



COUNCIL CALENDAR

Date	Time	Meeting
15 June 2021	4.00pm	Ordinary Council Meeting
20 July 2021	4.00pm	Ordinary Council Meeting
17 August 2021	4.00pm	Ordinary Council Meeting

JUNE 2021 MEETING PROGRAM

3.00pm	Council Forum
4.00pm	Ordinary Council Meeting

MEETING GUESTS

Nil

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MINUTES

Shire of Narembeen Ordinary Council Meeting Tuesday 15 June 2021, commencing at 4.00pm

1.0 Opening & Welcome

Presiding Person, Cr Rhonda Cole welcomed everyone to the meeting and declared the meeting open at 4.00pm.

2.0 Attendance & Apologies

Attendance

Councillors

Cr Rhonda Cole	Shire President, Presiding Person
Cr Kellie Mortimore	Deputy Shire President
Cr Peter Lines	Member
Cr Regina DeLuis	Member
Cr Amy Hardham	Member
Cr Warren Milner	Member
Cr Scott Stirrat	Member
Cr Alan Wright	Member

Officers

David Blurton	Chief Executive Officer
Tamara Clarkson	Executive Manager Corporate Services
Sheree Thomas	Economic Development Officer (minute taker)
Salma Khan	Corporate Governance Officer (minute taker)
Nadine Szokolai	Customer Service Officer

Public

Nil

Apologies

Nil

Approved leave of absence

Nil

3.0 Declarations of Interest

Nil

4.0 Announcements

4.1 Application for leave of absence

Nil

5.0 Public Question Time & Deputations (15 min)

Nil

6.0 Minutes of Previous Meetings

6.1 Confirmation of Minutes of Ordinary Meeting of Council

6.1.1 Confirmation of Minutes

Confirmation of Minutes from the Shire of Narembeen Ordinary Meeting held on Tuesday 18 May 2021.

RECOMMENDATION:

That the minutes of the meeting of the Shire of Narembeen Ordinary Meeting held on Tuesday 18 May 2021 be confirmed as a true and accurate record of the proceedings.

COUNCIL RESOLUTION

MIN 7234/21 **MOTION** - Moved Cr. P Lines Seconded Cr.R DeLuis

That the minutes of the meeting of the Shire of Narembeen Ordinary Meeting held on Tuesday 18 May 2021 be confirmed as a true and accurate record of the proceedings.

CARRIED 8/0

6.1.2 Business Arising

Business Arising from the Minutes of the Shire of Narembeen Ordinary Meeting held Tuesday 18 May 2021.

Nil

7.0 Status Report

RECOMMENDATION:

That the Status Report for June 2021 be received.

COUNCIL RESOLUTION

MIN 7235/21 **MOTION** - Moved Cr. W Milner Seconded Cr. K. Mortimore

That the Status Report for June 2021 be received.

CARRIED 8/0

4:03pm - Nadine Szokolai entered meeting.

8.0 Reports

8.1 Chief Executive Officer

AGENDA ITEM: 8.1.1 - Roe Dam Correspondence

Subject:	Roe Dam Correspondence
Applicant:	N/A
File Ref:	ADM479
Disclosure of Interest:	NA
Author:	David Blurton, Chief Executive Officer
Date:	2 June 2021
Attachments:	Letter from Minister Kelly

PURPOSE

To present correspondence from the Minister for Water in relation to Roe Dam and consider an appropriate response.

BACKGROUND

The Council resolved as follows at its February 2021 meeting regarding the Roe Dam standpipe location:

That Council:

- 1. Raise its concerns with the Roe Dam standpipe location with Mia Davies MLA and the Hon Minister of Water and lobby for the Water Corporation to fund and manage an appropriate solution.*
- 2. Install appropriate signage to indicate potential traffic hazards in the area adjacent to Roe Dam standpipe as soon as possible.*

A letter was subsequently sent to the Minister for Water Hon Dave Kelly, Hon Member Mia Davies and the Department of Water and a response was received from the Minister on 13 May 2021.

At the previous meeting of the Council, Cr DeLuis requested that an agenda item be presented to the June 2021 meeting of the Council to consider the Ministers letter.

CONSULTATION

Works Manager

STATUTORY IMPLICATIONS

NA

FINANCIAL IMPLICATIONS

NA

POLICY IMPLICATIONS

NA

RISK MANAGEMENT IMPLICATIONS

Council officers had previously reported medium risk with regard to the traffic hazard on Yeomans road as a Council owned road, however the section of road within the reserve is not a public road and therefore not the responsibility of Council.

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

Goal 2 – Internal and external relationships actively grow our Shire population and positive financial position.

VOTING REQUIREMENTS

Simple majority

COMMENT

As outlined in the Ministers letter, Roe Dam is managed by the Water Corporation and is a gazetted A class reserve which affords the highest level of environmental protection. Amendments to Class A reserves will require advertising and may require tabling of the proposal in both Houses of Parliament to facilitate amendments. The Class A classification is used solely to protect areas of high conservation or high community value.

The Minister has indicated that the relocation of the standpipe and construction of a new truck turnaround area within the reserve is not compatible with the reserve's classification.

The Minister has also pointed out that access to the Roe Dam standpipe area is via an ungazetted track which forms part of the reserve. Council staff have traditionally maintained access to the standpipe in the form of grading and normal gravel maintenance works.

The outcome of the Ministers correspondence is a suggestion that the Shire work with Water corporation representatives to develop alternative solutions to address the community safety concerns.

Considering the advice from the Minister and Roe Dam's potential as a tourist attraction it is recommended that a working group be formed comprising 2 elected members, the CEO and Works Manager to consider the issues presented at Roe Dam. It is envisaged that the working group will engage with the Water Corporation, users of the dam and any other key stakeholders identified.

OFFICER RECOMMENDATION

That Council:

1. Receive the letter from the Minister for Water dated 13 May 2021 responding to issues raised by the Council at the Roe Dam site.
2. Form a working group comprising Cr _____ and Cr _____, the CEO and Works Manager to further consider the issues identified at Roe Dam in consultation with Water Corporation and other stakeholders as identified by Council.
3. Receive a report to summarise the options developed as part of the working groups consultation with stakeholders.

COUNCIL RESOLUTION

MIN 7236/21 **MOTION** - Moved Cr. R DeLuis Seconded Cr. A Hardman

That Council:

- 1. Receive the letter from the Minster for Water dated 13 May 2021 responding to issues raised by the Council at the Roe Dam site.*
- 2. Form a working group comprising Cr. R DeLuis and Cr. S Stirrat, the CEO and Works Manager to further consider the issues identified at Roe Dam in consultation with Water Corporation and other stakeholders as identified by Council.*
- 3. Receive a report to summarise the options developed as part of the working groups consultation with stakeholders.*

CARRIED 8/0

AGENDA ITEM: 8.1.2 - Application to keep seven cats at 3 Churchill Street, Narembeen

Subject:	Application to keep seven cats – 3 Churchill Street, Narembeen
Applicant:	Ms Rosalie Wells
File Ref:	ADM551
Disclosure of Interest:	NA
Author:	David Blurton, Chief Executive Officer
Date:	2 June 2021
Attachments:	Objection Letter from REED Narembeen

PURPOSE

To present an application to keep an additional number of cats above the number specified in Council's *Animals, Environment, and Nuisance Local Law 2016*. It is referred to Council for consideration as the Chief Executive Officer does not have delegated authority to deal with the matter.

BACKGROUND

The applicant resides at 3 Churchill Street, Narembeen and currently has seven pet cats, all of which are sterilised and microchipped. Council's contract Rangers have been in discussion with the applicant over several months in relation the number of cats in her care.

Officers have encouraged Ms Wells to apply to Council to keep more than the prescribed number of cats as per section 2.4 (1) of the Council's *Animals, Environment and Nuisance Local Law 2016* and Ms Wells has responded advising of her intention to keep the current number of cats.

The applicant has indicated in her letter that all cats are rescue cats and that a cat enclosure has been constructed on the property. She has advised that her cats are kept inside at night.

Neighbours have been consulted as part of the application process and a letter of objection has been received from the operators of Numbats childcare centre – refer attached.

CONSULTATION

Contract Ranger – Katrina Curtis
Contract Ranger – Matthew Sharpe
Environment Health Officer – Brendan Gerrard

STATUTORY IMPLICATIONS

The Council's *Animals, Environment and Nuisance Local Law 2016* states the following regarding the keeping of cats.

2.4 Cats

- (1) Subject to subclauses (6) and (7), a person shall not, without an exemption in writing from the local government, keep more than 3 cats over the age of 6 months on premises on any land within the district.
- (2) An owner or occupier of premises may apply in writing to the local government for exemption from the requirements of subclause (1).
- (3) The local government shall not grant an exemption under subclause (2) unless it is satisfied that the number of cats to be kept will not be a nuisance or injurious or dangerous to health.
- (4) An exemption granted under this clause shall specify –

- (a) the owner or occupier to whom the exemption applies;
 - (b) the premises to which the exemption applies; and
 - (c) the maximum number of cats which may be kept on the premises.
- (5) A person who is granted an exemption under subclause (3) may be required by the local government to house or keep cats in such manner as directed by an EHO.
- (6) A person may keep more than 3 cats over the age of 6 months on premises used for veterinary purposes or as a pet shop, or if the person is a member of a cat organisation a maximum of 9 cats can be kept.
- (7) The occupier of any premises shall not keep a cattery on those premises, unless the cattery is registered with the local government and the occupier has complied with the following conditions:
- (a) the occupier shall obtain approval from the local government to establish a cattery;
 - (b) upon receiving approval to establish a cattery, the occupier shall apply for registration of the cattery in the form approved by the local government;
 - (c) the occupier shall have paid, to the local government, the annual registration fee as determined from time to time by the local government under Sections 6.16 to 6.19 of the Act;
 - (d) the occupier shall provide, for every cat, a properly constructed shelter with an enclosure, which shall comply with the following conditions –
 - (i) every shelter shall have a floor area of not less than 0.50 square metres for every cat over the age of 3 months old that may be kept therein; and
 - (ii) the area of the enclosure appurtenant to any shelter or group of shelters forming a cattery shall not be less than 3 times the area of the shelter or group of shelters to which it is appurtenant;
 - (e) every shelter or enclosure shall be at least 10 metres from the boundary of any land not in the same ownership or possession, or at least 10 metres from any dwelling, church, schoolroom, hall, factory, dairy or premises wherein food is manufactured, packed or prepared for human consumption; and
 - (f) all enclosures, yards, runs and shelters within which cats are kept shall be maintained at all times in a clean condition and free from vectors of disease and shall at any time be cleaned, disinfected or otherwise dealt with as an EHO may direct.
- (8) An application for registration of a cattery shall be made by submitting the cattery registration form approved by the local government and with the annual registration fee as approved from time to time by the local government in accordance with sections 6.16 to 6.19 of the Act is paid.
- (9) A certificate of registration of a cattery issued by the local government shall –
- (a) be in the form approved by local government; and
 - (b) expire on 30 June next after the date of its issue

The applicant does not meet the definition of a cattery.

A Cattery means a place where more than 3 cats are kept for the purposes of boarding, or more than 6 cats are kept for the purpose of breeding;

There is a fine for keeping more than the prescribed number of cats.

5 2.4(1) Keeping more than 3 cats over the age of 6 months without exemption from the local government \$150

The Cat Act 2011 is also relevant to this application.

FINANCIAL IMPLICATIONS

NA

POLICY IMPLICATIONS

NA

RISK MANAGEMENT IMPLICATIONS

Low – some potential reputational risk

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

Goal 3 – we contribute to a healthy community

VOTING REQUIREMENTS

Simple Majority

COMMENT

Council's *Animals, Environment and Nuisance Local Law 2016* allows for the keeping of more than three cats at the discretion of the Shire of Narembeen and it is suggested that delegation be provided to the Chief Executive Officer to process these applications at an administrative level in future.

Staff who have inspected the premises at 3 Churchill Street, Narembeen have no concerns with the level of cleanliness or how the cats are being kept.

Given the concerns of REED Narembeen, it is recommended that approval be granted to the applicant to keep seven cats at 3 Churchill Street subject to the following conditions:

1. That all cats are sterilised and microchipped.
2. That cats are contained to the property at all times.
3. That the premises are maintained in a clean and healthy state in the opinion of the Councils Environmental Health Officer.

OFFICER RECOMMENDATION

That Council:

1. Grant delegated authority to the Chief Executive Officer to administer all provisions of the *Animals, Environment, and Nuisance Local Law 2016*. - *Granted*
2. Approve the application to keep seven cats at 3 Churchill Street, Narembeen subject to the following conditions:
 - (a) That all cats are sterilised and microchipped.
 - (b) That all cats are contained to the property at all times.
 - (c) That the premises are maintained in a clean and healthy state in the opinion of the Councils Environmental Health Officer.

COUNCIL RESOLUTION

MIN 7237/21 **MOTION** - Moved Cr. S Stirrat Seconded Cr. P Lines

That Council:

1. *Grant delegated authority to the Chief Executive Officer to administer all provisions of the Animals, Environment, and Nuisance Local Law 2016.*
2. *Approve the application to keep seven cats at 3 Churchill Street, Naremben subject to the following conditions:*
 - (a) *That all cats are sterilised and microchipped.*
 - (b) *That all cats are contained to the property at all times.*
 - (c) *That the premises are maintained in a clean and healthy state in the opinion of the Councils Environmental Health Officer.*

CARRIED 7/1

AGENDA ITEM: 8.1.3 – Plant Replacement Program 2021/2022 to 2024/2025

Subject:	Plant Replacement Program 2021/2022 to 2024/2025
Applicant:	NA
File Ref:	NA
Disclosure of Interest:	Nil
Author:	David Blurton, Chief Executive Officer and Arthur Cousins, Works Manager
Date:	25 May 2021
Attachments:	Plant Replacement Program 2021/2022 to 2024/2025

PURPOSE

Council are requested to endorse the Shire of Narembeen Four-Year Plant Replacement Program 2021/2022 – 2024/2025.

BACKGROUND

At the May Ordinary Meeting, Council:

4. Endorsed the four-year Plant Replacement Program 2021/2022 to 2024/2025 as presented to the Plant Committee Meeting.

It has come to the CEO's attention that Council endorsed an incorrect version of the Plant Replacement Plan 2021/2022 – 2024/2025.

Please note, the correct version of the plan was approved by the Plant Committee prior to the May Ordinary Council Meeting.

CONSULTATION

Works Manager
Plant Mechanic
Finance Officer

STATUTORY IMPLICATIONS

NA

FINANCIAL IMPLICATIONS

The annual cost to changeover both light vehicles and plant varies significantly each year of the plan. To minimise the impact on ratepayers from year to year it is suggested that a set amount be allocated each year from municipal funds over the four years and when the total commitments in a particular year exceed this amount then plant reserve funds are accessed. In years when the commitment exceeds the purchase requirements then surplus funds are transferred to the Plant reserve.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

All Council decisions are subject to risk assessment according the Shire of Narembeen's Risk Framework.

Financial Impact – Medium, Service Interruption – Major, Reputational - moderate

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

Goal 1: Focus upon our local economic drivers to retain and grow existing businesses, employment and to attract new industry.

- 1.1 Performance and structure of roads are included in our annual road management plan, communicated to Council and the community.
- 1.3 We investigate group purchasing power on our plant equipment and road materials to benefit from financial discounts.

Information from the plant replacement program will inform the review of the Strategic Community Plan.

VOTING REQUIREMENTS

Simple Majority

COMMENT

The development of a four-year plant replacement plan is important as it ensures that the cost of new purchases are spread over the life of the plan. It also ensures that Council's fleet remains relevant and in good working condition, thereby minimising maintenance costs and lost productivity due to machine breakdowns.

OFFICER RECOMMENDATION

That Council endorse the Four-Year Plant Replacement Program 2021/2022 – 2024/25 as presented.

COUNCIL RESOLUTION

MIN 7238/21 **MOTION** - Moved Cr. R DeLuis Seconded Cr. A Hardman

That Council endorse the Four-Year Plant Replacement Program 2021/2022 – 2024/25 as presented.

CARRIED 8/0

8.2 Executive Manager Corporate Services

AGENDA ITEM: 8.2.1 - Financial Report period ending 31 May 2021

Subject:	Financial Report May 2021
Applicant:	Shire of Narembeen
File Ref:	NA
Disclosure of Interest:	Nil
Author:	Rachael Moore, Finance Officer
Date:	4 June 2021
Attachments:	May 2021 Financial Report

PURPOSE

The monthly statement of Financial Activity discloses the Shires financial activities for the period ending 31 May 2021.

BACKGROUND

The monthly financial report is presented in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*. A statement of financial activity and any accompanying documents are to be presented to the Council at an ordinary meeting of the Council within two months after the end of the month to which the statement relates. The Statement of Financial Activity Report summarises the Shire's financial activities.

CONSULTATION

Chief Executive Officer
EMCS

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 6.4

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare each month a statement of financial activity.

Regulation 34(2) requires the statement of financial activity to report on the sources and applications of funds, as set out in the annual budget.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

- Minor Compliance risk considered low.
Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring
- Financial Impact risk considered moderate.
Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

Focus upon our local economic drivers to retain and grow existing businesses, employment and to attract new industry.

Corporate Business Plan 2020/21 – 2023/24

Goal Area 1. Focus upon local economic drivers to retain and grow existing businesses, employment and to attract new industry

VOTING REQUIREMENTS

Simple Majority

COMMENT

Council's closing position at 31 May 2021 amounts to \$1,727,368 with current assets of \$6,141,544 and \$2,813,163 in reserve funds.

Current unrestricted cash is overstated by \$38,258 due to administrative delays.

OFFICER RECOMMENDATION

That Council receive the Shire of Narembeen's Financial Report for the month of May 2021.

COUNCIL RESOLUTION

MIN 7239/21 **MOTION** - Moved Cr. P. Lines Seconded Cr. W. Milner

That Council receive the Shire of Narembeen's Financial Report for the month of May 2021.

CARRIED 8/0

AGENDA ITEM: 8.2.2- Schedule of Accounts for May 2021

Subject:	Schedule of Accounts for May 2021
Applicant:	NA
File Ref:	NA
Disclosure of Interest:	Nil
Author:	Kathryn Conopo, Administration Officer
Date:	6 June 2021
Attachments:	Creditors Payment List – May 2021, Credit Card Payments List 16 April – 13 May 2021

PURPOSE

For Council to review the payments made by the Shire of Narembeen in May 2021.

BACKGROUND

The Shire's schedule of accounts is to be provided to council each month pursuant to the *Local Government (Financial Management) Regulation 1996*.

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

Reg. 13 List of Accounts

1. If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared;
 - a. The payee's name;
 - b. The amount of the payment;
 - c. The date of the payments; and
 - d. Sufficient information to identify the transaction.

3. A list prepared under sub regulation (1) or (2) is to be –
 - a. Presented to the council at the next ordinary meeting of council after the list is prepared; and
 - b. Recorded in the minutes of that meeting.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

Goal 2: Internal and external relationships actively grow our Shire population and positive financial position.

2.1 Our organisation model is responsive to economic conditions, the delivery of core services and infrastructure so too the successful pursuit of economic opportunities that benefit our community.

VOTING REQUIREMENTS

Simple majority

COMMENT

A schedule of accounts paid during the month of May 2021 is attached to this report and the total amounts paid from the municipal and trust funds are as follows:

Municipal Account: \$188,313.93

OFFICER RECOMMENDATION

That Council:

1. Receive the Creditors Payment List for May 2021.
2. Receive the Credit Card Payment List for 16 April – 13 May 2021.

COUNCIL RESOLUTION

MIN 7240/21

MOTION - Moved Cr. P Lines

Seconded Cr. W Milner

That Council:

1. *Receive the Creditors Payment List for May 2021.*
2. *Receive the Credit Card Payment List for 16 April – 13 May 2021.*

CARRIED 8/0

8.3 Confidential Reports

Nil

9.0 Urgent business as permitted by Council

Nil

10.0 Councillor's Reports

Cr R DeLuis

Attended

- My Aged Care Meeting
- Official Naming of the Netball Courts – well done, great event
- 50th Anniversary of Netball Club

4.58pm - Cr R DeLuis exited the meeting and did not return.

General Business

- Cr DeLuis suggested that in recognition of Joan McCutcheon's achievements in the community (first female Councillor) that a plaque or framed photo be put up at Shire office.
- WALGA Member Survey – suggested that the Shire respond as a collective with issues/challenges, Cr DeLuis's issues/challenges were noted by staff.

Cr K Mortimore

Attended

- Official Naming of the Netball Courts
- 50th Anniversary of Netball Club
- Webinar – Housing in Regional Australia
- Community Volunteer BBQ
- WAPHA meeting on behalf of Community Wellbeing Committee

General Business

- Cr K Mortimore commented that she was disappointed with the Shire's involvement for the naming of the Netball Courts and that the Shire should have been better represented at the event.
- Cr Mortimore has received some negative feedback regarding the standpipe charges. Council have suggested that staff check invoices to see what rates the Shire are currently being charged.
- Public Notice on Sheds – Cr Mortimore asked if any responses had been received from the community. The CEO advised that he had not received any. The CEO advised that he is progressing with the unapproved shed on Currall Street.

5:09pm - T Clarkson exited the meeting.

Cr P Lines

Attended

- Wadderin Meeting

General Business

- Nil

Cr A Hardham

Attended

- Official Naming of the Netball Courts
- 50th Anniversary of Netball Club
- Community Volunteer BBQ
- School Board Meeting

General Business

- Washdown Bay - mining company leaving rubbish behind when doing washdowns. CEO to investigate

5:12pm - T Clarkson returned

Cr S Stirrat

Attended

- Nil

General Business

- Nil

Cr A Wright

Attended

- Official Naming of the Netball Courts

General Business

- Footpath to walk through around the grass to Chambers – CEO advised that planning is underway.

Cr W Milner

Attended

- Nil

General Business

- Illegal sea containers – should we promote to the community? CEO to look for policy to clarify rules.

Cr R Cole

Attended

- Official Naming of the Netball Courts
- Meeting with WALGA
- Zone meeting
- CRC Event - Sip and Dip
- Aged Care meeting
- Webinar – Housing in Regional Australia

General Business

- Cr R Cole advised that vehicles left on verges are becoming an issue
- CRC very active with their events
- Good attendance for official naming of the Netball Courts. Cr Cole was pleased with overall outcome.
- Cr Cole requested that staff investigate a brass plaque for the netball courts outlining why Joan McCutcheon was given this recognition – Shire to cover the cost.
- Cr Cole also suggested that a sign in recognition of Hiram Chick Lethlean to be placed at the swimming pool.
- Toilet sign at the Netball Courts – suggested sign be relocated.

11.0 Date, time & place of next meeting

Tuesday 20 July 2021, 4.00pm at the Shire of Narembeen Council Chambers.

12.0 Closure

There being no further business the Chair declared the meeting closed at 5.25pm.

13.0 Certification of Meeting Minutes

I, Cr Rhonda Cole, Shire President certify that the Minutes of the Ordinary Meeting of Council held on Tuesday 15 June 2021, as show on pages 1 to 20 are confirmed as a true and correct record of the meeting.

Cr Rhonda Cole
SHIRE PRESIDENT

Date

Unconfirmed