

SHIRE OF HARVEY

ANNUAL GENERAL ELECTORS MEETING

Dear Committee Member,

Notice is hereby given that the 2017/18 Annual General Electors Meeting for the Shire of Harvey will be held on Tuesday, 22nd January 2019, in the Australind Council Chamber, Mulgara Street, Australind, commencing at 6:00p.m.

The business to be transacted is shown in the agenda hereunder.

Yours faithfully,



ANNIE RIORDAN
CHIEF EXECUTIVE OFFICER

11th January 2019

MEMBERS:

Shire President
Deputy Shire President

Cr. Tania Jackson
Cr. Paul Beech
Cr. Bill Adams
Cr. Michelle Boylan
Cr. Francis Burgoyne
Cr. Michelle Campbell
Cr. Craig Carbone
Cr. Wendy Dickinson
Cr. Paul Gillett
Cr. Amanda Lovitt
Cr. Peter Monagle
Cr. Anita Shortland
Cr. Derrick Simpson

STAFF:

Chief Executive Officer
Executive Manager Corporate Services
Executive Manager Technical Services
Principal Building Surveyor
Principal Environmental Health Officer
Manager Planning Services
Finance Manager
Manager Community and Economic Development

Ms. Annie Riordan
Mr. Shane Collie
Mr. Rick Lotznicker
Mr. Merv Stewart
Mr. Scott Dandridge
Mr. Simon Hall
Mr. Dean Winter
Mr. Patrick Quinlivan

A G E N D A1. **OFFICIAL OPENING**2. **RECORD OF APOLOGIES**3. **CONFIRMATION OF MINUTES**

Minutes of the 2016/17 Annual General Electors' Meeting held on Tuesday, 12th December 2017, are attached hereto.

ATTACHMENT

Recommendation

That the Minutes of the 2016/17 Annual General Electors' Meeting held on Tuesday, 12 December 2017, as attached, be confirmed as a true and correct record.

4. **RECEIPT OF ANNUAL REPORT**

A copy of the 2017/18 Annual Report which includes the Shire President's Report, Acting Chief Executive Officer's Report, Auditor's Report and Financial Statements for the Financial Year ended 30 June 2018, has been issued to all Councillors previously and its availability has been advertised in accordance with Section 5.55 of the *Local Government Act 1995*. Copies of the Annual Report will be available for the public at the meeting.

Section 5.27 (3) of the *Local Government Act 1995*, and Regulation 15 of the Local Government (Administration) Regulations 1996, require the Electors Meeting to consider the following:

"For the purposes of Section 5.27 (3) the matters to be discussed at a general electors meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business."

Officer's Recommendation

That the Shire of Harvey Annual Report for the year ending 30th June 2018, as circulated, be received.

5. **GENERAL BUSINESS**6. **CLOSURE**

SHIRE OF HARVEY

ANNUAL GENERAL ELECTORS' MEETING

MINUTES OF THE MEETING OF THE 2016/2017 ANNUAL GENERAL ELECTORS' MEETING
HELD ON TUESDAY, 12TH DECEMBER 2017, IN THE COUNCIL CHAMBER, HARVEY
COMMENCING AT 6.08P.M.

MEMBERS:

Shire President	Cr. T.G. Jackson
Deputy Shire President	Cr. P.J. Beech
	Cr. B. Adams
	Cr. M. Boylan
	Cr. F. Burgoyne
	Cr. M. Campbell
	Cr. C. Carbone
	Cr. W. Dickinson
	Cr. P. Gillett
	Cr. A. Lovitt
	Cr. P. Monagle
	Cr. A. Shortland

STAFF:

Chief Executive Officer	Mr. M. Parker
Acting Executive Manager Corporate Services	Mr. R. Scantlebury
Executive Manager Technical Services	Mr. R. Lotznicker
Principal Building Surveyor	Mr. M. Stewart
Principal Environmental Health Officer	Mr. S. Dandridge
Manager Planning Services	Mr. S. Hall
Acting Finance Manager	Ms. L. Davies

GALLERY

Mr. B. Delaney
Mr. D. Smith
Dr. J. Krone
Mr. R. White
Mr. L. Bywaters
Ms. C. Gelmi

SIGNED _____ DATED TBA.

1. OPENING & WELCOME

The Shire President opened the meeting at 6.08p.m.

2. APOLOGIES

Cr. D. Simpson

3. CONFIRMATION OF PREVIOUS MINUTES

Minutes of the 2015/16 Annual General Electors' Meeting held on Tuesday, 20th December 2016, are attached hereto.

ATTACHMENT

Recommendation

That the Minutes of the 2015/16 Annual General Electors' Meeting held on Tuesday, 20th December 2016, as attached, be confirmed as a true and correct record.

AE-17/001. **Carbone/Beech**

"That the Minutes of the 2015/16 Annual General Electors' Meeting held on Tuesday, 20th December 2016, as attached, be confirmed as a true and correct record."

CARRIED 16-0

4. RECEIPT OF ANNUAL REPORT

A copy of the 2016/17 Annual Report which includes the Shire President's Report, Chief Executive Officer's Report, Auditor's Report and Financial Statements for the Financial Year ended 30th June 2017, has been issued to all Councillors previously and its availability has been advertised in accordance with Section 5.55 of the Local Government Act, 1995. Copies of the Annual Report will be available for the public at the meeting.

Section 5.27 (3) of the Local Government Act 1995, and Regulation 15 of the Local Government (Administration) Regulations 1996, require the General Electors' Meeting to consider the following:

"For the purposes of Section 5.27 (3) the matters to be discussed at a general electors meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business."

Recommendation:

That the Shire of Harvey Annual Report, including the Shire President's Report and Auditor's Report for the year ending 30th June 2017, as circulated, be received.

AE-17/002. **Monagle/Lovitt**

“That the Shire of Harvey Annual Report, including the Shire President's Report and Auditor's Report for the year ending 30th June 2017, as circulated, be received.”

CARRIED 16-0

5. **GENERAL BUSINESS**

5.1 **State Administrative Tribunal Orders – Lot 501 Coalfields Highway – Catalano**

Mr. David Smith commenced to raise questions in relation to the above mentioned approval.

The Shire President advised that this meeting is an Annual General Electors meeting for the Electors of the Shire of Harvey and requested Mr. Smith to clarify his Elector status.

Mr. Smith advised he was not an Elector of the Shire of Harvey and resumed his seat.

5.2 **Reduction of Noise Zone – Alcoa**

Question 1

Mr. Bevan Delaney enquired if Council was aware of an application by Alcoa to reduce its noise zone area?

Answer 1

Manager of Planning Services advised that some information has been received and this was under review.

5.3 Extractive Industries Approval – Lot 501 Coalfields Highway**Question 1**

Mr. L. Bywaters raised the following question: enquired If the Council is aware that preliminary site works have commenced on Lot 501 Coalfields Highway Roelands for the Granite Quarry to be operated by B&J Catalano Pty Ltd?

Question 2

Mr. L. Bywaters raised the following question: also enquired if so, when and how did Council Staff become aware that these works were taking place and what did they do in response?

Answer 1 and 2

The Manger of Planning Services, Mr. Simon Hall, advised that Staff were aware of the works being undertaken. Staff were advised of these activities from an adjoining landowner and subsequently undertook site inspections with the staff from B&J Catalano. Site inspections confirmed that they are preparatory works associated with the conditions of the approval issued by the State Administrative Tribunal.

Question 3

Mr. Bywaters enquired if any Application was made to the Council for approval of these works and if so when was that application received and has it now been approved, and if so when and can a copy of that application and approval be provided?

Answer 3

The Manager of Planning Services advised that the works are preparatory works in accord with the approval issued by the State Administrative Tribunal and no further approval from Council is required. As such there are no documents that can be provided to adjoining owners.

Question 4

Mr. Bywaters enquired if Clause 2.2 of the State Administrative Tribunal orders made on 31st March 2017 been complied with and if so when?

Answer 4

The Manager of Planning Services, Mr. Simon Hall, advised the meeting that Clause 2.2 of the State Administrative Tribunal Approval relates to the submission of a native vegetation plan within the approved pit area, which will form the basis of a future clearing permit. He confirmed that to date, Staff have not received a plan, however as per the approval it will be required prior to an Extractive Industry License being issued. He further advised he was unaware if an application for the clearing permit had been submitted.

Question 5

Mr. Bywaters enquired if Clause 1.(b) of those orders been complied with yet?

Answer 5

The Manager of Planning Services, Mr. Simon Hall, advised the meeting that Clause 1.(b) of the State Administrative Tribunal Approval relates to the upgrading of Coalfields Highway to the satisfaction of Main Roads Western Australia. He advised that a plan of the required upgrade has received preliminary approval from Main Roads and that he had been a party to discussions associated with the design. He was however, unsure if the final design had been approved or when construction was to commence.

At this time, the Shire President sought confirmation from Dr. Krone and Mr. Bywaters as to how many questions they had left. Dr. Krone advised they had a total of 17 questions. The Shire President requested that the remainder of the questions be provided in writing and be responded to by Staff in due course. Dr. Krone accepted this request and provided a copy of the remaining questions.

5.4 Australind Skatepark

Mr. Rob White acknowledged that the Australind Skate Park appears to be well used, this has exceeded his expectation of this project.

5.5 Extractive Industry Approvals Condition – Lot 501 Coalfields Highway – B&J Catalano

Dr. J. Krone outlined issues he has with the above mentioned approval and questioned why he had not received an early response to his letter dated 30th October 2017 seeking information on specific items. He noted that the Chief Executive Officer, Mr. Michael Parker, only telephoned him on 5th December 2017 and that today, the 12th December 2017, he received a reply from the Manager of Planning Services, Mr. Simon Hall.

Dr. Krone suggested that the telephone call from the Mr. Parker was made following some pressure from others and that the reply from Mr. Hall was convenient as it arrived on the same day as the Electors Meeting.

Response

The Shire President advised Dr. Krone that Mr. Parker had made the telephone call at his request to discuss the issues regarding works that has commenced at Lot 501.

Mr. Parker disputed Dr. Krone's assertion that no response had been provided to his letter dated 30th October 2017, which included a request on how to proceed with a Freedom of Information application. Mr. Parker advised a reply was forwarded on 31st October 2017, the following day. This provided clarification on Freedom of Information (Fol) applications, providing the relevant Fol application form and advising that a response to planning questions would subsequently be provided by the Manager of Planning Services.

Mr. Parker also informed Dr. Krone that the State Administrative Tribunal granted approval for development at Lot 501 Coalfields Highway, not the Shire of Harvey. In fact, Council refused that application.

Mr. Hall advised that following receipt of Dr. Krone's correspondence on 30th October 2017, he had two (2) weeks of urgent personal leave. Given the nature of the approval for Lot 501, Council also obtained legal advice prior to preparing a response to Dr. Krone's letter.

6. **CLOSURE**

There being no further business to discuss, the meeting was declared closed at 6.35p.m.