

# SHIRE OF WEST ARTHUR



## Ordinary Council Meeting 18 June 2019 Minutes

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## ORDINARY COUNCIL MEETING MINUTES

### 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Cr Ray Harrington, Chairperson, declared the meeting open at 6 pm. Ray welcomed Graeme Peirce and Neil Morrell to the meeting.

### 2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

### 3. PUBLIC QUESTION TIME

Nil.

### 4. RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

Cr R Harrington OAM	Shire President
Cr K King	Deputy Shire President
Cr M Meredith	
Cr M Lloyd	
Cr J McFall	
Cr A Blencowe	
Nicole Wasmann	Chief Executive Officer
Maxine McKenzie	Manager Financial Operations

#### Invited Guests

Graham Peirce  
Neil Morrell

#### Apologies

Cr N Manuel

#### Leave of Absence

Nil.

### 5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

### 6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Meeting of Council held 21 May 2019

COUNCIL DECISION – ITEM 6.1
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Moved: Cr Marie Lloyd

Seconded: Cr Kevin King

The minutes of the Ordinary Meeting of the Shire of West Arthur held in the Council Chambers on 21 May 2019 be confirmed.

**CARRIED 6/0**

### 7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

### 8. REPORTS

## 8.1 OFFICER REPORTS

### ITEM 8.1.1– FINANCIAL REPORT MAY 2019

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	N/A
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	13 June 2019

#### **SUMMARY:**

Consideration of the financial reports for the period ending 31 May 2019.

#### **BACKGROUND:**

The financial reports for the periods ending 31 May 2019 are included as attachments.

#### **COMMENT:**

If you have any questions regarding details in the financial reports, please contact the office prior to Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

#### **CONSULTATION:**

Not applicable.

#### **STATUTORY ENVIRONMENT:**

Section 34 (1) (a) of the Local Government (Financial Management) Regulations 1996 states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates, monthly budget estimates, actual monthly expenditure, revenue and income, material variances between monthly budget and actual figures and net current assets on a monthly basis.

#### **POLICY IMPLICATIONS:**

Not applicable.

#### **FINANCIAL IMPLICATIONS:**

Not applicable.

#### **STRATEGIC IMPLICATIONS:**

Not applicable.

#### **VOTING REQUIREMENTS:**

Simple majority

### COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.1

Moved: Cr Michael Meredith

Seconded: Cr Alan Blencowe

That the financial report for the period ending 31 May 2019 as presented be accepted.

**CARRIED 6/0**

#### **ATTACHMENTS:**

- Financial Reports – 31 May 2019.

## ITEM 8.1.2 – ACCOUNTS FOR PAYMENT

LOCATION/ADDRESS: N/A  
NAME OF APPLICANT: N/A  
FILE REFERENCE: N/A  
DISCLOSURE OF INTEREST: N/A  
DATE OF REPORT: 13 June 2019

### **SUMMARY:**

Council to note payments of accounts as presented.

### **BACKGROUND:**

The schedule of accounts is included as an attachment for Council information.

### **COMMENT:**

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

### **CONSULTATION:**

There has been no consultation.

### **STATUTORY ENVIRONMENT:**

Section 12 of the Local Government (Financial Management) Regulations 1996 states that

- 12 (1) A list of creditors is to be compiled for each month showing –
- (a) The payee's name;
  - (b) The amount of the payment;
  - (c) Sufficient information to identify to transaction; and
  - (d) The date of the meeting of the council to which the list is to be resented.

### **POLICY IMPLICATIONS:**

There are no policy implications.

### **FINANCIAL IMPLICATIONS:**

There are no financial implications.

### **STRATEGIC IMPLICATIONS:**

No strategic implications.

### **VOTING REQUIREMENTS:**

Simple majority

## COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.2

Moved: Cr Julie McFall

Seconded: Cr Marie Lloyd

That in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, payment of Municipal Fund vouchers 16052019.1-16052019.21, 04062019.1- 04062019.21, 11062019.1-11062019.24, 2 - BENDIGO CHEQUE, 20047 – 20048, Licensing, Salaries and Wages and EFT Transfers, Direct Debit totalling \$908241.42 and Trust totalling \$0.00 listed (attached) be noted as approved for payment.

**CARRIED 6/0**

### **ATTACHMENTS:**

- Cheque Listing

### ITEM 8.1.3 - SIGNIFICANT ACCOUNTING POLICIES

LOCATION/ADDRESS: N/A  
NAME OF APPLICANT: N/A  
FILE REFERENCE:  
DISCLOSURE OF INTEREST: N/A  
DATE OF REPORT: 13 June 2019

#### **SUMMARY:**

Council to review their significant accounting policies.

#### **BACKGROUND:**

Each financial year Council is required to adopt a percentage and/or value in accordance with AAS 5, to be used in the statement of financial activity for reporting variances.

The significant accounting policies of the Shire are included in the annual financial report each year. These policies are reviewed annually and were last adopted by Council in 2018. The policy reflects those in the Local Government Accounting Manual.

#### **CONSULTATION:**

There have not been any changes recommended through any financial management reporting workshops.

#### **COMMENT:**

The review of the reportable material variance is to be conducted on an annual basis. Currently the variance reported in monthly statements is +/- 10% and +/- \$10,000. It is proposed to change the capitalisation threshold amounts for assets to \$5,000. Changes to the Financial Management regulations require assets with a purchase price of \$5,000 or below to be written off prior to 30 June 2019. It is not expected that this will have significant impact on the financial reports and is a non cash adjustment.

#### **STATUTORY ENVIRONMENT:**

Local Government Act 1995 (As Amended) – Section 6.10.  
Australian Accounting Standards  
Financial Management Regulations 1996

#### **POLICY IMPLICATIONS:**

If adopted, the policy will replace the Significant Accounting Policy adopted in 2018.

#### **FINANCIAL IMPLICATIONS:**

There are no financial implications associated with adopting the policy.

#### **STRATEGIC IMPLICATIONS:**

Adoption of the proposed percentage and value will become Council policy to guide the preparation of monthly statements.

The adoption of the Asset Threshold will mean that all non-current asset purchases under the threshold amounts will be treated as an expense and not be included in the asset register.

#### **VOTING REQUIREMENTS:**

Simple majority

### COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.3

Moved: Cr Alan Blencowe

Seconded: Cr Julie McFall

That following review of existing significant accounting policy 2.4, that the significant accounting policy is adopted:

- The capitalisation threshold for all classes of assets is increased to \$5,000. Assets with a purchase price of \$5,000 or below are to be written off in the asset register.
- Report material variances of +/- 10% and +/- \$10,000 from the budget figure and report these variances by way of supporting note to the 'Monthly Statement of Financial Activity'.

**CARRIED 6/0**

#### **ATTACHMENTS:**

- Policy

## ITEM 8.1.4 – WALGA 2019 ANNUAL GENERAL MEETING APPOINTMENT OF VOTING DELEGATES

LOCATION/ADDRESS: Local Government Convention – Perth Convention Exhibition Centre  
NAME OF APPLICANT: WALGA  
FILE REFERENCE: 2.7.1  
DISCLOSURE OF INTEREST: Nil  
DATE OF REPORT: 11 June 2019

### SUMMARY:

The 2019 WALGA Annual General Meeting is to be held on Wednesday 7 August 2019. The Shire must nominate voting delegates by Friday 5 July 2019 to be able to exercise voting entitlements.

It is proposed that Cr Marie Lloyd and Kym Gibbs be nominated as voting delegates and Nicole Wasmann as a proxy.

### BACKGROUND:

All WALGA member councils are entitled to be represented by two voting delegates at the AGM of WALGA to be held on Wednesday 7 August 2019. In the event that a voting delegate is unable to attend, provision is made for proxy delegates to be registered. Only registered delegates or registered proxy delegates will be permitted to exercise voting entitlements on behalf of member councils. Delegates may be elected members or serving officers.

WALGA is the peak industry body for local government in Western Australia. At the Annual General Meeting, members consider WALGA's annual financial statements, the President's report and executive and member motions that are raised.

### CONSULTATION:

A request has been received from WALGA for nominations to be made by Friday 5 July 2019.

Shire staff have consulted with elected members.

### STATUTORY ENVIRONMENT:

Clause 24 of the WALGA Constitution details "Representation and Voting at General Meetings".

### POLICY IMPLICATIONS:

Policy 1.7 Elected Members Entitlements makes provision for elected members attendance at Local Government Week including the AGM.

### FINANCIAL IMPLICATIONS:

There is no cost for attendance at the AGM. Parking, meal and travel costs will be minimal. There will be sufficient funds within the 2019/20 Budget to address the recommendation.

### STRATEGIC IMPLICATIONS:

Council's Corporate Plan states:

*"Fund, promote, support and encourage elected member representation at relevant conferences, workshops and meetings at a regional and state level."*

### VOTING REQUIREMENTS:

Simple majority

## COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.4

Moved: Cr Alan Blencowe

Seconded: Cr Michael Meredith

That Council nominates Cr Marie Lloyd and Kym Gibbs as voting delegates and Nicole Wasmann as a proxy voting delegate to the 2019 Western Australian Local Government Association's Annual General Meeting.

**CARRIED 6/0**

### ATTACHMENTS:

Nil

## ITEM 8.1.5 – TRANSFERS TO RESERVES AT 30 JUNE 2019

LOCATION/ADDRESS: N/A  
 NAME OF APPLICANT: N/A  
 FILE REFERENCE:  
 DISCLOSURE OF INTEREST: Nil  
 DATE OF REPORT: 12 June 2019

### SUMMARY:

Transfers are proposed for some funds held in trust, that should be held in reserve, and for income that is to be expended in a future year.

### BACKGROUND:

Prior to 30 June 2019, there are a number of transfers to the Shire's reserve accounts that are proposed that were unbudgeted including:

Reserve Fund	Detail	Amount
Joint Venture Housing	Income in excess of expenditure.	\$14,000
Town Development	From Youth Advisory trust account for infrastructure development in the youth area of the Darkan Railway Reserve	\$6,712*
The Shed (new reserve)	From Shed trust account as the Shire has control over the funds given that the Shed is a Shire activity and therefore the funds should not be held in trust.	\$10,857*
Recreation Trails (new reserve)	From Collie Darkan Rail Trail Maint in trust as the Shire has control over the funds and therefore they should not be held in trust.	\$1,159*
Community Gym (new reserve)	From Gym trust account as the Shire has control over the funds given that the Gym is a Shire activity and therefore the funds should not be held in trust.	\$1,875*
Economic Development (new)	Contribution received towards developing small business not expended in year received.	\$3,180
Museum Reserve	Contribution received towards museum not expended in year received.	\$200
Museum Reserve	Funds currently retained in unspent grants sheet. Transfer to reserve.	\$70,000
Landcare Reserve	Portion of grant for project management.	\$944

\* Includes current trust balance and estimated net profit/loss in 2018/19. Interest and final net profit/loss to be calculated at 30 June.

Further explanation about the proposed transfers is detailed below.

In accordance with the funding agreements for the six joint venture housing units, income in excess of expenditure is transferred to the community housing reserve fund. This year there was no budget for a transfer to the reserve as it was anticipated that expenditure and income would be the same. Due to higher than anticipated occupancy and lower maintenance costs than planned, the income is expected to exceed the budget by \$14,000.

The Shire holds money in the trust fund on behalf of others. Trust funds are normally funds that the Shire has no or little control over. It has been identified that the following funds that are held in trust should be held in a reserve account, as they are part of Shire operations and the funds are under the Shire's control:

- Youth Advisory Council \$6712 plus interest to be transferred to Town Development Reserve towards upgrade to the youth areas on the Darkan Railway Reserve.
- The Shed \$10,381 held in trust. Interest and estimated 2018/19 profit of \$476 to be transferred to a new reserve for the management and maintenance of the equipment located in the Shed and programs for members.
- Collie Darkan Rail Trail Maint \$1159 plus interest (income from donations towards the maintenance of the trail from external bodies – identified for toilet at Bowelling by Friends of Collie Darkan Rail Trail) to be transferred to a new reserve for recreation trails.
- Community Gym \$9,363 in trust less approximate \$7488 expenses after income in 2018/19 year plus interest to be transferred to a new reserve for the community gym.

The Shire received a contribution from the Great Southern Regional Business Association in July of \$3180 when the association closed. They asked that the funds be used towards developing small business. The funds have been budgeted for expenditure this financial year, however they have not been spent.

Elected members have requested that the funds be placed in a reserve fund for economic development so that they may be used to support developing small business in a future financial year.

The Shire has been holding funds from the estate of Betty Brown towards the development of the museum as unspent funding in the general municipal account. The funds have not been fully expended in the 2019/20 financial year and it is proposed that the funds be transferred to the museum reserve. The West Arthur Historical Society has also made a contribution of \$200 towards the museum and it is proposed that these funds also be transferred to the reserve fund so that they can be utilised in a future year.

An amount of \$944 remains from the Strategic Groundworks Project for project management by administration staff. It is proposed that these funds be transferred to the landcare reserve.

**CONSULTATION:**

Consultation has been identified in background above.

**STATUTORY ENVIRONMENT:**

Section 6.9 of the Local Government Act refers to the funds to be held in a Shire's trust fund.

In accordance with Section 6.11 of the Local Government Act where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL IMPLICATIONS:**

The transfers from trust to reserve will ensure the funds are held in the most appropriate fund and will have no financial impact.

Placing the housing income in excess of expenditure in the Community Housing reserve will ensure that the funds are available for future financial years.

Transferring the remaining project management funds from the Groundworks Project will enable the funds to be used for a future landcare project or for engagement of a landcare officer.

**STRATEGIC IMPLICATIONS:**

There are no strategic implications.

**COMMENT.**

As the transfers were not included in the budget, a Council decision is required.

**VOTING REQUIREMENTS:**

Absolute majority

**COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.5**

Moved: Cr Marie Lloyd

Seconded: Cr Alan Blencowe

That the following transfers to reserves be made in the 2018/19 financial year:

Joint Venture Housing	net profit from community housing management being approximately \$14,000 from municipal fund.
Town Development-	funds held in Youth Advisory Council trust fund of \$6,712 plus accrued interest.
The Shed (new reserve)	funds held in The Shed trust account and net profit from activities in 2018/19 being approximately \$10,857 in total plus accrued interest.
Recreation Trails (new reserve)	funds held in Collie Darkan Rail Trail trust fund of \$1,159 plus accrued interest.
Community Gym (new reserve)	funds held in Community Gym trust account less expenses after income in 2018/19 year being approximately \$1,875 plus accrued interest.
Economic Development (new)	\$3,180 from the municipal fund.
Museum Reserve	\$70,200 from the municipal fund.
Landcare Reserve	\$944 from the municipal fund.

**CARRIED 6/0**

**ATTACHMENTS:**

Nil



## ITEM 8.1.6 – REVIEW OF CORPORATE PLAN

LOCATION/ADDRESS:  
NAME OF APPLICANT:  
FILE REFERENCE:  
DISCLOSURE OF INTEREST: Nil  
DATE OF REPORT: 11 June 2019

### **SUMMARY:**

A review of the Corporate Plan has been undertaken. A desktop review of the Plan was completed in 2018. This review has been a minor review updating the plan, updating any changes to internal or external factors and including the 2022/23 financial year to replace the 2018/19 year.

Council is to review the plan and adopt with or without further modification.

### **BACKGROUND:**

A desktop review of the Corporate Plan has been completed by Shire staff in consultation with Council.

The Corporate Plan has been amended to add an additional year (reflecting a four year forecast), removal of completed actions, rescheduling of actions not completed to a different year (if still relevant), and inclusion of additional strategies where relevant. The four year financial forecast has been updated with known income and expenses.

### **CONSULTATION:**

Staff have undertaken the reviews following a workshop with Council in May.

### **STATUTORY ENVIRONMENT:**

It is a statutory requirement to review the Corporate and Community Plans every four years and the guidelines recommended a desk top review every two years.

### **POLICY IMPLICATIONS:**

There are no policy implications.

### **FINANCIAL IMPLICATIONS:**

The Corporate Plan is not a commitment of funds, however it is used as a base for the development of the 2019/20 budget.

### **STRATEGIC IMPLICATIONS:**

The reviewed Plan will provide direction to Council in the preparation and adoption of the coming years budget and provide a base for the full review to be undertaken after the next Council election.

### **VOTING REQUIREMENTS:**

Absolute majority

## COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.6

Moved: Cr Michael Meredith

Seconded: Cr Alan Blencowe

That the Council adopts the revised Shire of West Arthur Corporate Business Plan 2019/20 – 2022/23

**CARRIED 6/0**

### **SEPARATE ATTACHMENTS:**

- Corporate Business Plan

## ITEM 8.1.7 - SETTING FEES COMMUNITY GYM CATERING

LOCATION/ADDRESS: Not applicable  
NAME OF APPLICANT: N/A  
FILE REFERENCE: 6.19.12  
DISCLOSURE OF INTEREST: Nil  
DATE OF REPORT: 14 June 2019

### **SUMMARY:**

The Community Gym sold food outside the election in Darkan in May. The fee for any sale has to be set by Council in accordance with the statutory requirements. There was not sufficient time prior to the Council meeting to seek Council approval, therefore Council endorsement is requested.

### **BACKGROUND:**

The Community Gym members sold sausages in buns outside the polling site in Darkan.

The Gym is run under the auspices of the Shire. All fees must be approved by Council.

### **CONSULTATION:**

Nil.

### **STATUTORY ENVIRONMENT:**

Section 6.16 of the Local Government Act 1995, details the types of goods and services for which a local government may impose fees or charges.

Fees and charges are to be imposed when adopting the annual budget but may be amended from time to time during a financial year.

Any fees and charges amended after the budget is adopted must be advertised in a newspaper circulating in the district, however given the timing this is not proposed.

### **POLICY IMPLICATIONS:**

There are no policy implications.

### **FINANCIAL IMPLICATIONS:**

There are no financial implications.

### **STRATEGIC IMPLICATIONS:**

Nil.

### **COMMENT:**

Ideally this item should have been considered by Council prior to the event taking place however it was organised with short notice by members.

### **VOTING REQUIREMENTS:**

Absolute majority

## COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.7

Moved: Cr Marie Lloyd

Seconded: Cr Kevin King

That the Shire endorse the fee of \$3.50 including GST charged for the sausage sizzle held as a fundraiser by the Community Gym members at the Darkan polling site for the recent Federal Election.

**CARRIED 6/0**

### **ATTACHMENTS:**

Nil

## ITEM 8.1.8 - APPLICATION FOR PLANNING APPROVAL HOLIDAY HOME ACCOMMODATION

### DISCLOSURE OF FINANCIAL INTEREST ITEM 8.1.8 – CR MCFALL

Prior to any consideration of item 8.1.8 Cr McFall disclosed a financial interest in this matter. The nature of her interest is that she is in the process of acquiring a business in town that provides holiday accommodation.

8.08pm Cr McFall left the meeting.

ADDRESS	15 Arthur Street, Darkan
NAME OF APPLICANT:	Mark and Sarah Buscumb
FILE REFERENCE:	6.5.4
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	10 June 2019

#### **SUMMARY:**

Council to consider an application for planning approval for the operation of a “holiday home” at 15 Arthur Street Darkan. Approval is recommended subject to conditions.

#### **BACKGROUND:**

An application for planning approval has been received to operate accommodation for contractors or visiting service personnel at 15 Arthur Street Darkan. The applicant indicates that there will be no more than six occupants at one time.

#### **CONSULTATION:**

Town planning consultant Geoffrey Lush has advised that there is no requirement for any BAL Assessment or other bushfire considerations.

Letters have been sent to neighbours for comment. As a short time frame for response was provided, neighbours will be contacted by phone prior to the meeting where possible. Any comments received will be tabled at the Council meeting. If the those consulted request an extension on the period for consultation, consideration of the application may have to be deferred to the July Council meeting.

At the time of preparing the agenda, one objection from a resident in Arthur Street had been received.

#### **STATUTORY ENVIRONMENT:**

The proposed use has been assessed under “holiday home” in accordance with the classifications in the Local Planning Scheme No 2. “Holiday home” means a residential building used to provide accommodation for short-stay guests, rather than permanent residency, and excluding those uses more specifically defined elsewhere.

Holiday home in the Local Planning Scheme is a ‘D’ use for residential zoning. “D” means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

#### **POLICY IMPLICATIONS:**

There are no policy implications.

#### **FINANCIAL IMPLICATIONS:**

The development application fee for the proposal is \$147. Council may choose to waive this fee if they wish.

#### **STRATEGIC IMPLICATIONS:**

The Shire’s Corporate Plan identities:

‘There will be a range of short stay accommodation options for visitors to use encouraging them to stay in and explore the Shire’ and specifically

“Support Development of Accommodation

Support the development of farm stay and bed and breakfast and other accommodation through support to land owners investigating opportunities.”

Additionally, the plan identifies “New business will be encouraged to locate in the Shire and new employment opportunities will be supported.”

In relation to housing the Plan also identifies:

“Housing for Employees of Local Industry

Continue to monitor the need for and opportunities to fund affordable housing for employees of local industry.”

**COMMENT**

An officer’s recommendation has not been made on this item as public consultation was still in progress at the time of preparing the agenda item.

Should council decide to approve the application, conditions may be:

- *The development hereby approved shall occur generally in accordance with the proposal submitted with the application and this shall not be altered or modified without the prior written approval of the Shire.*
- *The disposal of effluent on the site shall be to the requirements and satisfaction of the Shire in accordance with the Health Act.*
- *Provision for car parking shall be provided and maintained on site to the requirements and satisfaction of the Shire.*
- *Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.*
- *The site shall be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.*
- *This approval shall expire if the use hereby permitted has not been substantially commenced 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 the Council, is granted by it in writing.*
- *The maximum occupancy shall be six persons*

*That the applicant be advised that:*

- *The application is subject to an application fee of \$147*
- *If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.*

**VOTING REQUIREMENTS:**

Simple majority.

**VERBAL REPORT – CHIEF EXECUTIVE OFFICER**

The Chief Executive Officer advised that eight neighbours had been contacted regarding the planning application. One neighbour, who had initially had some concerns, had withdrawn their objection. All neighbours contacted supported the application verbally.

**OFFICER RECOMMENDATION – (ITEM 8.1.8)**

That Council consider the application for planning approval for a “holiday home” at 15 Arthur Street Darkan.

**COUNCIL DECISION – ITEM 8.1.8**

Moved: Cr Marie Lloyd

Seconded: Cr Alan Blencowe

That the application for planning approval for a “holiday home” at 15 Arthur Street Darkan be approved subject to the following conditions.

- The development hereby approved shall occur generally in accordance with the proposal submitted with the application and this shall not be altered or modified without the prior written approval of the Shire.
- The disposal of effluent on the site shall be to the requirements and satisfaction of the Shire in accordance with the Health Act.

- Provision for car parking shall be provided and maintained on site to the requirements and satisfaction of the Shire.
- Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.
- The site shall be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
- This approval shall expire if the use hereby permitted has not been substantially commenced 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 the Council, is granted by it in writing.
- The maximum occupancy shall be six persons

That the applicant be advised that:

- The application is subject to an application fee of \$147
- If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

**CARRIED 5/0**

**ATTACHMENTS:**

- Planning Application Form
- Request Letter

8.09pm Cr McFall returned to the meeting.

**8.2 COMMITTEE REPORTS**

**8.3 ELECTED MEMBER REPORTS**

Cr R Harrington

- 11 June 2019 - 4WDL in Woodanilling.
- 24 May 2019 - Central Country Zone Meeting Brookton.

Cr M Lloyd

- 12 June 2019 - CRC Meeting.

**9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**10. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

Nil.

**11. CONFIDENTIAL ITEMS**

Nil.

**12. CLOSURE OF MEETING**

Cr Harrington declared the meeting closed at 8.10 pm.

#### DISCLAIMER

The purpose of this council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of West Arthur expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

These Minutes were confirmed at the ordinary council meeting on: 30 July 2019.

Signed: \_\_\_\_\_  
Presiding Member at the meeting at which the Minutes were confirmed