

SHIRE OF CARNARVON

**MINUTES OF
ANNUAL GENERAL MEETING
OF COUNCIL**

**TUESDAY 14TH APRIL
2020**



CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on

as a true and accurate record

.....
Chairman

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Carnarvon for any act, omission or statement or intimation occurring during Council/Committee Meetings or during formal/informal conversations with Staff or Councillors. The Shire of Carnarvon 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/Committee Meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Carnarvon during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Carnarvon. The Shire of Carnarvon warns that anyone who has an application lodged with the Shire of Carnarvon must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Carnarvon in respect of the application.

TABLE OF CONTENTS

1.0 ATTENDANCES AND APOLOGIES

2.0 CONFIRMATION OF MINUTES

2.1 Minutes of the AGM held on 26th February 2019.

3.0 PUBLIC QUESTION TIME

4.0 RECEIVING OF THE ANNUAL REPORT

5.0 GENERAL BUSINESS AS PERMITTED BY THE SHIRE PRESIDENT

6.0 CLOSURE



MINUTES OF THE ANNUAL GENERAL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, STUART STREET, CARNARVON ON TUESDAY 14TH APRIL 2020

The meeting was declared open at 5.30pm

1.0 ATTENDANCES, APOLOGIES AND APPROVED LEAVE OF ABSENCE

Cr E Smith	Presiding Member, Shire President
Cr B Maslen	Councillor, Gascoyne/Minilya Ward
Cr J Nelson	Councillor Town Ward
Cr L Vandeleur.....	Councillor, Town Ward
Cr L Skender	Councillor, Plantation Ward
Cr A Fullarton	Councillor, Town Ward
Cr K Pinner	Councillor, Town Ward
Mr D Burton	Chief Executive Officer
Mr M Werder	Executive Manager Corporate Services
Ms Jennifer MacKellin	Executive Manager, Community Services
Mrs D Hill	Senior Executive Officer
Observers	1
Apologies	Cr K Simpson, Councillor, Coral Bay Ward

3.0 CONFIRMATION OF MINUTES – AGM MINUTES 26th FEBRUARY 2019

AGM 1/4/20

COUNCIL RESOLUTION

Cr Maslen/Cr Pinner

That the minutes of the Annual General Meeting held on 26th February 2019 be confirmed as an accurate record of proceedings subject to Cr Skender's representation being changed from Town Ward to Plantation Ward.

CARRIED
F7/A0

2.0 PUBLIC QUESTION TIME

Mr Malcolm Bale of Holden Street, Carnarvon asked the following question –

Question - I live in Holden Street and over the last year I have complained about the horses being kept on the property next to ours. I have complained in February and October 2019 with no response and the 6-7 horses still remain on the property and the smell is overpowering at our house. My question is how can they have 6-

7 horses without permission or planning approval. Is there a fine to deter anyone who keeps horses on their property without permission.

At the meeting, the Shire President advised that the question will be taken on notice. A response to Mr Bale's question was provided by the Executive Manager Development Services as follows -

Answer - The owner of the property at 36 Holden Street, has now lodged a Development Application with the Shire for a stable complex to accommodate five (5) horses. The Local Planning Scheme requires that the Development Application be formally advertised, and as Mr Bale's property is adjacent (opposite) the subject land, he (Mr Bale) will receive a letter from the Shire asking for his formal comments on the proposal. Once the assessment of the application is complete, including any comments received, the application will go to Council for their determination.

Mr Bale has previously been advised that the owner of the subject property was preparing a Development Application, and that the Shire expected the application in the near future. It is not normal practice to take action against a person who is in the process of regularising an activity for which approval has not been obtained, however if the Shire had not received an application in a timely manner strict compliance action would have been taken against the owner. If Council decides to refuse the application, and the property owner does not appeal the decision to SAT, the Shire will take immediate compliance action to remove the horses.

4.0 RECEIVING OF THE ANNUAL REPORT

4.1 ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2019

Date of Meeting:	14 th April 2020
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Maurice Werder, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	Nil

Summary:

The Electors' of the Shire of Carnarvon are requested to receive:

- The Report of the Shire President for the year ended 30 June 2019;
- The Report of the CEO for the year ended 30 June 2019;
- The Annual Report and Financial Statements for the year ended 30 June 2019; and
- The Auditors Report for the Financial Statements for the year ended 30 June 2019.

These reports are contained within one document titled the 2018/2019 Annual Report made available on the Shire's website, Administration Office and Carnarvon Library.

Background:

As required the Annual Financial Report for the year ending 30 June 2019 was submitted in draft to the Shire Auditor, reviewed and subsequently considered by the Shire Audit Committee on 11th March 2020 in accordance with *Section 6.4 (3) of the Local Government Act, 1995*.

Additionally, the draft Annual Report, incorporating the Annual Financial Report, was presented to Council at

its Ordinary Meeting on the 25th March 2020, and accordingly adopted by Council.
The final version of the Annual Report is tabled with this report.

Consultation:

Nil.

Statutory Environment:

Section 5.27 of the *Local Government Act, 1995* requires the Local Government to convene an Annual Electors meeting once every financial year.

Section 5.53 of the *Local Government Act, 1995* requires the Local Government to prepare an Annual Report for an Annual Electors Meeting, inclusive of the Shire President Report, CEO Report, Annual Financial Statements and Auditors Report for each financial year.

Regulation 17 of the Local Government (Administration) Regulations 1996, states voting on matters at the Annual General Meeting of Electors is to be conducted as follows:

- (1) *Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting but does not have to vote.*
- (2) *All decisions at a general or special meeting of electors are to be made by a simple majority of votes.*
- (3) *Voting at a general or special meeting of electors is to be conducted so that no voter's vote is secret.*

Relevant Plans and Policy:

Nil.

Financial Implications:

Nil.

Risk Assessment:

Nil.

Strategic Implications:

Goal 5: Civic

Strong and listening Council.

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations

Comment

Nil.

OFFICER'S RECOMMENDATION

That the Annual Report for the year ended 30 June 2019 as previously adopted by Council, incorporating the Shire President Report, CEO Report, Financial Statements and Auditors Report, be received by the Electors of the Shire of Carnarvon.

AGM 2/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Vandeleur/Cr Maslen

That the Annual Report for the year ended 30 June 2019 as previously adopted by Council, incorporating the Shire President Report, CEO Report, Financial Statements and Auditors Report, be received by the Electors of the Shire of Carnarvon.

CARRIED

F7/AO

5.0 GENERAL BUSINESS AS PERMITTED BY THE SHIRE PRESIDENT

CEO, Mr David Burton, advised that he had just received confirmation from the Department of Fire and Emergency Services that the offer made by Council to purchase the old Fire Brigade Building, currently used by the Returned and Service League, for the price of \$1.00 has been accepted. The Contract of Sale is currently being drawn up and will be forwarded to Council in due course.

The Shire President said that this was a great outcome and congratulated all the staff involved in making this purchase happen.

6.0 CLOSURE:

The Chairman declared the meeting closed at 5.35pm