmas Street Party – 14<sup>th</sup> December

### CONSULTATION

Sheree Thomas, Community & Economic Development Officer

### STATUTORY IMPLICATIONS

Nil

### 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 organisational 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.

2.6 We articulate in our organisational plans and service delivery model the role of the Narembeen CRC as a community hub, providing library, community activities, skill development, connections and business initiatives in turn helping to help achieve our strategic goals.

Goal 3: We contribute to a healthy community.

3.1 We can provide leadership and networks to our local community groups to help them achieve their goals, identify common priorities and to provide opportunities for active participation in our community.

## RELATED PARTY TRANSACTIONS

Nil

## OFFICER RECOMMENDATION

That Council receive the Narembeen Community Resource Centre Report for December 2018 and endorse the associated actions.

## COUNCIL RESOLUTION

<b>MIN</b>	<b>MOTION</b> - Moved Cr.	2nd Cr.
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**CARRIED /**

## AGENDA ITEM: 8.4.5 - November 2018 Schedule of Accounts

<b>Subject:</b>	November 2018 Schedule of Accounts
<b>Applicant:</b>	Shire of Narembeen
<b>File Ref:</b>	N/A
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Vanessa Wittstock
<b>Date:</b>	6 December 2018
<b>Attachments:</b>	List of Payments and Credit Card Statements (See Attachments)

### SUMMARY

For Council to review the payments made in November 2018.

### BACKGROUND

A schedule of accounts paid during the month of November 2018 is provided as follows:

Municipal Cheque Account:	\$1,098,886.26
Trust Account	\$1,179.90
CRC Cheque Account:	\$12,997.45

### COMMENT

The following payments greater than \$5,000.00 were made during the month of November 2018:

EFT11547	06/11/2018	BGC Construction	Progress Claim No. 5 Narembeen Community Precinct Project No #70647	\$ 139,488.43
EFT11551	06/11/2018	Conplant Ammann Australia	Compactor Hire	\$ 5,753.00
EFT11556	06/11/2018	Hanson Construction Materials Pty Ltd	108 tonnes of 7mm washed single size granite	\$ 8,441.00
EFT11564	06/11/2018	Narembeen Shire Council	Roadworks on town site bypass 5th September - 17 October	\$ 232,697.00
EFT11577	06/11/2018	WALGA	Create new design and transfer site to Council Connect + Staff training	\$ 19,791.00
EFT11588	22/11/2018	Avon Waste	Waste Services	\$ 16,104.18
EFT11591	22/11/2018	Busselton City Construction Pty Ltd	Repair and paint damaged ceilings & walls + gutter cleaning at Town Hall	\$ 12,859.00
EFT11596	22/11/2018	Corsign WA Pty Ltd	Road Signs as per quote	\$ 15,005.65
EFT11600	22/11/2018	Daves Tree Service	Trimming & shaping street trees out of Western Power Lines	\$ 8,580.00
EFT11611	22/11/2018	Leeuwin Civil Pty Ltd	AGRN743 Flood Recovery Works Progress Claim 16 - October 2018	\$ 482,926.60
EFT11632	22/11/2018	Synergy - Western Power	Electricity Charges 10 Oct - 14 Nov 2018	\$ 11,641.60
EFT11638	22/11/2018	Varley Transport	Cartage for the month of October 2018 of granite from Hanson Byford to Narembeen	\$ 10,803.52
EFT11640	22/11/2018	Western Stabilisers	Lime stabilisation and wet mixing	\$ 9,322.03

DD9741.3	01/11/2018	WA Local Government Superannuation Plan	Payroll deductions	\$ 8,655.83
DD9758.2	15/11/2018	WA Local Government Superannuation Plan	Payroll deductions	\$ 8,614.15
DD9772.3	29/11/2018	WA Local Government Superannuation Plan	Payroll deductions	\$ 8,728.89

## CONSULTATION

Nil

## STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

Reg11. Payment of accounts

1. A local government is to develop procedures for the authorisation of and the payment of accounts to ensure that there is effective security for and properly authorised use of:
  - a. Cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
  - b. Petty cash systems.
2. A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
3. Payments made by a local government
  - a. Subject to sub regulation (4), are not to be paid in cash; and
  - b. Are to be made in a manner which allows identification of –
    - i. The method of payment;
    - ii. The authority for the payment; and
    - iii. The identity of the person who authorised the payment.
4. Nothing in sub regulation (3) (a) prevents a local government from making payments in cash from a petty cash system.

Reg 12. Payments from municipal fund or trust fund

1. A payment may only be made from the municipal fund or the trust fund –
  - a. If the local government has delegated the CEO the exercise of its power to make payments from those funds by the CEO; or
  - b. Otherwise, if the payment is authorised in advance by a resolution of the council
2. The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

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.
2. A list of accounts for approval to be paid is to be prepared each month showing:
  - a. For each account which required council authorisation in that month –
    - i. The payee's name;
    - ii. The amount of the payment; and
    - iii. Sufficient information to identify the transaction.
  - b. The date of the meeting of the council to which the list is to be presented.
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**

Shire of Narembreen 2018/2019 Budget

## **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

## **OFFICER RECOMMENDATION**

That Council:-

1. Received the Schedule of Accounts for November 2018, including those of the CRC; and
2. Receive the Credit Card Statements for November 2018 for the Shire.

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**

## **AGENDA ITEM: 8.4.6 - Financial Report November 2018**

<b>Subject:</b>	Financial Report November 2018
<b>Applicant:</b>	Shire of Narembeen
<b>File Ref:</b>	N/A
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Bonnie Cole
<b>Date:</b>	5 December 2018
<b>Attachments:</b>	November 2018 Financial Report, Bank Reconciliation for November 2018, November 2018 CRC Financial Report, Outstanding Rates Report <b>(See Attachments)</b>

### **SUMMARY**

To review Council finances as required by legislation.

### **BACKGROUND**

The attached Financial Reports (including Statement of Financial Activity) are submitted on behalf of the Shire of Narembeen for the period ending 3130 November 2018.

### **COMMENT**

Council's closing position at 30 November 2018 amounts to \$2,014,143 with current assets of \$5,396,100 and \$2,457,385 of reserve funds.

### **CONSULTATION**

Finance Officer  
Administration Officer  
Senior Staff

### **STATUTORY IMPLICATIONS**

Local Government (Financial Management) Regulations

Reg 34 Financial Activity Statement

### **FINANCIAL IMPLICATIONS**

Shire of Narembeen 2018/2019 Budget

### **POLICY IMPLICATIONS**

Nil

### **STRATEGIC PLAN REFERENCE**

Nil

### **RELATED PARTY TRANSACTIONS**

Nil

## **OFFICER RECOMMENDATION**

That Council:-

1. Receive the Shire of Narembreen's Financial Report for the month of November 2018;
2. Receive the bank reconciliation for the month of November 2018 for all Shire Bank Accounts;  
and
3. Receive the Narembreen Community Resource Centre Financial Report for the month of November 2018.
4. Receive the Outstanding Rates Report as at 10<sup>th</sup> December 2018

## **COUNCIL RESOLUTION**

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED /**

## **9.0 Urgent business as permitted by Council**



<b>10.0 Councillor's Reports – including other Councillor business</b>
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**Cr K Mortimore**

**Cr P Lines**

**Cr B Thomas**

**Cr B Cowan**

**Cr S Stirrat**

**Cr A Wright**

**Cr A Hardham**

**Cr R Cole**

<b>11.0 Date, time &amp; place of next meeting</b>
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Wednesday 20<sup>th</sup> February 2018 at Narembreen Shire Council Chambers

<b>12.0 Closure</b>
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There being no further business the Chair declared the meeting closed at \_\_\_\_\_.