

SHIRE OF CARNAMAH

Ordinary Meeting of Council

18 July 2018

Notice of Meeting

Dear Councillor,

The next Ordinary Meeting of the Carnamah Shire Council is to be held:

On: Wednesday 18 July 2018

At: Carnamah Council Chambers
33-37 Macpherson Street
Carnamah, WA 6517

Commencing at: 4:00pm

Note: Briefing Session will commence at 3:00pm

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K L OBORN
CHIEF EXECUTIVE OFFICER



AGENDA

Ordinary Meeting of Council

18 July 2018

SHIRE OF CARNAMAH
ORDINARY MEETING OF COUNCIL – 18 July 2018

AGENDA

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SHIRE OF CARNAMAH

DISCLAIMER

No responsibility is implied or accepted by the Shire of Carnamah for any act, omission or statement or intimation occurring during Council or committee meetings.

The Shire of Carnamah disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

In particular and without detracting in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Shire of Carnamah during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Carnamah.

The Shire of Carnamah advises that anyone who has any application lodged with the Shire of Carnamah shall obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Carnamah in respect of the application.

Signed: _____

CHIEF EXECUTIVE OFFICER

SHIRE OF CARNAMAH

AGENDA

ORDINARY MEETING OF COUNCIL

To be held at the Carnamah Council Chambers, 33-37 Macpherson Street,
Carnamah WA 6517
On Wednesday 18 July 2018
Commencing at 4:00pm

1. **DECLARATION OF OPENING**

2. **RECORD OF ATTENDANCE**
 - Present

 - Apologies

 - Leave Of Absence (Previously Approved)

3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

4. **PUBLIC QUESTION TIME**

5. **APPLICATIONS FOR LEAVE OF ABSENCE**

6. **DISCLOSURE OF INTEREST**

7. **PETITIONS, DEPUTATIONS AND PRESENTATIONS**

8. **ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

9. **CONFIRMATION OF MINUTES**

9.1 Minutes of Ordinary Meeting of Council held 20 June 2018

As Circulated

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item 9.1

That the Minutes of the Ordinary Meeting of Council held on 20 June 2018, be accepted as a true and correct record.

10 MANAGEMENT REPORTS

10.1 FINANCE REPORTS

10.1.1 Accounts for Payment

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	12 July 2018
Author:	Ian Walsh - Deputy Chief Executive Officer
Attachments:	10.1.1 - Cheque & EFT Listing

SUMMARY

Council to confirm the payment of creditors for the period 9 June 2018 to 6 July 2018, in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

ATTACHMENT

Copy of list of accounts paid (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

BACKGROUND

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

COMMENT

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the provision of services and as to prices, computations and costings, and that the amounts shown were due for payment.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.4 *Financial Report*
Local Government (Financial Management) Regulations 1996 -
Section 12 Payments from municipal fund or trust fund;
Section 13 Lists of accounts; and
Section 15 Rounding off figures

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 10.1.1

That payment listed as Attachment 10.1.1. List of Accounts Due and Paid for the period 9 June 2018 to 6 July 2018; and paid by the Chief Executive Officer under delegated authority of Council, or by the Deputy CEO (in the Chief Executive Officer's absence) as delegated by the Chief Executive Officer including:

<i>Manual Municipal cheques:</i>	<i>022546 – 022551</i>
<i>Municipal cheques:</i>	<i>28121 – 28127</i>
<i>Municipal EFT's:</i>	<i>11362 – 11454</i>
<i>Trust Cheques:</i>	<i>300425 – 300426</i>
<i>Payroll direct debits:</i>	<i>#25 - #26</i>
<i>Municipal Direct Debits</i>	<i>30/06/2018</i>

Totalling \$ 1,310,988.08 be approved and passed for payment.

10.1.2 Financial Reports to 30 June 2018

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	12 July 2018
Author:	Ian Walsh - Deputy Chief Executive Officer
Attachments:	10.1.2 Monthly Statement of Financial Activity,

SUMMARY

A Statement of Financial Activity and other supplementary financial information is produced monthly as part of the Council meeting agenda.

BACKGROUND

The attached financial report for the period 1 July 2017 to 30 June 2018 (Attachment 10.1.2) has been prepared in accordance with the Local Government Financial Management Regulations.

COMMENT

Included with this report is the following:

- Statement of Financial Activity for the period 1 July 2017 to 30 June 2018;
- Summary Rates Trial Balance Report as at 30 June 2018;
- Cash and Investment Listing;
- Debtors Listing;
- Other Supplementary Information;

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulation 34 - *Financial activity statement report* — s. 6.4

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 10.1.2

That Council receive the Statement of Financial Activity for the period 1 July 2017 to 30 June 2018; and other supplementary financial information as presented.

10.1.3 North Midlands Project – Application for rates exemption

Applicant:	North Midlands Project
Location / Address:	Lot 31 Macpherson Street, Carnamah
File Ref:	ADM0034 / A98
Disclosure of Interest:	
Date:	10 July 2018
Author:	Ian Walsh - Deputy Chief Executive Officer
Attachments:	10.1.3 - Letter from North Midlands Project

SUMMARY

The North Midlands Project (NMP) has applied to have its commercial property at Lot 31 Macpherson Street, Carnamah, exempted from rates under Section S6.26 (2) (g) of the Local Government Act 1995. The NMP seeks consideration on the grounds that the land is not rateable land as it is used exclusively by their organisation, for community purposes and with programs freely open to the entire community.

This report recommends that Council accepts that the NMP meets the definition of a charitable group and that the land is used for charitable purposes and not rateable.

BACKGROUND

The NMP is a not-for-profit community strengthening organisation based in Carnamah. The organisation was incorporated in 2015 to enhance the quality of life, health and well-being of people through arts, culture, heritage and education.

Since 2017 the NMP have occupied the mechanical garage and yard at 4-6 Macpherson Street in Carnamah. Following extensive renovations the building was officially re-opened as "The Exchange" on 6 May 2018. The Exchange is used for a range of community purposes and as the core facility for the local delivery of their programs. It is home to an actively used book exchange, provides free WiFi, a community lounge-room, is regularly used for free arts workshops and will soon be home to both the Carnamah Tourist Information Office and the Five Gums Scout Group.

COMMENT

Given that NMP is a not-for-profit organisation that is providing programs freely open to the entire community to enhance the quality of life, health and well-being of people through arts, culture, heritage and education, it is recommended that their application for rate exemption status be granted.

CONSULTATION

CEO

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 6.26 (2) (g) states that land is not rateable land where it is used exclusively for charitable purposes (noting that land does not cease to be used exclusively for a purpose merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature).

Local Government Act 1995 – Section 6.76(i)(a)(ii) outlines that a person may object to the rate records on the ground that there is an error in the rate record, for example, on the basis that the land is not rateable land.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire will suffer the loss of revenue of rates collectable for the land in question (\$1,557.50 for the current financial year). Rubbish charges are still payable.

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

Item: 10.1.3

That Council –

- 1. Accepts that North Midlands Project meets the definition of a charitable group and that it uses the land in accordance with Section 6.26(2)(g) of the Local Government Act (vis. it is used exclusively for charitable purposes and not rateable);***
- 2. That no rates will be levied for Lot 31 Macpherson Street, Carnamah, effective from 1 July 2018; and***
- 3. That the annual charge for rubbish removal will continue to apply to the property.***

10.1.4 Request for reduction of water consumption charges

Applicant:	Mark Smullen
Location / Address:	Lot 85 Lucas Drive, Carnamah
File Ref:	ADM0102
Disclosure of Interest:	Nil
Date:	12 July 2018
Author:	Ian Walsh - Deputy Chief Executive Officer
Attachments:	Nil

SUMMARY

This report recommends that Council agree to a reduction in water consumption charges raised for the period 13 December 2017 to 18 April 2018.

BACKGROUND

The applicant's employer leases one of Council's factory unit from which they operate their electrical business.

One of the conditions of the lease of the factory units is that the lessee is eligible to lease one of the three Lucas Drive houses (Lots 83, 85 or 88) for themselves or their staff.

The lease agreements for these houses contains a clause that the tenant is required to pay 50% of water consumption cost.

COMMENT

The table below shows average daily consumptions for various periods:

Period		Total Cost \$	No Days	Total Usage KI's	Average Daily Usage
From	To				
11/10/2016	6/04/2017	953.66	177	330	1.86
17/10/2017	18/04/2018	2,987.36	183	657	3.59
11/10/2016	16/10/2017	5,396.48	370	601	1.62

As can be seen from the above, water consumption has almost doubled between 2016/17 and 2017/18 for the period October to April.

The reticulation system was turned off in April 2018 and the last account for the period 19/5/18 to 12/6/18 was only 27 kl's or 0.5kl's per day

The only explanation the tenant can provide for the increase is that the reticulation controller or the solenoids are faulty.

CONSULTATION

Acting Manager of Works and Services

STATUTORY ENVIRONMENT

Local Government Act 1995

6.12. Power to defer, grant discounts, waive or write off debts

- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant a discount or other incentive for the early payment of any amount of money;*
 - (b) *waive or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money,*
- which is owed to the local government.*
- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

If the charges were reduced it would have a negligible impact on Councils' financial position.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

Item: 10.1.4

That Council, on this occasion, agree to refund a portion of the charges for water consumed between 13 December 2017 and 18 April 2018, to the value of \$683.70

10.2 ADMINISTRATION REPORTS

10.2.1 Community Centre Development Strategy

Applicant:	N/A
Location / Address:	Carnamah Town Hall
File Ref:	ADM0262
Disclosure of Interest:	Nil
Date:	6 July 2018
Author:	Karen Oborn - Chief Executive Officer
Attachments:	Nil

SUMMARY

This report recommends that Council rename the ‘Carnamah Youth and Community Centre’ to **‘The Carnamah Performing Arts and Community Centre’**. As well, approves the re-painting of the building, and includes wall art installations, as a community arts project, subject to funding. In addition, the report recommends Council approve the repair of the stage to accommodate professional events, subject to funding.

BACKGROUND

The Shire of Carnamah Townscape, Road Verge, Public Open Space Management Plan & Development Strategy (TRPM) was adopted in May 2018. The TRPM outlines the strategies and actions required to meet the community of Carnamah’s and Eneabba’s aspirations outlined in the Shire of Carnamah ‘Strategic Community Plan 2017-2027’ (SCP).

A key component of the TRPM is to develop a District Learning and Cultural Precinct. The ‘district learning and cultural precinct’ is intended to occupy the top section of Macpherson Street in Carnamah. The project includes re-purposing the historical and significant buildings in the proximity when funding is available.

In this precinct area, The ‘North Midlands Project’ through ‘The Bank, ‘The Exchange’ and the Regional Learning Hub, deliver scheduled arts, culture, heritage and education programs for the community. The Shire continues to support this and other projects which complement the development of a ‘district learning and cultural precinct’, such as the existing heritage and walk trails, museum, tourist centre, Astro-Tourism (community learning about astronomy) and the Digital Projects, maximising the opportunities available for the regional and local communities, as well as visitors to the region through improved internet services.

COMMENT

The ‘North Midlands Project’ has asked if the Carnamah Youth and Community Centre can be renamed **‘The Carnamah Performing Arts and Community Centre’**, to tie in with the intention of the District Learning and Cultural precinct. In addition to approving the re-painting of the building, with the inclusion of wall art installation, as a community arts project, there is also a need to approve repairs to the stage to accommodate professional level events, subject to funding. This is because the stage surface is bowed from being left outside at one point.

CONSULTATION

North Midlands Project
DCEO

STATUTORY ENVIRONMENT

Nil

STRATEGIC COMMUNITY PLAN 2027 IMPLICATIONS

Social Objective 1: Continuity and improvement of existing services and facilities in the Shire -

3. To plan and implement town beautification programs; 5. To encourage the level of participation in sport and recreation whilst improving facilities and access; and 6. To promote and facilitate the development of a wide variety of artistic and cultural pursuits that forge connections between residents of the district and their natural and built environments.

POLICY IMPLICATIONS

“Townscape, Road Verge and Property Amenity” - ‘District Learning and Cultural Precinct’.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

Item 10.2.1

That Council;

- 1. Rename the Carnamah Youth and Community Centre to ‘The Carnamah Performing Arts and Community Centre’;***
- 2. Approve the re-painting of the building, and the inclusion of wall art installations, as a community arts project, subject to funding;***
and
- 3. Approve the repairing of the stage to accommodate professional events, subject to funding.***

10.2.2 Townscape Management Plan and Development Strategy

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0208
Disclosure of Interest:	Nil
Date:	9 July 2018
Author:	Karen Oborn - Chief Executive Officer
Attachments:	Nil

SUMMARY

This report is for Council information, regarding the adoption of the Townscape Management Plan and Development Strategy, following the period of public consultation. As no submissions were received the strategy has been adopted.

BACKGROUND

The Shire of Carnamah Townscape, Road Verge, Public Open Space Management Plan & Development Strategy (TRPM) outlines the strategies and actions required to meet the Community of Carnamah's and Eneabba's aspirations outlined in the Shire of Carnamah 'Strategic Community Plan 2017 -2027' (SCP). As a result of the consultation process, the Community of Carnamah identified a number of strategic priorities appropriate to the management of the Shire's amenity and services. These included the delivery of effective services critical to maintaining the Shire as one that will continue to attract residents, businesses and tourists. The Shire will continue to engage with key stakeholders to plan for future needs and deliver the strategy objectives in the SCP. The Shire's primary objectives are to meet its health and environmental responsibilities, ensure service delivery cost effectively to improve amenity and promote the attractiveness of the district.

COMMENT

At Council's OMC May 2018, Council agreed to Item 10.2.7 - That Council;

1. Advertise the attached Townscape Management Plan and Development Strategy, in addition to the policy, "Townscape, Road Verge and Property Amenity", for a period of 21 days calling for Public Submissions;
and
2. If no submissions are received, adopt the attached Townscape Management Plan and Development Strategy, in addition to the policy (App.2) "Townscape, Road Verge and Property Amenity", following the period of public consultation;
or
3. If submissions are received, consider the adoption of the attached Townscape Management Plan and Development Strategy, in addition to the policy (App.2) "Townscape, Road Verge and Property Amenity", following the period of public consultation at the next Ordinary meeting of Council.

CONSULTATION

North Midlands Project
Carnamah District High School
DCEO
Councillors

STATUTORY ENVIRONMENT

NIL

STRATEGIC COMMUNITY PLAN 2027 IMPLICATIONS

Social Objective 1: Continuity and improvement of existing services and facilities in the Shire -

3. To plan and implement town beautification programs; 5. To encourage the level of participation in sport and recreation whilst improving facilities and access; and 6. To promote and facilitate the development of a wide variety of artistic and cultural pursuits that forge connections between residents of the district and their natural and built environments.

POLICY IMPLICATIONS

“Townscape, Road Verge and Property Amenity”.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

For Councillor information only

OFFICER RECOMMENDATION

Item 10.2.2

That Council be informed that as no submissions were received following the advertising period the Townscape Management Plan and Development Strategy, in addition to the policy “Townscape, Road Verge and Property Amenity”, has been adopted.

10.2.3 Response to WAPC Green Paper (Proposals for modernising the planning system)

Applicant:	Western Australian Planning Commission (WAPC)
Location / Address:	N/A
File Ref:	ADM0202
Disclosure of Interest:	Nil
Date:	6 July 2018
Author:	Karen Oborn - Chief Executive Officer
Attachments:	10.2.3 - Response to the WAPC green paper

SUMMARY

This report recommends that the Council submit a comment to the WAPC regarding their green paper on planning reforms in WA, and endorse the draft statement.

BACKGROUND

Comments are being sought (as well as endorsement) by Councils on WAPC green paper recommendations to reform the planning process in WA.

COMMENT

In responding to WAPC's request for comments, it is believed that two key issues must be addressed; 1) cost shifting to the Local Government sector as the WAPC is advocating for an increased reporting burden and regulatory requirements around structure and content of planning strategies and policies. This will require many hours of rework and review at a considerable cost to the community. 2) There is a need to achieve alignment with WALGA's policy on climate change, the UN goals around sustainability (2015) and the community's objectives in the States IP&R – SCP's, to ensure land developers cannot leave behind long term infrastructure and environmental problems, that again the community is left to rectify at considerable cost.

STATUTORY ENVIRONMENT

Nil

STRATEGIC IMPLICATIONS

Community Strategic Plan

Be characterised by a clean, friendly and safe environment.

We will have an outstanding reputation for caring for our natural environment, cultural diversity and heritage.

Corporate Business Plan

Environment Objective 2:

To provide sustainable management of resources and the protection and enhancement of biodiversity, land, air and water.

POLICY IMPLICATIONS
Town Planning Scheme 2

FINANCIAL IMPLICATIONS
Nil

VOTING REQUIREMENT
Simple majority

OFFICER RECOMMENDATION

Item: 10.2.3

That Council –

- 1. Endorse the attached responses to WAPC’s green paper recommendations;***
- 2. Reiterates their concerns to the WAPC that any reforms need to prevent; 1) cost shifting to the Local Government sector, as the WAPC is advocating for an increased reporting burden and regulatory requirements around structure and content of planning strategies and polices. This will require many hours of rework and review at a considerable cost to the community. 2) There is a need to achieve alignment with WALGAs policy on climate change, the UN goals around sustainability (2015) and the community’s objectives in the States IP&R – SCP’s, to ensure land developers cannot leave behind long term infrastructure and environmental problems, that the community is left to rectify at considerable cost.***

10.2.4 Skate Park Proposal

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0153
Disclosure of Interest:	Nil
Date:	12 July 2018
Author:	Jess Atchamah – Projects Officer
Attachments:	10.2.4 - Proposed location map

SUMMARY

This report recommends that Council give approval for the Shire to undertake community consultation to gauge the interest for a Skate Park facility. Following the community consultation, the proposal will be submitted to the relevant grant funding bodies to determine our grant funding application capacity and also to engage a Skate Park company for consultation.

BACKGROUND

Skate Parks are increasingly becoming a well utilised recreational facility and attraction in many small towns in Australia. They allow the community to have more recreational choices suitable for all ages therefore facilitating the benefits of outdoor recreation. A Skate Park will be very beneficial for the youth in the community. It will offer a designated space for them to go after school hours or during school holidays. The proposed area of the Skate Park includes the playground which will also be renewed to make it more suitable for the location. This will be another facility that will make our community more attractive and encourage young families to locate here.

COMMENT

The Skate Park will provide a focal point for youth, keep pace with growing recreational demand and provide a meeting place for people of all ages; including travellers that might stop and explore Carnamah. It will also engage younger community members in outdoor recreational pursuits.

Some of the other project objectives are:

- Reducing the rate of graffiti and vandalism being caused by “bored” youth in the community (we are hoping that the grant funding will be able to include CCTV that will be installed near the Skate Park for safety)
- Opportunity to attract development and challenge opportunities for the youth
- Opportunity to upgrade the playground and make the best use of the facilities available
- A high demand outdoor recreational facility in the community

CONSULTATION

Executive Management Team
Acting Manager of Works and Services
Shire Project Officer
Shire of Carnamah Community

STATUTORY ENVIRONMENT

Nil

STRATEGIC IMPLICATIONS (Community Strategic Plan 2017-2022)

Social Objective 1: Continuity and improvement of existing services and facilities in the Shire- *3. To plan and implement town beautification programs; 5. To encourage the level of participation in sport and recreation whilst improving facilities and access; and 6. To promote and facilitate the development of a wide variety of artistic and cultural pursuits that forge connections between residents of the district and their natural and built environments.*

POLICY IMPLICATIONS

Policy 2.10 – Community Engagement

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

Item: 10.2.4

That Council –

- 1. Agree to undertake community consultation regarding the demand for a Skate Park facility; and*
- 2. If there is a high level of community demand for the project, seek grant funding opportunities.*

11. ORDERING THE COMMON SEAL

11.1 ORDERING THE COMMON SEAL

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0216
Disclosure of Interest:	Nil
Date:	12 July 2018
Author:	Jennie Benson - Executive Support Officer
Attachments:	Nil

BACKGROUND

The Common Seal has been affixed to the 'Licence to Use and Occupy Corridor Land' (an agreement between Arc Infrastructure Pty Ltd and the Shire of Carnamah), which was endorsed by the CEO and the President.

OFFICER COMMENT

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Policy 2.7 Shire of Carnamah Common Seal

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Item: 11.1

That Council endorse the use of the Common Seal on the 'Licence to Use and Occupy Corridor Land', and agreement between Arc Infrastructure Pty Ltd and the Shire of Carnamah.

12. REPORTS OF COMMITTEES AND MEMBERS

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14. NOTICE OF MOTIONS

(For consideration at the following meeting, if given during the meeting)

15. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

16. CLOSURE OF MEETING