

Shire of Narrogin

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER 43 FEDERAL STREET, NARROGIN, ON THURSDAY, 16th JULY 2015; COMMENCING AT 9.37 A.M.

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The President, Cr Richard Chadwick, welcomed all Councillors and visitors to the meeting.

2. ATTENDANCE APOLOGIES AND LEAVE OF ABSENCE GRANTED

Councillors	Cr R.E. Chadwick (President) Cr A.G. Borthwick (Deputy President) Cr B.G. Hardie Cr G.D. Ballard Cr T.R. Wiese Cr K.M. Quartermaine Cr J.M. Sieber attended at 9.41AM
Chief Executive Officer	Mr G.R. McKeown
Apologies	Nil
Visitors	Representatives from Brookfield Rail: Fred Steer Paul Hamersley Michael Golinski Gary Rasmussen – Works Manager (from 10.16AM)

3. PUBLIC QUESTION TIME

President invited the representatives from Brookfield Rail to make their presentation.

Mr Paul Hamersley introduced the Brookfield Rail representatives and indicated that the company wished to continue its engagement with local government.

CR SIEBER ATTENDED THE MEETING AT 9.41AM.

Mr Hamersley gave a presentation showing the typical movements on the rail network it manages and highlighted the investment made by Brookfield Rail in the infrastructure.

There was general discussion about the closure of the Tier 3 Rail and the additional maintenance cost that was resulting from movement of trucks on the road network.

There was also discussion on the maintenance requirements for rail crossings on the Tier 3 lines and whether there was still a need for “Stop” signs at rail crossings’, considering the network is now under a care and maintenance program only.

FRED STEER, PAUL HAMERSLEY AND MICHAEL GOLINSKI LEFT THE MEETING AT 10.16AM

GARY RASMUSSEN ATTENDED THE MEETING AT 10.16AM

8. REPORTS OF OFFICERS

Works Unit Report

Mr Gary Rasmussen presented his Works Unit Report.

MR GARY RASMUSSEN LEFT THE MEETING AT 11.10AM

CITIZENSHIP CEREMONY

MR & MRS ROB AND SUE SRIDHARA ATTENDED THE MEETING AT 11.10AM

The President conducted a Citizenship Ceremony for Mr Raghav (Rob) Sridhara in the presence of his wife and elected members. Following the conduct of the ceremony the President invited Mr & Mrs Sridhara to join with the elected members for morning tea.

MR & MRS ROB AND SUE SRIDHARA LEFT THE MEETING AT 11.35AM

4. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Hardie indicated that he will be absent for the Budget Meeting proposed for the 28th July and the August Council Meeting.

Cr Chadwick indicated that he will be absent for the August Council Meeting.

5. CONFIRMATION OF MINUTES

Moved Cr Sieber

Seconded Cr Hardie

The Minutes of the Ordinary Meeting of Council held on the 18th June 2015, be confirmed as a true and correct record.

CARRIED 7/0

3. PUBLIC QUESTION TIME (Cont.)

The Chief Executive Officer provided detail of the questions tabled by Mr Vukomanovic at the June 2015 Council Meeting and the responses to be made to those questions, as follows:

Ordinary Council Meeting
16th July 2015

Questions to Narrogin Shire Council Meeting 18 June 2015

From Peter Vukomanovic regarding the Proposed Regional rubbish Dump

1. What changed the decision of the owners of previous sites proposed for the Regional Rubbish Dump including the Tarwonga Road site?
2. Are any members in Council aware of any objections of neighbours in these locations and what were their objections?
3. Are any in Council aware of neighbours endeavouring to persuade their neighbours to reject a proposal on their land, in these previous sites?
4. Why has there been no response to my request for information from the Narrogin Shire Council in relation to home building restrictions on our land being directly opposite the Proposed Nebrikinning Road site?

This is causing costly delays on a large range of decisions we need to make regarding improvements, as a valuable assistant to our building program has possibly only a limited time to assist us in erecting an affordable house.

This is in addition to us already foregoing the opportunity to apply to secure a valuable 5 year contract due to the uncertainty of having to live next to a Regional Rubbish Dump.

5. Does Council consider it fair just and reasonable that we should be subjected to this proposal at our front gate as indicated on the included map? (Printer not working, will provide photo map later). Question still relevant on its own.
6. Does Council still agree that, as stated in the MOU, there will be no adverse social impacts?
My children have come across impacts at school.
There are other impacts on our ability to contribute as we are trying to defend our family.
7. Does Council consider there is no impact on our amenity?
As you can plainly see from our various representations it is having a vast impact on our amenity. Our health and wellbeing and that of our children are likewise adversely impacted.

Thank you for your time
Peter Vukomanovic

Ordinary Council Meeting
16th July 2015

The following responses to the questions were drafted by the Chief Executive Officer and endorsed by Council:

I refer to your attendance for Public Question Time at the Council Meeting held on Thursday, 18th June 2015.

During Public Question Time you tabled a number of questions and I am able to provide the following responses:

Question 1. There was one site investigated by the Great Southern Regional Waste Group (the Group) located in the Shire of Narrogin. Consideration of the site was at a stage where the owner was considering a draft Memorandum of Understanding with the Group. At that stage the owner decided not to continue. In notifying the Group the owner did not provide a reason for the decision not to proceed.

The Group did investigate another site in the Shire of Wagin and for information as to why that site did not proceed is best obtained from the Shire of Wagin.

Question 2. The Council did not receive objections from neighbours to the site that was being proposed in the Shire of Narrogin. As stated above the process did not proceed beyond the stage of a draft Memorandum of Understanding.

Question 3. No.

Question 4. A response to your request for information was considered by Council at its meeting held on the 18th June 2015 and included in a letter to you dated the 19th June 2015.

Question 5. The Council is aware of your concerns about this proposal. The application being considered by the Shire of Cuballing for development approval will assess issues of amenity and any mitigation measures to address potential impacts, such as installation of a vegetation buffer for the site.

Question 6. If the Group receives approval to develop the waste site it will have to meet standards governed by legislation and enforced by the Department of Environment Regulation. These standards are in place to manage and mitigate environmental and social impacts.

Question 7. It is understood that you have made representations to the Shire of Cuballing on this matter. It is appropriate that as the approving authority the Shire of Cuballing takes issues of amenity into consideration when assessing the proposal. At this time it is not possible to say whether the proposal will be approved. If it is approved there are options for appeal of the decision.

In the meantime the Group and those who made submissions on the proposal will have to wait for the decision of the Shire of Cuballing.

Ordinary Council Meeting
16th July 2015

The Chief Executive Officer advised that Mr Vukomanovic has visited the Shire Office just prior to the commencement of this meeting and wished to table a further series of questions. The questions were presented to Council.

6. ANNOUNCEMENTS BY THE PRESIDENT AND COUNCILLORS

Councillors advised of their attendance at the following meetings and functions:

1. Cr Sieber attended a Dryandra Country Visitor Centre Meeting in June 2015.
2. Cr Borthwick reported on matters concerning the Health MOU which is being reviewed by the WALGA Central Country Zone and his meeting with Joe Douglas – Urban & Rural Perspectives, on the Narrogin Link Road North alignment options.
3. Cr Wiese attended a Narrogin Cottage Homes Committee Meeting held on the 18th June 2015.

The President reported on his attendance at the following meetings and functions:

- 1 Attended a Merger Committee Meeting.
- 2 Met with Joe Douglas – Urban & Rural Perspectives, on the Narrogin Link Road North alignment options.

8. REPORTS OF OFFICERS (Cont.)

Information Report

The Chief Executive Officer presented his Information Report.

LUNCHEON ADJOURNMENT FROM 12.33PM TO 1.17PM

8. REPORTS OF OFFICERS (Cont.)

Information Report

The Chief Executive Officer continued with his Information Report.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

9. MATTERS WHICH REQUIRE DECISIONS

9.F FINANCE

9.F.278 FINANCIAL STATEMENT

Moved Cr Hardie

Seconded Cr Borthwick

That Council,

1. Endorse cheques numbered: 21546, 21588 to 21590 and 21592 to 21593 (inclusive) as paid under delegated authority, totalling \$35,447.79;
2. Approve cheques numbered: 21594 to 21659 (inclusive) as creditors to be paid, totalling \$386,768.24; Endorse electronic transaction payments as paid under delegated authority for other expenses totalling \$43,040.00; Endorse electronic transaction payments for other expenses totalling \$73.95;
3. Endorse electronic transaction payments for salaries and wages expenses totalling \$67,186.11; and
4. Adopt the Financial Statement to the 30th June, 2015 as presented.

CARRIED 7/0

9.F.279 BUDGET MEETING

Moved Cr Sieber

Seconded Cr Quartermaine

The Special Meeting to adopt the Budget for the 2015/16 financial year will be held on Tuesday, 28th July 2015 commencing at 5.30pm. and Council endorses local public notice being given for the date, time and purpose of the meeting.

CARRIED 7/0

9.A ADMINISTRATION

9.A.351 SALARIES AND ALLOWANCES TRIBUNAL DETERMINATION FOR ELECTED MEMBERS

Moved Cr Hardie

Seconded Cr Wiese

That Council adopts the following arrangements for the payment of elected member fees and allowances from the 1st July 2015:

1. A meeting fee of \$93.00 for attendance at a council meeting;
2. A meeting fee of \$47.00 for attendance at a committee meeting or (at the request of the local government) a meeting of a type prescribed in regulation 30(3A) of the *Local Government (Administration) Regulations 1996*; and
3. A President's Allowance of \$5,300.

Further, with regard to properly incurred out of pocket expenses, elected members will be reimbursed in full.

CARRIED BY ABSOLUTE MAJORITY 7/0

9.A.352 DELEGATIONS REGISTER

Moved Cr Ballard

Seconded Cr Wiese

The use of delegations by the Chief Executive Officer and other Staff for the period from the 1st July 2014 to the 30th June 2015 be endorsed. Further, Council acknowledges it has reviewed the Delegations Register in accordance with the requirements of the *Local Government Act 1995*.

CARRIED BY ABSOLUTE MAJORITY 7/0

CHIEF EXECUTIVE OFFICER DECLARED A FINANCIAL INTEREST IN THE FOLLOWING ITEM AND LEFT THE MEETING AT 1.54PM

The nature of the interest declared by the Chief Executive Officer related to the item referring to his future employment arrangements.

9.A.353 MERGER – SELECTION OF CEO DESIGNATE

Moved Cr Ballard

Seconded Cr Hardie

That Council:

- a) confirm that the candidates for the CEO Designate of the new entity are the CEO Shire of Narrogin and CEO Town of Narrogin, and that no advertising of the position will be undertaken;
- b) nominate two elected members being Cr Chadwick and Cr Borthwick to form the CEO Selection Panel, together with two elected members from the Town of Narrogin;
- c) delegate authority for the Selection Panel to
 - i. interview the candidates and endorse the CEO Designate, for subsequent formal resolution by the Councils as required by the *Local Government Act 1995*; and
 - ii. negotiate the CEO Designate remuneration package effective upon commencing the substantial position;
- e) agree that in the instance of a tied vote of the Selection Panel, it is agreed that the Consultant's recommendation will determine the successful applicant;
- f) the process to be –
 - i. Consultant to meet with both Councils and CEOs;
 - ii. Consultant to conduct interviews with Selection Panel;
 - iii. Selection Panel recommendation made to both Councils for ratification/appointment as per *Local Government Act 1995*; and
- g) consistent with the advice of Civic Legal, the CEO Designate to be appointed as CEO of both the Shire and the Town prior to merger on 1 July 2016, on a date to be determined by negotiation between all parties, but anticipated to be in June 2016.

CARRIED BY ABSOLUTE MAJORITY 6/1

The motion differed from the recommendation to provide clarity in relation to the extent of delegated authority to the Selection Panel.

CHIEF EXECUTIVE OFFICER RETURNED TO THE MEETING AT 2.15PM

9.A.354 MERGER – FUNDING OF BUILDING EXTENSIONS

Moved Cr Quartermaine

Seconded Cr Hardie

That Council:

- a) **make budget provision for extension to the Shire Depot on Lydeker Way estimated at \$127,600 ex GST, plus**
 - **additional water storage to be included,**
 - **wash down bay to be excluded,**
- b) **make budget provision for the Town of Narrogin to share the Shire Depot capital extension cost.**
- c) **acknowledge the extension to the Town Administration Centre on Earl Street, provisionally estimated at \$450,000 ex GST, and this is to be funded by way of a loan to be raised by the Town of Narrogin,**
- d) **identify any other available funding from Shire sources for the above projects,**
- e) **agree to the loan repayments in 2015-2016 for any new loan for the Town Administration Centre being shared equally between the Shire and the Town of Narrogin.**

CARRIED 6/1

CR WIESE DECLARED AN IMPARTIALITY INTEREST IN THE FOLLOWING ITEM

The nature of the interest declared by Cr Wiese related to him being a member of the Highbury Tennis Club. In declaring an impartiality interest only, Cr Wiese was permitted to remain in the meeting and participate in deliberation and voting on the matter.

9.A.355 HIGHBURY TENNIS CLUB – FINANCIAL ASSISTANCE

Moved Cr Borthwick

Seconded Cr Wiese

The Highbury Tennis Club be advised that the Council supports its programme of maintenance and improvement of facilities at the Club, and in doing so agrees to:

1. **Support an application for funding from the Department of Sport and Recreation's Community Sporting Recreation & Facilities Funds Grant Program; and**
2. **Consider a financial contribution to the replacement of the perimeter fence as part of the 2015/16 Budget deliberation.**

CARRIED 7/0

CR CHADWICK DECLARED A PROXIMITY INTEREST IN THE FOLLOWING ITEM AND LEFT THE MEETING AT 2.45PM

The nature of the interest declared by Cr Chadwick related to him being an owner of land that is impacted by the proposed alignment of the Narrogin Link Road North.

CR BORTHWICK ASSUMED THE CHAIR

9. B&TP BUILDING AND TOWN PLANNING

9.B&TP.197 NARROGIN LINK ROAD NORTH – SUPPORT FOR ALTERNATIVE ALIGNMENT OPTION B

Moved Cr Quartermaine

Seconded Cr Hardie

That Council supports Option A for the Narrogin Link Road North road extension and wishes to bring to the attention of Main Roads the following matters for its consideration should it proceed with the Option B alignment:

- a) The potential development of land, impacted by the Option B alignment, will be constrained;**
- b) The need to address the safety issues at the Callan Way intersection;**
- c) Implement relevant strategies or measures to improve or enhance the visual landscape character adjacent to the road, given that some residential properties in the Narrogin townsite will experience negative visual impacts; and**
- d) The proposal to cul-de-sac the disused portion of Great Southern Highway is likely to impact on the future development of the area and also negatively influence accessibility to and the commercial viability of existing businesses on Kipling Street.**

Further, a copy of the report prepared for Council by Urban & Rural Perspectives on the town planning implications of the Option B alignment be proved to Main Roads.

CARRIED 6/0

CR CHADWICK RETURNED TO THE MEETING AND ASSUMED THE CHAIR AT 3.05PM

9.B&TP.198 DEVELOPMENT APPLICATION – LOT 4 (No 303) SIMMONS ROAD, NARROGIN VALLEY

Moved Cr Quartermaine

Seconded Cr Ballard

Subject to no valid objections being submitted during the advertising process the Chief Executive Officer is granted delegated authority to approve the application for the growing of paulownia trees (agroforestry) on Lot 4 (303) Simmons Road, Narrogin Valley, subject to compliance with following standard conditions.

- 1. The development hereby approved shall occur generally in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of Council.**
- 2. This approval shall expire if the development hereby permitted is not completed within two years of the date hereof, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to Council, is granted by it in writing.**

CARRIED BY ABSOLUTE MAJORITY 7/0

9.B&TP.199 SUBDIVISION OF LOC'S 10394 & 10416 READ ROAD

Moved Cr Borthwick

Seconded Cr Quartermaine

The Western Australian Planning Commission be advised that the Shire of Narrogin supports the subdivision/amalgamation of Locations 10394 and 10416 Read Road, Yilliminning on the basis that if approved it will not result in the creation of additional lots and that the new lots will be of a size consistent with other lots in the vicinity.

CARRIED 7/0

9.B&TP.200 SCHEME AMENDMENT REQUEST - LOT 22 GREAT SOUTHERN HIGHWAY, DUMBERNING

Moved Cr Quartermaine

Seconded Cr Borthwick

That Council authorise the Chief Executive Officer to:

1. Advise the applicant that the Shire of Narrogin is prepared to consider a formal Scheme Amendment document if it addresses State Planning Policy 2.5, the matters raised in this Agenda Report, and provision of adequate services including reticulated water;
2. Confirm that any form of 'Special Rural' zone will not be supported unless reticulated water can be provided consistent with Clause 5.6 (b) (vi) and (viii) of State Planning Policy 2.5; and
3. Provide a copy of this report to the applicant for information.

CARRIED 7/0

9.B&TP.201 APPROVED KENNEL ESTABLISHMENT

Moved Cr Ballard

Seconded Cr Sieber

The Council approves the following actions in regard to the application for planning approval to establish a Kennel on 722 (Lot 1) Manning Road, Narrogin Valley:

1. An advertisement be placed in the local newspaper giving notice of the proposed development and inviting submissions within twenty-one days of the date of the publication;
2. Notice be served on the owners of land adjacent to the property inviting them to make a submission within twenty-one days; and
3. Notification is obtained from the owners of the property (Mr & Mrs Paul and Margaret Skerritt) indicating approval of the proposed development on their property.

CARRIED 7/0

THERE BEING NO FURTHER BUSINESS THE PRESIDENT THANKED COUNCILLORS FOR THEIR ATTENDANCE AND CLOSED THE MEETING AT 4.05PM