



MINUTES

Ordinary Council Meeting
16 April 2024





NOTICE OF MEETING

Dear Elected Members and Members of the Public

In accordance with the provisions of Section 5.5 of the Local Government Act, you are hereby notified that the April Ordinary Council Meeting has been convened for:

Date: Tuesday 16 April 2024

At: Shire of Narembeen Council Chambers
1 Longhurst Street, Narembeen

Commencing: 5.00pm

Rebecca McCall
Chief Executive Officer

11 April 2024

DISCLAIMER

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member or officer of the Shire of Narembeen during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Narembeen. The Shire of Narembeen warns that anyone who has an application lodged with the Shire of Narembeen 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 Narembeen in respect of the application.

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1. Official Opening and Welcome

The President, Cr Scott Stirrat, welcomed everyone to the meeting and declared the meeting open at 5.01pm.

The Council, CEO, and Management acknowledges the passing of Mr Les Hills who was an active and valued member of the Narembeen community and extends their deepest condolences to the Hills family.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

- | | |
|---------------|------------------|
| Cr SW Scott | President |
| Cr HA Cusack | Deputy President |
| Cr TW Cole | |
| Cr MJ Currie | |
| Cr HJ Bald | |
| Cr CD Bray | |
| Cr AM Hardham | |

Staff:

- | | |
|--------------|---|
| Ms R McCall | Chief Executive Officer |
| Mr B Forbes | Executive Manager Corporate Services |
| Mr K Markham | Executive Manager Infrastructure Services |
| Ms K Conopo | Senior Administration Officer |

Member of Public: Nil

Apologies: Nil

3. Public Question Time

Nil

4. Disclosure of Interest

- Item 15.2 – Financial Interest – Cr Cusack
- Item 15.2 – Financial Interest – Cr Currie
- Item 15.2 – Financial Interest – Cr Cole

5. Application for Leave of Absence

Nil

6. Deputations/ Petitions/ Presentations/ Submissions

Nil

7. Confirmation of Previous Meetings

**7.1 Ordinary Council Meeting 19 March 2024
Attachment 7.1A**

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation / Council Resolution– 7.1

That the minutes of the Shire of Narembreen Ordinary Council Meeting held on Tuesday 19 March 2024, as presented, be confirmed as a true and correct record of proceedings.

MIN 7758/24 **MOTION** - Moved Cr. Hardham Seconded Cr. Cole

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

8. Minutes of Committee Meetings to be Received

**8.1 CEACA Management Committee Meeting – 19 February 2024
Attachment 8.1A**

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation / Council Resolution – 8.1

That the minutes of the CEACA Management Committee Meeting held on Monday 19 February 2024, as presented, be received.

MIN 7759/24 **MOTION** - Moved Cr. Bald Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

8.2 CEACA Special General Meeting – 19 February 2024

Attachment 8.2A

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation / Council Resolution – 8.2

That the minutes of the CEACA Special General Meeting held on Monday 19 February 2024, as presented, be received.

MIN 7760/24 **MOTION** - Moved Cr. Cusack Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

8.3 Great Eastern Country Zone Meeting – 22 February 2024

Attachment 8.3A

Attachment 8.3B

Attachment 8.3C

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation / Council Resolution – 8.3

That the minutes of the Great Eastern Country Zone Meeting held on Thursday 22 February 2024, as presented, be received.

MIN 7761/24 **MOTION** - Moved Cr. Hardham Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

8.4 RoeROC Meeting – 21 March 2024

Attachment 8.4A

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation / Council Resolution – 8.4

That the minutes of the RoeROC Meeting held on Thursday 21 March 2024, as presented, be received.

MIN 7762/24 **MOTION** - Moved Cr. ole Seconded Cr. Bray

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

**8.5 Community Benefit Fund Advisory Committee Meeting 4 April 2024
Attachment 8.5A**

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation / Council Resolution – 8.5

That the minutes of the Ramelius Resources, Shire of Narembeen and Go Narembeen Community Benefit Fund Advisory Committee Meeting held on Thursday 4 April 2024, as presented, be received.

MIN 7763/24 MOTION - Moved Cr. Bald Seconded Cr. Hardham

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

9. Recommendations from Committee Meetings for Council Consideration

9.1 Community Benefit Fund Advisory Committee Meeting 4 April 2024

Voting Requirements

- Simple Majority Absolute Majority

Committee Recommendation / Council Resolution – 9.1

That Council approve the following grant applications, noting the amendment to application 7 from the Narembeen Recreation Centre from the requested figure of \$15,000 to \$1,925 for an Honour Board.

Club/Group	Project/Event	Amount
Mt Walker Golf Club	Sporting Club Challenge	\$750
Narembeen P&C	Breakfast Club	\$830
Wadderin Wildlife Sanctuary	Road Signs	\$2,990
Narembeen CRC	Art & Craft Workshop Series	\$1,021
Narembeen Homes for the Aged	Reticulation Replacement	\$3,500
Narembeen Playgroup	Playgroup Term 2 and 3	\$1,000
Narembeen Recreation Centre	Honour Board	\$1,925
Livingston Medical	Sandpiper Bag	\$6,000
	TOTAL	\$18,016 ex GST

MIN 7764/24 MOTION - Moved Cr. Cusack Seconded Cr. Cole

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

10. Announcements by Presiding Member without Discussion

Cr Stirrat emphasised to Council the importance of establishing a clear policy position regarding the land use of valuable agricultural property for renewable energy and/or carbon offset purposes. This matter was brought up during the Great Eastern County Zone meeting, and WALGA is currently supporting local government in addressing it. There are already instances where local government are confronted with this challenge.

Cr Stirrat encouraged Councillors to engage with their constituents to gather their perspectives and feedback on this matter.

11. Officers Reports - Office of the Chief Executive Officer

11.1 Freedom of Information Statement 2023-2024

Date:	8 April 2024
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	ADM039
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	11.1A Freedom of Information Statement 2023-2024

Purpose of Report

- Executive Decision Legislative Requirement

Summary

Council to adopt the Freedom of Information Statement 2023-2024.

Background

The *Freedom of Information Act 1992* (FOI Act) gives individuals, corporations, and businesses the right to apply for access to documents held by Western Australian and Local Government agencies subject to some limitations.

Part 5 of the FOI Act requires each local government to prepare and publish a Freedom of Information Statement (FOI Statement) annually.

Comment

The purpose of the of the FOI Statement is to enable members of the public to be more familiar with the functions, structures and operations of the Shire of Narembeen, the types of documents held by the Shire and the procedures for accessing documents.

The Shire is committed to transparency and accountability and seeks to provide members of the public with access to information in the most time efficient and low-cost methods, whilst ensuring the privacy of staff and the public is protected.

Consultation

Executive Manager Corporate Services
Executive Manager Infrastructure Services

Statutory Implications

The document has been prepared in accordance with section 96 of the *Freedom of Information Act 1992*.

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed local government
Strategy: 4.2 Compliant and resourced local government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	Some temporary non compliances
Consequence Rating	Minor (2)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Moderate (6)
Key Controls in Place	Freedom of Information procedure in place
Action / Treatment	Freedom of Information Statement 2023-2024
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 11.1

That Council adopts the Freedom of Information Statement 2023-2024, as attached.

MIN 7765/24

MOTION - Moved Cr. Hardham

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

UNCONFIRMED

11.2 Code of Conduct for Council Members, Committee Members and Candidates Review

Date:	8 April 2024
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	ADM025
Previous Meeting Reference	7203/21
Disclosure of Interest:	Nil
Attachments:	11.2A Code of Conduct for Council Members, Committee Members and Candidates

Purpose of Report

- Executive Decision Legislative Requirement

Summary

This item presents the reviewed Code of Conduct for Council Members, Committee Members and Candidates to Council for consideration and, if satisfactory, adoption.

Background

The Local Government (Model Code of Conduct) Regulations 2021 (the new regulations) was gazetted on 2 February 2021 and took effect on 3 February 2021.

The Shire was required to adopt a Code of Conduct for Council Members, Committee Members and Candidates that incorporates the Model Code of Conduct within three months, in accordance with the new Section 5.104 of the *Local Government Act 1995* (the Act).

Council adopted the Model Code of Conduct at its Ordinary Council Meeting dated April 2021 (7203/21).

Comment

Whilst there is no specific frequency mentioned for regular reviews, local governments should periodically assess and review the Code of Conduct to ensure it remains relevant and effective.

The result of the review process proposed no amendments.

Consultation

Executive Manager Corporate Services
Executive Manager Infrastructure Services
Council Discussion Forum March 2024

Statutory Implications

The document was prepared in accordance with section 5.104 of the *Local Government Act 1995* and the *Local Government (Model Code of Conduct) Regulations 2021*.

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed local government
Strategy: 4.2 Compliant and resourced local government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Framework
Action / Treatment	Document Governance Framework
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 11.2

That Council adopts the Code of Conduct for Council Members, Committee Members and Candidates, as attached.

MIN 7766/24

MOTION - Moved Cr. Bald

Seconded Cr. Cusack

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

11.3 Corporate Business Plan – Quarterly Monitoring Report – March 2024

Date:	8 April 2024
Location:	Not Applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	ADM172
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	11.3A IPR Quarterly Progress Report – March 2024

Purpose of Report

- Executive Decision Legislative Requirement

Summary

This item presents the Corporate Business Plan (CBP) – quarterly monitoring report for March 2024 to Council for consideration and, if satisfactory, receive.

Background

The council, community, and administration each has unique roles and responsibilities for the development of effective and sustainable integrated plans for the local area and reporting on the progress of those plans. A successful integrated planning and reporting process will deliver a:

- Strategic Community Plan (SCP) that clearly links the community's aspirations with the council's vision and long-term strategy;
- Corporate Business Plan that integrates resourcing plans and specific council plans with the strategic community plan; and
- Clearly stated vision for the future viability of the local area.

The Integrated Planning and Reporting Framework:

- recognises that planning for a local government is holistic in nature and driven by the community;
- builds organisational and resource capability to meet community need;
- optimises success by understanding the integration and interdependencies between the components; and
- emphasises performance monitoring so that local governments can adapt and respond to changes in community needs and the business environment.

A strategic review is undertaken every two years, alternating between a minor review and a major review. The Shire of Narembeen's second major strategic review was carried out in 2022/2023 resulting in the adoption of the:

- Strategic Community Plan 2022-2032
- Corporate Business Plan 2022-2023 / 2025-2026

Comment

The CBP undergoes an annual review alongside the yearly budget deliberations, with quarterly reports on operational progress. This process ensures that the Shire of Narembeen is actively working towards achieving and implementing identified goals.

It is crucial for the Shire to assess and track the success of the initiatives to fulfill the aspirations and strategies outlined in the SCP. To this end, the organisation is dedicated to reviewing internal reporting mechanisms to ensure alignment with its commitments and priorities.

Progress reports will be conducted quarterly using a traffic light system to indicate progress against the priorities outlined in the CBP. It is recommended that these quarterly reports be shared with Council as part of a formal agenda item. Additionally, annual results will be communicated to the community through the end-of-year financial annual report as required by legislation.

The CBP – Quarterly Monitoring Review for March 2024 is presented to Council for its review.

Consultation

Executive Manager Corporate Services

Statutory Implications

Section 5.56(1) of the *Local Government Act 1995* requires all local governments to produce plans for the future.

Division 3 DA of the *Local Government (Administration) Regulations 1996* specifies the requirements for the CBP.

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership

Objective: Well governed and efficiently managed Local Government

Strategy: 4.1 Forward planning and implementation of plans to achieve strategic priorities

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

There are no financial implications to Council in relation to this item as the Corporate Business Plan recognise outcomes. Identified outcomes from the CBP are factored into the Council's Long-Term Financial Plan.

Voting Requirements

- Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 11.3

That Council receives the Corporate Business Plan Quarterly Monitoring Report – March 2024, as attached.

MIN 7767/24

MOTION - Moved Cr. Cole

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

12 Officers Reports - Development and Regulatory Services

Nil

13 Officers Reports - Corporate Services

13.1 Application to Breed Cats

Date:	2 April 2024
Location:	Not applicable
Responsible Officer:	Ben Forbes, Executive Manager Corporate Services
Author:	Ben Forbes, Executive Manager Corporate Services
File Reference	ADM551
Previous Meeting Reference	Not applicable
Disclosure of Interest:	Nil
Attachments:	13.1A Application for Cat Breeders Licence (CONFIDENTIAL) 13.1B Cats' Registration Details (CONFIDENTIAL)

Purpose of Report

- Executive Decision Legislative Requirement

Summary

For Council to approve an application for a licence to breed cats.

Background

Council has received an application for a cat breeder's license from a local resident, as per the attached. Council does not currently have a delegation to the Chief Executive Officer regarding the approval of licenses to breed cats, so the application must be approved by Council.

Comment

This agenda item is procedural, as Council has no means of rejecting the application received as the applicant has met all the criteria given by the Cat Act 2011 and the associated Regulations.

Consultation

Chief Executive Officer

Statutory Implications

Cat Act 2011, Section 37

- (1) On receiving an application for the grant or renewal of an approval to breed cats under section 36, a local government is to —
- (a) grant or refuse to grant an approval for the person to breed cats; or
 - (b) renew or refuse to renew an approval for the person to breed cats.

- (2) A local government may refuse an application for the grant or renewal of an approval to breed cats only if the local government is satisfied that one or more of the following apply —
- (a) the applicant is a child under 18 years of age;
 - (b) the applicant has no, or insufficient, facilities to breed cats in a safe and ethical way;
 - (c) the applicant has no, or unsuitable, premises where cats can be bred in a safe and ethical way;
 - (d) the applicant has been convicted within the previous 3 years of an offence against —
 - (i) this Act; or
 - (ii) the Dog Act 1976; or
 - (iii) the Animal Welfare Act 2002;
 - (e) the applicant is not a fit and proper person to breed cats;
 - (f) such other circumstances, if any, as are prescribed.
- (3) A local government to which an application is made may require the applicant to give the local government, within a specified time of not more than 21 days, any document or information that it requires to determine the application and may require the applicant to verify the information by statutory declaration.
- (4) The local government may refuse to consider an application if the applicant does not comply with a requirement under subsection (3) within the specified time.
- (5) Despite subsection (2), a local government is not to refuse to grant or renew an approval to breed cats if the applicant belongs to a class of persons prescribed for the purposes of this subsection.
- (6) Subject to this Act, the grant or renewal of an approval to breed cats has effect for the period, or periods, prescribed.

Cat Regulation 2012, Regulation 21

An application for the grant or renewal of approval to breed cats under section 36 of the Act must —

- (a) be made by supplying the details required in Form 1 Parts A, B, E, F and G to the local government; and
- (b) be accompanied by the application fee payable under Schedule 3. [*Regulation 21 inserted in Gazette 23 Aug 2013 p. 4006.*]

Cat Regulation 2012, Regulation 23

A local government is not to refuse an application for the grant or renewal of an approval to breed cats if the applicant —

- (a) has attained the age of 18 years; and
- (b) has not been convicted within the previous 3 years of an offence against —
 - (i) the Cat Act 2011; or
 - (ii) the Dog Act 1976; or
 - (iii) the Animal Welfare Act 2002; and
- (c) is a current member of one of the following organisations and associations —
 - (i) the Cat Owners Association of Western Australia (COAWA);
 - (ii) the Feline Control Council of Western Australia (FCCWA);
 - (iii) the Australian National Cats (ANCATS).

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Nil

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Cat Act 2011
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

The applicant has paid \$55 in fees for processing their application.

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 13.1

That Council approve the application for a license to breed cats, as attached, for a period of 12 months only.

MIN 7768/24

MOTION - Moved Cr. Bray

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

5.13pm Cr Cole left the meeting.

5.14pm Cr Cole returned.

13.2 Narembeen Recreation Centre – Coolroom Repairs

Date:	8 March 2024
Location:	Not Applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	ADM172
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	13.2A NRC Coolroom Repairs

Purpose of Report

Executive Decision Legislative Requirement

Summary

For Council to approve the unbudgeted expenditure of \$10,520.43 for the repairs of the coolroom situated at the Narembeen Recreation Centre.

Background

In February 2024, the Shire of Narembeen (the Shire) submitted a claim in relation to the machinery breakdown of the coolroom compressor situated at the Narembeen Recreation Centre under its property protection policy.

Loss Description: Storm damage to coolroom compressor (fused)
Loss Date: 24 January 2024
Excess: \$1,000

The lease agreement between the Shire Narembeen Club Incorporated (the Club) outlines the conditions to include maintenance and works obligations. When referring to the lease, it was determined that the Shire is responsible for repairs that are insurable.

The Club obtained a quotation from Merredin Refrigeration & Air Conditioning for undertaking the repairs at a cost of \$12,707.04 (exclusive GST). This quote was submitted to the Shire's insurers, LGIS whom acknowledged receipt and granted the loss.

Upon the finalisation of the repairs, the invoice was far greater than the quoted price.

Quoted Price: \$13,007.04
Invoice: \$23,424.47

Comment

Attachment 13.2A includes an email extract dated 26 March 2026 outlining the outcome of the claim assessment.

Based on the information available and the lack of a power incident report or other evidence supporting an external cause, the loss presented with a more common and typical cause of failure. The assessment acknowledges that under the circumstances that a replacement refrigeration system would be considered the best solution to ensure the maximum long-term benefit due to the age and condition of the equipment. However, liability under this policy is limited to the more economical cost of replacing the damaged components and does not extend to capital replacement.

Based on what the assessor considers fair and reasonable, the settlement offer is \$12,904.04 (exclusive GST). The gap between the invoice and the settlement offer is \$10,520.43 (exclusive GST).

Consultation

Executive Manager Corporate Services
Narembeen Recreation Centre Committee – Representatives
LGIS

Statutory Implications

Division 4 of the *Local Government Act 1994*

6.8 Expenditure from municipal fund not included in the annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution (absolute majority required); or
 - (c) is authorised in advance by the president in an emergency.

Policy Implications

Council Policy – Asset Management

Strategic Implications

Strategic Community Plan

Strategic Priority: 1. Community
Objective: Happy, safe, healthy, and inclusive community
Strategy: Recreation, social and heritage spaces are safe and celebrate our lifestyle and active and healthy pursuits

Asset Management Plan

Although the Asset Management Plan accommodates lifecycle costs for equipment, the implementation of a proactive maintenance strategy will assist minimising unexpected costly repairs and/or replacement.

Long Term Financial Plan

Despite the Long-Term Financial Plan accommodating lifecycle costs for equipment, the implementation of a proactive maintenance strategy will better inform expected lifespan costs.

Risk Implications

Risk Profiling Theme	Ineffective Management of Events / Facilities / Venues
Risk Category	Property
Consequence Description	\$10,001 - \$50,000
Consequence Rating	Moderate (3)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Moderate (9)
Key Controls in Place	Lease Agreement; Asset Management Plan
Action / Treatment	Develop Building Maintenance Program; Review Building Maintenance Inspection and Reporting Process
Risk Rating After Treatment	Adequate

Financial Implications

The breakdown of the unbudgeted costs (exclusive GST) is as follows:

Quotation	\$13,007.04
Invoice	\$23,424.47
Settlement Offer for Claim	\$12,904.04
Unbudgeted Expense	\$10,520.43

The expense will be coded to GL 1131102 – Recreation Centre (Maintenance).

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 13.2

That Council authorises the unbudgeted expenditure of \$10,520.43 for the unclaimable repairs of the coolroom situated at the Narembeen Recreation Centre.

MIN 7769/24

MOTION - Moved Cr. Bray

Seconded Cr. Hardham

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

- participation in the new RoadWise Recognised initiative.

The RoadWise Recognised aspect of being a RoadWise Council provides formal recognition for, and enables benchmarking and monitoring of road safety management, actions, and interventions.

Local governments are encouraged to remain registered RoadWise Councils to ensure they have access to specialist advice and assistance in managing road safety at a local level to the best of their capacity and capability.

Comment

Participation in the RoadWise Council initiative will provide the Shire of Narembeen with access to WALGA's road safety services and products, including road safety policy development, training and professional development forums, knowledge-sharing workshops and access to incentives and sponsored programs. This supports the Shire's work towards effective management and planning of transport infrastructure under our Strategic Outcome of Economy and Civic Leadership.

Consultation

Executive Manager Corporate Services
Executive Manager Infrastructure Services
Rodney Thornton, WALGA Regional Road Safety Advisor
Council Discussion Forum March 2024

Statutory Implications

Austrroads 2021 – Guide to Road Safety Part 1.

Policy Implications

Council Policy - Asset Management

Strategic Implications

Strategic Community Plan

Strategic Priority: 3. Economy
Objective: Retain and grow existing business employment and attract new industry
Strategy: 2.2 Safe and efficient transport network enables economic growth

Asset Management Plan

The Asset Management Plan integrates the preservation of transport infrastructure.

Long Term Financial Plan

The Long-Term Financial Plan integrates the preservation of transport infrastructure.

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)

Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

There are no financial implications to register as a RoadWise Council.

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 15.1

That Council:

1. accepts the invitation from WALGA to register the Shire of Narembeen as a RoadWise Council.
2. authorises the Shire President and Chief Executive Officer to sign the declaration of commitment as a RoadWise Council.
3. Nominates the Shire President and Executive Manager Infrastructure Services as the Shire of Narembeen RoadWise Council representatives.

MIN 7770/24 **MOTION** - Moved Cr. Cusack Seconded Cr. Cole

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

5.20pm Councillors Cusack, Currie and Cole declared a financial interest and left the meeting.

15.2 Gravel, Sand and Pit Rehabilitation Policy

Date:	16 April 2024
Location:	Not applicable
Responsible Officer:	Ken Markham, Executive Manager Infrastructure Services
Author:	Ken Markham, Executive Manager Infrastructure Services
File Reference	ADM541
Previous Meeting Reference	
Disclosure of Interest:	Nil
Attachments:	15.2A Current Policies 15.2B New Policy and Agreement Document

Purpose of Report

- Executive Decision Legislative Requirement

Summary

This report is seeking Council's adoption of a Gravel, Sand and Pit Rehabilitation Policy.

Background

Currently the Shire of Narembeen have several policies that deal with gravel. These include:

- Policy 10.1.3 - Land Resumption for Gravel
- Policy 10.1.4 - Gravel Supplies-Road Reserves
- Policy 10.1.19 - Gravel Royalties

The above-mentioned policies are lacking in detail and could be included in one policy document dealing with gravel and sand supplies used by the Shire of Narembeen in undertaking its works.

The Executive Manager Infrastructure Services (EMIS) has undertaken research by canvassing surrounding Council's on what their policies are regarding gravel and roadbuilding supplies.

The need for a clear, concise, and workable policy regarding in particular gravel but also other roadbuilding materials has become evident with several issues around access to gravel, unpaid royalties and pit rehabilitation being encountered in the last couple of months.

A new policy and an agreement document which clearly states the agreement between the Shire of Narembeen and the landowner will ensure these issues do not arise.

There are varying royalty rates for gravel throughout the Shires canvassed from \$1/m³ to \$3/m³ ex GST. The proposal is to have a rate for gravel which includes gravel pit rehabilitation requirements and one without rehabilitation. This would be agreed and signed off between the landowner and the Shire before gravel was extracted.

A rate for sand is also proposed to be adopted. This could be between \$1/m³ and \$2/m³.

Comment

The proposed new policy and agreement form will ensure issues around non-payment of royalties, gravel pit rehabilitation and access to gravel and sand is addressed.

Consultation

Chief Executive Officer
Executive Manager Corporate Services
Surrounding Shires

Statutory Implications

Local Government Act 1995

Policy Implications

Policy 10.1.3 - Land Resumption for Gravel
Policy 10.1.4 - Gravel Supplies- Road Reserves
Policy 10.1.19 - Gravel Royalties

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar, Financial Management Framework and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Costs associated with the purchase and rehabilitation of pits will be costed/budgeted against the projects the materials are used for.

Voting Requirements

- Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 15.2

That Council:

1. Adopt the draft Gravel, Sand and Rehabilitation Policy.
2. Rescind Policy 10.1.3 - Land Resumption for Gravel, Policy 10.1.4 - Gravel Supplies - Road Reserves and Policy 10.1.9 - Gravel Royalties.
3. Set the following royalty rates:
 - Gravel without Rehabilitation requirement- \$2.00m³
 - Gravel with Rehabilitation Requirement- \$1.50m³
 - Sand \$1.50m³

MIN 7771/24 **MOTION** - Moved Cr. Hardham Seconded Cr. Bald

CARRIED 4 / 0

For: Cr Stirrat, Cr Bray, Cr Bald, Cr Hardham. Against: Nil

5.24pm Councillors Cusack, Currie and Cole re-entered the meeting.

15.3 Skid Steer eQuote

Date:	16 April 2024
Location:	Not applicable
Responsible Officer:	Ken Markham, Executive Manager Infrastructure Services
Author:	Ken Markham, Executive Manager Infrastructure Services
File Reference	ADM695
Previous Meeting Reference	
Disclosure of Interest:	Nil
Confidential Attachments:	15.3A Skid Steer Quotes

Purpose of Report

- Executive Decision Legislative Requirement

Summary

This report is seeking Council's decision on the tender for the supply and delivery of one skid steer.

Background

Council's 2023-24 Budget has provision for the purchase of a skid steer to assist with works.

A tender process was run through WALGA's eQuote system for the purchase of the skid steer with five suppliers invited to tender. They were:

- Westrac Pty Ltd
- Construction Equipment Australia (Wheatbelt Equipment)
- AFGRI Equipment
- McIntosh & Son W.A.
- CJD Equipment Pty Ltd

Of the five, four responses were received at the close of the tender. CJD Equipment failed to respond. All responses were outside the budget allocation with Westrac Pty Ltd offering the best price for the 232D3 skid steer. This would mean if accepted that the unallocated expenditure would need to come from the Plant Reserve.

As part of the tender we also asked for pricing on additional optional attachments. As the base price for the machine is already over the budget price, additional implements could be purchased over time as part of future budget allocations. These would include - forks, auger, skeleton bucket, trencher, rotary tiller, cold planer and slasher.

Comment

The addition of a skid steer to the Council's fleet would enable tasks to be undertaken that would normally require a contractor. With the addition of other attachments over time, the scope of works undertaken inhouse would increase and efficiencies would be gained.

Consultation

Outside Works Crew
Chief Executive Officer

Statutory Implications

Section 3.57 of the *Local Government Act 1995* is applicable:

3.57 Tenders for providing goods and services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and services.
- (2) Regulations may make provision about tenders.

Division 2 of the *Local Government (Functions and General) 1996* is application for the conduct of the tender process.

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if:
 - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program – indent required.

Policy Implications

Council Policy – Procurement Framework

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Purchasing a skid steer entails considering its long-term asset management implications, including maintenance costs, depreciation, and expected lifespan, to ensure optimal utilisation and value over time. Properly managing the skid steer as an asset involves regular maintenance, tracking its performance, and planning for eventual replacement or upgrades to maintain operational efficiency and minimise the total cost of ownership.

Long Term Financial Plan

Purchasing a skid steer will impact the Long-Term Financial Plan by allocating funds for the initial purchase and on-going lifecycle costs.

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)

Key Controls in Place	Governance Calendar, Financial Management Framework and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

The 2023-2024 Budget has an allocation of \$65,000 for the acquisition of a skid steer. The financial implications proceeding with the acquisitions is \$17,361.

The projected closing balance of the Plant Reserve at year end is \$557,505. There is the option to transfer out of the Plant Reserve to fund the expense gap of \$17,361.

Voting Requirements

- Simple Majority Absolute Majority

Officers Recommendation– 15.3

That Council:

1. Accepts the tender submitted by Westrac Pty Ltd as the successful supplier for RFT 2024-12 – Supply and Delivery of a Skid Steer Loader for the amount specified in the Confidential Attachment 15.3A.
2. Approves the unallocated expenditure of \$17,361 to be transferred from the Plant Reserve.

Or

1. Do not accept any of the tenders received.

Council Resolution – 15.3

That Council:

1. Accepts the tender submitted by Westrac Pty Ltd as the successful supplier for RFT 2024-12 – Supply and Delivery of a Skid Steer Loader for the amount specified in the Confidential Attachment 15.3A.

MIN 7772/24 MOTION - Moved Cr. Bray

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This item presents a contract price variation between the Shire of Narembeen and Prism Contracting & Consulting Pty Ltd (Prism), along with the overall project cost variation for consideration, and if acceptable, endorsement.

Background

Council nominated the Churchill Street Improvements (Stage 2) and Sealing of Savage Lane as part of Phase 3 LRCI program. The approved projects committed the LRCI funds to the value of:

- Churchill Street Improvements (Stage 2) \$350,000
- Sealing of Savage Lane \$250,000

Following this decision, a procurement process was initiated to engage a suitable contractor to carry out the scope of works. At its Ordinary Council Meeting dated October 2023, it was resolved (**MIN 7684/23**):

That Council:

1. *endorses the draft Minor Works Contract and Technical Requirements and Scope of Works between the Shire of Narembeen and Prism Contracting & Consulting Pty Ltd;*
2. *in accordance with regulation 20(1) of the Local Government (Functions & General) Regulations 1996, Council delegates to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry to Contract.*
3. *authorises the Chief Executive Officer to execute the contract.*
4. *authorises the Chief Executive Officer to approve project variations after the execution of the contract as per the below:*

Project Variations	Value	Authorisation
<i>Single Project Variation</i>	<i>Capped at \$20,000</i>	<i>CEO Authorised</i>
<i>Single Project Variation</i>	<i>Above \$20,000</i>	<i>To be presented to Council</i>
<i>Total Project Variations</i>	<i>Capped at \$55,000</i>	<i>CEO Authorised</i>
<i>Total Project Variations</i>	<i>Above \$55,000</i>	<i>To be presented to Council</i>

Comment

The need for additional design and survey lead to the engagement of SMEC for the survey of Churchill Street and design of the caravan bay parking area. This additional scope was necessary to enable the contractors to implement the contracted works.

Furthermore, Council decided to remove the existing street trees to prevent potential damage to footpaths and paving infrastructure, incurring maintenance costs.

Prism provided a breakdown of contract variations, with a significant portion attributed to standdown rates due to inclement weather. The summary of contract variations is as follows:

Churchill Street	Breakdown	Variation
	15 tonne of corrector (\$300 per tonne)	\$4,500.00
	Additional area @ Thomas Street (45m ² @ \$57.60/m ²)	\$2,592.00
Pavement / Footpath Repairs		\$7,092.00

Funding for the cost variation is proposed to come from:

LRCI Phase 3 – unspent funding allocation	52,106
Townsite kerb replacement – project deferred to 2024/2025	40,809

Consultation

Executive Manager Infrastructure Services
Prism Contracting & Consulting Pty Ltd

Statutory Implications

Division 4 of the *Local Government Act 1994*

6.8 Expenditure from municipal fund not included in the annual budget

- (2) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –
- (d) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (e) is authorised in advance by resolution (absolute majority required); or
 - (f) is authorised in advance by the president in an emergency.

Local Government (Functions and General) Regulations 1996

21(A) Varying a contract for the supply of goods and services

- If a local government has entered into a contract for the supply of goods or services with a successful tendered, the contract must not be varied unless –
- (a) the variation is necessary in order for the goods or service to be supplied and does not change the scope of the contract.

Policy Implications

Council Policy – Procurement Framework

Strategic Implications

Strategic Community Plan

- Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

The project variance necessitates a review of the Asset Management Plan to identify lifecycle costs of maintaining the infrastructure assets.

Long Term Financial Plan

The project variance and funding adjustments necessitates a review of the Long-Term Financial Plan and may involve reassessing priorities and capturing lifecycle costs of maintaining the infrastructure assets.

Risk Implications

Risk Profiling Theme	Inadequate Project/Change Management
Risk Category	Financial Impact
Consequence Description	\$10,001 - \$50,000
Consequence Rating	Moderate (3)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Moderate (9)
Key Controls in Place	Statutory Requirements; Variation Specifications
Action / Treatment	Document Project Management Framework
Risk Rating After Treatment	Adequate

Financial Implications

The financial implications of the projected final costs \$92,914.61 and it is proposed that the cost variation is funded by:

LRCI Phase 3 – unspent funding allocation	52,106
Townsite kerb replacement – project deferred to 2024/2025	40,809

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 18.2

That Council authorises the price variation of the Minor Works Contract and Technical Requirements and Scope of Works between the Shire of Narembreen and Prism Contracting & Consulting Pty Ltd with a cap of \$50,000, thereby increasing the total contract to a maximum of \$600,000;

MIN 7774/24 **MOTION** - Moved Cr. Cusack Seconded Cr. Bray

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

19. Matters for which the Meeting may be Closed

19.1 Meeting is closed to the public.

Voting Requirements

- Simple Majority Absolute Majority

Officers Recommendation / Council Resolution – Item 19.1

That Council close the meeting to public, under Section 5.23 (2) (c) of the Local Government Act 1995, so that it can discuss a potential contract of sale.

MIN 7775/24 **MOTION** - Moved Cr. Bray Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

5.25 the meeting closed to public

19.2 Proposed Disposal of Lot 65 (41) Cheetham Way, Naremben

Date:	15 April 2024
Location:	Lot 65 (41) Cheetham Way, Naremben
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	ADM143
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report

- Executive Decision Legislative Requirement

Summary

Council to consider an offer for sale of Shire owned land, Lot 65 Cheetham Way, Naremben.

Officers Recommendation / Council Resolution – 19.2

That Council:

1. Declines the \$25,000 offer for the acquisition of Lot 65 (41) Cheetham Way and authorises the CEO to negotiate with the purchaser, ensuring that no offer below \$35,000 plus GST is accepted;

2. In accordance with section 3.58 (3) of the Local Government Act 1995, advertise by local public notice of its intention to dispose of Lot 65 (41) Cheetham Way, Narembeen for \$35,000 plus GST to [REDACTED].
3. In accordance with section 3.58 (4) c (ii), declare the market value of the proposed disposition to be \$43,000.
4. Consider any submissions received on the proposed disposal at its meeting in May 2024.

MIN 7776/24

MOTION - Moved Cr. Hardham

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

19.3 Meeting is opened to the public.

Voting Requirements

Simple Majority

Absolute Majority

Officers Recommendation / Council Resolution – Item 19.3

That Council re-open the meeting to public.

MIN 7777/24

MOTION - Moved Cr. Bray

Seconded Cr. Cole

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Cole, Cr Bald, Cr Currie, Cr Hardham. Against: Nil

5.54pm Meeting was re-opened to the public

20. Closure of Meeting

The next meeting will be held on Tuesday 21 May 2024 commencing at 5.00pm

There being no further business, the chair declared the meeting closed at 5.55pm