

MINUTES

ORDINARY COUNCIL MEETING

8 OCTOBER 2013

COMMENCING AT 8:02PM

COUNCIL CHAMBERS
THE TOWN OF NARROGIN
89 EARL STREET
NARROGIN, WA 6312

Meaning of and CAUTION concerning Council's "In Principle" support:

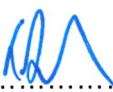
When Council uses this expression it means that: (a) Council is generally in favour of the proposal BUT is not yet willing to give its consent; and (b) Importantly, Council reserves the right to (and may well) either decide against the proposal or to formally support it but with restrictive conditions or modifications.

Therefore, whilst you can take some comfort from Council's "support" you are clearly at risk if you act upon it before Council makes its actual (and binding) decision and communicates that to you in writing.

Disclaimer:

"Warning - Verbal Information & Advice: Given the inherent unreliability and uncertainty that surrounds verbal communication, the Town strongly recommends that, if a matter is of importance to you, then you should NOT act upon or otherwise rely upon any VERBAL information or advice you receive from the Town unless it is first confirmed in writing."

These minutes were confirmed at the Ordinary Council meeting held on
22 October 2013

Signed  Date 22/10/13
(Presiding Member at the meeting at which minutes were confirmed)

ORDINARY COUNCIL MEETING AGENDA

8 October 2013

1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS

Meeting was opened by the Mayor at 8:02 pm

2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

Attendance

D Ennis Mayor

Cr R Madson Deputy Mayor

Cr L Archibald

Cr D Russell

Cr J Muller

Cr L Ballard

Cr A Paternoster

Cr J McKenzie

Mr Cook – Chief Executive Officer

Mr Robinson – Director of Technical and Environment Services

Mr Bastow – Director of Corporate and Community Services

Apologies

Cr M Kain

Members of Public

Mr Shutz

Council Resolution 1013.203

Moved: Cr Ballard

Seconded: Cr Madson

That Council:

Accept Cr Kain's leave of absence request for the two October meetings.

CARRIED 8/0

3. DECLARATION OF INTEREST BY ELECTED MEMBERS AND COUNCIL EMPLOYEES IN MATTERS INCLUDED IN THE MEETING AGENDA

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Council Resolution 1013.204

Moved: Cr Archibald

Seconded: Cr Muller

That Council:

Accept the minutes of the Ordinary Council Meeting held on 24 September 2013 and be confirmed as an accurate record of proceedings.

CARRIED 8/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Mayor Ennis announced the retirement of Cr Muller and gave thanks for his time and efforts. Cr Muller responded with thanks.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. MATTERS WHICH REQUIRE DECISIONS

Table of Contents

10.1 DEVELOPMENT AND TECHNICAL SERVICES	5
10.1.819 REQUEST FOR PERMISSION TO KEEP FOUR DOGS – NO 41 (LOT 3) HAVELOCK STREET, NARROGIN	5
10.2 CORPORATE AND COMMUNITY SERVICE.....	11
10.2.108 WORKFORCE PLAN FINAL APPROVAL.....	11
10.2.109 BUILDINGS AND STRUCTURES ASSET MANAGEMENT PLAN	13
10.2.110 LOCKING NARROGIN LEISURE CENTRE FEES	15
10.2.111 MONTHLY FINANCIAL REPORTS JULY AND AUGUST 2013.....	18
11. ELECTED MEMBER’S MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	20
12. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING.....	20
13. CLOSURE OF MEETING.....	20

10.1 DEVELOPMENT AND TECHNICAL SERVICES

10.1.819 REQUEST FOR PERMISSION TO KEEP FOUR DOGS – NO 41 (LOT 3) HAVELOCK STREET, NARROGIN

File Reference: A233700 & 19.3.1
Disclosure of Interest: Nil
Applicant: Mrs Katherine Chapman
Previous Item Nos: Nil
Date: 3rd October 2013
Author: Brian Robinson, Director Technical & Environmental Services

Attachments: Correspondence from Applicant and supporting references

Summary:

Council is requested to consider relaxing the provisions of the Town of Narrogin's Dog Local Laws to permit the keeping of four dogs on the subject property.

Background:

The subject land is a residential property that consists of two lots (Lots 3 and 4) having areas of 607m² and 582m² respectively. The land, which is located on the eastern side of Havelock Street, midway between Horace and Herald Streets, is developed with a single dwelling and several outbuildings.

Correspondence has been received, requesting that Council grant permission to the keeping of four dogs on the property, which are described as follows:

- A 3.5 year old Female Labrador
- A 17 month old White Swiss Shepherd
- An 11 month old female Cairn Terrier; and
- An 11 month old male Cairn Terrier.

The author has had their application for rental of the property approved subject to Council's permission to keep four dogs.

Comment:

In accordance with Section 26(1) of the Dog Act 1976 up to two dogs may be kept on any premise, 'as of right'. As detailed in section 26(2), local government may through the making of a local law limit the maximum number of dogs that may be permitted.

Pursuant to this, Part 3 of the Town of Narrogin's Dog Local Laws stipulates that a maximum of two dogs over the age of three months shall be kept on properties in the Town, unless otherwise approved by Council. In accordance with the Towns Dog Local Laws, more than two dogs may be permitted under the following circumstances:

- a) As an approved Kennel; or
- b) Where Council grants an exemption pursuant to Section 26(3) of the Dog Act 1976.

Having regard to the provisions of Town Planning Scheme No 3, which prohibit the establishment of a Kennel in a residential zone, the keeping of more than two dogs over three months of age can only be permitted by an exemption pursuant to section 26 of the Dog Act 1976. It is considered that 'exemptions' from the maximum number of dogs should only be granted in exceptional circumstances.

In this case, the applicant has indicated that they have owned each of the dogs concerned from the age of 8-9 weeks.

Consultation:

Mr Aaron Cook – CEO
Mr Guy Maley – Regulatory Services Officer

Statutory Environment:

The Town of Narrogin's Dog Local Laws 1987 were prepared and gazetted pursuant to Section 26(2) of the Dog Act 1976. Clause 9 of the Local Laws states:

A person occupying premises situated within the district of the Town of Narrogin shall not keep or permit to be kept on those premises, more than two dogs over the age of three months and the young of those dogs, unless the premises are licensed as an approved kennel establishment or have been granted exemption pursuant to section 26(3) of the Act.

Section 26(3) of the Dog Act reads as follows:

- (3) *Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —*
- (a) *may be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
 - (b) *shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
 - (c) *may be revoked or varied at any time.*

Policy Implications:

It is recommended that a Policy be prepared to guide the future assessment of applications seeking approval to keep more than dogs over 3 months of age.

Financial Implications:

Nil

Strategic Implications:

In the authors opinion, the granting of an exemption for no other reason than the resident wanting more dogs will set an undesirable precedent for similar applications within the Town.

In this case, it appears that the only justification provided is that the applicant acquired two additional dogs as 8-9 week old puppies some 11 months ago. As approval to the application is likely to result in the creation of an undesirable precedent, the application is not supported.

Voting Requirements: Simple Majority

Council Resolution 1013.205

Moved: Cr Madson

Seconded: Cr McKenzie

That Council:

Suspend Standing Orders 9.1, 9.5, 9.6 to facilitate discussion.

CARRIED 8/0

Council Resolution 1013.206

Moved: Cr Paternoster

Seconded: Cr McKenzie

That Council:

1. Refuse the application for the keeping of four dogs at No 41 (Lots 3 & 4) Havelock Street for the following reasons:
 - a. Pursuant to the Town of Narrogin's Dog Local Laws 1987, Council does not support the keeping of more than 2 dogs over the age of 3 months, except in exceptional circumstances.
 - b. Approval to the application as submitted would result in the creation of an undesirable precedent for similar applications within the Town of Narrogin.

Advice to Applicant:

- c. Further to point 1 (a) above, the applicant is advised that in the opinion of Council the circumstances are not exceptional and have only arise as the applicant chose to acquire two additional dogs some 11 months ago.
2. Request a Policy to be prepared to guide the assessment of future applications for exemptions under Section 26(3) of the Dog Act 19

CARRIED: 8/0

Katherine Chapman, 0419 881 762
5 Elk Court,
Connolly, WA, 6027.

27 September 2013.

Aaron Cook,
Chief Executive Officer,
Town of Narrogin,
89 Earl Street,
Narrogin, WA, 6312.

Dear Mr Cook,

Reference: Permission to keep more than 2 dogs

Further to my discussion with the Town of Narrogin Ranger, I am requesting an exemption under Section 26 of the Dog Act 1976, so that I am permitted to keep my four dogs at 41 Havelock Street, Narrogin. I have applied to rent the property and my application has been approved subject to your permission to keep my four dogs there.

My dogs are my pets and they are part of my family. They are:

- Grace, my 3.5 year old, female Labrador;
- Alfred, my 17 month old, male White Swiss Shepherd;
- Hope, my 11 month old, female Cairn Terrier; and
- Sunny, Hope's brother.


I have owned all of my dogs from the ages of 8 or 9 weeks, and have brought them up to be well socialised, and they are expected by me to behave appropriately and not to cause nuisance to the neighbourhood.

As requested by the Ranger, I have attached two references from my most recent places of residence. The first reference is from Chamber's Franklyn Strata Management, who managed the strata titled property that I owned and lived in prior to selling in October 2012. The second reference is from the manager of the Villa Maria Retirement Village, where I have stayed for some months with my mother since selling my home. As you can see from both references, my dogs have not caused any complaints from my neighbours, or been of nuisance to my neighbours, in the past.

I am hoping to live in Narrogin and work there or in the nearby shires. I am commencing a Dip Ed (part-time) next year, and once this is completed I would like to teach high school mathematics at one of the nearby high schools.

I am happy to provide any further information that you might require. If permission is given then all four dogs will be registered with the Town of Narrogin.

Yours Sincerely,


Katherine Chapman

Katherine Chapman,
18 Lynn Street,
Trigg, WA, 6029.

10 March 2013.

Samantha Chitty
Assistant Strata Manager,
Chambers Franklyn Strata
Management,
47 Cedric Street,
Stirling, WA, 6021.

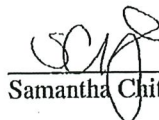
Dear Ms Chitty,

As discussed, this letter is to confirm that Chambers Franklyn Strata Management has been aware of no complaints, or reports of nuisance, in relation to my dogs during the time that I was an owner/occupier living at the strata titled property 28 Mount Street, Claremont.

Yours sincerely,


Katherine Chapman.

Signed to confirm:


Samantha Chitty, Assistant Strata Manager.

11/3/13
Date

Chambers Franklyn Strata Management
ABN: 84 097 174 671
Authorised rep no: 269 604
47 Cedric Street Stirling WA 6021
Phone: 9440 6222
Fax: 9440 6244
Email: strata@chambersfranklyn.com.au



The St Brigids Convent of Mercy Perth Inc.
Mercy Aged Care- Villa Maria Units

ABN 57 714 505 919
173 Lesmurdie Road, Lesmurdie WA 6076
Phone: (08) 9291 0874 Fax: (08) 9291 0874
Email: rhoward@mercyagedcarewa.com.au

MRS K CHAPMAN.

TO WHOM IT MAY CONCERN

THIS LETTER IS TO CONFIRM M/S KATHERINE CHAPMAN AND HER DOGS
HAVE BEEN RESIDENT AT OUR VILLAGE SINCE OCTOBER, 2012 UNTIL NOW.

DURING THAT PERIOD THEY HAVE BEEN VERY QUIET AND HAVE CAUSED
THE VILLAGE NO CONCERN WHATSOEVER.

I CAN EARNESTLY RECOMMEND M/S CHAPMAN AS A TENANT.

YOURS FAITHFULLY,

RON HOWARD.
MANAGER.
VILLA MARIA RETIREMENT VILLAGE.
06/03/2013

10.2 CORPORATE AND COMMUNITY SERVICE

10.2.108 WORKFORCE PLAN FINAL APPROVAL

File Reference: 22.3.1
Disclosure of Interest: Nil
Applicant: Chief Executive Officer
Previous Item Nos:
Date: 4th October 2013
Author: Mr Aaron Cook - Chief Executive Officer

Attachments:

Copy of the proposed final Workforce Plan to be endorsed attached separately to this document.

Summary:

A copy of the final Workforce Plan has been included for Council to review as the final draft for adoption.

Background:

Council has been working through the Workforce Plan for several months with a consultant. This report was funded by the State Government to enable Local Governments to improve their Integrated Planning.

A draft report was presented to Council in June for endorsement so that the Department could be advised that Council had made a significant headway to this project.

Comment:

It is presented to Council to endorse the Workforce Plan as a working document and a copy be presented to the Department of Local Government for their records.

This document is required to be reviewed on a regular basis but is required to be utilised when adopting the annual budget and officers will take this into account whilst preparing the Budget along with the Community Strategic Plan, Corporate Business Plan and Asset Plans.

Consultation:

- LG People - Consultant.
- Colin Bastow - Director of Corporate and Community Services
- Brian Robinson - Director of Technical and Environmental Services

Statutory Environment: - Nil

Policy Implications: - Nil

Financial Implications:

The Workforce Plan outlines the direction of the staffing requirements of the organisation for the period of the plan. As stated Council needs to review this for implications within the budget and make allowances for the advancement of the organisation.

Strategic Implications:

As stated this document outlines the staffing requirements for the duration of the plan and Council and staff should utilise this for the strategic planning and budgeting.

Voting Requirements: Simple Majority

Council Resolution 1013.207

Moved: Cr Ballard

Seconded: Cr Muller

That Council:

Endorse the Workforce Plan 2013/17 as attached and that a copy be provided to the Department of Local Government.

CARRIED 8/0

10.2.109 BUILDINGS AND STRUCTURES ASSET MANAGEMENT PLAN

File Reference:

Disclosure of Interest: Nil

Applicant: Chief Executive Officer

Previous Item Nos:

Date: 4th October 2013

Author: Aaron Cook - Chief Executive Officer

Attachments:

Buildings and Structures Asset Management Plan final version attached separately to this document.

Summary:

It is presented for Council to endorse the presented Buildings and Structures Asset Management Plan as a endorsed working document.

Background:

This document was provided to Council in July for endorsement as a draft so that the Department of Local Government would be able to provide feedback and recognise that Council is advanced in this preparation of this Document.

Comment:

It is presented to Council to endorse the presented Buildings and Structures Asset Management Plan as is required to enable this document to be an official working document. This document will then be reviewed on a yearly or bi yearly basis.

The information is to be utilised when reviewing Councils Community Strategic Plan and Corporate Business Plan and also when setting the Annual Budget. This asset document forms part of three asset plans and the remaining two will be presented at a following Council meeting.

Once this document is endorsed by Council it will be presented to the Department as the endorsed copy with the following documents to follow. The information will also flow into the Long Term Financial Plan once completed by the consultants.

Consultation: - Nil

Statutory Environment: - Nil

Policy Implications: - Nil

Financial Implications: - Nil

Strategic Implications:

This document will outline the required direction of Council regarding the impact of its buildings and structures.

Voting Requirements: - Simple Majority

Council Resolution 102.108

Moved: Cr Ballard

Seconded: Cr Archibald

That Council:

Endorse the attached Buildings and Structures Asset Management Plan as Councils adopted working document and provide a copy to the Department of Local Government.

CARRIED 8/0

10.2.110 LOCKING NARROGIN LEISURE CENTRE FEES

File Reference:

Disclosure of Interest: Nil

Applicant: Chief Executive Officer

Previous Item Nos:

Date: 4th October 2013

Author: Mr Aaron Cook - Chief Executive Officer

Attachments: Nil

Summary:

It is proposed for Council to consider locking the Narrogin Regional Leisure Centre Fees and Charges for a period of up to three years to provide stability of costs to the clubs, players and users of the Centre.

Background:

The issue of fees and charges has been contentious in Narrogin for many years due to the fees changing from year to year and the feeling that the Centre does not provide value for money. It is felt that the locking of the fees and charges for the Narrogin regional Leisure Centre will provide the opportunity for clubs to better plan the cost of sport and activity over the period.

Comment:

It is presented to Council to lock the fees and charges for the Narrogin Regional Leisure Centre to provide guidance to the clubs and users of the Centre as to what the fees and charges will be for the duration of the period.

This action, that is proposed to be stated in a policy, will inform all clubs and users that the fees and charges will remain as is, other than yearly CPI increases that would then be rounded for ease of processing. This way informed decisions can be made as to the continued use of the Narrogin regional Leisure Centre and the facilities.

During this period of locked fees and charges it is proposed that Council further investigate the management of the Centre and to utilise the time to fully investigate fees and charges from other similar and regional centre and to perform a cost analysis of the implications of the value of the fees and charges.

The draft policy reads as follows:

C. XX FEES & CHARGES (NRRC)

ORIGIN/AUTHORITY:

Item No. N/A

POLICY STATEMENT

That:

The Town of Narrogin will maintain the current sport specific user fees and charges at the Narrogin Regional Recreation Centre (NRRC) for a period of three years with only a Consumer Price Index (CPI) annual increase.

Consultation:

- Mr Colin Bastow Director of Corporate and Community Services
- Ms Susan Guy Manager of Leisure and Culture
- Mr Jeff Waters Manager of Leisure Centre

Statutory Environment:

Although there are no implications regarding his decision the Local Government Act - Fees and Charges dictate how fees and charges are to be implemented and amended.

Policy Implications:

The policy below, if adopted, will need to be included within the policy manual.

Financial Implications: Nil

Strategic Implications:

This decision is hoped to make the deliberation of Clubs and individuals regarding their use of the Narrogin Regional Leisure Centre clear for the period of the locked fees and to provide them stability in the rate of the fees.

Voting Requirements: Simple Majority

OFFICER'S RECOMMENDATION

That Council:

Endorse the following policy and include within the Policy Manual -

C. XX FEES & CHARGES (NRRC)

ORIGIN/AUTHORITY:

Item No. N/A

POLICY STATEMENT

That:

The Town of Narrogin will maintain the current sport specific user fees and charges at the Narrogin Regional Recreation Centre (NRRC) for a period of three years with only a Consumer Price Index (CPI) annual increase.

Council Resolution 1013.109

Moved: Cr Madson

Seconded: Cr Muller

That Council:

Endorse the following policy and include within the Policy Manual -

C. XX FEES & CHARGES (NRRC)

ORIGIN/AUTHORITY:

Item No. N/A

POLICY STATEMENT

That:

The Town of Narrogin will maintain the current sport specific user fees and charges at the Narrogin Regional Recreation Centre (NRRC) to conclude on 30th June 2016 with only a Consumer Price Index (CPI) annual increase rounded for ease of use.

CARRIED 8/0

Note: Reason for change, that Council wished to specify the 30th June 2016 and that the fees will be rounded.

10.2.111 MONTHLY FINANCIAL REPORTS JULY AND AUGUST 2013

File Reference: 12.8.1
Disclosure of Interest: Nil
Applicant: Nil
Previous Item Nos: Nil
Date: 8th October 2013
Author: Mr Aaron Cook - Chief Executive Officer

Attachments:

- Monthly Financial Report for the period ended 31 July 2013
- Monthly Financial Report for the period ended 31 August 2013

Summary:

In accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, the Town is to prepare a monthly Statement of Financial Activity for approval by Council.

Comments:

The Financial Reports are provided as attachments to this document and are provided separately due to the preparation time. Please note that there are notations on the reports providing guidance as to a minor discrepancy.

Consultation:

Colin Bastow, Director of Corporate and Community Services .

Statutory Environment:

Local Government Financial Regulations (1996) (as amended) 22, 32, and 34 apply.

Policy Implications: Nil

Financial Implications:

All expenditure has been approved via adoption of the 2013/2014 Annual Budget, or resulting from a Council Motion for a budget amendment.

Strategic Implications: Nil

Voting Requirements: Simple Majority

OFFICER'S RECOMMENDATION

That Council: Receive the July and August 2013 Monthly Financial Reports as presented.

Council Resolution 1013.110

Moved: Cr Ballard

Seconded: Cr Archibald

That Council:

Receive the July 2013 Monthly Financial Reports as presented and the August financials be deferred for the next meeting.

CARRIED 8/0

Note: Reason for change that the August financial report will be deferred until the next meeting.

11. ELECTED MEMBER'S MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

Council Resolution 1013.111

Moved: Cr Ballard

Seconded: Cr Archibald

That Council:

Resume standing orders to the meeting.

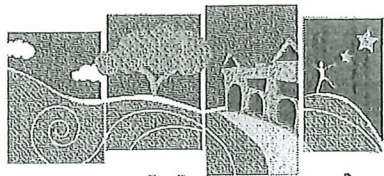
CARRIED 8/0

12. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING

Mayor Ennis advised Council that new photos would be taken at the closure of the meeting.

13. CLOSURE OF MEETING

Meeting was declared closed at 8:45pm



Town of Narrogin

Memorandum

To: Carolyn Thompson.
From: Aaron Cook Chief Executive Officer
Date: 4 July 2015
File ref: Councilor - Personal
Subject: Signing of Minutes

There are multiple sets of Minutes that are required to be signed by the previous Mayor Mr Don Ennis. Due to the time taken to process these minutes to enable the signature I contacted Mr Ennis on several occasions to attend the office and perform the signatures.

Mr Ennis has refused to accommodate this request sighting that he is no longer in a position to verify the records. He also stated that he would prepare a letter to this effect for Council's records as he had spoken to the Department and this would meet the requirement. Since that time no letter has been provided and, as such, please place this memo on Mr Ennis's Councilor file and with the unsigned minutes as a record that the request for him to sign was made.

Thank you

A handwritten signature in black ink, appearing to read 'Aaron Cook', written over a faint, larger signature.

Aaron Cook
Chief Executive Officer